# HOUSE OF REPRESENTATIVES—*Thursday, June 30, 1977*

The House met at 10 o'clock a.m.

Rabbi Hillel Cohn, Congregation Emanu El, San Bernardino, Calif., offered the following prayer:

O God, we seek blessings upon this Nation and its people's representatives. Let us learn from the question posed centuries ago:

אם לא עכשן, אימתי

"If not now, when?" (Ethics of the Fathers.)

The attainment of a truly just America in which the rights of individuals and minorities are a primary concern summons our recommitment. If not now, when?

The advocacy of democracy through its real application in every community and the support of democratic nations throughout the world beckons our reconsecration. If not now, when? The pursuit of Shalom, a total peace, where persons need not fear for the future demands our rededication. If not now, when? O God, may the godliness in each of us that makes good dreams possible cause that question ever to be before us—if not now, when? Amen.

## THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

## MESSAGE FROM THE SENATE

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

H.J. Res. 525. Joint resolution to provide for a temporary extension of certain Federal Housing Administration mortgage insurance and related authorities and of the national flood insurance program, and for other purposes.

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

S. 1532. An act to authorize appropriations for the Federal Maritime Commission, to require the Commission to recodify its rules, and for other purposes;

S. 1535. An act to amend the Federal Power Act to authorize appropriations for the Federal Power Commission, to require the Commission to recodify its rules, and for other purposes; and

S. 1536. An act to amend the Communications Act of 1934 to authorize appropriations for the Federal Communications Commission, to require the Commission to recodify its rules, and for other purposes.

The message also announced that Mr. McGovern was removed as a conferee on H.R. 5262, U.S. participation in international financial institutions, and H.R. 6884, International Security Assistance Act.

## PERMISSION TO FILE CONFERENCE REPORT ON H.R. 7556, DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION ACT, 1978

Mr. SLACK. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (H.R. 7556) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending September 30, 1978, and for other purposes.

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

There was no objection.

## HAPPY BIRTHDAY TO TOM IORIO, A DEDICATED SERVANT OF THE HOUSE

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

Mr. ADDABBO. Mr. Speaker, it is my happy privilege and pleasure to announce to the House this morning that we are celebrating the birthday today of Tom Iorio, a dedicated officer of the House, who has served us well both as a friend and employee of the House.

## GENERAL LEAVE

Mr. ADDABBO. 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 our good friend, Tom Iorio.

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

There was no objection.

## STATEMENT OF REPRESENTATIVE FRANK HORTON ON THE INTRODUCTION OF THE JOINT RESOLUTION TO PROCLAIM "PACIFIC ASIAN/AMERICAN HERITAGE WEEK"

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

Mr. HORTON. Mr. Speaker, today I am honored to introduce with the distinguished Congressman from California, Norman Mineta, a resolution authorizing the President to annually issue a proclamation designating a week during the first 10 days of May as "Pacific Asian/American Heritage Week." The proclamation would recognize the distinguished contributions of Pacific Asian/Americans to the United States and its territories. It is consistent with previous resolutions which have recognized the contribution of Spanish-speaking Americans and black Americans.

Mr. Speaker, since the country was founded we have witnessed a truly remarkable accommodation of the social, political, and cultural differences of millions of people from all over the world. Americans of Pacific Asian/American heritage have contributed significantly to their community, to their Nation, and to the social, scientific, economic, and cultural growth of our people. Over 1.4 million people presently live in the United States whose ancestors started their lives in various parts of the Pacific world. It is only fitting that we recognize the contribution of many such great individuals including the cosponsor of this resolution, Representative Mineta. Other prominent Americans of Pacific Asian ancestry include Senator Daniel Inouye; Senator Spark Matsunaga; Senator S. I. Hayakawa; former Congresswoman Patsy Mink; Representative Antonio Borja Won Pat of Guam; the present Governor of Hawaii, George R. Ariyoshi; Mrs. March Fong Eu, secretary of state for California; former Senator Hiram Fong of Hawaii, the first Pacific Asian/American to ever be a Member of Congress. This resolution is also supported by the National Coalition for a Pacific Asian/American Heritage Proclamation, chaired by Mrs. Jeanie F. Jew, and comprised of many associations of Pacific Asian/Americans and the Pacific Asian Congressional Caucus, chaired by Miss Ruby G. Moy.

Mr. Speaker, we have previously sent a "Dear Colleague" to all Members of the House. To obtain approval by the Post Office and Civil Service Committee, we need 218 cosponsors in the House. I urge my colleagues to join with us in sponsorship of this resolution.

## SMITH COLLEGE, NORTHAMPTON, MASS.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1404) for the relief of Smith College, Northampton, Mass., with Senate amendments thereto, and concur in the Senate amendments.

I want to say that the bill is essentially in the form in which it passed the House, but there were some amendments added by the other body relating to public assistance and to medicaid.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 11, insert:

FOOD STAMP ELIGIBILITY FOR SUPPLEMENTAL SECURITY INCOME RECIPIENTS

SEC. 3. Effective July 1, 1977, section 8 of Public Law 93-233 is amended by striking out "June 30, 1977" where it appears—

(1) in the matter preceding the colon in subsection (a)(1), and in the new sentence added by such subsection, and

(2) in subsections (a)(2), (b)(1), (b)(2), (b)(3), and (f),

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and by inserting in lieu thereof in each instance "September 30, 1978".

EXTENSION OF FEDERAL FUNDS FOR CHILD SUPPORT COLLECTION AND PATERNITY ESTABLISHMENT SERVICES PROVIDED FOR PERSONS NOT RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN

SEC. 4. Section 455(a) of the Social Security Act is amended by striking out "June 30, 1977" in the matter following paragraph (2) and inserting in lieu thereof "September 30, 1978".

EXTENSION OF TIME FOR MAKING REPORT BY SECRETARY REGARDING CHILD DAY CARE SERVICES STANDARDS

SEC. 5. Section 2002(a)(9)(B) of the Social Security Act is amended by striking out "July 1, 1977" and inserting in lieu thereof "April 1, 1978".

DEFERRAL OF IMPLEMENTATION OF CERTAIN DECREASES IN MEDICAID MATCHING FUNDS

SEC. 6. Notwithstanding the provisions of subsection (g) of section 1903 of the Social Security Act, the amount payable to any State for the calendar quarters during the period commencing April 1, 1977, and ending September 30, 1977, on account of expenditures made under a State plan approved under title XIX of such Act, shall not be decreased by reason of the application of the provisions of such subsection with respect to any period for which such State plan was in operation prior to April 1, 1977.

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

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, I wonder if my colleague from Ohio could dissuade me of the notion I had, as I listened, that there is something nongermane about these amendments.

Mr. VANIK. If the gentleman will yield to the gentleman from California and the gentleman from Florida, they will be happy to explain what was added by the other body.

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

Mr. ASHBROOK. Further reserving the right to object, I shall be glad to yield.

Mr. ROGERS. What was added in the Senate was an agreement that the committees that have the jurisdiction over medicaid have agreed to. There is a provision in the medicaid law that State inspections must be made of all health facilities within a State; otherwise, the State would be subject to a penalty, a withholding of some of the medicaid funds. If a State failed to inspect only one facility, it would nevertheless incur a very severe penalty.

This amendment simply provides that for the first quarter, in order to allow us time to act, there will be no penalty levied. That is all that the amendments do.

In H.R. 3, which will be brought to the House shortly, and which has now been approved by the Ways and Means Committee and by the Committee on Interstate and Foreign Commerce, we handled it in a 6-month period with set requirements with which States must comply at the end of that time. All this amendment does, and it certainly has the agreement of our committee and the Ways and Means Committee, is simply say that the Secretary may not impose penalties for three months, pending congressional action. The following letter which I sent to the chairman of the Ways and Means Committee, the distinguished gentleman from Oregon, sets forth my position on this issue.

HOUSE OF REPRESENTATIVES,
*Washington, D.C., June 23, 1977.*

Hon. AL ULLMAN,
*Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: As you may know, the Senate Finance Committee has reported H.R. 1404 with an amendment relating to the Medicaid program. Specifically, the amendment provides that no reduction of Medicaid payments resulting from failure to meet the review requirements of the law will be imposed during the calendar quarters commencing April 1 and July 1 of this year. This amendment is necessary to avoid subtraction of some $142 million from the quarterly payments of 20 States. (HEW is currently in the process of sending out these payments for the upcoming quarter).

The Subcommittee on Health and the Environment of the Committee on Interstate and Foreign Commerce has added a provision to H.R. 3, as reported to the full Committee, which provides States with a six-month period, i.e., until December 31, 1977, to meet the review requirements of the law. If a State can demonstrate compliance with the law at that time, the Secretary of HEW would waive reductions previously assessed under Section 1903(g) of the Social Security Act. However, an unavoidable delay in bringing H.R. 3 before the full Committee has made it impossible to assure consideration and passage by both the House and the Senate before the reduction in the upcoming quarterly payments would take effect. Therefore, the temporary delay provided by the Senate amendment is urgently needed.

I wanted you to know that we have been consulted by the Finance Committee on their action, and endorsed their approach. Their amendment to H.R. 1404 accords with the action already taken by the Subcommittee, and will have my full support on the Floor. I am ready to assist in any way you think necessary to secure rapid approval of H.R. 1404 by the House.

Sincerely yours,

PAUL G. ROGERS, M.C.,
*Chairman, Subcommittee on Health and the Environment.*

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, am I correct in my understanding that this was an action of the Senate which had no companion action in the House and agreeing to this unanimous-consent request would constitute the only House action on this particular measure?

Mr. ROGERS. Yes. All it is a postponement for three months of the levying of any fines against States which did not make all of their inspections within the 1-year period. That is all it does. It then enables us to go ahead and enact a 6-month additional time period which we have already written into H.R. 3, which will soon be brought to the floor. It must be done today because, under existing law, HEW must begin levying fines tomorrow.

Mr. ASHBROOK. One further reservation, Mr. Speaker. My colleague from Florida has always been direct and forthright. Is the gentleman indicating that is the only nongermane amendment, that is the only consideration involved, or are there other sections involved?

Mr. VANIK. If the gentleman will yield, the gentleman from California (Mr. CORMAN), the chairman of the Subcommittee on Public Assistance, will explain the public assistance amendments.

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, I would be glad to yield to the gentleman from California (Mr. CORMAN).

Mr. CORMAN. I thank the gentleman for yielding.

Mr. Speaker, there are three public assistance amendments on H.R. 1404.

The first one extends present law pertaining to food stamp eligibility for SSI recipients.

The Senate amendment is the same as the House provisions in H.R. 7200. It would extend until September 30, 1978, present temporary provisions pertaining to the eligibility of SSI recipients for food stamps.

Under current temporary provisions (Public Law 94-365), all SSI recipients are eligible for food stamps—except in California and Massachusetts where an increased State supplementary payment is made in lieu of food stamps. Upon expiration of this provision, on July 1, 1977, food stamp eligibility determinations will be made by relating current income to December 1973 income as required under Public Law 93-86.

Because of the administrative complications and costs that would result, the food stamp eligibility determination procedures required under Public Law 93-86 have never been allowed to go into effect. It has been the position of the House that these complex procedures should be further delayed and that the existing temporary provisions should remain in effect while the food stamp reform legislation is under consideration by the Congress.

The second amendment provides for an extension of the deadline for HEW day care standards study.

This Senate amendment is identical to a provision in section 301 of H.R. 7200 as it passed the House. When Congress enacted title XX (Public Law 93-647) the Secretary of HEW was directed to submit an evaluation of the appropriateness of the requirements for child day care established under the act. Such a study was also to include any recommendations for modifications of the requirements with such findings to be submitted to the Congress after December 31, 1976, but no later than June 30, 1977. The Secretary was also authorized to modify the day care requirements by regulation no earlier than 90 days after the submission of the report. The Department of HEW has requested that the submission date for the report be extended.

The amendment would give the Department until April 1, 1978 to submit its report. However, the Department is urged to submit the report at the earliest possible date prior to the deadline. An earlier submission would allow maximum time for public comment on the study and on any regulations the Secretary may propose to modify the current day care standards.

The third amendment extends the authority for federal funding of child support enforcement services provided to non-AFDC recipients.

The Senate amendment would provide for a straight extension, until October 1, 1978, of current provisions pertaining to Federal matching funds for costs of child support collection and paternity establishment services provided by States to individuals not receiving AFDC. Pressent authority expires on June 30, 1977.

The House provisions in H.R. 7200 would extend for 2 years, beginning October 1, 1977, Federal matching for costs of providing these services to non-AFDC recipients whose income are not more than double the State AFDC standard of need. The House provision also required States to charge application fees and deduct other administrative costs in the case of non-AFDC recipients who request child suport services, unless such fees or deductions would make the individual eligible for AFDC.

The simple extension provided in the Senate amendment was justified on grounds that there was insufficient time to act on the changes made by the House provision, and with the understanding that the House provision would be considered when the Finance Committee takes up H.R. 7200 later this month.

I urge the House to accept these provisions.

Mr. ASHBROOK. Mr. Speaker, I thank the gentleman for his contribution.

Further reserving the right to object, Mr. Speaker, the thing which concerns many of us—and we recognize the Committee on Ways and Means is a hard-working committee—it seems that so many times they come in at the very last day, whether it concerns unemployment, food stamps, trade, or taxes, and they indicate that if we do not take this action today, tomorrow "x" will happen. I think we all recognize that is not the best way to legislate. At least it is one of the concerns which many Members have. I would only indicate that this seems to be a continuing modus operandi of the Committee on Ways and Means.

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

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Speaker, I would like to point out that the House acted on this legislation several weeks ago. We have no control over how expeditiously the other body handles legislation we send to it. We are before the House today quite simply because the Senate did not act on these matters until day-before-yesterday.

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

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

There was no objection.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1404.

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

There was no objection.

## AMENDING STATUTE OF LIMITATIONS PROVISIONS IN SECTION 2415 OF TITLE 28, UNITED STATES CODE, RELATING TO CLAIMS BY UNITED STATES ON BEHALF OF INDIANS

Mr. UDALL. Mr. Speaker, I send to the desk a joint resolution (H.J. Res. 539) to amend the statute of limitations provisions in section 2415 of title 28, United States Code, relating to claims by the United States on behalf of Indians, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. KINDNESS. Mr. Speaker, reserving the right to object, the procedure that is now before us is one to which I essentially believe I would like to add my support. However, I think some explanation is necessary for the record, in view of the unusual circumstances.

Mr. Speaker, the gentleman from Maine (Mr. COHEN) has expressed particular interest in this matter.

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

Mr. KINDNESS. Further reserving the right to object, I yield to the gentleman from Maine.

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

The essential purpose of this request bears on the fact that there is a very large suit now pending against the State of Maine which would have to be filed prior to July 18, 1977. There is a measure that we have tried to bring to the floor during the past few weeks, but because of the lengthy debate we have had on other matters, we have not gotten to it. The Speaker has scheduled that measure on the calendar for Monday, the day we return, which would leave a day or two before the Justice Department would be forced to file its suit.

This would affect 60 percent of the land mass of the State of Maine, and in turn it would precipitate a lawsuit against the State of Massachusetts. I understand there are several other lawsuits pending, one against the State of New York, one against the State of Rhode Island, and one against the State of South Carolina. We are told Wisconsin may have a substantial suit, and there are a number of major lawsuits which may be brought in the near future.

The measure would extend the statute of limitations for a period of 4½ years. There are several amendments which will be offered, one by the gentleman from Washington (Mr. FOLEY) to restrict that time limit, and one by myself to cut it back.

Time is running out, and there may be inadequate time to consider this matter when we return.

I understand the gentleman from Arizona (Mr. UDALL) is asking for an extension of the statute of limitations for a period of 1 month, until August 18, 1977, to give this body time to consider what in fact will be a recommendation to extend the statute of limitations for the filing of claims by the Justice Department on behalf of Indian tribes for monetary damages.

It should be clear to all those Members who are here today that we are talking about potentially thousands of lawsuits, and that is why this entire issue must be fully debated.

Mr. Speaker, I think the gentleman from Arizona (Mr. UDALL) is correct in bringing this measure to the floor in order to give this body adequate time to debate fully whether this House should in fact extend the statute of limitations for a further period of 4½ years.

Mr. UDALL. Mr. Speaker, will the gentleman yield to me?

Mr. KINDNESS. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I am today introducing a joint resolution for the purpose of extending a statute of limitations affecting certain Indian claims for a period of 1 month. As you know the Senate passed a bill on May 27, 1977 (S. 1377) extending the Statute of Limitations in 25 U.S.C. 2415 for a period of 4½ years. It appears that the House may be unable to adopt legislation in time to avoid the necessity of filing thousands of claims before the statute expires on July 17, 1977, especially in the event that a conference with the Senate dealing with this subject should prove necessary. This resolution will simply maintain the status quo for 1 month so as to allow the House to consider the longer extension during the week of July 11.

This is a matter of some urgency. The Justice Department, at the request of the Interior Department, is preparing to file suit on or about July 13, 1977, against tens of thousands of landowners in Maine, New York, and perhaps in South Carolina and elsewhere. If such suits are filed it will cause great hardship because of the cloud that will be placed on land titles. Justice and Interior greatly prefer to settle these matters out of court.

If the statute of limitations is extended then Justice will not have to file suit, but will be able to work for a settlement.

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

Mr. KINDNESS. I yield to the gentleman from Maine.

Mr. COHEN. Mr. Speaker, let me ask this question: Do I understand that no further cases will be turned over from the Department of the Interior to the Justice Department for prosecution prior to August 18, 1977? Is that correct?

Mr. UDALL. Mr. Speaker, if the gentleman will yield, that is the purpose of this legislation, to leave this issue exactly where it is today. We intend to schedule

this matter with the help of the leadership on July 11. That is the day on which it has been scheduled. I do not want this additional time to be used by either the Justice Department or the Interior Department to take advantage of the situation.

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

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

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

I will say, Mr. Speaker, that I believe, as the gentleman from Arizona (Mr. UDALL) and others have said, that this is an appropriate action to take for the purpose of allowing the House to have full and careful deliberation and judgment on the pending legislation.

I am particularly pleased that the gentleman from Arizona (Mr. UDALL) has stated what I hope will be clear in the action of the House today on the adoption of this resolution, that the extension of 1 month is not to be used by the Department of the Interior or the Department of Justice or any other agency of the Government to advance any claims during this period or to take advantage of the time we are giving for consideration in order to change the relationship or give credence to any further potential or pending claims actions.

Mr. Speaker, I thank the gentleman from Arizona (Mr. UDALL) for that assurance, and I thank the gentleman from Ohio (Mr. KINDNESS) for yielding.

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

Mr. KINDNESS. Further reserving the right to object, I yield to the gentleman from Maine.

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

I should also point out that the proposed extension of 30 days is especially needed by the administration and its special appointee, Judge William Gunter, formerly of the Georgia Supreme Court, to fully evaluate this matter. Extensive study is being made not only of the situation we are faced with in Maine, but also of Indian claims generally in the many other States that are involved. They are making an extensive study in order to recommend to the Congress and the various departments and agencies a course of action that ultimately, we hope, will be fair and just to both the Indian and the non-Indian, keeping in mind the tremendous economic displacements and many other social problems that may arise from precipitous action.

One of the points I want to underscore so that everyone will understand our predicament, is that unless this extension is granted, one side or the other side may be forced into hasty actions, lawsuits, and the like which we all may regret later.

Mr. Speaker, the extension is very important so that we may continue to keep a level head and remain cool and proceed rationally and thoughtfully through this whole proceeding.

I hope that this joint resolution does pass this morning.

Mr. KINDNESS. Mr. Speaker, I thank the gentleman for his remarks.

I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 539

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the third proviso in section 2415(a) of title 28, United States Code, is amended by deleting the words "more than eleven years after the right of action accrued" therein, and substituting the words "after August 18, 1977" in their place.

(b) The proviso in section 2415(b) to title 28, United States Code, is amended by deleting the words "within eleven years after the right of action accrues" therein, and substituting the words "on or before August 18, 1977" in their place.

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

## GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that Members may revise and extend their remarks in today's RECORD on each amendment debated during further consideration of H.R. 7933 at the point at which the amendment is debated.

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

There was no objection.

## DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1978

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7933) making appropriations for the Department of Defense for the fiscal year ending September 30, 1978, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

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

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 399, nays 1, not voting 33, as follows:

[Roll No. 397]

YEAS—399

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|---|---|---|
| Abdnor | Anderson, Ill. | Badham |
| Addabbo | Andrews, N. Dak. | Bafalis |
| Akaka | Annunzio | Baldus |
| Alexander | Archer | Barnard |
| Allen | Armstrong | Baucus |
| Ammerman | Ashbrook | Bauman |
| Anderson, Calif. | Ashley | Beard, R.I. |
| Bedell | Ford, Mich. | Martin |
| Beilenson | Ford, Tenn. | Mathis |
| Benjamin | Forsythe | Mattox |
| Bennett | Fountain | Mazzoli |
| Bevill | Fowler | Meeds |
| Bingham | Fraser | Metcalfe |
| Blanchard | Frenzel | Meyner |
| Blouin | Fuqua | Michel |
| Boggs | Gammage | Mikulski |
| Boland | Gaydos | Mikva |
| Bolling | Gephardt | Milford |
| Bonior | Giaimo | Miller, Calif. |
| Bonker | Gibbons | Miller, Ohio |
| Bowen | Gilman | Mineta |
| Brademas | Ginn | Minish |
| Breaux | Glickman | Mitchell, N.Y. |
| Breckinridge | Gonzalez | Moakley |
| Brinkley | Goodling | Moffett |
| Brodhead | Gore | Mollohan |
| Brooks | Gradison | Montgomery |
| Broomfield | Grassley | Moore |
| Brown, Mich. | Gudger | Moorhead, Calif. |
| Brown, Ohio | Guyer | Moorhead, Pa. |
| Broyhill | Hagedorn | Moss |
| Buchanan | Hall | Mottl |
| Burgener | Hamilton | Murphy, Ill. |
| Burke, Calif. | Hammer-schmidt | Murphy, N.Y. |
| Burke, Fla. | Hanley | Murphy, Pa. |
| Burleson, Tex. | Hannaford | Murtha |
| Burlison, Mo. | Hansen | Myers, Gary |
| Burton, Phillip | Harkin | Myers, Michael |
| Butler | Harrington | Myers, Ind. |
| Caputo | Harris | Natcher |
| Carney | Harsha | Neal |
| Carr | Heckler | Nedzi |
| Carter | Hefner | Nichols |
| Cavanaugh | Heftel | Nix |
| Cederberg | Hillis | Nolan |
| Chappell | Holland | Nowak |
| Chisholm | Hollenbeck | O'Brien |
| Clausen, Don H. | Holt | Oakar |
| Clay | Holtzman | Oberstar |
| Cleveland | Horton | Obey |
| Cochran | Howard | Ottinger |
| Cohen | Hubbard | Panetta |
| Coleman | Huckaby | Patten |
| Collins, Ill. | Hughes | Patterson |
| Collins, Tex. | Hyde | Pattison |
| Conable | Ireland | Pease |
| Conte | Jacobs | Pepper |
| Corcoran | Jeffords | Perkins |
| Corman | Jenkins | Pickle |
| Cornell | Jenrette | Pike |
| Cornwell | Johnson, Calif | Poage |
| Cotter | Johnson, Colo. | Pressler |
| Coughlin | Jones, N.C. | Preyer |
| Crane | Jones, Okla. | Price |
| Cunningham | Jones, Tenn. | Pritchard |
| D'Amours | Jordan | Pursell |
| Daniel, Dan | Kasten | Quayle |
| Daniel, R. W. | Kastenmeier | Quie |
| Danielson | Kazen | Quillen |
| Davis | Kelly | Rahall |
| de la Garza | Kemp | Railsback |
| Dellums | Ketchum | Rangel |
| Derrick | Keys | Regula |
| Derwinski | Kildee | Reuss |
| Devine | Kindness | Rhodes |
| Dickinson | Kostmayer | Richmond |
| Dicks | Krebs | Rinaldo |
| Dingell | Krueger | Risenhoover |
| Dodd | LaFalce | Roberts |
| Downey | Lagomarsino | Robinson |
| Drinan | Latta | Rodino |
| Duncan, Oreg. | Leach | Roe |
| Duncan, Tenn. | Lederer | Rogers |
| Early | Leggett | Roncalio |
| Eckhardt | Lehman | Rooney |
| Edgar | Lent | Rose |
| Edwards, Ala. | Levitas | Rosenthal |
| Edwards, Calif. | Lloyd, Calif. | Rostenkowski |
| Edwards, Okla. | Lloyd, Tenn. | Rousselot |
| Eilberg | Long, La. | Roybal |
| Emery | Long, Md. | Rudd |
| English | Lott | Runnels |
| Erlenborn | Lujan | Ruppe |
| Ertel | Luken | Russo |
| Evans, Colo. | Lundine | Ryan |
| Evans, Del. | McClory | Santini |
| Evans, Ga. | McCloskey | Sarasin |
| Evans, Ind. | McDade | Satterfield |
| Fary | McDonald | Sawyer |
| Fascell | McFall | Scheuer |
| Fenwick | McHugh | Schroeder |
| Findley | McKay | Schulze |
| Fish | Madigan | Sebelius |
| Fisher | Maguire | Seiberling |
| Fithian | Mahon | Sharp |
| Flood | Mann | Shipley |
| Florio | Markey | Shuster |
| Flowers | Marks | Sikes |
| Flynt | Marlenee | Simon |
| Foley | Marriott | Sisk |

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| Skelton | Taylor | White |
| Skubitz | Thone | Whitehurst |
| Slack | Thornton | Whitley |
| Smith, Iowa | Traxler | Whitten |
| Smith, Nebr. | Treen | Wiggins |
| Snyder | Trible | Wilson, Bob |
| Solarz | Tsongas | Wilson, C. H. |
| Spellman | Tucker | Wilson, Tex. |
| Spence | Udall | Winn |
| St Germain | Ullman | Wirth |
| Staggers | Van Deerlin | Wolff |
| Stangeland | Vanik | Wright |
| Stanton | Vento | Wydler |
| Stark | Volkmer | Wylie |
| Steed | Waggonner | Yates |
| Steers | Walgren | Yatron |
| Steiger | Walker | Young, Alaska |
| Stockman | Walsh | Young, Fla. |
| Stokes | Wampler | Young, Mo. |
| Stratton | Watkins | Young, Tex. |
| Studds | Weaver | Zablocki |
| Stump | Weiss | Zeferetti |
| Symms | Whalen | |

NAYS—1

Mitchell, Md.

NOT VOTING—33

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| Ambro | Clawson, Del | Ichord |
| Andrews, N.C. | Conyers | Koch |
| Applegate | Delaney | Le Fante |
| Aspin | Dent | McCormack |
| AuCoin | Diggs | McEwen |
| Badillo | Dornan | McKinney |
| Biaggi | Flippo | Pettis |
| Brown, Calif. | Frey | Teague |
| Burke, Mass. | Goldwater | Thompson |
| Burton, John | Hawkins | Vander Jagt |
| Byron | Hightower | Waxman |

So the motion was agreed to.

The result of the vote was announced as above recorded.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 7933, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 28, 1977, the Clerk had read through line 24, page 25.

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

Mr. Chairman, I have offered this pro forma amendment in order to discuss with the Members of the Committee the problem that we have today. We reported, as you know, the $110 billion defense appropriation bill several days ago. It was reported by the committee. It has been discussed in the House for 2 days. This is now the third days the bill has been on the floor. There have been some delays. This is the day that we will recess for the July 4 work period. We need desperately to send this bill over to the other body, so that the other body will be ready promptly after we reconvene to take steps to pass it and get our work behind us with regard to the appropriation bill. This will complete all our bills, except the District of Columbia appropriations bill for which the necessary budget amendment has not been transmitted by the President.

Now, I have asked and secured unanimous consent that on each amendment that is offered, that at that point in the RECORD all Members have permission to revise and extend their remarks, whether it is on double dipping or MIA's or whether it is on any other subject. This right, this privilege will be extended. This will give an opportunity to all Members to make their views known.

Now, I am going to seek as far as possible to move rapidly with the consideration of amendments and ask for a limitation of time and move for a limitation of time, if necessary, in order to be cooperative with the Members who expect to get away from here today as soon as possible.

The maximum time we will be in session today would be 5 o'clock. We will see how we get along.

I just would like to have in the interests of all the best cooperation that we can get.

AMENDMENT OFFERED BY MR. EDWARDS OF ALABAMA

Mr. EDWARDS of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS of Alabama: On page 25, line 23, strike "3,895,517,000" and insert in lieu thereof "3,869,517,000".

Mr. EDWARDS of Alabama. Mr. Chairman, the committee has added $26 million to the bill to develop a new engine for the Navy's F–14 aircraft. This is the beginning of a $3 billion program. The purpose of my amendment is to delete those funds and to terminate the program.

The President has not requested funds to start this program. The $15 million we added to the bill last year for this purpose has not been spent. The Defense Department does not plan to spend it and will, in fact, rescind it. The Department has no intention of proceeding with this program because it makes no sense whatsoever.

The F–14 is a large, long-range interceptor built around the costly and complex Phoenix missile system. The F–14 was designed primarily for the fleet air defense mission, and the Navy says that this aircraft, as presently configured, will be fully capable of performing that mission throughout the 1980's.

So why is a new engine needed?

It is said that the present F–14 engine does not develop the kind of thrust needed for air combat maneuvering.

Let me say first of all that air combat is a secondary mission for the F–14, and we are going to buy the F–18, at a cost of $13 billion, to fulfill the Navy's need for a hot, air combat fighter. The F–18 should be available in significant numbers long before the first reengined F–14 would ever reach the fleet. But in any case the F–14 is already considered an excellent dogfighter. In the so-called Aimval/Aceval tests in progress in Nevada, the F–14 and F–15 have been against aggressor aircraft—F–5E's simulating the Soviet Mig threat. Both the Navy and the Air Force have been surprised to learn that the F–14 can turn with the F–15 in combat maneuvering, and the F–15 is undoubtedly the finest air combat fighter in the world today.

For the $3 billion that it would cost to re-engine the F–14, we could buy one nuclear-powered aircraft carrier and a full complement of aircraft to go on it; or 11 SSN–688 nuclear-powered attack submarines; or 16 F–18 squadrons.

This is just not the way to go. The idea of replacing an existing engine with a truly new engine of greater power and performance would be unique in the last 25 years of military aviation. It would be an unprecedented action. Past experience has shown that it is always better to improve the existing engine, and the Navy says the thrust of the present F–14 engine could be increased by 10 to 15 percent for about $200 million.

A new engine would cost $3 billion and provide 10 to 20 percent more thrust as compared to uprating the present engine for $200 million in return for additional thrust of 10 to 15 percent. The program to re-engine the F–14 cannot be justified.

We are buying the F–18. We are going forward with the V/STOL aircraft. We are talking about having a force of large nuclear-powered carriers and a number of smaller, conventionally-powered carriers. A combination of F–14's and F–18's will give the Navy all the fighter capability it will need for many years to come.

Our job is to get the most defense for the least dollars. We are not doing our job if we spend $3 billion on this unneeded engine. I would urge you to support my amendment.

Mr. MAHON. Mr. Chairman, I have listened with interest to the statement of the gentleman from Alabama. It is correct to say that no funds were recommended by the Department of Defense for the reengining of the F–14. The funds that were placed in the bill by the majority of the members of the subcommittee are unbudgeted.

Of course, Grumman, which makes the New York-based plane, the F–14, is interested in this program. Of course, the manufacturers of engines are interested in re-engining the plane. That would be Pratt & Whitney and General Electric, and of course that means jobs. I understand all of that. But, it disturbs me that we would be considering a new engine for the F–14, which would eventually cost us about $3 billion for engine development, engine production, airframe modifications, and installation costs.

It does seem to me that we ought to be working on new jet engines for our national defense purposes. We need to be up to date on engine technology, but to zero in on the problem of providing $3 billion for a new engine for a plane that has already been terribly expensive seems to me to be of doubtful value. I just rise to express these concerns that I have, which I am sure will be shared by many others; and there are many others, of course, who will share a contrary view that we ought to spend the $3 billion. But, I felt that as chairman of the committee and someone who is familiar with the situation and who knows that the Department of Defense is opposed to the reengining of the F–14, that these remarks should be made.

Mr. SIKES. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, since the very beginning of the F–14 program, we have heard repeatedly of the requirement to put a new engine in the airplane. The Navy has had difficulty making up its mind or perhaps the Navy was not given a choice by the administration. Nowadays, the decisions of the career bureaucrats seem to weigh more heavily than the recommendations of the Navy's

fighting men. In any event, budget limitations have caused the Navy to seek other weapons improvements ahead of the F–14 engine. That does not change the fact that the need for this engine is clearer today than it was when the program started 7 years ago.

There have been problems with the current engine. It has required costly updating and improvement. We hope that the problems are in the process of being corrected. Nevertheless, modernization of all weapons systems is continuously necessary and the new engine is a very important part of that modernization process. Sophistication in defense is keeping pace with and even getting ahead of offensive capability. These are the reasons the present F–14 engine will need replacement. We have delayed that program too long.

The F–14 is a great airplane but it must keep pace with the times. It must meet the threats of the future. The F–14 must play a critical role in the maintenance of air superiority through both its missile system and its maneuverability. Operational experience and new heat-seeking missiles show the need for increased maneuvering energy through higher thrust, especially during air combat.

The simple fact is the maximum potential F–14 maneuvering performance inherent in the swing-wing design is not obtained with the current engine. The vulnerability of today's F–14 is increased because the afterburner must be used in close-in combat. Adversaries armed with heat-seeking missiles can take advantage of this fact. With the new engine, the use of an afterburner will not be required in close-in combat and this will lessen vulnerability to the enemy heat-seeking missile.

The cost is large—so is the cost of all modern weapons. The simple point is that the F–14 with the new engine will be all that we ever hoped for, probably the finest airplane in its category in the world. When we cannot afford many aircraft, we should try to make certain that we have the best. With the impending loss of the B–1, every remaining aircraft, in whatever category, becomes more important.

The current F–14 engine, the TF–30, was intended to allow early flight test evaluation of the F–14 flying qualities, aircraft systems, avionics, and armament. The production of the F–14 was planned to incorporate the advanced technology engine then being developed. Financial and technical difficulties delayed the availability of that engine and forced the Navy to employ the existing engine, the TF–30, in production quantities. As a result, the F–14 aircraft has "dogfight" capabilities less than anticipated and less than desired.

This capability is extremely important against land based enemy aircraft in situations where the long range Phoenix missile system is not employable. Such a situation arose in South Vietnam during the recent war where visual identification of the enemy was required prior to engagement. That rule, visual acquisition, which was imposed to protect U.S. fighters from inadvertently shooting down friendly aircraft, could easily be imposed in similar limited wars or interdictions which are short of nuclear exchange.

The joint House and Senate Armed Services Committee action on June 25, 1976, agreed "that the problems with the current engine and the need for more power for the F–14 airplane dictates the need for a new engine." The currently installed TF–30 engine has inadequate thrust in the intermediate power range to successfully compete with the projected threat of the 1980's. Present engine reliability problems are being corrected by product improvement, but intermediate thrust remains inadequate.

The severity of this threat has not decreased since the requirement to replace the current TF–30 engines was recognized 8 years ago. Instead it has steadily increased. The amendment should be defeated.

IN SUMMARY

An accelerated engine development program reduces costs associated with prolonged and redundant testing.

Engine manufacturers have completed testing their candidate engines thereby reducing technical risk and advancing delivery dates.

Fiscal year 1978 program initiation can result in the installation of the advanced technology engine in many new production aircraft.

Sufficient data now exists for the Navy to make a technically and fiscally sound contractor selection.

Delay increases the cost impact of advanced technology engine retrofit.

Limiting or delaying advanced technology engine funding causes unnecessary expenditure in TF–30 procurement and operating costs.

The advanced technology engine provides improved F–14 dogfighter capability/effectiveness by more than 60 percent.

The advanced technology engine provides higher maneuverability, lower infrared signature, smaller visual signature, that is, higher survivability, lower maintainability, higher operational readiness, longer usefulness, and more cost effectiveness.

These should be reasons enough and more to reject the amendment.

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

Mr. SIKES. I yield to the gentleman from California (Mr. BURGENER).

Mr. BURGENER. I thank the gentleman for yielding.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman in the well. I have no parochial interest in where the F–14 engine or airplane is built, but I have a very parochial interest in where it is flown. It is flown right over the homes of my constituents every day at the Miramar Naval Air Station, in San Diego. We lost two more this week. Fortunately, the crews ejected safely and there was no loss of life. That has not been true in the past, and we have lost a lot of them, not in combat practice, but in fleet carrier landing practice, right in the pattern, right over the homes of my constituents. I do not know what the problem is technically, but I know there is something wrong with these engines. There is something fundamentally wrong. It is a marvelous airplane otherwise, with a long future and a capacity for multiple missions.

The CHAIRMAN. The time of the gentleman from Florida (Mr. SIKES) has expired.

(On request of Mr. BURGENER and by unanimous consent, Mr. SIKES was allowed to proceed for 1 additional minute.)

Mr. BURGENER. Mr. Chairman, will the gentleman yield further?

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

Mr. BURGENER. Mr. Chairman, these planes cost, I believe, some $20 million each, with the avionics and all the gear that is attached to them, so if we want to save a very valuable piece of defense equipment, we need this engine research.

It would seem to me it would be false economy to take any other action at this time or at any time in the future, because they may face restriction from flying them over inhabited areas if danger of a crash continues. It would seem to me to be false economy to throw away a marvelous weapons system when a new engine, costly as it might be, will in the long run save a very fine fighting machine.

Mr. Chairman, I thank the gentleman for yielding.

Mr. BURLISON of Missouri. Mr. Chairman, I rise in support of the amendment.

The gentleman from Alabama (Mr. EDWARDS) is eminently correct when he says there is no justification for putting another $3 billion into the development of an engine that, by the time it is constructed and put into the F–14, will be in an obsolete aircraft frame. There is no way that we can justify it, and that is why the administration has been so adamant in its insistence that we not start on this new development.

Mr. Chairman, let me quote very briefly from a letter from the Secretary of Defense to the distinguished chairman of our full committee that was received just this last May 4. I quote from the letter as follows:

> The improvement and reliability program for the TF–30 engine, currently installed in the F–14, is underway and the engine is capable of meeting today's fleet air defense requirements. A program to reengine the F–14 would require funding of well over $2 billion and would increase program unit cost by over $4 million. Before such a decision is made, completion of on-going analysis of future airframe, engine and missile configurations is required.

The Secretary goes on to conclude in his letter as follows, and again I quote:

> As you can see, the total development cost could be as high as $575 million and the total program cost could be between $2 and $3 billion. In light of these potential overall costs, we are giving the program particularly close examination prior to formulation of the FY 79 budget request.

Mr. Chairman, before our Subcommittee on Defense of the Committee on Appropriations this past March 16, the top research and development man in the Defense Department, the Acting Director of Defense Research and Engineering, gave some very interesting tes-

timony. I will quote only a small part of his testimony. This, incidentally, appears on page 559 of our committee hearings. He stated as follows:

The aspect of replacing an existing engine with a truly "new" engine of greater power and performance, which we are considering now for the F-14 is unique for all practical purposes within my 25 years of experience. I know of no comparable case where a mature aircraft, in service use, was provided with a totally new engine, developed especially for it. The only "new" engine in a Navy fighter in the last 20 years was the decision to replace the Westinghouse engine in the first 40 F-3 Demon Aircraft with the Allison J-71 in the remaining 400 aircraft procured for service use. In this instance, the new engine was almost as much a disaster as the original engine. We did replace the J65 engine in the early A4 models with the J52 in the later models, but the J52 engine was developed for and installed in the A6, and the move was made for logistics reasons as much as for anything else. Air Force fighters show similar histories. Our past experience has shown that it is always better to improve the existing engine rather than replacing it with a new engine. I know of no example where we have initiated development for a new engine for an aircraft whose production would be terminated before the new engines would be ready. This is an unprecedented action which would result in our buying two complete sets of engines, spares and support equipments for one aircraft. This is the least attractive alternative I can imagine.

Mr. Chairman, it would just be foolish for us to put a $3 billion investment into an engine that will go into an obsolete aircraft in the middle to late 1980's.

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

Mr. Chairman, I would like to straighten out the record a little bit on this F-14 advanced technology engine.

In the first place, this is something that was authorized by the Committees on Armed Services in the conference on the authorization bill by both Houses, without any trouble at all. We authorized $26 million for this engine for fiscal year 1978. There is also $15 million which we appropriated last year for fiscal year 1977 which has not yet been spent.

Mr. Chairman, the fact of the matter is that there is nothing new about getting a better engine for the F-14. This was in the program from the very start. Everybody recognized that the TF-30 engine which the F-14 has in it now is underpowered. It does not have enough thrust, and it also has a very high fuel consumption rate.

Mr. Chairman, but the original plan was to develop a better engine, a stronger engine that could fully utilize the unique and remarkable capabilities of of the F-14 aircraft, the major combat aircraft of the U.S. Navy carriers. But because of costs, the idea of developing this new engine was put off.

So why are we reviving it? For the very simple reason that the present engine has proved to be a tragic failure.

I can remember 5 or 6 years ago when some of the earliest F-14's went off a carrier out in the South China Sea and then crashed into the drink. Thus began a succession of tragic accidents and losses with the F-14, because of engine failure.

I can remember when Adm. Bill Houser, who was then the Chief of Naval Aviation, appeared before the Committee on Armed Services. This must be at least 5 years ago.

We said, "Admiral, what are you doing about that F-14 engine?"

He said, "I think we have found out what the trouble is. We are correcting it. Everything is going to be fine. It will just take a little time to fix it up."

Mr. Chairman, it is now 5 years later; and as the gentleman from California (Mr. BURGENER) mentioned a moment ago, two more of these planes have just been in unexplained accidents. According to every indication, the failure of the TF-30 engine is once again responsible. What is the "fix" that the Navy is now proposing? They are going to put armor plate into the middle of the F-14 to prevent the failure of one engine on one side from destroying the engine on the other side.

Those who opposed the A-10 should remember that the F-14 is almost going to look like an A-10 down the middle.

Is that the kind of plane that we want as our top-flight combat aircraft in the Navy? Of course not.

Mr. Chairman, we have two alternative engines available. We have the Pratt-Whitney F-401 engine and the General Electric F-101X engine. Both of them provide 40 percent more thrust than the TF-30, and both of them would be in competition to see which one could do the job better.

Mr. Chairman, there has been a lot of talk here about a $3 billion expenditure for a new engine. That is nonsense. The actual cost differential, if we develop this engine to try to preserve what is a remarkable and a very capable plane, would be $500 million; and $200 million of that money would be for research and development on the engine alone, so that even if we never put it into the F-14, it would be $200 million well spent in advancing the engine technology.

Mr. Chairman, I think it would be a serious mistake for us to accept this amendment, deleting a mere $26 million, to get started on developing an engine that will keep this F-14 plane in operation and will avoid the serious and tragic repetition of its string of crashes. As a matter of fact, the reason the conference committee on the defense authorization bill suggested a reduction in future-year buys of F-14's was so that this new engine could be incorporated into the production line quickly. In fact, if this money is knocked out, there might have to be a reconsideration of the defense authorization conference report itself.

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

Mr. Chairman, we must clarify the facts on this matter.

The F-14 is not going to be obsolete in the 1980's; indeed, not in the 1990's. The F-14 is an aircraft that is designed to go into the year 2000 and beyond.

Mr. Chairman, this aircraft is one which does the job of any four other airplanes we have in the inventory—at least that much.

Mr. Chairman, I hate to disagree with my good friend the gentleman from Alabama (Mr. EDWARDS) on some of the facts; however, I must. This engine is a new technology engine. We are not starting from zero. The basic engines are already in existence. We now need to incorporate into them our most modern engine technology so that the engine will give to the F-14 the capability to do the job the F-14 was intended to do in the first place. In the beginning it was intended to mate the F-14 with a follow-on engine, the F-401. So we are not talking about going back to time zero.

We have heard some argument here about the thrust of the new technology engine as compared to the engine presently in the F-14. Mr. Chairman, let us visualize an engine thrust chart comparing the present engine when upgraded and that of the new technology engine so necessary in the intermediate and maximum thrust areas, whereas the upgraded present engine adds its thrust in the emergency or afterburner area.

Let us review some of the statistics so extremely important in this matter.

At 10,000 feet and mach 0.7 in the normal operating range of the engine, you get 42 percent more thrust with the new technology engine than you get from the improved present engine.

And in the maximum range, 25 to 30 percent more from the new technology engine than from the improved present engine at 20,000 feet, we still have better than a 40 percent greater thrust than with the improved present engine, in the intermediate range, that is in the normal operating range of this engine.

Someone has said that we are trying to develop a new engine just for the F-14 and that of course is not true. This new technology engine, is designed so it can be brought on line and can be mated with the F-14 in 22 months from the time the Navy moves forward with it, and it will not only be used for the F-14, but it can be used for the F-16, it can be used for the A7E, the V/STOL and a host of other aircraft.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. CHAPPELL was allowed to proceed for 2 additional minutes.)

Mr. CHAPPELL. So, Mr. Chairman, I want to make it clear that we are talking about a new technology engine which is in essence a new generation of engines.

The F-14 now is an exceptionally good interceptor, there is no question about that, but it can do so many other things if we provide it with the thrust that it was intended to have in the first place. That means we give it a better turning radius and a higher rate of climb to better protect it and maneuver in a dogfight.

But make no mistake about it; we are talking about more than just an F-15 engine. This engine will give us the thrust where it is needed, not just in the afterburner which can be used for spurt power under an emergency situation. But to give it the opportunity to maneuver in the normal range and carry out the normal mission of the aircraft. The $2.8 billion to $3 billion cost mentioned by Mr. EDWARDS for the new engine program is the estimated total program cost for the most expensive of the three possible competitive engines. The least expensive alter-

nate is to complete the development of the F–401 engine, but it is in competition, and the Navy can decide that.

The manufacturer of one of the competing engines has offered in writing to the Navy to complete this development through qualification testing for less than $100 million on a firm fixed-price basis and on a time schedule that will permit equipping a sizable number of the new aircraft with the engine at the time of delivery, thus minimizing costly retrofit requirements.

So if we want to equip this plane to do what it was intended to do, if they want the advantage of new technology engines in other aircraft, then we will vote down this amendment. I urge a no vote on the Edwards amendment.

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

Mr. Chairman, just 2 days ago we were standing here debating the merits of whether or not to fund the procurement of the B–1 bomber at a cost of $1.5 billion. Now we are talking about a step that would take us in the direction of spending $3 billion for new engines for an airplane that is going to be "bought out" at the latest in 1982, and an engine that will not be available until 1984. For that reason, I think that it is not reasonable under any circumstances to fund this item, particularly in view of the fact that even though some of us opposed it, we voted the beginning of the F–18 program last year. This is the plane that is supposed to be the Navy fighter in the future, not the F–14 which is going to be a long-range interceptor carrying our Sparrow and Phoenix missiles. This action will reduce of demands on it with respect to its maneuverability. The F–18 is going to be the plane that is going to be doing the maneuvering.

In the second place, the TF–30 engine has functioned very satisfactorily in the F–111–B. It is not the engine, but rather the fact that it has been put in a plane that it does not suit thoroughly. This does not mean that the F–14 is not in every respect a superior fighter and interceptor as far as the Navy is concerned—better than anything in the air today.

So although it would be possible to upgrade, it is not necessary to upgrade it, particularly when we have the F–18 coming on line, and with $626 million to fund the F–18 in this budget.

Mr. Chairman, I now yield to the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

Mr. Chairman, we have heard that a contractor can complete his research for $100 million. That may not be so, but I would call to the Members' attention the fact that we have already spent $350 million on this program.

In 1970 the Navy started looking at the development of the F–401 engine, and by 1974 threw up its hands because it had so many serious problems that could not be worked out, and the Navy discontinued the program in 1974.

We have heard a lot of talk about F–14 accidents. For that reason, somehow we are supposed to put new engines in the F–14. Let me give the Members some example. As of April 1977, the F–14 had about 91,000 operating hours and had experienced 13 accidents. At a comparable point in its life the F–4 with 94,000 operating hours had 48 accidents, and the A–7, with 92,000 hours had 28 accidents.

The F–14 is a good airplane. It is doing a good job. It has got a good engine. The engine needs some modification; everybody agrees to that. The engine can be upgraded and get 10 to 15 percent more thrust, and all we can get by anybody's determination at this point from the new engine for $3 billion is only 10 to 20 percent more thrust. If the Navy only had the F–14, and there was no such thing as the F–18, I might not be making quite the same argument I am making today. But the fact is that the F–14's mission is to get out there with the Phoenix missile and perform an air defense mission and the F–18 is to be the fighter in the Navy. With that combination we are going to have the best two fighters we can have.

I stand here saying this as one who opposed going to the F–14. I have no parochial interest in it. I have no airplane manufacturers and no air frame manufacturers in my district, but when I look at the needs of the Navy and the dollar limits they have to operate within, I see we can save $3 billion on an engine that is not needed and an engine that is not proven and a engine that would not be ready until after the last F–14's come off the line with the TF–30 engines.

Do not think if we refit a plane like the F–14 that all we have to do is to pull out one engine and insert another. It is going to cost $7 million to pull out those engines and refit the F–14 with new engines.

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

Yes, the new engine will be used for the F–14 and it can also be used in the next generation aircraft. V/STOL, and when we upgrade the A7E. The F–14 airplane was built for this new engine. The problem that has developed was because it was an engine that was not intended to be incorporated into the F–14. There were only a few airplanes that were intended to take that engine. The greater thrust is needed in the engine. This plane purchase will not end in 1982. We have had so many planes that would end on paper and then 10 years later they were still needing to be funded. It should be built with the proper engine.

When we speak of an engine, a $26 million engine, development is for an engine we know what is intended for it. We are going to put them into the F–14's and they can go into other planes.

In this bill today we are funding $32.5 million for a nuclear propulsion technology for a new nuclear engine and we do not know what it is going to be used for. We appropriate $100 million for the same engine, a nuclear propulsion technology engine on another bill and for which we do not know what to do with. But here today we are being asked to fund an engine which we do know what the purpose will be, which will have a use, a needed use in our national defense if we are going to have a proper defense. To provide the proper national security we must put the proper engine with the proper plane and the newly developed engine will be the proper engine for the F–14.

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

Mr. ADDABBO. I yield to the gentleman from New York (Mr. DOWNEY).

Mr. DOWNEY. Mr. Chairman, I think the gentleman stated it clearly. The F–14, as the gentleman from Alabama said is a good plane with a good track record. As the gentleman from Alabama also knows, most of the difficulties are the result of malfunctions. This engine was only designed for the F–14A and not subsequent models. This is also correct.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. DOWNEY, and by unanimous consent, Mr. ADDABBO was allowed to proceed for 1 additional minute.)

Mr. DOWNEY. Mr. Chairman, if the gentleman will yield further, the fact is when the F–14 was originally designed it was not only for air defense but also for air superiority. There was no F–18 waiting in the wings, so it had to perform long-range missions and had to perform a fighter mission as well. The F–18 is by no means a certainty. It seems to me we would want to hedge our bets and spend the $20 million on the F–14 and it will prove an adequate plane.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

(By unanimous consent, Mr. BURLISON of Missouri yielded his time to Mr. EDWARDS of Alabama.)

(By unanimous consent, Mr. SIKES yielded his time to Mr. STRATTON).

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I rise in opposition to the amendment. I think that the competition between the F–18 and the F–14 really has been settled. I think both these aircraft have their missions, but I think we are pretty well decided the F–14 is a very expensive weapons system. It is underpowered. It needs to be beefed up, but we do not need to do it overnight.

The only objection I have to the whole program is that many times we try to build a new engine within various time constraints. We need to invent a new engine for the F–14. We need to give it adequate power.

Mr. Chairman, I would hope we defeat the amendment, that we might then put the money in to develop this engine, that we develop proper competition between the three engine manufacturers. We should take our time in this development and procure in due course the engine that will do the job for the F–14, but not break the bank.

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

Mr. LENT. Mr. Chairman, I rise in opposition to the amendment offered by my colleague from Alabama, which would strike the committee's appropriation of $26 million for research and develop-

ment of a high technology engine for the F–14.

The F–14 has a proven capability, and is an important part of this Nation's defense program. If we are to continue improving our defense capabilities, we will not delay the F–14 engine replacement program any longer.

The new engines under consideration benefit from refinements in modern technology since 1959 when the standard engine, the TF–30, was designed. The new engine will weigh almost 500 pounds less than the existing engine and produce 40 percent more thrust. The F–14's performance will be improved across the board by the new engine—acceleration, rate of climb, maneuverability, fuel consumption, and perhaps most important, reliability. On the ground, the new engine will improve the F–14's operational readiness by requiring less maintenance.

The new engine program has been funded since 1969, and at present, the two competing manufacturers, General Electric and Pratt & Whitney, possess full scale, running prototypes derived from existing engines.

Last year, the Congress appropriated $15 million for the engine replacement program, but the Defense Department has been dragging its feet. It has not obligated the funds, nor has it requested a rescission or deferral of funds. The Committee on Appropriations has requested an additional $26 million, and has directed the Defense Department to step up the engine program. Further delays in the program will simply increase its eventual cost.

Mr. Chairman, recent actions taken by the Congress have served to severely weaken the F–14 program. Regardless of one's own views of the potential of the F–18 or other planes, the fact is that the F–14 is a working, valuable aircraft. I urge my colleagues to oppose this amendment, so that the F–14—and in turn our national defense—can be improved.

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

Mr. WYDLER. Mr. Chairman, I rise in opposition to this amendment. The F–14 is a good airplane, but it can be a better airplane. I do not know why so much of the Government seems intent, particularly in the last few days, to start a cutoff of new technology for our military systems. We have had an announcement that the President has decided against the B–1. That stops that technology advance.

Here we are trying to stop the development of a new engine. That just does not make any sense for the future security of our Nation.

I think this kind of amendment is a very shortsighted kind of policy for our Nation to pursue; so I ask the Members of this Committee to reject this amendment.

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

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

Mr. KEMP. Mr. Chairman, I totally concur with Mr. WYDLER's and Mr. LENT's assessment of this amendment. I think it would be a real mistake to cut the funds for the F–14's new engine.

As we are building fewer and fewer carriers today, we need right now a high-performance fleet defense aircraft and a new engine for the F–14 is vital in that defense effort and vital to maintaining the mission of a great combat plane, the F–14.

(By unanimous consent, Mr. BURGENER yielded his time to Mr. STRATTON.)

Mr. STRATTON. Mr. Chairman, I think we ought to recognize that, in a sense, this is an attempt to legislate on an appropriation bill. The legislative decision has already been made; the authorization has been examined by both the Senate and the House conferees. Because of the schedule, we have not had the bill up here as yet, but there will be no problem on this particular engine. So we ought to go ahead, not into any new unnecessary research program, but into what is essentially an urgent attempt to fix a major combat aircraft which has been in trouble. The F–14 needs a better engine, a more powerful engine, one that will not continue to fail and bring planes and pilots crashing down into the sea. The F–401 and the F–101X engines are both available. As a matter of fact, the F–401 engine has already had 22 flights, so that there is nothing particularly new or risky about moving into an advance technology engine.

But, what is even more important is that while it is true that some of the systems analysts in the Pentagon do not support the advanced technology engine for the F–14, every pilot, without exception, interviewed by the Research and Development Subcommittee and the Seapower Subcommittee of the House Armed Services Committee concurred in the urgent requirement to repower the F–14. That is what we get for this $26 million. Let us continue that program and let us keep our aircraft flying.

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

Mr. STRATTON. I yield to my colleague from New York.

Mr. DOWNEY. Mr. Chairman, I would like to observe that this is probably one of the few occasions where the gentleman from New York (Mr. STRATTON), the gentleman from New York (Mr. ADDABBO), myself, and the gentlemen from New York (Messrs. KEMP and WYDLER) all agree on one issue. This shows that it is not a partisan issue, but one which is truly in the national interest.

Mr. STRATTON. I thank the gentleman.

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

Mr. STRATTON. I yield.

Mr. WYDLER. Mr. Chairman, just the other day I was on the floor when we were being told that another plane should be cut out of this program because the engines were not powerful enough. The next thing they will say is that the engines on this plane are not powerful enough, so let us get rid of this airplane.

Mr. STRATTON. The gentleman is absolutely correct. The Navy and the pilots all recommend that we spend this money, and we certainly ought to support them.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Chairman, I do not question any Members' motives in this House. It is not strange that we have had this combination that was referred to a while ago as opposing this amendment. All are from New York, where Grumman is located. If Members think that they are just going to pull one engine out and put another one in, they should disabuse their minds. There is going to be an awful lot of airframe work at the Grumman plant if we have to re-engine the F–14.

The engine failures which were referred to a while ago, the majority of them, were caused by engines, is just not true. There are three documented accidents caused by engine failure and one more probable, to make a total of four.

I think that the military ought to continue having an ongoing program of developing new engines for its airplanes. I am not suggesting that we have got all we need and that we ought to stop, but I am suggesting that it is foolhardy to take off on a $3 billion program where we are only doing an engine for one plane, when the increase in thrust we are going to get is only 10 to 20 percent, compared to 10 to 15 percent to rework the present engine. That is what it boils down to.

It is simply a waste of money to go this route. The F–14, as everybody from the State of New York says, is a great plane. It is built in their State. It is a great plane. It is doing a good job, but to put a new $3 billion engine in those planes is not going to make it any better than we can do by uprating the present engine. It is just as simple as that.

I urge a favorable vote on this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. MAHON) to close debate.

Mr. MAHON. Mr. Chairman, the Congress gave the Department of Defense last year $15 million to start this engine program. Those funds have not been obligated. The Navy is very much interested in going forward with the F–18 combat fighter plane. To spend $3 billion on new engines for the F–14 could put the Navy in a very serious financial squeeze which could very well jeopardize the F–18 program.

To vote for this amendment would save $26 million immediately, and save probably $3 billion in the long run. As the gentleman from Alabama says, we do need to improve our technology in engines, but not just for this aircraft. While I have been torn as to what position to take on this issue, I am compelled to vote for the amendment offered by the gentleman from Alabama, save money, and cooperate with the Department of Defense.

Mr. ICHORD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Alabama (Mr. EDWARDS).

The shortcomings of the F–14 engine have been long recognized. In fact they were known at the time that initial procurement of the aircraft began. There is no question that a problem exists and in fact within the past week two more F–14's have been lost.

However, putting aside the subject of the F–14, I would point out that engine technology has not kept pace with our

airframe development and in virtually all programs we find that the aircraft is underpowered and experiences engine difficulties. The gentleman from Alabama would lead you to believe that if you approve this $26 million you are committing yourself to a $3 billion program that is neither needed nor wanted.

I would contend that the development of an advanced technology engine most certainly is needed, as demonstrated by our experience, and has potential application far beyond the F–14.

If in fact fixes proposed to the current F–14 engine prove successful, we most certainly would not re-engine the aircraft. Consequently, merely developing the engine does not commit us to a $3 billion reengining program.

However, the future of our aircraft development programs will hinge on the availability of more capable engines. In this context alone the expenditure of this $26 million makes sense.

I urge you to vote against the amendment and approve a program that is both logical and necessary.

Mr. DICKS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Alabama, the ranking minority member of the Defense Subcommittee.

Although I have been a Member of Congress and the Appropriations Committee for a short period of time, I have learned two things which lead me to support this amendment:

First, I have learned to respect the independent judgment, commonsense, and detailed knowledge of the author of the amendment.

Second, I have learned that the Navy has developed the tendency to look at its requirements individually and not to look at the big picture. The gentleman from Alabama has told us that this new engine program would cost $3 billion. Where would these dollars come from? As I understand it, we are having enough trouble just figuring out where the dollars will come from to fill out the Navy's need for fighter aircraft.

It would be nice to have a new engine for the F–14; but given the cost and marginal utility involved, it seems to me that a wiser course of action would be to place our scarce dollars elsewhere. By not requesting these funds, the administration has apparently come to this same conclusion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. EDWARDS).

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

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

The CHAIRMAN. Evidently a quorum is not present.

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

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

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

The Committee will resume its business.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 122, noes 282, not voting 29, as follows:

[Roll No. 398]

AYES—122

| | | |
|---|---|---|
| Allen | Foley | Myers, Gary |
| Anderson, Calif. | Ford, Tenn. | Myers, Ind. |
| Anderson, Ill. | Forsythe | Nolan |
| AuCoin | Fountain | O'Brien |
| Baucus | Fraser | Panetta |
| Bedell | Frenzel | Patterson |
| Bolling | Gaydos | Pressler |
| Bonior | Gephardt | Pritchard |
| Breckinridge | Gibbons | Pursell |
| Broomfield | Goodling | Quayle |
| Brown, Mich. | Grassley | Quie |
| Broyhill | Gudger | Rahall |
| Buchanan | Hamilton | Railsback |
| Burke, Calif. | Hannaford | Richmond |
| Burlison, Mo. | Hyde | Robinson |
| Burton, John | Jacobs | Roe |
| Burton, Phillip | Johnson, Colo. | Rostenkowski |
| Butler | Jones, Tenn. | Roybal |
| Carr | Kasten | Ruppe |
| Clay | Kastenmeier | Ryan |
| Cohen | Keys | Sebelius |
| Conable | Kindness | Sharp |
| Conte | Kostmayer | Simon |
| Conyers | Krebs | Skelton |
| Corcoran | Leach | Smith, Iowa |
| Corman | Lederer | Stangeland |
| Cornwell | Levitas | Stark |
| Deliums | Long, Md. | Steers |
| Derwinski | Lundine | Steiger |
| Dicks | McClory | Stokes |
| Duncan, Oreg. | McDade | Thone |
| Edgar | Mahon | Treen |
| Edwards, Ala. | Mann | Vander Jagt |
| Eilberg | Marlenee | Vanik |
| Erlenborn | Metcalfe | Volkmer |
| Evans, Colo. | Mikva | Walker |
| Fary | Minish | Wampler |
| Fenwick | Mitchell, Md. | Weaver |
| Findley | Moorhead, Pa. | Wiggins |
| Flowers | Moss | Yates |
| | Murphy, Ill. | Young, Mo. |

NOES—282

| | | |
|---|---|---|
| Addabbo | Brodhead | Dingell |
| Akaka | Brooks | Dodd |
| Alexander | Brown, Ohio | Dornan |
| Ambro | Burgener | Downey |
| Ammerman | Burke, Fla. | Drinan |
| Andrews, N.C. | Burleson, Tex. | Duncan, Tenn. |
| Andrews, N. Dak. | Caputo | Early |
| | Carney | Eckhardt |
| Annunzio | Carter | Edwards, Calif. |
| Applegate | Cavanaugh | Edwards, Okla. |
| Archer | Cederberg | Emery |
| Ashbrook | Chappell | English |
| Ashley | Chisholm | Ertel |
| Badham | Clausen, Don H. | Evans, Del. |
| Bafalis | | Evans, Ga. |
| Baldus | Cleveland | Evans, Ind. |
| Barnard | Cochran | Fascell |
| Bauman | Coleman | Fish |
| Beard, R.I. | Collins, Tex. | Fisher |
| Beard, Tenn. | Cornell | Fithian |
| Bellenson | Cotter | Flood |
| Benjamin | Coughlin | Florio |
| Bennett | Crane | Flynt |
| Bevill | Cunningham | Ford, Mich. |
| Bingham | D'Amours | Fowler |
| Blanchard | Daniel, Dan | Fuqua |
| Blouin | Daniel, R. W. | Gammage |
| Boggs | Danielson | Giaimo |
| Boland | Davis | Gilman |
| Bonker | de la Garza | Ginn |
| Bowen | Derrick | Glickman |
| Brinkley | Devine | Gonzalez |
| Breaux | Dickinson | Gore |
| Gradison | Mattox | Satterfield |
| Guyer | Mazzoli | Sawyer |
| Hagedorn | Meeds | Scheuer |
| Hall | Meyner | Schroeder |
| Hammer-schmidt | Michel | Schulze |
| | Mikulski | Seiberling |
| Hanley | Milford | Shipley |
| Hansen | Miller, Calif. | Shuster |
| Harkin | Miller, Ohio | Sikes |
| Harrington | Mineta | Sisk |
| Harris | Mitchell, N.Y. | Skubitz |
| Harsha | Moakley | Slack |
| Heckler | Moffett | Snyder |
| Hefner | Mollohan | Solarz |
| Heftel | Montgomery | Spellman |
| Hillis | Moore | Spence |
| Holland | Moorhead, Calif. | St Germain |
| Hollenbeck | | Staggers |
| Holt | Mottl | Stanton |
| Holtzman | Murphy, N.Y. | Steed |
| Horton | Murphy, Pa. | Stockman |
| Howard | Murtha | Stratton |
| Hubbard | Myers, Michael | Studds |
| Huckaby | Natcher | Stump |
| Hughes | Neal | Symms |
| Ichord | Nedzi | Taylor |
| Ireland | Nichols | Thompson |
| Jeffords | Nix | Thornton |
| Jenkins | Nowak | Traxler |
| Jenrette | Oakar | Trible |
| Johnson, Calif. | Oberstar | Tsongas |
| Jones, N.C. | Obey | Tucker |
| Jones, Okla. | Ottinger | Udall |
| Jordan | Patten | Ullman |
| Kazen | Pattison | Van Deerlin |
| Kelly | Pease | Waggonner |
| Kemp | Pepper | Walgren |
| Ketchum | Perkins | Walsh |
| Kildee | Pickle | Watkins |
| Krueger | Pike | Waxman |
| LaFalce | Poage | Weiss |
| Lagomarsino | Preyer | Whalen |
| Latta | Price | White |
| Leggett | Quillen | Whitehurst |
| Lehman | Rangel | Whitley |
| Lent | Regula | Whitten |
| Lloyd, Calif. | Reuss | Wilson, Bob |
| Lloyd, Tenn. | Rhodes | Wilson, C. H. |
| Long, La. | Rinaldo | Wilson, Tex. |
| Lott | Risenhoover | Winn |
| Lujan | Roberts | Wirth |
| Luken | Rodino | Wolff |
| McCloskey | Rogers | Wright |
| McCormack | Roncalio | Wydler |
| McDonald | Rooney | Wylie |
| McHugh | Rose | Yatron |
| McKay | Rosenthal | Young, Alaska |
| Madigan | Rousselot | Young, Fla. |
| Maguire | Rudd | Young, Tex. |
| Marks | Runnels | Zablocki |
| Marriott | Russo | Zeferetti |
| Martin | Santini | |
| Mathis | Sarasin | |

NOT VOTING—29

| | | |
|---|---|---|
| Abdnor | Collins, Ill. | Le Fante |
| Armstrong | Delaney | McEwen |
| Aspin | Dent | McFall |
| Badillo | Diggs | McKinney |
| Biaggi | Flippo | Markey |
| Brademas | Frey | Pettis |
| Brown, Calif. | Goldwater | Smith, Nebr. |
| Burke, Mass. | Hawkins | Teague |
| Byron | Hightower | Vento |
| Clawson, Del | Koch | |

Messrs. EVANS of Delaware, PEASE, EARLY, YOUNG of Texas, and BURLESON of Texas changed their vote from "aye" to "no."

Mr. LONG of Maryland changed his vote form "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I yield to the gentleman from Texas (Mr. BROOKS).

Mr. BROOKS. Mr. Chairman, 1 year ago, on July 1, 1976, Congress passed the Department of Defense Appropriation Authorization Act of 1977 which declares it to be the policy of the United States that the weapons and equipment purchased for its forces stationed in Europe shall be standardized or at least inter-

operable with the equipment of its NATO allies.

While the language of this act clearly mandates a policy of standardization and interoperability, and requires the Secretary of Defense to seek action within NATO to establish a regular procedure and mechanism for determining common requirements, a preliminary review of the Defense Department's management of its responsibilities under this act by the House Government Operations Committee reveals that very little action has been taken during the past year to insure compliance with the intent of Congress.

Although I do not intend to address myself to the substance of our findings to date, I want to take this opportunity to underscore the seriousness with which the Government Operations Committee views the Department of Defense's failure to take strong action to secure greater standardization of NATO alliance weapons systems.

Next month, the Legislation and National Security Subcommittee of the House Government Operations Committee will hold the first day of a series of hearings designed to probe all facets of the Defense Department's effort to meet its responsibilities under the Defense Appropriation Authorization Act of 1977. At the conclusion of our hearings, the Department of Defense may have a greater understanding of the significance Congress attaches to the need for greater standardization of weapons systems utilized by the United States and our NATO allies.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $3,856,618,000 to remain available for obligation until September 30, 1979.

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

Mr. Chairman, I am concerned about the action the Appropriations Committee has taken with respect to the surface effects ship and especially with the language of the report on pages 295–296 accompanying the bill.

The proposed budget for 1978 was $43.9 million. The committee has reduced it to $6 million. It has done this, according to the report, because of the high cost to develop and test a 3,000-ton SES. The committee views the SES as having antisubmarine warfare as its primary mission.

It further proceeds to compare the cost of utilizing attack submarine or aircraft for the fulfillment of that mission. This is not a valid comparison because what we are dealing with is a quantum jump in the surface speed of naval vessels.

Current technology constrains surface ships to something in the order of 35 to 40 knots. Technology employed here will produce lead ships with a surface speed of 80 to 100 knots. This is analogous to the quantum jump which occurred when we moved from subsonic to supersonic aircraft. If we had constrained our proposed mission of supersonic aircraft to a "primary" mode, either tactical or strategic, we would have never developed a supersonic aircraft.

The preeminent advantage of the United States in any competitive environment is in technology—and technology is the heart of this program.

About 40 percent of the total cost for the validation of this technology has been expended. It has been expended in accordance with predetermined schedules and cost estimates that almost, without failure, have been on the mark. To interrupt the development of the technology at this point for no basis other than what I believe to be deficient logic and factual error stated in the report is wrong.

The implication of the report is that a vessel of this type, in a production model, would be in the order of $500 million. This is not so. The projected production cost is in the order of $250 million per unit which places it in a cost range of the current 3,000-ton destroyer frigates.

The report further would lead one to believe that the construction of the vessel would not be complete until 1984. This is erroneous. The projected completion of the construction phase is 1982. All tests and engineering phases will be completed in 1984.

The report takes umbrage with the fact that the 1977 budget estimated a total cost of $612.3 million whereas the 1978 budget contemplates a total cost of $810.8. The implication is that there has been a prior underestimating of cost growth. This implication is inaccurate. The fact is that the testing program of the 100-ton SES program has been so successful that the Navy correctly decided to move to the construction of a 3,000 ton vessel rather that a 2,000 ton vessel. Obviously, the 3,000 ton vessel puts it into the lead ship category.

This decision, correctly made, reduces the time when an operational lead ship will be available for fleet deployment. Increasing the size to 3,000 tons adds approximately $40 million to the cost of the program. This size requires a larger engine and, as a result, there is an additional cost of a little over $20 million to retrofit the ship with a more powerful turbine engine.

Moving to an operationally practical prototype, rather than a test platform, has caused an increase of about $40 million. The testing and engineering programs for an additional year have added over $80 million.

The result of this program will be a validation and demonstration of technology which portends an 80 to 100 knot Navy.

The Secretary of the Navy and other responsible leaders of the Navy have indicated, in testimony before the committees of the Congress, that the surface effects ship is the most important ship development effort now in progress or contemplated.

If we are to maintain the technological advantage we presently have, we must move forward vigorously with this program.

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

Mr. Chairman, I think we are all aware of the fact that the President of the United States has made a statement this morning that he wants to stop all production of the B–1 bomber and, instead, to press for the use of the B–52 bomber with the cruise missile as the third leg of our Triad.

I would like to say, speaking for myself only, of course, that I think the President has made a very serious mistake with his recommendation on the B–1. I think it is a mistake as far as maintaining an up-to-date defense of this country is concerned; but I think it is an even more serious mistake in indicating a dangerous willingness on the part of the United States to opt for an obviously inferior defense capability at the very time that the Soviet Union is pressing what has been called a relentless campaign for defense modernization or enhancement.

Fortunately, the last word on weapons systems is up to the Congress of the United States. As one Member of Congress, I shall certainly push hard to see that Congress continues the broad support that we gave just 2 days ago to the B–1 program and that we turn down the President's recommended rescission.

A number of Members do seem to be a little bit confused as to just where Congress stands with regard to the B–1. Three production models of the B–1 are included in the 1977 budget. Congress authorized the expenditure of this money at a rate of about $87 million per month up until the first of July 1, I believe it was. If the President now wants to stop those three production models—we are through with research and development, actually; we are now in production—then he is going to have to come up here with a rescission proposal under the Budget and Impoundment Act. Then, this House and the other body will have an opportunity to vote on that rescission.

When it comes to fiscal year 1978, this House has already approved the money for the B–1, and it will be up to the other body and to the conference as to whether the Congress accepts the President's recommendation on 1978 or not. I hope we turn down the 1977 rescission, and I hope we turn down the 1978 recommendation.

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

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

Mr. MAHON. I say to my friend from New York that we are desperately seeking to conclude this big $110 billion defense appropriations bill, and if we are going to have a reenactment of debate about the B–1—and I am as surprised as the gentleman from New York about the decision of the President—those who

want to catch planes to return to their districts are going to find themselves in trouble.

Mr. STRATTON. I just wanted to explain my feelings. It seems to me that this is a serious matter.

Mr. MAHON. If we are going to have another long B–1 debate, then we cannot pass the bill today.

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

Mr. STRATTON. I yield to my colleague from New York.

Mr. KEMP. Mr. Chairman, I agree with my Chairman, but I do want to congratulate the gentleman for taking the floor and bringing to the attention of the House the very serious implications of the unilateral action just taken by the President, in stopping the B–1. Particularly at a time when we are trying to negotiate a SALT agreement. It seems to me that this decision seriously compromises one full leg of our Triad deterrent. The President has made a poor decision at a poor time.

Mr. STRATTON. I am not seeking to prolong the debate. I just think it is important that the Congress of the United States know that we do have the last word in this matter, that we do still have some authority and responsibility as far as the defense of the Nation is concerned.

Mr. WIGGINS. Mr. Chairman, the President has made public his personal decision with respect to the B–1 bomber. As I understand it, the President is in favor of continued research and testing, but is opposed to the acquisition of a bomber fleet for deployment by the Air Force.

The personal views of the President are of obvious interest to the Congress and are entitled to due respect and weight by us. But his views are not the law. Only the Congress and the President acting in concert can make the law.

It is apparent that the House at least disagrees with the President with respect to the B–1 bomber. At this juncture, it appears that the Congress may send to the President a bill providing for the expenditure of public funds to acquire a significant number of B–1 bombers for inclusion in our military forces.

Upon receipt by the President of legislation enacted by Congress, the President has several options which have far greater legal significance than the mere expression of his personal opinion today. The President may if he wishes give meaning to his B–1 decision by vetoing the bill or he may sign it. If vetoed, Congress may of course reverse itself and agree with the President but, on the other hand, it may adhere to its present position. If the President signs the bill or if the Congress were to override his veto the law of the land will provide for the acquisition of a number of B–1 bombers, contrary to the President's personal preferences.

In that event, the President's options have not ended, however. He may propose a recession with respect to that portion of law requiring expenditures for the B–1 bomber. But here, too, Congress is given the final word. As the President has often stated, he is not above the law. He has several options under the law, but once those options have been ehxausted, I fully expect him to adhere to a national decision made pursuant to constitutional procedures that the B–1 shall be included in our defense forces.

I realize that the President may hold contrary views strongly. But, consistent with recent precedent, I fully expect and will insist that he faithfully execute the laws of the land, personal disagreement therewith to the contrary notwithstanding.

At an earlier time, a President might have been excused for impounding funds so as to impose his personal will on the Nation, contrary to the laws duly enacted by Congress and signed by him. Such was the historical precedent.

But times have changed. The historical precedents have been repudiated. The current President must look to recent history and its lessons are clear:

The Congress may, and I presume with evenhanded fairness could, invoke its awesome power to remove a President who willfully disregards the law of the land.

Mr. DAN DANIEL. Mr. Chairman, I have been shocked by the President's announcement this morning regarding the B–1 Bomber program. It is the most dangerous national security reconstruction made during my tenure in Congress. This recommendation by President Carter is in direct conflict with the deliberations and decisions of both Houses of Congress since 1970. What is of most concern to me as a Member of the House Armed Services Committee, who has deliberately and conscientiously studied the B–1 issue along with my colleagues and determined that it is a vitally needed weapon system, is the fact that the President has within less than 1 year reviewed and terminated a program which the Committees of Congress responsible for the Nation's defense have supported.

The President, this morning, discussed alternatives to the B–1, such as cruise missiles. However, those who have studied cruise missile alternatives in depth realize that there are inherent problems associated with structuring a strategic arm around cruise missiles alone. Though they appear to offer some cost savings when considered as individual weapons, any analysis of the total system requirement brings one immediately to the conclusion that the Nation could be faced with a significantly higher cost for an air-launched cruise missile force. Also, cruise missiles lack the target penetration capability of even the presently deployed bomber weapons.

What the President has done today may lead in the future to this Nation having to re-engine, re-wing, and put new electronics in the venerable B–52 bombers. What is so shocking to me is not just the fact that in the future we will have to depend on the less capable B–52, but is the fact that the costs to the taxpayer could exceed those for the B–1.

I began by stating my shock at the President's recommendation. We, in Congress, must realize that it is only a recommendation. The Congress has the responsibility to provide for the national defense and in exercising that responsibility we have to consider the President's announcement as a recommendation only. His announcement today is not a decision. The Congress has enacted legislation, The Budget and Impoundment Control Act, which requires the President to carry out the direction of the Congress for those funds which have been appropriated, and funds have been appropriated for 1977 production of the B–1 aircraft. Therefore, before this Nation inadvisably cancels production of the B–1, the Congress will have to act. I believe that it would be a serious mistake if the Congress accepts President Carter's recommendation by reversing the authorization and appropriation for both 1977 and 1978 for the production of the B–1. This year, again, the Congress has authorized and appropriated the funds requested for the production of the B–1 bomber. In fact, on Tuesday of this week, the House reaffirmed its support and directed production of the B–1 Bomber.

Mr. BOB WILSON. Mr. Chairman, during the debate on an amendment to reduce the buy of the A–10 from 144 to 96 there were a number of statements made that may have left the committee with the wrong impression regarding the airplane.

It is important for us to recall that this airplane was designed to carry a Gatling gun with an armor-piercing projectile capable of penetrating the armor of medium and heavy tanks. The gun fires at an extremely high rate and, as a result, has the capacity to defeat the Soviet Union's T–62 tank with one or two second bursts.

Given this mission, this airplane, after substantial competition has demonstrated extremely high rates of survivability; its reliability and repairability have exceeded the projections.

It was suggested in the floor discussions that because the engines are in the rear that this introduced an element of vulnerability beyond acceptable limits. The fact, of course, is that all tactical aircraft have engines in the rear. With respect to this particular engine, the high bypass engines are cool relative to most tactical aircraft engines. Additionally, the engines are separated by steel which increases survivability by being up and back. Lastly, the engine is masked by the airframe structure.

The aircraft has demonstrated operability at forward fields by being able to take off and land on 9 to 13 inches of powder having the consistency of talcum.

In a tactical environment, the spearhead of advancing forces would be tanks. Thus, because of its maneuverability and the Gatling gun, the aircraft would hit the lead elements of attacking tank forces and turn away before closing within range of low altitude antiaircraft guns.

In an operating mode, it is possible that two A–10's would operate together—one of which would have as its mission the destruction of the forward element

tanks—the other would stand off at a slightly higher altitude and fire Maverick missiles which, because of their longer range, would destruct other types of weapons systems in back of the lead tanks. In that conjunction, it was suggested in the debate that the A–10 could only carry two Mavericks. The fact is that the A–10 continues to be able to carry six Mavericks and performs according to projected levels.

It was suggested also that the aircraft did not have the capability of loitering because of high fuel consumption rates. The fact is that given the capacity for high maneuverability of the aircraft, the type of mission in which the aircraft would engage, it is highly unlikely that there would be any need for more than 15 to 17 engagements.

Aviation Week and Space Technology, in its issue of June 20, 1977, had a rather long article dealing with the A–10 and an extensive exercise in which it was engaged at Nellis Air Force Base in Nevada. A careful reading of this article leads one to the conclusion that the A–10 is an exceedingly fine airplane that will perform its mission under the most difficult circumstances and would contribute significantly in the environment for which it is designed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEFENSE STOCK FUND

For the Defense Agencies stock fund, $4,300,000.

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

Mr. Chairman, I must express concern about the number of studies which are in progress on the utilization of military bases and facilities throughout the Nation. Each base with which I am familiar has been flooded with requirements to conduct studies on their present utilization, possible future utilization, consolidation and transfers, and so forth.

It would appear that new studies on base utilization have been a major requirement since the new administration took office. Most of these matters have been studied dozens of times previously. Surely the records are still available which would show all aspects of base utilization. Very little could have changed in the last year or two to justify a whole new set of studies.

These studies cost money. They require the use of large numbers of personnel and I doubt that most of them will reveal any new facts which will prove to be of value. If the proper committees of Congress were to initiate an inquiry into the cost of personnel and the time involved in these studies, the figures would probably be shocking. Such an inquiry should be conducted, and I intend to propose it. A very significant consideration is the fact that service personnel are required to neglect training and other military duties in order to carry on these new studies, regardless of cost or the effect on their assigned duties. I hope the Department will realize there is a limit to the value of these repeated inquiries. I am tempted to say they are now studying studies. And I want Congress to learn what is going on.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 853. None of the funds appropriated by this Act shall be available after December 31, 1977, for the pay of a prevailing rate employee, as defined in section 5342(a)(2), (A)–(B) of title 5, United States Code, that is greater than 100 percent of the prevailing rate determined under section 5343 of title 5, for the grade in which he is serving: *Provided*, That the pay of a prevailing rate employee who was employed on or before December 31, 1977, shall not be reduced by this limitation below that to which he was entitled based on his rate of pay on December 31, 1977, if the employee—

(A) continues to be employed after December 31, 1977, without a break in service of one work day or more; and

(B) is not demoted or reassigned for personal cause, or at his request.

AMENDMENT OFFERED BY MRS. SPELLMAN

Mrs. SPELLMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. SPELLMAN: On page 52, strike out line 24 and all that follows through line 14 on page 53, and redesignate the following sections accordingly.

Mrs. SPELLMAN. Mr. Chairman, the amendment I have offered would strike section 853 of the reported bill which is the provision dealing with so-called Wage Board salary reform. This provision would deny funds appropriated in the act to pay the full salary for certain blue-collar Federal workers who are now provided for under existing law.

I want to point out to the Members that this provision does not provide reform since it addresses itself to only one part of the problem and would only be in effect for 9 months, from January 1, 1978, until September 30, 1978.

Under this provision, blue-collar workers working side-by-side would be paid different salaries for performing exactly the same work. It is totally discriminatory and does not solve the problem under the current wage grade system.

As the person newly elected to chair the subcommittee in the Post Office and Civil Service Committee which has jurisdiction over the subject matter, I want to advise my colleagues that we are aware of the problems in the blue-collar salary schedule. We are not ignoring those problems. We are actively addressing ourselves to them.

In fact, we have already held a field hearing and have scheduled three additional hearings to study this matter and to consider legislation which encompasses true reform of this pay system. We are using our upcoming recess to hold hearings instead of being able to enjoy those few days of respite to work in our own districts.

Let me impress upon you that this provision in H.R. 7933, although well intentioned, does not accomplish reform. Instead it creates inequity in the name of reform.

We note that the committee report ties section 853—the section which I ask be deleted—to section 852, which directs the Department of Defense to stop contracting out, and infers that contracting out is being utilized, because of blue-collar wage scales. Had the distinguished members of the committee had the opportunity to sit in on the hearings on another subcommittee of the Post Office and Civil Service Committee which is currently giving considerable attention to the whole subject of contracting out, they would be aware that most of it was undertaken by the various agencies, including the Defense Department, because of explicit policies and directives of the Nixon and Ford administrations.

As I have pointed out our committees are actively addressing the problems. Are we to make a mockery of those efforts? Are we to make a mockery of our committees? Are we going to abandon their attempts for well thought through legislation and substitute instead the piecemeal hacking away through appropriations measures?

The distinguished members of the Appropriations Committee are fully aware that they are unable to address this matter properly through this legislation. Listen to their own words in their report:

The committee cannot, through the appropriations process, fully address the complex problems involved in wage board reform.

It is obvious from their report that they were not aware of the work currently being done to take care of the problems. Their report states:

It is hoped that this proposal will encourage the appropriate legislative committees of the Congress to take some action on this matter.

I assure the committee and my distinguished colleagues that action is being taken.

This House has long prided itself in the committee system. I am becoming more and more concerned, as should other Members of this body, with the growing practice of limiting funds in appropriations bills as a "back door" method to legislation. This is not the proper way for the House to conduct its legislative business.

I urge the Members to adopt the amendment I have offered.

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

Mrs. SPELLMAN. I yield to the gentleman from Virginia.

Mr. HARRIS. Mr. Chairman, I would like to rise in support, not only of the amendment and of the point made by the gentlewoman from Maryland (Mrs. SPELLMAN), but also in support of the philosophy that she expresses.

I believe I heard the gentlewoman talk about the work that has been done in her committee in scheduling these hearings across the country so as to deal in some sort of comprehensive and systematic way with the problem.

Mr. Chairman, I am wondering in my own mind what the argument is that would say that we should today pick out one small group of Federal employees?

The CHAIRMAN. The time of the gentlewoman from Maryland has expired.

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

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

Mrs. SPELLMAN. I yield to the gentleman from Virginia.

Mr. HARRIS. Mr. Chairman, I wonder if the gentlewoman from Maryland

could tell me what is the point that we are, at this point in time, on an appropriation bill, singling out a single group of employees? I know that they are the blue-collar workers. They are the ones that are the most hurt by inflation and have the most difficulty as far as their wage situation is concerned. Why just take this one group of employees and single them out and say that they must suffer? Why should we do this without dealing with the rest of the problems?

Mrs. SPELLMAN. The gentleman is absolutely right. There can be no reason for discriminating against the blue-collar worker. This measure fails to address the real problem. It does not even cover all blue-collar workers who are working for the Federal Government—only those who happen to be working in Defense, although that is a large number, to be sure.

It is my firm belief that the members of the Committee on Appropriations, at the time that they were working on this legislation, were of the impression that no committee was addressing itself, to the problems that we know may be inherent in the scales as they exist. I am hopeful that had the committee been aware of all my subcommittee's efforts and of our determination to get to the real root of the problem and work on it in a comprehensive fashion, that it might not have acted on this.

Mr. HARRIS. If the gentlewoman will yield still further, Mr. Chairman, I would just like to say that I rise in full support of what the gentlewoman from Maryland (Mrs. SPELLMAN) is trying to do through her amendment. I think the Committee on Appropriations now realizes how hard the subcommittee has been working on this problem, and with the great need to deal with it in some sort of a comprehensive manner. I would also point out the disrepute that would come upon us if we took this sector of the Defense Department and treated it differently, especially for the blue-collar workers, there just is no need to discriminate against them. I would hope that the Committee on Appropriations would reconsider and would in fact accept the amendment of the gentlewoman from Maryland (Mrs. SPELLMAN). I know that the gentlewoman from Maryland will continue her efforts in this regard, and soon will be reporting out legislation on this matter before this session is over.

Mrs. SPELLMAN. I thank the gentleman from Virginia. The gentleman has made a very good point. But I must add that one of the real problems at this point is that unless my amendment passes we will be hampered by this legislation in our attempts to come up with a real good comprehensive reform proposal.

Again I thank the gentleman from Virginia for his support.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from Maryland (Mrs. SPELLMAN), and I do regret having to rise in opposition to that amendment but I am compelled to do so under the circumstances.

Many of the Members have been much concerned over the fact that the Defense Department is aggressively contracting out work to commercial companies costing Federal workers their jobs. We have written the Secretary of the Department and we have appealed to the officials of the Government to quit contracting out a lot of these functions which they are presently contracting out in many of the Members' districts, including my district and nearly every other district. And the reason they are doing this, contracting these things out, is because they are trying to make the defense dollar go further. The wage board salaries are often above the prevailing wage in the area. Therefore, by contracting out, the Defense Department gets what it considers to be more for the money. So officials have been contracting out a lot of work, and, as a result, a lot of Federal workers have lost their jobs and will probably continue to lose their jobs because of pay rates that are higher than the prevailing level.

The bill language does not bring about any reduction in pay for any blue-collar worker, but it starts the machinery rolling to where the Government worker is more competitive with private enterprise. Therefore, we will be able to stop this very damaging trend which in the long run is detrimental to the Federal worker.

So I rise in support of the Federal worker, not in opposition to the best interest of the Federal worker. It is better for the Federal workers to face up to this situation and hold on to the positions that they have now, rather than have more and more contracting out and more lost jobs.

Without any solicitation from me, the Department of Defense wrote me this statement, and this is a statement delivered to my desk this morning:

The Department of Defense is for section 853—

That is the section we are talking about—

and against any action which would delete it from the fiscal year 1978 DOD appropriation bill. Section 853 represents a significant step toward the legislative reform which this Department supports.

This we support in the Committee on Appropriations.

It would bring the wages of prevailing rate employees in line with those paid in the non-Federal sector and is consistent with the comparability principle, the keystone of the prevailing rate system. While it affects only DOD—

Department of Defense—

people, it does affect 80 percent—

I emphasize 80 percent—

of all prevailing rate or wage board employees. We would assume Congress would shortly impose similar limitations on the pay of the remaining 20 percent of the prevailing rate employees.

So the amendment offered by my friend, the gentlewoman from Maryland (Mrs. SPELLMAN)—in my opinion is against the long-range best interests of the Federal worker. The actions of the Committee on Appropriations were taken after a lot of consideration and thought and recommendations by a Presidential Panel on Federal Compensation, the GAO and a Manpower Commission. This is a provision which, as the Department of Defense stated, will bring about more equity and will not cost people their jobs. It will come nearer to reassuring them that their jobs will not be contracted out.

So I am going to urge the Members of the House to vote against the amendment of the gentlewoman from Maryland.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

I join the chairman in opposition to this amendment. I want to reiterate the fact that this committee is not trying to cut back on the salaries or wages of employees. We on the Committee on Appropriations feel a certain sense of frustration on these significant manpower issues, and this is one of them. We feel that frustration because in many cases the authorizing committee does not take a stand, or take a position, or do the work necessary to resolve these problems.

As the committee report suggests, we do not say that we have the perfect solution or that we are the perfect committee to bring it about, but in our frustration we try to address some of these problems. The very fact that $550 million of the $660 million involved is funded in the defense budget gives us a vital interest in trying to get the most defense for the least dollars that we can as far as our bill is concerned. So we have this frustration.

We are also mindful of the fact that we do not do anything to cut back those who are presently employed at a certain level. This is in effect triggered as of December 31, 1977. That gives the gentlewoman and her committee the rest of the year to work on this problem. I would hope that they would go forward with it. If they come up with a solution that is fair and will keep the Federal employees working, and keep them from contracting everything out, we will be standing shoulder-to-shoulder with them.

I thank the gentleman again for yielding.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. BURLISON of Missouri. I thank the gentleman for yielding.

Mr. Chairman, is it not true that this provision in the bill is really there for the purpose of carrying out the intent of the basic legislation to insure equal pay for comparable work between the blue-collar workers in the military and those in the private sector in the same area of the country?

Mr. MAHON. The gentleman is correct.

Mr. BURLISON of Missouri. I thank the gentleman.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

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

Mr. SIKES. Mr. Chairman, reserving the right to object, I was seeking recog-

nition to speak on this amendment, and unless I may have the 5 minutes, I object.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 6 minutes.

Mr. SIKES. Five minutes for me?

Mr. MAHON. The gentleman from Florida is the only Member standing, so he would have no problem.

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

There was no objection.

Mr. SIKES. Mr. Chairman, at the time of the markup of the bill, the committee and the staff, in all sincerity, felt that this was an area in which funds probably could be saved. Misgivings were expressed at the time the matter was considered. Those misgivings have been confirmed in subsequent explorations of the actual effect of the language in the bill. Hardships will be worked. The action of the committee is, in my opinion, improper and the section should be deleted.

What was not realized at the time of the markup is that the step increases in wages are the only means by which many persons in the blue-collar establishment can get promotions. For instance, if a person is employed as a carpenter at a WG-9, I am advised that he must stay in that grade and that he has no chance for promotion to a higher grade in his field. Let me remind the committee that a minimum of 6 years of satisfactory service is required to advance through steps 2 to 5. An employee can, if the amendment is adopted, continue as he does at present, to progress through certain steps within his grade and thereby obtain increases in pay comparable to those that are expected by persons who are not blue-collar workers. He will not be discriminated against.

In summary, section 853 would have the effect of prohibiting employment above step 2 in any wage grade of any employee hired after December 31, 1977; and preventing employees on the rolls before that date from being promoted above step 2.

I do not share the apprehension so ably expressed by the distinguished chairman of the committee about additional contracting-out. That contingency is covered by language against additional contracting-out in the legislative bill from the Armed Services Committee and in the appropriation bill now before the House.

Adoption of the amendment will prevent the injustice that would otherwise be done to Defense Department wage grade employees—the large blue collar group—paid from this appropriation; and allow the appropriate legislative committees to address themselves to this complex problem, including the conduct of full public hearings during which all interested parties could be heard.

Section 853 abolishes step increases for pay purposes within grade and the section should be eliminated.

The amendment should be adopted.

Mr. MAHON. Mr. Chairman, I believe 1 minute remains.

Mr. Chairman, I rise in opposition to the amendment and in support of the committee bill and in support of the Department position, the action which the committee recommends, and I ask for a vote.

Mr. GONZALEZ. Mr. Chairman, I rise in support of the amendment offered by the gentlelady from Maryland.

Section 853 has the effect of placing severe limitations on the pay of blue-collar employees in the Department of Defense. The aim is to save some money—no estimate is available—but the effect is unfortunate, because this provision creates unjust and unreasonable conditions for the hourly-paid employees of the Department of Defense.

The provision is attractive, at least on its face, because it seems simply to limit Federal defense workers to the prevailing pay in a particular area. But what this really does is to vitiate a provision in law that recognizes that a limitation like that provided for in section 853 simply does not work. It may look good, but it does not work.

There are many areas of the country where complex industrial type activities are being done, where the local wages are not sufficient to allow the Government to hold onto highly skilled workers. In these cases, if we accept section 853, we will be returning to a situation in which a Federal installation will hire and train a skilled person, only to see that person move off to take the same type of job in another area. The Government loses all its investment in the training of that person—why?

Simply because section 853 limits a defense employee to a local wage that may be far, far below the wage that prevails in the aircraft industry. We should not be so concerned about meeting local wage averages, when in fact the problem is to pay wages that prevail in a given industry. That is what the Monroney amendment recognized and provided for, and that is what this amendment would vitiate. It would return us to a situation in which the Government cannot retain highly skilled workers, because those workers can find and will move toward areas where they can command better wages. The Monroney amendment cured this, by allowing defense workers to receive pay that is typical of their particular industry—rather than local averages that were not necessarily reflective of that industry or their level of skill.

Second, this provision is inequitable. Section 853 would create limitations on Defense employees that do not apply to similar employees who happen to work for other agencies. This provision would allow a person of identical skills in, say, the GSA, to be paid more than an individual who is working for the Department of Defense. In this way, the provision does not allow for like workers to receive like pay—a basic inequity that denies even the most basic kind of economic justice.

Third, restricting pay to 100 percent of the local prevailing rate does not recognize that the local prevailing rate is an average. Some people in that locality are going to be paid more than the average, and some are going to be paid less. But this provision only allows a Defense blue-collar worker to be paid the average rate or less. He cannot earn more, no matter what his skills are, no matter what—unless he advances to a higher grade. The result of this curious restriction is that the Department of Defense will eventually be forced to promote employees in order to give them some incentive to perform, some incentive to excel. The result would be a kind of forced grade creep, which would have exactly the opposite result that the authors of section 853 intend.

These unfortunate effects show clearly that it is not wise to write into an appropriation bill language that amounts to legislation. The scope within which we must operate only allows for limitations—it does not allow us to deal with the real issue. The real issue here is how pay should be structured. By dealing only with restrictions, we will create more problems than are solved; we will worsen the situation that concerns the Appropriations Committee, not improve it.

I urge adoption of the Spellman amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Maryland (Mrs. SPELLMAN).

The question was taken; and on a division (demanded by Mr. SIKES) there were—ayes 19, noes 11.

Mr. MAHON. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

Mr. EDWARDS of Alabama. Mr. Chairman, I move to strike the last word.

Mr. Chairman, after passing the subject of research, development, test, and evaluation, Army, which appears on page 25, it was determined that the committee should not have cut out $1.5 million from the $215 million for the advanced ballistic missile defense system. Had this determination been made prior to reaching that point in the reading of the bill, I would have offered an amendment to increase the amount by $1.5 million. Having passed that point I would like to say to the House that the committee does support the full amount of $215 million.

I personally would urge the Army to look for ways through reprograming or otherwise to provide the necessary money to keep this program at its fully authorized level.

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

Mr. EDWARDS of Alabama. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I fully concur with the statements of my distinguished friend, the gentleman from Alabama. The committee should have included the additional $1.5 million and I hope it can be corrected as the gentleman suggests.

The full amount of the authorization should have been funded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 856. None of the funds appropriated in this Act shall be available to pay the compensation of any civilian technician authorized to be employed under section 709 of title 32, United States Code, in support of the National Guard or of any similar civilian technician employed in support of any other reserve component as defined in Section 101

of title 37, United States Code (other than Coast Guard Reserve or the Reserve Corps of the Public Health Service), unless such technicians are so employed on or before September 30, 1977.

AMENDMENT OFFERED BY MR. JENRETTE

Mr. JENRETTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENRETTE: On pages 54 and 55, strike out section 856 and redesignate the following sections accordingly.

Mr. JENRETTE. Mr. Chairman, as we have heard many times from the well, this is a very simple amendment. It strikes what I believe to be a discriminatory section that applies to the technicians that operate on a day-to-day basis in the National Guard throughout the Nation. I served for a number of years in the National Guard, and had the opportunity to employ about half a dozen individuals as technicians in units in which I served as a company commander.

I believe this is a hasty decision by the committee on an issue that has not been adequately studied, at least not by the authorizing committee, the Committee on Armed Services. It should be given additional time for review. The figures are comprehensive, I might say, as to what it will do as far as the Army is concerned. But let me mention briefly that often these civilian technicians do, indeed, just handle the day-to-day work and maintenance of the Army.

These individuals are the link between the community and the National Guard that is called upon by the Governor of any State or by the President of the United States. I believe that this link in the community is a vital one. We all know of the many times when the National Guard has been called out in response to a disaster in order to assist mayors and Governors of States to work together very closely to overcome the effects of that disaster.

I think that what the committee proposes to do is to place in these community-linking activities full-time military personnel commanded by someone at some far away place.

So, I say to my friends on the committee, I think the matter deserves additional study. I believe very strongly that we should accept this amendment to strike section 856 now, and wait for the results of the Department of Defense manpower study. The Armed Services Committee and the Post Office and Civil Service Committee should look into the matter. Next year, and after completion of these studies, we can determine where to make the cuts, and in what way.

I would not be opposed to such cuts if a thorough study by the appropriate committees convinced me that they were the best possible way to reduce spending. Let us give the technicians throughout the Nation an opportunity to be heard on this very important matter.

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

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

Mr. MONTGOMERY. Mr. Chairman, I want to be associated with the gentleman's remarks. I think it is a very good idea. There should be further study on this drastic step that would affect the technician program, and I think probably the Armed Services Committee should look into the matter.

I hope the amendment will be adopted. what the gentleman is saying is really the position of the National Guard Association and National Guard Technicians Association.

Mr. JENRETTE. I appreciate the comments of the gentleman from Mississippi. I just would hope that we could move along, adopt this amendment, and finish up the bill today, and look at it next year.

Mr. EDWARDS of Alabama. Mr. Chairman, I rise in opposition to the amendment. The committee recommendation to gradually phase out the dual status reserve technician program is based on four relatively straightforward propositions:

First, the dual status technician costs more than an active duty military man who does the same job. The committee report shows that the technicians cost $350,000,000 more per year than active duty military personnel. This does not include the future retirement costs, but a technician receives three retirement checks from the Federal Government: Civil service, military, and social security; some get a fourth State retirement check.

Second, more than half of the technicians are unionized. This introduces into the military the influence of unions which dilutes military command authority and responsiveness. This union problem is of grave concern to the committee.

Third, the technicians in the reserves perform generally one job for a long period of time. For this reason, they become very proficient at the one job. But in the process they do not acquire any broadening military experience and generally no command responsibility. So they may be very skillful, but that skill is only in one military occupation.

Finally, and most importantly, the committee could not identify any military function or activity that a technician can do that a military man cannot do. Technicians do the same job, in the same way and at the same place as military personnel do.

This combination of factors led the committee to recommend that the dual status technicians be gradually phased out and replaced with active duty military personnel. This was the recommendation of the Defense Manpower Commission in its report made after extensive review of the technician program.

An important element of the committee's recommendation is that we do not intend to change the local nature of the Guard and Reserve. One of the primary strengths of our reserve components is their local orientation and we have no desire to change that.

The committee proposal provides for a gradual transition through attrition. No conversion of current technicians to active duty military is proposed. No one will lose their technician job, promotion opportunities or retirement. The result will be, over a long period of time, lower cost full-time support to the reserve components and improved quality of service.

I would also like to add, Mr. Chairman, that again we are told that there are studies ongoing. And that is good. But again I would say, as I have said on several other occasions here during the debate on this bill, that the committee has become, to some extent, frustrated by the fact that nothing seems to ever get done in these areas. So here we are again, with an imperfect amendment, an imperfect provision in a bill, an inapprorpiate committee offering it, and yet feeling that this is the only way we can get at the issue and that is why it is in the bill today.

Mr. Chairman, I would urge defeat of the amendment.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment which has been offered in regard to reserve technicians who are civil service employees and members of reserve units. These reserve technicians provide day-to-day management, administration, training and maintenance for the reserve units.

There are about 65,000 of these technicians. Technicians do the same thing that active duty military people do—they repair tanks and trucks, they keep financial records, they plan training exercises, and so forth. These technicians, however, have a dual status—they are paid as both a civilian employee of the reserve and as a military member of the reserve unit itself when they are on reserve duty. Consequently, the costs of providing full-time personnel support to the reserves are higher with dual-status technicians than the costs of paying only for the single salary of an active-duty military man to do the same job. We want an active-duty military man to do this job. The committee estimates that this dual pay for the same job costs $350 million more per year than it would cost to have active-duty military personnel.

A second aspect of the technician program is that a very significant proportion of the technicians are members of unions. That provides a problem with respect to mobilization in the event of war. The Defense Department estimates that 85 percent of nonsupervisory technicians in the National Guard are represented in dealings with management by labor unions. The influence here is not what it should be, in the opinion of the committee.

Finally, the committee position is essentially identical to the recommendation of the Defense Manpower Commission, which said that the technician program should be gradually phased out and the technicians replaced by active-duty military personnel. And that is what we are proposing here—a phaseout, not a cutoff, but a gradual phaseout. The general provision included in this bill provides for this gradual transition. Only about 1,300 technicians annually leave their jobs. This is less than 2 percent of the total of 65,000 technicians. At a turnover rate of 2 percent annually, it would take 50 years to phase out the technician program. This is certainly an adequate period.

In summary, the committee position provides for a gradual phaseout through attrition of the dual-status Reserve technician and their replacement with active duty military personnel. This has no ef-

fect on current technicians. It does not affect the employment of civilians who are not members of the Reserves for clerical or other jobs. Because these active duty people will be solely military, there is a high likelihood that the readiness of the Reserve components will improve.

Under these circumstances, Mr. Chairman, I urge that the amendment be defeated.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto do now close.

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina (Mr. JENRETTE.)

The question was taken; and on a division (demanded by Mr. JENRETTE) there were—ayes 20, noes 13.

RECORDED VOTE

Mr. MAHON. Mr. Chairman I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 288, noes 119, not voting 26 as follows:

[Roll No. 399]

AYES—288

| | | |
|---|---|---|
| Abdnor | Daniel, Dan | Holland |
| Akaka | Daniel, R. W. | Hollenbeck |
| Alexander | de la Garza | Holt |
| Allen | Dellums | Holtzman |
| Ambro | Derrick | Howard |
| Anderson, Calif. | Devine | Hubbard |
| | Dickinson | Huckaby |
| Andrews, N.C. | Dicks | Hyde |
| Andrews, N. Dak. | Dodd | Ichord |
| | Drinan | Ireland |
| Applegate | Duncan, Tenn. | Jeffords |
| Armstrong | Early | Jenkins |
| Ashbrook | Edwards, Calif. | Jenrette |
| Badham | Edwards, Okla. | Johnson, Calif. |
| Bafalis | Eilberg | Jones, N.C. |
| Baldus | English | Jones, Okla. |
| Barnard | Ertel | Jones, Tenn. |
| Bauman | Evans, Ga. | Jordan |
| Beard, R.I. | Evans, Ind. | Kasten |
| Beard, Tenn. | Fisher | Kastenmeier |
| Benjamin | Fithian | Kazen |
| Bevill | Flood | Kemp |
| Blanchard | Florio | Ketchum |
| Boggs | Flowers | Keys |
| Boland | Flynt | Kindness |
| Bonior | Ford, Mich. | Krueger |
| Bonker | Ford, Tenn. | Lagomarsino |
| Bowen | Fountain | Latta |
| Brademas | Fowler | Leach |
| Breaux | Frenzel | Lederer |
| Breckinridge | Frey | Levitas |
| Brinkley | Fuqua | Lloyd, Calif. |
| Brooks | Gammage | Lloyd, Tenn. |
| Brown, Mich. | Gaydos | Long, La. |
| Brown, Ohio | Gibbons | Long, Md. |
| Broyhill | Gilman | Lott |
| Buchanan | Ginn | Lujan |
| Burgener | Glickman | Luken |
| Burke, Calif. | Goldwater | Lundine |
| Burke, Fla. | Gonzalez | McCormack |
| Burleson, Tex. | Goodling | McDade |
| Byron | Gore | McDonald |
| Carney | Grassley | Madigan |
| Carter | Gudger | Mann |
| Cavanaugh | Hagedorn | Marks |
| Chisholm | Hall | Marlenee |
| Clay | Hamilton | Marriott |
| Cleveland | Hammer-schmidt | Martin |
| Cochran | | Mattox |
| Cohen | Hanley | Mazzoli |
| Coleman | Hansen | Meyner |
| Conyers | Harkin | Mikulski |
| Corman | Harrington | Mikva |
| Cornell | Harris | Milford |
| Cornwell | Harsha | Mineta |
| Cotter | Heckler | Minish |
| Crane | Hefner | Mitchell, Md. |
| Cunningham | Heftel | Mitchell, N.Y. |
| D'Amours | Hillis | Moakley |
| Montgomery | Roe | Symms |
| Moore | Rogers | Taylor |
| Moorhead, Calif. | Roncalio | Thompson |
| | Rooney | Thornton |
| Moorhead, Pa. | Rose | Treen |
| Moss | Rousselot | Trible |
| Mottl | Rudd | Tsongas |
| Murphy, N.Y. | Runnels | Tucker |
| Murphy, Pa. | Russo | Udall |
| Murtha | Ryan | Ullman |
| Myers, Gary | Sarasin | Van Deerlin |
| Myers, Michael | Satterfield | Vento |
| Myers, Ind. | Sawyer | Volkmer |
| Natcher | Schroeder | Waggonner |
| Neal | Schulze | Walgren |
| Nichols | Sharp | Walker |
| Nix | Shipley | Wampler |
| Nowak | Shuster | Watkins |
| Panetta | Sikes | Weiss |
| Patten | Simon | Whalen |
| Pattison | Sisk | White |
| Pease | Skelton | Whitehurst |
| Pepper | Skubitz | Whitley |
| Perkins | Slack | Whitten |
| Pickle | Smith, Iowa | Wilson, Bob |
| Poage | Snyder | Wilson, Tex. |
| Pressler | Spellman | Winn |
| Preyer | Spence | Wolff |
| Pritchard | St Germain | Wright |
| Pursell | Staggers | Wylie |
| Quayle | Stangeland | Yatron |
| Quillen | Stanton | Young, Alaska |
| Rahall | Steed | Young, Fla. |
| Railsback | Steers | Young, Mo. |
| Regula | Steiger | Young, Tex. |
| Rhodes | Stokes | Zablocki |
| Richmond | Stratton | Zeferetti |
| Rinaldo | Studds | |
| Risenhoover | Stump | |

NOES—119

| | | |
|---|---|---|
| Addabbo | Emery | Miller, Calif. |
| Ammerman | Erlenborn | Miller, Ohio |
| Anderson, Ill. | Evans, Colo. | Moffett |
| Annunzio | Evans, Del. | Mollohan |
| Archer | Fary | Murphy, Ill. |
| Ashley | Fascell | Nedzi |
| AuCoin | Fenwick | Nolan |
| Baucus | Findley | O'Brien |
| Bedell | Fish | Oakar |
| Beilenson | Foley | Oberstar |
| Bennett | Forsythe | Obey |
| Bingham | Fraser | Ottinger |
| Blouin | Gephardt | Patterson |
| Bolling | Giaimo | Pike |
| Brodhead | Gradison | Price |
| Broomfield | Guyer | Quie |
| Burlison, Mo. | Hannaford | Rangel |
| Burton, John | Hughes | Reuss |
| Burton, Phillip | Jacobs | Roberts |
| Butler | Johnson, Colo. | Robinson |
| Caputo | Kelly | Rodino |
| Carr | Kildee | Rostenkowski |
| Cederberg | Kostmayer | Roybal |
| Chappell | Krebs | Scheuer |
| Clausen, Don H. | LaFalce | Sebelius |
| | Leggett | Seiberling |
| Collins, Tex. | Lehman | Smith, Nebr. |
| Conable | Lent | Solarz |
| Conte | McClory | Stark |
| Corcoran | McCloskey | Stockman |
| Coughlin | McFall | Thone |
| Danielson | McHugh | Traxler |
| Derwinski | McKay | Vanik |
| Dingell | Maguire | Walsh |
| Dornan | Mahon | Waxman |
| Downey | Markey | Weaver |
| Duncan, Oreg. | Mathis | Wiggins |
| Eckhardt | Meeds | Wirth |
| Edgar | Metcalfe | Wydler |
| Edwards, Ala. | Michel | Yates |

NOT VOTING—26

| | | |
|---|---|---|
| Aspin | Dent | McKinney |
| Badillo | Diggs | Pettis |
| Biaggi | Flippo | Rosenthal |
| Brown, Calif. | Hawkins | Ruppe |
| Burke, Mass. | Hightower | Santini |
| Clawson, Del | Horton | Teague |
| Collins, Ill. | Koch | Vander Jagt |
| Davis | Le Fante | Wilson, C. H. |
| Delaney | McEwen | |

Messrs. WOLFF, D'AMOURS, MARRIOTT, and EDWARDS of California changed their votes from "no" to "aye."

Messrs. WIRTH, MAGUIRE, and KELLY changed their votes from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that it may be in order for the gentleman from New York (Mr. GILMAN) to offer an amendment at this time.

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

There was no objection.

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GILMAN: Page 58, immediately after line 7, insert the following new section:

SEC. 862. None of the funds appropriated by this Act may be obligated or expended to conduct any review of the status of United States military personnel listed as missing-in-action in Southeast Asia other than—

(1) a review with respect to which the Federal officer or employee conducting such review has physical evidence of the actual fact of death, and

(2) a review under chapter 10 of title 37 of the United States Code which is requested by any individual who is a dependent of any such personnel so listed and who is receiving monetary benefits from the United States by reason of being a dependent of such personnel.

The CHAIRMAN. The gentleman from New York (Mr. GILMAN) is recognized for 5 minutes in support of his amendment.

Mr. EDWARDS of Alabama. Mr. Chairman, I hope I was on my feet before the Chair recognized the gentleman. I would like to reserve a point of order against this amendment.

The CHAIRMAN. The Chair advises the gentleman from Alabama he is too late. The gentleman from New York has been recognized.

Mr. GILMAN. Mr. Chairman, the subject of status reviews of missing in action in Southeast Asia has been dealt with similarly by both the Ford and Carter administrations. Due to the extraordinary circumstances of the Vietnam conflict. President Ford imposed and President Carter continued a moratorium on status reviews based on "presumptive" findings of dealth—a conclusion by the Secretary that information received, or a period of time without any information establishes a reasonable presumption of death.

Yet, inconspicuously tucked away in the voluminous committee report accompanying H.R. 7933, the Defense Department appropriations bill, is an exceedingly ill-advised policy recommendation, having ramifications far more adverse than its brief treatment in the report would imply. The Appropriations Committee states its concurrence "with the conclusion that status reviews must commence and be concluded in a timely and orderly fashion."

I call to the attention of my colleagues that half of the Members of the House Select Committee on MIA's disagreed with that conclusion. Nor has the administration indicated that it believes status reviews to be appropriate at this time. And yet, without affording the Congress the opportunity to address itself to the question of status reviews of our missing by the service secretaries, we have before us, buried in the committee

report, language which, if adopted, would signal a major reversal in both administrative and congressional policy concerning our missing in action.

The appropriations committee states that there are still 730 servicemen currently listed as missing in action.

The Appropriations Committee's report cites several conclusions supporting its recommendation for MIA status reviews, one of which states that "There is no evidence that any Americans are still alive and being held against their will." It would be far more accurate to state that the United States has not yet obtained sufficient evidence to substantiate such a conclusion. The Woodcock Commission, the Presidential fact-finding team sent to Indochina in April 1977, asserted that the "Vietnamese have not yet given us all the information they probably have." Indeed, the Woodcock Commission stated that Vietnam "has established a specialized office to seek information on missing Americans and to recover remains." Moreover, that Commission reported that "The Vietnamese had noted that they had substantially increased their budget for this work." Since these reported initiatives may lead to new information about our MIA's, the time could hardly be more inappropriate to commence such status reviews.

I fully recognize the difficulty in securing a "total accounting for all persons listed as MIA." However, rather than being influenced and intimidated by the difficulty imposed by the terrain of the region and by reluctant governments, we should support and encourage all responsible attempts to intensify our search efforts, including sophisticated technology and refined methodologies not available during or following World War II and the Korean war. Only in this manner can we responsibly and expeditiously resolve the question of our MIA's status.

The Appropriations Committee's conclusion that a change in the status of MIA's will not prevent the governments of Southeast Asia or the United States from seeking a more detailed accounting, is difficult to understand and is certainly not an accurate assessment of the practical aspects of this issue. Initiating status reviews, which result in presumptive changes in status of our MIA's, would deemphasize the importance of this issue, would weaken our Nation's negotiating position and would diminish the possibilities for a full accounting.

The suggestion that the Woodcock Commission recommended that "the time has come to once again begin the status reviews required by the Missing Persons Act," is blatantly incorrect. At no point does that Commission address the delicate question of ending the present moratorium on status reviews. The President, only this past February, informed the National League of Families, that he had instructed the Defense Department not to initiate any status reviews based on presumptions.

The bill before us is an exceedingly inappropriate vehicle for changing policy and effecting what would amount to a major reversal within the framework of this Nation's attempt to obtain information concerning its MIA's, as well as formulating the course of future relations between the United States and Vietnam.

Mr. Chairman, conceivably, we are on the threshold of obtaining much more information about our MIA's. We are beginning to open the doors of this long, lingering, painful issue. To recommence status reviews at this time and force those MIA families—who have for so long, patiently awaited information—to go through a memorial service resulting in "presumptive" finding of death and then a second funeral if remains are repatriated, would be an unconscionable and grievous affront, not only to those who gave so much for all of us, and to their families, but to the entire Nation.

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

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

Mr. KEMP. Mr. Chairman, I rise in support of this amendment, and congratulate the gentleman for offering it.

I serve on the Subcommittee on Defense Appropriations and I agree with the gentleman's assessment that a presumptive determination of death would foreclose any opportunity of getting more information on the 750 still missing in action for the families of all the gallant men they represent.

I have many families in my district and many throughout New York in the League of Families with whom I have talked and they are fully in support of the gentleman's efforts to keep alive our hope for more information.

Mr. Chairman, I thank the gentleman, not only for his work on this amendment, but for all his efforts in this tragic but vital cause. He and I have met numerous times with former POW's and members of the League of Families. I value their advice and counsel as well as their friendship.

I vowed a long time ago that I would never turn my back nor would I allow the Congress to turn its back on the men who were prisoners or were missing in Southeast Asia.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from New York, not only for his kind remarks, but his consistent efforts in this very worthy endeavor.

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

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

Mr. LAGOMARSINO. I thank the gentleman for yielding to me. Is it true that under the gentleman's amendment, a family could continue to request a determination that the missing person is deceased.

Mr. GILMAN. Precisely. This amendment does not prohibit that.

The CHAIRMAN. The time of the gentleman from New York has again expired.

(On request of Mr. LAGOMARSINO and by unanimous consent Mr. GILMAN was allowed to proceed for 1 additional minute.)

Mr. LAGOMARSINO. I would like to commend the gentleman for his amendment. I think that while certainly this is not a black or white issue—it is an unclear issue—certainly this is something that we should try to work out between the families and Government, and not impose upon them a legislative fiat declaring their loved one is deceased. I know that families feel very strongly about this.

Mr. GILMAN. I thank the gentleman for his remarks and for his efforts on behalf of the missing in action.

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

Mr. Chairman, there are 716 Americans still classified as missing in action. In effect, what the Gilman amendment will do will be to freeze in place for 1 year these 716 missing. They cannot be classified from missing in action to killed in action. There are two exceptions in his amendment.

I would like to point out that the House Select Committee, which the Members authorized and which came in with a very fine, accurate report, said that these Americans are not coming home; they have lost their lives in combat. We recommended in our report that the Defense Department start a case-by-case review of these Americans still missing in action. I might say that these Americans have been missing for an average of 10 years. I wish they were coming back. It is a sad report, but someone had to bite the bullet, and we in the House Select Committee spoke out and said that these fellows are not coming back, and for the good of the families the status should be changed from missing in action to killed in action.

The Presidential Woodcock Commission, upon which I had the great privilege of serving, went to Hanoi. We did everything possible to find out if any Americans were alive. This Commission was unanimous in stating that these Americans had lost their lives in the service of their country.

The thing that worries me the most about the Gilman amendment is that it is unfair to the families. If we adopt this amendment, we, in effect, give these families hope that these Americans are alive. This is totally unfair, to give any hope that these men are coming home.

The amendment does have an exception that the next-of-kin can make a request that the Defense Department make a status change. The wives I have talked to—many of them next-of-kin—do not want this responsibility, and they are correct. They feel this should be up to the Defense Department. So, why put the responsibility on them? We have experts in the Defense Department who can look at these cases.

What I said earlier applies, that we would completely freeze in for a year a continuation of these missing Americans. It is also unfair to the 55,000 Americans who have lost their lives and who have been classified as killed. We should have all these 716 moved into the status of killed in action such as we have done with the other 55,000.

Of the total numbers who lost their lives in World War II, 22 percent of the remains were not recovered. In the Korean war, among those who lost their lives, 22 percent of the remains were not recovered. In this war, only 4 percent of the remains have not been recovered. Actually, we have done a better job of recovering our remains and finding out

what happened to the Americans than the French did in the Indochina War.

If the Members have respect for the House Select Committee which made the MIA final report, and if they have respect for the Woodcock Commission, and if they have confidence that we did a fairly good job, you will vote down this amendment.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman not only for his statement but for what he has done in the area of trying to resolve the MIA question. There is nobody in this House or in this country who has felt any more strongly about this than the gentleman in the well. I know when the gentleman in the well finally came to the conclusion written in his committee's report that this is as far as he could go. He did some deep soul searching before he put his signature to that report. So I think this House should heed what the gentleman says. Our subcommittee is not trying to be unfair to anybody. This has gone on so long that it is entirely unprecedented in the history of this country. We are just simply saying in our committee report that now is the time for the Defense Department to get on with the business of concluding its study. That is all we are saying.

The CHAIRMAN. The time of the gentleman from Mississippi (Mr. MONTGOMERY) has expired.

(On the request of Mr. EDWARDS of Alabama and by unanimous consent, Mr. MONTGOMERY was allowed to proceed for 1 additional minute.)

Mr. EDWARDS of Alabama. If the gentleman will yield further, they are not just going to terminate the status. They are going to review each one. But now they are going to start the study and get it over with. That is not unreasonable, it is not inhumane. In fact, I think it is the humane way to go on this issue.

Mr. Chairman, again I commend the gentleman for his stand on this issue.

The CHAIRMAN. The time of the gentleman from Mississippi (Mr. MONTGOMERY) has again expired.

(On request of Mr. MAHON and by unanimous consent, Mr. MONTGOMERY was allowed to proceed for 5 additional minutes.)

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

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

Mr. MAHON. Mr. Chairman, I would like to have a colloquy with the gentleman from Mississippi (Mr. MONTGOMERY), who has spent so much of his time and effort in trying to be helpful in the many problems associated with our missing-in-action. He has made innumerable trips to Vietnam and he has been very helpful. Many of us have felt that we should follow his leadership. We do not want to be unfair to the mothers and fathers who gave up their sons in combat and whose remains were recovered. The Committee on Appropriations realizes that this is a sensitive matter and an emotional matter. We have tried to be as careful and proper in handling these matters as possible. The Committee on Appropriations did not put a specific line in this bill about the MIA's. There is a discussion in the report. But the report is sugesting that the Defense Department should make a case-by-case review and make determinations.

Mr. Chairman, I want to commend the gentleman from Mississippi (Mr. MONTGOMERY) and thank him very much for yielding to me, and I hope we will not impose upon the Defense Department the amendment which has been suggested by the gentleman from New York (Mr. GILMAN).

Mr. MONTGOMERY. Mr. Chairman, let me say also that under the Gilman amendment we completely tie the hands of the Defense Department. They cannot do a case-by-case review. We have the experts there, and this is the way to do it. We just cannot continue to carry these men missing in action.

These families are entitled to start new lives, and I think that this today will be one of the key votes we will have to cast for a long time. But we should close out this sad issue and let these families start new lives.

We can settle up with the families. They will be well taken care of. There are funds to which they will be entitled, and financially this will not hurt them.

But to me, that is not the important thing. I think the important consideration is the false hope that this amendment gives the families of the MIA's, and these Americans are not coming back.

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

Mr. MONTGOMERY. I yield to the gentleman from Iowa (Mr. HARKIN), who has served with me on the Select Committee on Missing Persons in Southeast Asia.

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

I just want to say that I did have the privilege of serving with the gentleman in the well on the House Select Committee on MIA's. I cannot say that it was a pleasure because the task we were about to perform was not a very pleasurable task.

But I do know of the commitment of the gentleman from Mississippi (Mr. MONTGOMERY) to this entire area of resolving the conflict on the MIA's. The gentleman in the well spent hours, days, and months of his time and personal effort on this issue. I know that when we finally reached the conclusion we did in this committee, we had left no stone unturned in our efforts and in the personal efforts of the gentleman from Mississippi (Mr. MONTGOMERY) in this regard.

I agree with the gentleman in the well that it is really cruel to try to hold out for a longer period of time, after this period of 10 years, to these wives, mothers, fathers, sons, and daughters the idea that somehow there is some kind of hope they are still alive, because we know that there is not any hope. There comes a point in time when we simply have to face reality.

So, Mr. Chairman, I oppose the amendment and support the position of the gentleman in the well, who is very correct in his position and who has spent so much time and effort in searching out all the aspects of this MIA situation.

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

Mr. MONTGOMERY. I yield to the gentleman from California (Mr. McCLOSKEY), who served as the ranking minority member of the Select Committee on Missing Persons in Southeast Asia.

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

I would like also to commend the gentleman in the well, Mr. MONTGOMERY, and speak reluctantly against this amendment, because I know of the depth of feeling and sincerity which our colleague, the gentleman from New York (Mr. GILMAN), as shown in offering it.

But let us bear in mind that the present law of the United States, adopted by this Congress and recently reviewed and approved by the Select Committee on MIA's, provides that there be a status determination by the Defense Department in the case of each MIA.

The CHAIRMAN. The time of the gentleman from Mississippi (Mr. MONTGOMERY) has expired.

(On request of Mr. McCLOSKEY and by unanimous consent, Mr. MONTGOMERY was allowed to proceed for 5 additional minutes.)

Mr. McCLOSKEY. Mr. Chairman, will the gentleman yield further?

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

Mr. McCLOSKEY. Mr. Chairman, the proceedings under this law that provides for a status review were interrupted largely at the request of this House which felt that neither the administration nor the Defense Department was properly looking after the interests of the MIA relatives.

Because we intervened, the Defense Department held up the continuing status review procedures that had been followed for several years. They held them up until the select committee rendered its report to this House early this year. In our report we said that we felt, after pursuing every rumor we could and every possible lead, that we had reached the reluctant conclusion there was no credible evidence that any MIA's in Southeast Asia were still alive.

That left 716 families with individuals still listed as MIA's. But worse than that, it left these families in an almost incredibly cruel position, particularly those families where the wife believed that her husband was deceased but the parents still clung to the belief their son might be alive. That put the wife in the position that while she could ask for a change of status, she was then believed by her in-laws and the grandparents of her children to, in effect, be executing a death warrant for her husband.

I have talked with more than 70 wives of MIA's who are in this category. The overwhelming majority of these wives do not want to take affirmative action to ask that their husbands be declared dead. They cannot remarry; they are in a situation in which they are receiving pay

and benefits for a husband who is believed to be dead as if he were alive. These wives do not want to antagonize the parents of their MIA husbands and the grandparents of their children by, in effect, taking action to have their husbands declared dead. It is an incredibly cruel situation.

I see no reason for Congress to interfere with a law that is now being properly administered, a law that was carefully debated and enacted overwhelmingly by this Congress. I agree that there should be a careful, thoughtful determination in the case of each MIA, and that every effort should be made to determine whether there is a possibility that the individual involved is still alive.

I am reluctantly of the opinion, however, that there is no credible evidence to justify the conclusions that any MIA is still alive. More than that, I do not think that we should continue this impossible position in which the wives of men who gave so much to their country find themselves.

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

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

Mr. ASHBROOK. Mr. Chairman, I have listened with interest to the comments; and I must reluctantly disagree with my friend, the gentleman from Mississippi (Mr. MONTGOMERY).

I have listened to the gentleman from Iowa (Mr. HARKIN) indicate that he was sure that we have received all of the bodies. I do not think any of us can be sure, because of the nature of the people with whom we are dealing, that we received all of the bodies.

In fact, all of a sudden, 20 more bodies are accounted for.

The Communist Government of Vietnam has not even complied with the most rudimentary procedures of international law or with the Geneva Convention. They have used the MIA's for bargaining purposes. They have used them as threats.

Mr. Chairman, we have no way of being certain about this matter. I do not think it is a question of the credibility of this committee. I think it is a question of the credibility of the government with which we are dealing. I myself cannot take the position that they have been honest with us.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for his comments.

Let me say that a year after the end of World War II hostilities it was determined that 79,000 Americans were missing. The Defense Department declared those Americans as killed in action. Not one out of the 79,000 has come back.

Of the 5,000 in the Korean war whom we declared as missing a year after the hostilities, not one of those has come back.

After we got our men back in 1973, we probably should have declared the missing Americans dead a year later. This would have cleared up the situation.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield further.

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

Mr. ASHBROOK. Mr. Chairman, there is a basic difference between what was the fact at the end of World War II and what we are talking about now. The allies occupied the lands where the soldiers fought during World War II. We had a reasonable way in which to determine whether or not they, in fact, were alive or had been killed, buried, et cetera.

We do not have that same ability now, and we do not have that same assurance from the Government of Vietnam.

Mr. MONTGOMERY. We have a better accounting from the Vietnamese.

The CHAIRMAN. The time of the gentleman from Mississippi (Mr. MONTGOMERY) has expired.

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

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

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

Mr. MAHON. Is it correct that if the Department of Defense should conclude a person missing in action is dead and that person should subsequently return, he would still receive the benefits that would ordinarily be received by a returning veteran?

Mr. MONTGOMERY. That is correct. Ten Americans were classified as killed in action between 1967 and 1973. Ten Americans came out from Vietnam and from Laos. Their families, in the meantime, had been paid the insurance and other benefits.

The precedent has been set. To answer the gentleman's question, each one of these Americans—and I would hope that all 716 would come out; but I am afraid they will not—would be given the benefits. They would not have to pay back the insurance.

Only one commercial insurance company which had paid off the claims of one who did come back required the family to pay back 25 percent of the policy. Other than that, none of those funds have been demanded.

Therefore, if some of these Americans did come back, the precedent has been set so that they would not have to pay back the insurance or other benefits already given.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

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

Mr. FISH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

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

Mr. DORNAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MAHON. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

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

The CHAIRMAN. The Chair will state that the Chair will have to allocate time before the gentleman is recognized.

Mr. DORNAN. Mr. Chairman, I make the point of order, in lieu of a recorded vote, that a quorum is not present.

Mr. Chairman, I must have 5 minutes to speak on this subject. I have worked on it for 12 years.

The CHAIRMAN. The Chair will state that the gentleman's point of order is not in order, as there is no question pending.

The Chair recognizes the gentleman from Ohio (Mr. ASHBROOK).

(Mr. ASHBROOK asked and was given permission to revise and extend his remarks.)

Mr. ASHBROOK. Mr. Chairman, I support the amendment of my colleague from New York. I have a deep interest in this issue as a former member of my staff never returned from the war in Southeast Asia.

For 10 years after World War II, the Polish Communist Government declared that all Polish POW's had been returned from the Soviet Union. When Radio Free Europe beamed the names of Polish POW's into Poland in 1955, over 6,000 nonexistent POW's returned to Poland before the end of the year. In 1956 over 30,000 more were repatriated; in 1957 over 93,000 came home.

On November 17, 1962, the North Vietnamese Government announced over Hanoi radio that they had agreed to repatriate French POW's still in North Vietnam—8 years after the end of the war.

In September 1976, I wrote to the State Department about a Laotian general now in the United States who claimed to have information concerning 200 American pilots shot down in Laos, only two of whom were returned. As far as I know, the State Department still has not contacted him.

A former member of the Hanoi Parliament, now in Japan, claims, according to a VOA broadcast, that he has "information on missing American prisoners of war." The Subcommittee on International Organizations of the House is trying to have him brought to the United States for a hearing.

I join the gentleman from New York in his opposition to any presumptive findings of death concerning our missing servicemen in Southeast Asia. Dependents of MIA's who receive monetary benefits from the U.S. Government will still retain their right to change status from MIA to KIA if they so desire. This amendment is in the best interest of these dependents and should be passed.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. DORNAN).

(By unanimous consent, Messrs. EDWARDS of Alabama, EDWARDS of Oklahoma, MCCLOSKEY, and JOHN L. BURTON yielded their time to Mr. DORNAN.)

Mr. DORNAN. Mr. Chairman, I thank the gentlemen for yielding me the additional time.

Mr. Chairman, I have been deeply impressed over the years with the efforts that have been put forth by so many of

my colleagues in reference to this tragic missing-in-action issue. The Pentagon has told me that no Member has worked harder or longer than the gentleman from California (Mr. McCLOSKEY) and that he has spent more time over there than any other member of the committee, searching through the records and trying to find any glimmer of hope.

I have talked to hundreds of POW/MIA family members about the gentleman from New York (Mr. GILMAN) and to the gentleman from Ohio (Mr. GUYER) concerning their assistance to the families, and no one has been closer to them than they have. The families have regarded them almost as their own sons or brothers.

Going back years to 1969 when I first came to this hill as a news man, an Air Force Reserve officer who had best friends as POW's and as a friend of the families to lobby on the subject, SONNY MONTGOMERY was the first one to take the lead and to welcome the family members into his life. He opened his office to us and ran interference with the bureaucracy. Defense officials dealing with this subject looked to SONNY as the top spokesman in Congress for POW families.

But, I have spent over a decade on this tragedy and I have talked with the met as many family members as anyone I know. I have traveled around the world 4 times with POW/MIA wives and mothers on this. I have met with Mrs. Indira Ghandi, and with Pope Paul VI on the missing. I have been in Communist countries pleading for Geneva Convention treatment for our POW's and missing. All but China itself, Romania, Poland, Hungary, Czechoslovakia, the U.S.S.R. itself twice—many trips to Vietnam, to Laos, to Cambodia, everywhere. I have traveled with these courageous mothers and with wives.

Mr. Chairman, I will tell you that in all of those months of travel away from my family, and I was away longer cumulative than the B-52 pilots who were shot down in 1972 spent in captivity before they were freed, and in all that time I have never found a family member, among hundreds I dealt with, who was in this for a few lousy dollars of benefits. Not one. A few may exist. Maybe, but I have never met one.

Recent events have not given them false hope but there is some signs the North Vietnamese are slightly moving away from their inhuman hard line. Do not dash the hopes of the families by changing the current situation for 1 year please. People said in this House last year no one was alive. Definite statements no one was alive, and yet Tucker Guggleman was alive in a Saigon jail rotting in a Communist cell at that very moment. Some of you who were wrong before, just might be wrong again at this very moment.

One of our Members, the gentleman from California (Mr. McCLOSKEY)—you know he was on the select committee—and, I do not mean to get emotional on this—but, as the gentleman from California (Mr. McCLOSKEY) was a decorated combat Marine. officer, so was Tucker Guggleman. When he was captured, however, he was a civilian. He had been, after his Marine service, with the CIA for years before retiring. But had gone back to Vietnam at the end to help his friends. "Greater love has no man" it says in scripture. He was taken the last day before Saigon fell. Then he laid in a Communist cell in Saigon rotting, while some Congressmen maintained no one lived and I am sure his last thoughts were, "Does anybody know I am here? Does anybody care?" He was alive and broken and slowly he perished, maybe tortured to death, and made some statements of "no one's alive" correct—after the fact.

Some of our distinguished Members here were wrong. I do not, frankly, hold out much hope for any of my friends any longer, but I will tell the Members why I am singing an old song that they have heard before: "One more year, just one more year." Because no one has one shred of evidence that the three dozen known POW's are executed. I will tell the Members why, because there is a slight hope, for example, in Laos, where there may be some men hanging on.

I have interviewed men who were held in caves in Laos, where there were seven or eight or nine other pilots alive. None of them have come home. I will tell the Members a horrendous fact. Not a single man ever came home who was held by the Pathet Lao. I repeat. Not one man home from Laos. There were 320-plus missing in action there. At one time a Pathet Lao leader told me they had 100 pilots.

Nixon was had in March of 1973. He was given seven military men—and three civilians referred to as Laos-held prisoners. None were ever held in Laos except for Ernie Brace and he for only 3 weeks at Dien Bien Phu. The other men when captured were immediately turned over to the Vietnamese troops and taken straight to the Hanoi, repeat Hanoi, prison system.

You cannot write off the families with men missing in Laos particularly. You just cannot. They are entitled to at least 1 lousy year more. Dr. Kissinger alone cost them 2½ years when he refused to even meet with them. Do not cut them off now. They will feel betrayed and they will be correct.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. ROUSSELOT yielded his time to Mr. DORNAN.)

Mr. BENNETT. Mr. Chairman, although I do not take the gentleman's position, I ask unanimous consent to yield my time to him.

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

There was no objection.

Mr. DORNAN. Mr. Chairman, all I am asking for the few family members who still have hope is this: One year for a long shot, a breakthrough. I met at the Embassy in Paris just a few weeks ago with the Assistant Secretary of State, Mr. Richard Holbrooke—who is coming up to speed fast on this issue. He admits he knew little about it, until this year. He is coming up to speed fast and doing an excellent job. I gave him this POW to show to the Vietnamese negotiators in Paris to let them know some Senators and Congressmen had not given up hope.

He feels some hope now himself, at least on the return of remains. My colleagues, I helped to start this POW bracelet. I still wear the first one. No. 1 has not been off my wrist in 11 years. It raised over $10 million for our POW's. Everything from free bumper stickers and buttons welcoming them home to funding MIA family offices. This second bracelet I wear for a man by the name of Ed Atterberry who was a Hanoi-held POW. For escaping overnight he, together with Col. John Dramesi, was stripped naked, spread-eagled on a floor cell and beaten, scourged with huge strips of rubber off truck tires for days. Atterberry died after 8 days of beating. He was an open wound from the top of his hairline down to the soles of his feet. Colonel Dramesi survived an incredible 38 days of scourging. We can't do anything for Atterberry but we can keep faith with his friends who may just be hanging on in Laos. There were two Cuban torturemasters in that Hanoi hellhole called Hoa Loa. Our pilots called them behind their backs, "Fidel" and "Chico."

"Fidel" beat some men into a state of insanity. Did the North Vietnamese return one deranged man? No. What did they do? Execute them? We simply do not know.

Some men were so brutally tortured and beaten the Pentagon uses code names in the records concerning the vicious brutality inflicted upon them—the code name of Egan comes to mind, a man tortured to insanity with indescribable sadism. The code name is supposed to protect the mental stability of his children so that they will not carry the emotional scars of knowing the sheer agonizing hell of their dad's last days on this Earth. What happened to this pilot known only as Egan in the nightmarish record of the "Hanoi Hilton."

The North Vietnamese kept careful Nazi-type records of every bailout, most men killed in the villages, and every man driven insane. They always had access to Laos records. They are holding back information. Mr. Holbrooke also believes this. Please do not take the pressure off drawing out the truth by defeating this amendment.

The CHAIRMAN. The time of the gentleman has expired. Time has been set.

(By unanimous consent, Mr. EDWARDS of Oklahoma yielded his time to Mr. DORNAN.)

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DORNAN. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

I wish the gentleman would tell us in the last 20 seconds what all of this has got to do with the Defense Department.

Mr. DORNAN. All right; I will tie it up in the remaining time.

We are dealing with one of the most brutal enemies we ever faced in battle. They have hegemony over Laos far more than they do over Cambodia. They are now starting to come forward with bags of bones, as they did with the French for over two decades and still do.

Presumptive-finding-of-death against the will of MIA dependents tells the Viet-

namese we believe everyone is dead. Take your time. The pressures off. We must keep this issue alive and not deny hope to the family members who are hanging on, who will not sign a death certificate yet, who have been given no evidence their man is dead. We have not given the full measure of concentration to this issue of Laos that we should have. In spite of all of the excellent work done to date by many of you we have not fulfilled our sacred commitment to the sons and daughters, moms and dads, and some lonely wives who still serve by waiting. We were lucky to have such fine men. One more year, please.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. HARKIN).

Mr. HARKIN. Mr. Chairman, I certainly cannot match the emotional rhetoric of the gentleman who just spoke, but I would like to set the record straight on Mr. Guggleman. Our committee knew all about him. He was never an MIA. He was not a military man; he was a civilian. He went back to Vietnam right toward the end of hostilities looking for a Vietnamese girl. He was caught up in the hostilities—a former CIA agent—captured, and kept in prison by the Vietnamese. We knew all about him all along. He was never an MIA.

But I think the gentleman from Alabama hit the nail on the head when he said the argument the gentleman from California was making has nothing to do with what we are talking about. What we are talking about is, once and for all, adhering to the law that was set here a long time ago.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. MIKVA yielded his time to Mr. HARKIN.)

Mr. HARKIN. After the Second World War and after the Korean war, the law said if there is no further evidence after 1 year and 1 day of a person being listed missing in action, that person would be then classified as KIA.

We did not follow that after the Vietnam war. We, in fact, changed the law to reflect what people said was the character and nature of the enemy. We did that, but it has been 10 years now that these MIA's have still been missing. Not one shred of evidence has ever come before this body or before the Select Committee on MIA's to show that even one person was still alive anywhere.

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

Mr. GILMAN. Mr. Chairman, this is essentially a policy change we are talking about, a worthy policy that was embarked upon by President Ford in declaring a moratorium at the request of the families of the MIA's to try to keep those issues alive before the entire world and to try to help resolve the issue. President Carter has continued that moratorium. By endorsing this committee report we would be changing policy. We will be dissipating the entire issue of our missing, sweeping it under the rug, at a time when we are beginning to make some headway. Through the work of the MIA Select Committee and by way of the pending negotiations with the Vietnamese, we are beginning to get some hard facts. For the first time we are beginning to see some light at the end of the tunnel. Let us not put any damper on this progress—let us not close this door on our MIA's.

Accordingly, I urge my colleagues to support this amendment to prevent the resumption of presumptive findings of death of our missing.

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

Mr. Chairman, I yield to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, this is a subject we all approach with great sadness. Our hearts go out to all the families involved. But we must accept the inevitable. The MIA's are not coming back alive. I have studied all the records. Every effort has been made to find the missing, to learn any facts from every source that we possibly can. Any evidence that can possibly serve a useful purpose has been sifted, analyzed, and studied. There just is nothing to be gained by further delay.

My area has been among those hardest hit and yet with regret and a heavy heart I support this amendment.

Mr. MOAKLEY. Mr. Chairman, I rise in support of the bill (H.R. 7933) making appropriations for the Department of Defense and related agencies. But I do wish to express my concern over language contained in pages 66 and 67 of the report (H. Rept. 95–451) to accompany the bill concerning the status of missing-in-action personnel in Southeast Asia.

While I agree with the committee that missing personnel cannot be carried in that category indefinitely, I would hope that the administration would move with more caution than recommended in the report.

At the present time, the United States and Vietnam are engaged in discussion over normalization of relations and the President has stated that he considers the fullest possible accounting to be a sine qua non for any kind of rapprochement. I think it is important that Congress not go on record as officially agreeing to accept any less than the fullest accounting while these negotiations are going on.

During the previous Congress, I served on the Select Committee on Missing Persons in Southeast Asia. My experience has convinced me that Congress should allow the President the widest possible latitude in dealing with this issue and I insert for the information of my colleagues a letter I sent to the President in this regard shortly after his inauguration:

U.S. HOUSE OF REPRESENTATIVES,
*Washington, D.C., February 1, 1977.*

The PRESIDENT,
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: I would like to express my deep personal appreciation for the amount of time and attention you are giving to the problem of missing persons in Southeast Asia so early in your Administration. Since I was unable to join the other Members of the House Select Committee yesterday, I hoped I could send a letter to present a few thoughts on the issue.

The Committee's final report presents two findings and recommendations which go to the heart of the controversy. The Committee concluded that there are no Americans alive in Indochina and recommended that the Administration proceed with immediate status reviews.

I think it is important to note that outright dissent to both were expressed in Separate Views by two Members of the Committee and I filed Additional Views, taking a far more cautious position, which were supported by two other Members. This even split must be seen as representing the true views of the Committee.

Fate of the Missing: The Committee report stresses the statistical interferences which led to the Committee's "gut reaction" in assuming that there are no Americans alive in Indochina. But the Committee has presented no additional proof. It is only a hunch. It should not have served as the basis for Committee findings and it would be most unfortunate if it were used as a basis for foreign policy and DoD status decisions.

Status Reviews: No one argues that the Department of Defense can continue to carry missing personnel in MIA or POW categories indefinitely. But we consistently encountered reactions from Vietnamese authorities which indicated their belief that real progress could be made if you were elected President. I would strongly urge that you reach your decision on status reviews only after some diplomatic contacts have been made and you have some basis for weighing the long term prospects for an accounting.

Vietnam: I would strongly urge your Administration to undertake negotiations with Vietnam at the earliest possible opportunity. I think it is important to realize that no progress can be made outside the context of diplomatic contact. But we have seen clearly the willingness of the Vietnamese to exploit our anguish over the MIA issue and our policy, I hope, will be based only on withdrawable gestures—which would not include UN membership.

But, above all, I would urge you to reach no decision until you have discussed these issues personally with the real experts. Our Committee worked for 15 months on the MIA issue but the families have lived with the issue, in some cases, for more than a decade and I sincerely hope that they can be given the same opportunity afforded to our Committee.

Again, my sincere thanks for your concern.

Sincerely,

JOHN JOSEPH MOAKLEY,
*Member, Select Committee on Missing Persons in Southeast Asia (94th Congress).*

Mr. LENT. Mr. Chairman, I rise in support of this amendment, and commend my friend and colleague from New York (Mr. GILMAN) for his continued leadership on the MIA issue.

I am but one of many Members of this body who has felt that the MIA issue should take a major place in the negotiations between this Government and the government of the Socialist Republic of Vietnam. Those talks are proceeding, and some progress has now been made. This is simply not the time to undermine the importance of the MIA issue at the Paris negotiations. If we upho'd the language in H.R. 7933 and allow status reviews to continue and be concluded in an orderly and timely fashion, the cause of obtaining an accurate accounting of our MIA's will be further weakened.

I urge approval of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. GILMAN).

The question was taken; and on a division (demanded by Mr. GILMAN) there were—ayes 23, noes 70.

RECORDED VOTE

Mr. GILMAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 160, noes 246, not voting 27, as follows:

[Roll No. 400]

AYES—160

| | | |
|---|---|---|
| Abdnor | Gilman | Myers, Michael |
| Alexander | Glickman | Myers, Ind. |
| Ambro | Goldwater | Nix |
| Anderson, Calif. | Goodling | Nowak |
| | Grassley | O'Brien |
| Anderson, Ill. | Guyer | Oakar |
| Andrews, N. Dak. | Hagedorn | Ottinger |
| | Hammer-schmidt | Panetta |
| Applegate | | Pressler |
| Archer | Hannaford | Pursell |
| Armstrong | Hansen | Rangel |
| Ashbrook | Harrington | Regula |
| Bafalis | Harsha | Rhodes |
| Bauman | Heckler | Rinaldo |
| Beard, Tenn. | Hefner | Rooney |
| Blanchard | Holt | Rose |
| Boggs | Horton | Rousselot |
| Boland | Hubbard | Rudd |
| Bonior | Hyde | Runnels |
| Breaux | Jeffords | Ryan |
| Brown, Mich. | Jenrette | Sarasin |
| Brown, Ohio | Kasten | Satterfield |
| Buchanan | Kazen | Scheuer |
| Burke, Fla. | Kemp | Schulze |
| Byron | Kildee | Sebelius |
| Caputo | Kindness | Sharp |
| Carter | Kostmayer | Skubitz |
| Cavanaugh | Krueger | Snyder |
| Clausen, Don H. | Lagomarsino | Spellman |
| | Latta | Spence |
| Cleveland | Leach | Stanton |
| Cohen | Lederer | Stockman |
| Coleman | Lent | Symms |
| Collins, Tex. | Levitas | Taylor |
| Conte | Lloyd, Tenn. | Ullman |
| Corcoran | Long, La. | Van Deerlin |
| Coughlin | Lujan | Vander Jagt |
| Crane | McClory | Walgren |
| Cunningham | McDade | Walker |
| D'Amours | McDonald | Walsh |
| Delaney | McHugh | Watkins |
| Derwinski | Madigan | Wilson, Bob |
| Dodd | Marks | Wilson, Tex. |
| Dornan | Marlenee | Winn |
| Duncan, Tenn. | Marriott | Wolff |
| Early | Mikulski | Wright |
| Edwards, Okla. | Milford | Wydler |
| Eilberg | Miller, Ohio | Wylie |
| Emery | Mineta | Yatron |
| English | Minish | Young, Alaska |
| Fenwick | Mitchell, N.Y. | Young, Fla. |
| Fish | Moakley | Zablocki |
| Florio | Moore | Zeferetti |
| Forsythe | Moorhead, Calif. | |
| Frey | | |
| Gammage | Myers, Gary | |

NOES—246

| | | |
|---|---|---|
| Addabbo | Burton, John | Ertel |
| Akaka | Burton, Phillip | Evans, Colo. |
| Allen | Butler | Evans, Del. |
| Ammerman | Carney | Evans, Ga. |
| Andrews, N.C. | Carr | Evans, Ind. |
| Annunzio | Cederberg | Fary |
| Ashley | Chappell | Fascell |
| AuCoin | Chisholm | Findley |
| Badham | Clay | Fisher |
| Badillo | Cochran | Fithian |
| Baldus | Conable | Flood |
| Barnard | Conyers | Flowers |
| Baucus | Corman | Flynt |
| Beard, R.I. | Cornell | Foley |
| Bedell | Cornwell | Ford, Mich. |
| Benjamin | Cotter | Ford, Tenn. |
| Bennett | Daniel, Dan | Fountain |
| Bevill | Daniel, R. W. | Fowler |
| Bingham | Danie'son | Fraser |
| Blouin | de la Garza | Frenzel |
| Bolling | Dellums | Fuqua |
| Bonker | Derrick | Gaydos |
| Bowen | Devine | Gephardt |
| Brademas | Dickinson | Giaimo |
| Breckinridge | Dicks | Gibbons |
| Brinkley | Diggs | Ginn |
| Brodhead | Dingell | Gonzalez |
| Brooks | Downey | Gore |
| Broomfield | Drinan | Gradison |
| Brown, Calif. | Duncan, Oreg. | Gudger |
| Broyhill | Eckhardt | Hall |
| Burgener | Edgar | Hamilton |
| Burke, Calif. | Edwards, Ala. | Harkin |
| Burleson, Tex. | Edwards, Calif. | Harris |
| Burlison, Mo. | Erlenborn | Heftel |
| Hillis | Moffett | Seiberling |
| Holland | Mollohan | Shipley |
| Hollenbeck | Montgomery | Shuster |
| Holtzman | Moorhead, Pa. | Sikes |
| Howard | Moss | Simon |
| Huckaby | Mottl | Sisk |
| Hughes | Murphy, Ill. | Skelton |
| Ichord | Murphy, N.Y. | Slack |
| Ireland | Murphy, Pa. | Smith, Iowa |
| Jacobs | Murtha | Smith, Nebr. |
| Jenkins | Natcher | Solarz |
| Johnson, Calif. | Neal | St Germain |
| Johnson, Colo. | Nichols | Staggers |
| Jones, N.C. | Nolan | Stangeland |
| Jones, Okla. | Oberstar | Stark |
| Jones, Tenn. | Obey | Steed |
| Jordan | Patten | Steers |
| Kastenmeier | Patterson | Steiger |
| Kelly | Pattison | Stokes |
| Ketchum | Pease | Stratton |
| Keys | Pepper | Studds |
| Krebs | Perkins | Stump |
| LaFalce | Pike | Thone |
| Leggett | Poage | Thornton |
| Lehman | Preyer | Traxler |
| Lloyd, Calif. | Price | Treen |
| Lott | Pritchard | Trible |
| Luken | Quayle | Tsongas |
| Lundine | Quie | Tucker |
| McCloskey | Rahall | Udall |
| McCormack | Railsback | Vanik |
| McFall | Reuss | Vento |
| McKay | Richmond | Volkmer |
| Maguire | Risenhoover | Waggonner |
| Mahon | Roberts | Wampler |
| Mann | Robinson | Weaver |
| Markey | Rodino | Weiss |
| Martin | Roe | Whalen |
| Mathis | Rogers | White |
| Mattox | Roncalio | Whitehurst |
| Mazzoli | Rosenthal | Whitley |
| Meeds | Rostenkowski | Whitten |
| Meyner | Roybal | Wiggins |
| Michel | Russo | Wirth |
| Mikva | Santini | Yates |
| Miller, Calif. | Sawyer | Young, Mo. |
| Mitchell, Md. | Schroeder | Young, Tex. |

NOT VOTING—27

| | | |
|---|---|---|
| Aspin | Hanley | Nedzi |
| Bellenson | Hawkins | Pettis |
| Biaggi | Hightower | Pickle |
| Burke, Mass. | Koch | Quillen |
| Clawson, Del | Le Fante | Ruppe |
| Collins, Ill. | Long, Md. | Teague |
| Davis | McEwen | Thompson |
| Dent | McKinney | Waxman |
| Flippo | Metcalfe | Wilson, C. H. |

The Clerk announced the following pairs:

On this vote:

Mr. Del Clawson for, with Mr. Thompson against.

Mr. McEwen for, with Mr. Teague against.

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

Mr. Ruppe for, with Mr. Biaggi against.

Mr. FORD of Tennessee changed his vote from "aye" to "no."

Messrs. GAMMAGE, HAMMERSCHMIDT, MARRIOTT, MILFORD, EMERY, SHARP, EARLY, and CHARLES WILSON of Texas changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I would like to take this time to discuss the requirements for ship designs that the Congress is placing on the Navy. Specifically, the conferees on the authorization bill provided $40 million to be used in the advanced ship development element of the research development test and evaluation funds, Navy. These funds are for conceptual and preliminary design work on new types of carriers. The amounts of these funds which had been carried by the Senate in ship developing engineering for contract design were removed by conferees from that element and put into the ship development advanced element as I have said.

Mr. Chairman, I would direct attention to the language which will be passed by the Congress in the conference report on H.R. 5970 which will require that the $40 million will be used only for the purpose of conducting comprehensive evaluation studies of the costs and combat effectiveness of sea-based aircraft platforms for both short- and long-term needs of the Navy.

This statutory language provides a direct limit upon the funding of the element in the R. & D. program. These studies can be conducted only in the ship development advanced element.

The CHAIRMAN. The Clerk will read.

SEC. 857. Effective October 1, 1977, no appropriation contained in this Act shall be available to fund any costs of a Senior Reserve Officers' Training Corps unit—except to complete training of personnel enrolled in Military Science 4—which in its junior year class (Military Science 3) has for the four preceding academic years, and as of September 30, 1977, enrolled less than (a) seventeen students where the institution prescribes a four-year or a combination four- and two-year program; or (b) twelve students where the institution prescribes a two-year program: *Provided*, That, notwithstanding the foregoing limitation, funds shall be available to maintain one Senior Reserve Officers' Training Corps unit in each State.

AMENDMENT OFFERED BY MR. SKUBITZ

Mr. SKUBITZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SKUBITZ: On page 55 strike lines 3 through 15 and redesignate the following sections accordingly.

Mr. SKUBITZ. Mr. Chairman, my amendment would simply strike out section 857 of the bill.

Section 857 provides for the termination of ROTC facilities on college campuses—if certain arbitrarily selected enrollment criteria is not met.

Mr. Chairman, much of the language contained in this section is virtually identical to that which was rejected by this body when we considered last year's defense appropriations bill. The arguments against this provision of the committee bill are virtually the same as they were last year and like last year's bill—this section should be rejected.

The major reason why this section should be rejected is that every college and university in the United States—which has an ROTC program—will be affected by its enactment—not just 20 colleges and universities as the committee report would lead us to believe. If you accept the committee report—then it is true that only 20 schools are affected—but if you take the language of the bill and apply it—at least 100 colleges and universities could have their programs terminated.

Let me read a portion of section 857. It says:

Effective October 1, 1977, no appropriation contained in this act shall be available to fund any costs of a senior reserve officers' training corps unit—except to complete training of personnel enrolled in military science 4—which in its junior year class (military science 3) has for the four preceding academic years, and as of September 30, 1977, enrolled less than (a) seventeen students where the institution prescribes a four-

year or a combination four and two-year program: or (b) twelve students where the institution prescribes a two-year program.

The intent stated in the report is not controlling over the law—if the law is clear and definite. It is clear and definite that students enrolled for the previous 4 years is a requirement of this section.

Last year the chairman of the committee said this section was worded this way to avoid a point of order and that it was the "intent" of the legislation that mattered. I submit that we can have the best intentions in the world, but so long as the language is clear, the executive branch must abide with what is clearly written into law, and the courts will not go behind the law to the report to determine legislative intent as the law is clear.

My next point has to do with the Army contract now in effect with these schools. A 1-year evaluation period is contractually mandatory before termination of an ROTC program can be effected. This proposed bill directs program termination in violation of this contractual agreement and will certainly cause a breach of faith with the educational community—students—and their parents.

The remarks cause me to ask the question: Why is it desirable to struggle to support those institutions hosting ROTC? The answer is simple and concise: The Army must provide 10,000 officers annually to support the requirements for the Active Army, Army National Guard, and the U.S. Army Reserve. Legislation of this type adversely impacts on the Army's ability to achieve this 10,000-officer objective.

Mr. Chairman, ROTC is the poor man's military academy—I urge adoption of my amendment.

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

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

Mr. MAHON. Mr. Chairman, I say to the gentleman from Kansas (Mr. SKUBITZ) that this is not at all the intent of the committee.

Mr. SKUBITZ. It may not be the intent of the committee.

Mr. MAHON. And that is not how the language reads.

Mr. SKUBITZ. Mr. Chairman, I agree with what is said in the report, but I do not agree with the language of the bill.

Mr. MAHON. They would have to have 17 students at one time in the 4-year period.

Mr. SKUBITZ. Shall I read this section again? It reads:

. . . no appropriation contained in this Act shall be available to fund any costs of a Senior Reserve Officers' Training Corps unit—except to complete training of personnel enrolled in Military Science 4—which in its junior year class (Military Science 3) has for the four preceding academic years, and as of September 30, 1977, enrolled less than (a) seventeen students. . . .

Mr. Chairman, one can read it once and he gets one meaning. If he reads it a second time, he gets another meaning. I suggest that what we ought to do is strike the language, as we did last year; and let the committee come forth with some language that all of us can understand.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SKUBITZ. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Chairman, I think that language is just as clear as a bell. It says that if a college ROTC detachment has 17 or more students in Military Science 3, it is all right. If it does not have 17 or more at least one time in 4 years, that is not all right.

That is exactly what that language says. Even a good old southern boy could understand that language.

Mr. SKUBITZ. I read it. It says, "which in its junior year class * * * has for the four preceding years * * * less than 17 students."

Mr. Chairman, I ask the committee to strike this section.

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

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

Mr. KAZEN. Mr. Chairman, I think the gentleman is absolutely correct.

What the committee forgot to do is to add the words "each of" on line 7. Then it would do what the committee wants to do. In other words, it should read, "which in its junior year class has for each of the four preceding academic years enrolled less than 17 students."

Otherwise it is as the gentleman said, 17 students for all 4 years.

Mr. SKUBITZ. Therefore, Mr. Chairman, I ask the Members to keep the ROTC programs going on the college campuses to help those boys who want to continue to try to carry out a military career, those boys who want to serve their country and who could not get an appointment to the regular military academies through their Congressman or Senator.

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

Mr. Chairman, I ask the gentleman from Kansas (Mr. SKUBITZ) whether, if I should offer an amendment to put the words "each of" in the bill, that would satisfy the gentleman.

Mr. SKUBITZ. Mr. Chairman, if the gentleman will yield, it might satisfy some Members; but I would suggest that we strike the whole section, as we did last year.

Mr. EDWARDS of Alabama. Mr. Chairman, we have been through this thing before.

We have learned that there have been many schools throughout the country over the years that have had so few graduating ROTC students that we, in fact, end up with as many instructors as students in some schools.

Mr. Chairman, I will come back to what I have said time and again during the debate on this bill. We are charged with the responsibility of getting the most defense for the least dollars.

We cannot justify an ROTC program in a school where we have only 12 students costing, perhaps, $80,000 to $100,000 for each ROTC graduate, just to get that student through ROTC.

There must be a better way to commission officers when the situation gets this bad. I admit that a lot of schools are doing a good job.

We have got some communities or cities where they have more than one college and where they are pooling activities for the ROTC and they are doing a good job. The committee is going along with this approach. But there is no way we can justify an ROTC program where they have so few students that, economically, it is an extreme waste of the taxpayers' money. That is all we are trying to cure here. That is all we tried to cure last year. I would urge the committee to oppose the amendment offered by the gentleman from Kansas (Mr. SKUBITZ).

Mr. MAHON. Mr. Chairman, would the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I would just add that if we do not watch ourselves we will have more people doing the training than we have students in some of these detachments.

It would seem to me that the committee has taken a very reasonable approach with respect to this matter. I sincerely hope that the motion to strike the provision contained in the amendment offered by the gentleman from Kansas (Mr. SKUBITZ) will be voted down.

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

Mr. EDWARDS of Alabama. I am glad to yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Chairman, just let me say that I have no disagreement with our chairman, the gentleman from Texas, (Mr. MAHON), in what the gentleman would like to do, but I do disagree with the fact that he does not place it into law and he tries to fix it up in the report.

Mr. EDWARDS of Alabama. Mr. Chairman, this gentleman from Alabama believes that the legislation as written in the bill is clear. In case there is some lack of clarity in it I will state to the House that the clear intention of the committee was that if they had 17 or more students for one of those 4 years in Military Science 3, that they are not going to lose the ROTC program.

Mr. MAHON. Will the gentleman yield further?

Mr. EDWARDS of Alabama. I yield further to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I wish to join in that statement made by the gentleman from Alabama (Mr. EDWARDS), that if any school has 17 students for any one of those 4 years, they meet the requirements.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. SKUBITZ).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 858. None of the funds appropriated by this Act shall be available after September 30, 1977, to pay the retired or retainer pay of any officer, warrant officer or enlisted member of a regular or reserve component of the armed forces for any period for which the officer, warrant officer, or enlisted member is entitled to receive pay as an officer or an employee of the Federal Government or a Member of Congress or a congressional employee, as defined in section 2104, 2105, 2106, or 2107 of title 5, United States Code, or as

a person excepted from the provisions of chapter 51 of title 5.

(b) None of the funds appropriated by this Act shall be available to pay that portion of the retainer pay of any enlisted member of the Regular Navy, the Naval Reserve, the Regular Marine Corps, or the Marine Corps Reserve who is transferred to the Fleet Reserve or the Fleet Marine Corps Reserve under section 6330 of title 10, United States Code, on or after December 31, 1977, which is attributable under section 6330(d) of title 10 to time which, after December 31, 1977, is not actually served by such member.

AMENDMENT OFFERED BY MR. BOB WILSON

Mr. BOB WILSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOB WILSON: Page 55, strike out line 16 and all that follows through line 10 on page 56, and redesignate the following sections accordingly.

Mr. BOB WILSON. Mr. Chairman, my amendment will delete section 858 of H.R. 7933. This section would require all military retired personnel who become employed by the Federal Government after October 1 of this year to forfeit the entire amount of military retired pay to which they are entitled.

This provision has not been given the careful consideration normally provided to an issue of such importance and with such far-reaching implications. The section of the bill that my amendment will delete strikes at an entitlement earned through long years of dedicated service to the Nation by our military personnel. The impact of such an action should be given the most thorough examination and fullest deliberation possible through the established legislative processes of the House—not rammed through in an appropriations bill.

I am not taking the position of either advocating or opposing this issue of dual compensation—double dipping—my point is this issue is complicated and our decision on it will affect the future career decisions of tens, probably hundreds, of thousands of our citizens presently serving our country in the military.

An issue of this magnitude, of such far-reaching implications requires, in fact, demands, to be set aside from our deliberations on this appropriations bill and studied most carefully by the appropriate committees of this House. It should certainly not be treated as it is being done here and now in this quick-fix manner.

My greatest concern is the undue burden this provision will place on our enlisted personnel. Of the 141,000 retirees from every State presently working for the Government, almost 80 percent are former enlisted men and women. It is our enlisted people who will risk taking the biggest financial beating if they go to work for the Government in the future.

Now listen to this, the average retired pay for enlisted members is $5,670 a year. For those retiring today, the amount is just over $6,100. Compare this to the Census Bureau's poverty level income of $5,820. These retirees must work. They cannot live on their retired pay.

The Appropriations Committee in their report estimates that about 68,000 people will retire this fiscal year from the military. What the committee's provision would have us do is to play fast and loose with the career decisions of these men and women, just to test a theory that the dual compensation system is an inequitable proposition.

As my good friend and colleague from Alabama (Mr. EDWARDS) acknowledged last Friday in his statement on the defense appropriations bill, this bill is not the normal vehicle in which to decide such policy. As he said today this is an inappropriation way to legislate. My esteemed colleague also commented that the committee made this move out of a sense of frustration, that other committees that would most properly have jurisdiction had taken no action and that the Appropriations Committee thought it time that action was taken.

Mr. Chairman, this issue is and has been under study. In fact, the entire subject of military compensation will be taken up by the President's own blue-ribbon panel announced this week. I am sure that the recently completed Defense Department quadrennial review will serve to give substantial input into the panel's examination.

Additionally another distinguished gentleman from Alabama (Mr. NICHOLS) has pledged that this Military Compensation Subcommittee will work tirelessly on retirement legislation. Our colleagues on the Post Office and Civil Service Committee have shown much interest in the dual compensation question. This is my whole point. The matter is being looked at. The results will be brought to the House for reasonable and rational discussion with all the facts, all the effects, all the implications available to aid us in making our decision. Why do we have to rush? Why do we have to decide now, today?

If this proposal of the Appropriations Committee is allowed to stand it will have a devastating effect on the quality and quantity of people willing to dedicate their lives to a military career. People are still the most important element of defense, and any denigration in this area will directly affect our national security. Legislating in this fashion can only fuel the fires of those who say that only a union, a military union, will protect the rights and benefits of the serviceman.

To repeat, Mr. Chairman, what we are saying is not that dual compensation is or is not good or bad. What we are saying is that based on the scanty information given us by the Appropriations Committee and the ramrod approach taken, today is not the day and the bill before us is not the proper vehicle to legislate this sort of a decision. We are deciding the futures of thousands of our most dedicated citizens. Let us not legislate in haste.

I strongly urge my colleagues on both sides of the aisle to defeat this ill-advised, hastily drawn attempt to make a far-reaching change in the laws governing retired military personnel and to support this amendment to delete section 858 from the appropriations bill.

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

Mr. BOB WILSON. I yield to the gentleman from New York.

Mr. ADDABBO. I thank the gentleman from California (Mr. BOB WILSON) for yielding.

Could the gentleman explain to me and the House how the deletion of the prohibition against a retired military person working in government and taking retirement pay at the same time directly affects our national security?

Mr. BOB WILSON. I think in many instances jobs that were held by people in the military are the same jobs now held in Government. Those jobs have to be filled by someone, and they are better filled by people who are trained in the military in the very skill which is required on the job.

Mr. ADDABBO. If the gentleman will yield further, then what is happening here is that when a man is in the military service, he finishes his 20 years; he goes next door, changes his military hat to a civilian hat; and he then continues to do the same job but receives civilian pay while he receives the retirement pay for a job that can be done by another qualified man or was in some instances created for the retiree.

Mr. BOB WILSON. That is the gentleman's interpretation. That really is not the case.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. YOUNG of Florida, and by unanimous consent, Mr. BOB WILSON was allowed to proceed for 3 additional minutes.)

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. BOB WILSON. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, I thank the gentleman for bringing this issue before us. I would like to provide the Members an example of exactly what he is talking about. I have an employee in my congressional office here in Washington whose responsibilities are administrative. He is a good office manager. He keeps things moving. This is the same type of job he had at the Pentagon for some of the 20 years he served in the Navy.

The point I make is that he does a good job for me but if he did not have this some $5,000 a year coming from retirement—that he actually earned through both wartime and peacetime service—if he did not have that coming, I would have to pay him at least $5,000 more in his congressional salary.

So, in this case we are not going to save anything by doing as the committee suggests. The gentleman's amendment is a good amendment.

Mr. BOB WILSON. I thank the gentleman.

Mr. GARY A. MYERS. Mr. Chairman, will the gentleman yield?

Mr. BOB WILSON. I yield to the gentleman from Pennsylvania.

Mr. GARY A. MYERS. Mr. Chairman, I think it is important we realize that this amendment does address the issue whether or not the disruptive action in the bill would affect the career decisions of numerous military people. I agree the appropriate position on retirement programs is not clear at this time for some

of us. I personally question the advisability of military members being allowed to retire from the military and then accrue a new Federal retirement program. It is not a question of whether or not they should be able to benefit from their military retirement while working. We should realize that members of the military are retired and put out at an unfortunate time of their life and they have to pick up other careers or jobs at points often where they would be far below positions they would have if they had gone into the civilian life, rather than the military.

Those who go into private employment would be able to have the full benefit of the retirement program, and this provision in the bill would affect only 10 percent of the military retirees.

Mr. BOB WILSON. It is less than 10 percent involved.

Mr. Chairman, I urge my colleagues to give favorable consideration to this amendment.

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

Mr. Chairman, I rise in very strong support of the amendment.

The Congress and this committee, the Appropriations Committee through section 858 has launched an attack on what is called double dipping. To be sure, the term "double dipping" is a tricky phrase as a buzz phrase and it sort of catches the eye and ear and conjures up a negative connotation.

But what are we talking about? Mr. Chairman, whenever our servicemen enlisted, we induced them to enlist by offering them certain benefits. We say when they retire they will be given medical benefits for themselves and their family and while they are on active duty they and their families will have medical benefits. They are also told that at the end of 20 years they will be able to retire and immediately start drawing their retirement. There was no bar as to what they could do once they earned their retirement. It is considered that is part of the inducement for coming into the service and putting on the uniform of the country and serving in time of need. It is part of the package deal.

That is why many of the people who came into the service were willing to serve at a compensation, at a rate of pay considerably lower than their counterparts in the civilian sector, because this was an inducement and it was a fringe benefit which they earned and which was promised them.

So they came into service and they served their 20 years and now by legislating on the appropriation bill without any hearings I know of we are going to say: "Hey, we did not tell you this little catch, but we are going to treat you different from anybody else. If you retire from the military you cannot go to work for the Government. Other people can but you cannot."

The fact is that this is a right that these people have earned and we should not tamper with it.

We are concerned, Mr. Chairman, with the threat, and I say it is a threat, of the unionization of our armed services. Is this a fanciful threat? Is this some figment of the imagination or is it real? It is real, I am here to tell the Members. And when we start eroding away the rights and benefits and the privileges and the inducements which we have offered to these people to come into the service—and I am talking about commissaries, for one thing—and when a man retires he picks his place of retirement nearby to a military base to be able to get the benefits he has been promised all through the years, and when we say his medical benefits are eroded, what happens?

We have not only retirees, but now active duty servicemen who are being told, "Well, we don't have enough doctors. You will have to get your medical benefits through CHAMPUS. If CHAMPUS does work, one shouldn't be required to pay a part out of one's pocket, but one must.

When you see medical benefits eroded away, when you see commissary privileges eroded away, and now we have another benefit being eroded away, we see the specter of unionization looming larger and larger and we are just pushing it over the edge here.

So, Mr. Chairman, I think we would be terribly foolish to go forward with this, without knowing the impact of it.

Our subcommittee has jurisdiction. The committee of the gentleman from Alabama (Mr. NICHOLS) has jurisdiction. The gentleman has already said that the gentleman will have full-scale hearings. The Committee on Post Office and Civil Service is interested. They can have hearings; but for us to precipitously today, just through one amendment added to the overall appropriation bill, to take away the rights of the servicemen is wrong. I think we are taking away a right that they have and they have earned. We should not be tampering with it today.

Mrs. HOLT. Mr. Chairman, will the gentleman yield?

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

Mrs. HOLT. Mr. Chairman, I rise in strong support of the amendment of the gentleman from California (Mr. BOB WILSON). The House Appropriations Committee has traditionally taken a reasonable and responsible stand with respect to the military community and the military retirees. But this time around, the committee bill (H.R. 7933) indeed has provisions in it that are callous and insensitive to the persons in uniform.

Mr. Chairman, it is capricious and cruel to have section 858 in this bill which would arbitrarily, and without due process, prohibit a military retiree who becomes a Federal employee after October 1 this year from keeping his retired or retainer pay. This is a premature treatment of a small portion of the military retirement and compensation problem. The President's Blue Ribbon commission is looking into the entire structure.

When a man or woman in uniform first joined the service 20 or so years ago—in 1957—some did so voluntarily; some, and I suspect a great many of the men, came in through the induction route of the military draft. They have made their careers in the military depending on the promises made to them about the benefits they would be entitled to upon retirement. Those of our colleagues who were already elected to Congress then; and most of our predecessors, recognized in their wisdom and compassion that our men and women in uniform were entitled to certain benefits, because of their dedicated and unique service to our Nation. Some of the men in uniform went to fight and die on a distant battlefield in alien lands, on some strange sea, or in the sky over a remote ground. Some came back maimed and crippled.

Mr. Chairman, now that the Selective Service has been put in deepfreeze, there is a sudden aloofness and arrogance that seems to emanate from some quarters of Congress. That is the way it appears to me and that is the way it appears to many of my constituents; and I am sure to the affected constituents of my colleagues.

At a time when this Congress and the administration are trying their utmost to make the all-volunteer force and the total force concepts viable and workable, here comes section 858—torpedoing the promises made to our servicepersons, and shattering the hopes and dreams of those who are in their twilight years of arduous and devoted active military service; and who plan to retire in the near future—that come end of fiscal year 1977, after October 1, they must steer away from Federal civilian employment. Otherwise, forfeiture of retired or retainer pay shall be the penalty.

Mr. Chairman, as the gentleman from California so succinctly put it, section 858 is going to hurt mostly the low-ranking retirees. Now, they constitute 80 percent of the retirees on Federal payrolls. Sure, they will be grandfathered and protected. However, the group of retirees that section 858 will discriminate against are those who served in the Korean war and Vietnam war era. I cannot fathom why this should be the case.

Mr. Chairman, let us not kick our men and women in uniform below the belt as they plan and look forward to retirement and hopefully another career. Many of them still have to send children to college or make payments on home mortgages. Let us not make it harder for them to go into postretirement careers. Many of them retire not because they want to, but because they have to. Let us not shortchange them by reneging the pledges made long ago by others who were privileged to represent them in this Chamber—that military service and military retirement are to be looked upon with honor and dignity. And certainly, it does not mean a sacrificial push into the chasm of poverty or near-poverty.

Mr. Chairman, I plead with my colleagues to support the Wilson amendment and to resoundingly delete this section 858 from the fiscal year 1978 defense appropriations bill.

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

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

Mr. KAZEN. Mr. Chairman, I rise in strong support of this amendment. I think it should be adopted. I associate myself with the remarks of the gentleman in the well.

Mr. EDWARDS of Alabama. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment.

Mr. Chairman, we talk about the number of people who were induced to go into service, because of their right to work for the Government at a later time. The truth is that only 10 percent of those people who do military service ever draw a penny of retirement pay. Only 10 percent of those retirees, we are told, and that is just a small number, is involved in double dipping, that is, working for the Federal Government, which means that is about 1 percent or less of those who join the service end up working for the Federal Government. That is not very much, we are told.

We are talking about retirement costs of $1 billion that go to military retirees who are also drawing a paycheck from the Federal Government. When you get right down to it, a retirement check is a retirement check. It contemplates retirement. If a person is not ready to retire, then he ought not to be drawing his retirement check. The civil service employees cannot do it. The social security retirees are very limited in what they can earn.

It is this committee's view that we ought not to be doing this.

Now, my friend, the gentleman from California (Mr. BOB WILSON) said we do not know whether it is good or bad. That is probably true. We do not know whether it is good or bad, because the committee that ought to be looking into it does not look into it. That, once again, is the reason this subcommittee has tried to face up to a knotty problem and get somebody off dead center and try to get some action on it.

I confess again, as I have on some of these other issues, that we are unable to come in with all the details that ought to be brought into a situation like this as far as legislation is concerned. It is not our job to write law; but it seems nobody else around here is willing to do it. Nobody is willing to go into a study and then come up with some answers, or at least come back with a study that shows we are all wrong and that we ought to have double dipping.

Some day this Congress has got to face up to these issues. I know that the politics behind the issues we have been talking about today in here is all against what we are trying to do. I know when the phones start ringing and the letters start coming and the National Guard and the Reserves and the unions call in and say, "For goodness sakes, you can't let that crazy Appropriations Committee run away with all these things we hold dear."

Yet, we come to a point where somebody has to stand up and be heard. That, in a small way, is what we have been trying to do today. I tell the Members quite frankly, I do not think we are going to win this, but we have been heard, and as we come out of this debate today on these various issues, perhaps a legislative committee will start to work on some of them in earnest. Then, I am going to feel that we have done a day's work.

Mr. Chairman, I urge defeat of the amendment.

Mr. GIAIMO. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, I want to commend the committee for coming out with this elimination of double dipping. I think it is time, as the gentleman from Alabama says, that we in Congress face up to some of the realities of what we are doing. We are paying $9 billion a year—$9 billion a year—in military pensions.

This committee amendment says that if you are getting a military pension from the Government, and if you go to work for that same Government, you do not draw both your pay and your pension. You tell me what is wrong with that. What is wrong with that?

There is not anything wrong with it. We are not breaking any word. We are not breaking any commitment. It is all well and good to say that we are going to have committees study this thing. I know what the pressures are. We feel them every time we try to cut out any sweet little edge—and that is what it is, an edge. We even have double dippers here in the House of Representatives, I am told, and I do not think that is right either.

Somehow or another, we have to start trying to save money if we are going to accomplish some of the things we want to do, if we want to pay for the kind of defense we should have. It is a small amount of money involved, about $26 million if I am correct. but do the Members know what it will cost in about 5 years? We will save about $2.5 billion. That is not peanuts—or hay, I might add.

That is what the committee is trying to do. We have to get about this work. There is no injustice involved. Both this President and the President before him understand the problem. In recent years, studies and reports addressing manpower policies and compensation have been made, such as the President's Panel on Federal Compensation; Defense Manpower Commission; Third Quadrennial Review of Military Compensation; studies by the Brookings Institute, the Congressional Budget Office, congressional committees, and individual Members. These studies and reports call for changes in the management of defense manpower, particularly military retirement and salary reform.

The administration also indicates concern with these areas, and established a Presidential commission to review the findings of the Third Quadrennial Review of Compensation and provide recommendations to the President.

In addition, the Department of Defense has submitted military retirement reform legislation proposals to this Congress. Of course, nothing has been done in the Congress to implement any of these recommendations. I submit to the Members that practically nothing will be done in the Congress to implement these recommendations. I commend the Appropriations Committee for seeing this injustice and attempting to remedy it. I hope this action acts as a catalyst to prompt more comprehensive reform by other congressional committees. Personnel costs are already more than half of the defense budget.

Think of it. More than half of the budget of $116 to $120 billion goes for personnel costs. Action is needed now to slow down retirement costs if we are ever to provide weapons modernization which we need in the future. The recommendations of the committee are simple. They should be supported. They will treat military retirees in the same manner as we treat retired Federal employees and retired workers on social security. It does not impact upon military retirees currently working for the Federal Government, because it does not go into effect until October 1 of this year.

The CHAIRMAN. The time of the gentleman from Connecticut (Mr. GIAIMO) has expired.

(By unanimous consent, Mr. GIAIMO was allowed to proceed for 2 additional minutes.)

Mr. GIAIMO. Mr. Chairman, it does not limit employment opportunities. It does not prohibit employment of retired military personnel by the Federal Government. It is not intended to affect any of the other benefits that accrue to retired military personnel.

Mr. Chairman, this effort by the Committee on Appropriations may be the catalyst to prompt comprehensive congressional review of the entire retirement issue. This is without any question a ripoff. Presidents have recognized it as such, and they have asked us to accomplish this reform. This committee is trying to do it. This is the only way, I submit, in which we are going to eliminate what I consider to be a ripoff of the taxpayers' money, to the tune of savings of billions of dollars over a 5-year period.

Ms. OAKAR. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I would like to state my opposition to the prohibition against the so-called double dipping for military retirees. I believe that this is highly discriminatory and in effect is penalizing men and women who have served their country and want to continue to serve their country.

This prohibition against double dipping seems to be something of an overkill to me. The vast majority of the military—some 80 percent, I believe—who are working in the Federal Government are retired enlisted men with the average annual retirement pay of $5,670. I understand that the Appropriations Committee has computed a higher rate, but I believe that this figure is a more accurate one as it is computed on the basis of the average pay of all enlisted retirees rather than just those who are working for the Federal Government. These are the people who are not highly visible, the ones whose average annual income in retirement is below the Bureau of Census poverty level income of $5,820 for an urban family of four.

As a member of the Select Committee on Aging I have become very aware of

the problems faced by retirees, and I believe it is time we stop passing legislation that discriminates against retired people and prevents them from earning a decent living. The earnings limit on social security is another example of this kind of discrimination. We place people in double binds these days. We mandate that they retire at a certain age or as in the case of the military after a certain number of years in service, and then we turn around and say, but no, you can not work here or there or earn over a certain amount and still collect your pension or social security, because that is not fair or it costs the system too much, or some other reason with no real justification.

There is no question about the fact that our social security system is in trouble, and that our Federal civil service retirement system is in need of an overhaul. The President has addressed himself to these problems, and I hope will have some recommendations that will prove to be equitable to all. He has also appointed a Blue Ribbon Commission on Compensation and Retirement in the military to study their system, and I believe that the fair thing would be to wait for this panel's recommendations concerning military retirees and the problem of double dipping. But in the meanwhile why should we penalize these retirees unjustly at this time.

Mr. Chairman, at first I was very opposed to the double dipping amendment, because I was under the impression that these people had a pension of $10,000 or $15,000. But the fact is that 80 percent have a pension of $5,670. I feel that we ought to eliminate all the discrimination that goes on for those who are on fixed incomes and those who are on social security.

Mr. Chairman, I do not agree with my colleague when he says that we ought to treat them the same way that we treat the people on social security. I think we ought to permit the person on social security—who earned that money and put all of that money into that pension fund—we ought to permit that individual to work and to still keep his or her social security benefit. So I want all of the Members who I am going to support on this amendment to remember that they will be asked, when the bill comes up, to support the older American who wants to work for a living and still retain his or her pension. I hope the Members will feel the same way about them as they feel about the military. I agree with those Members on this issue, but let us not forget the other people who are discriminated against. We in Congress can change that around, also.

Mr. BOB WILSON. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from California (Mr. BOB WILSON).

Mr. BOB WILSON. I thank the gentlewoman for yielding.

Mr. Chairman, I would like to point out that these so-called savings are specious. There are no savings which are going to be exacted by the passage of this legislation as written by the Committee on Appropriations. You are still going to have the jobs to fill. You are going to hire somebody else besides military persons to fill them. There are many jobs in this area, such as parachute rigging, pipefitting, and so forth, for which people have been trained in the military, and those men and women are still going to be drawing their retirement pay and working in some civilian occupation. If there is any idea that there is going to be any saving, get it out of your mind. The big fault is the retirement system itself. As the chairman of the Subcommittee on Military Compensation, the gentleman from Alabama (Mr. NICHOLS) knows that we need to look at the retirement system of the military, to see what can be done to improve it, to get the military a vested interest in their retirement. But that is not going to be done by this legislation.

Ms. OAKAR. Mr. Chairman, I want to point out to the gentleman that I agree with him about the military, but I hope we are including that whole area of individuals who cannot earn more than a couple thousand dollars and they are living on less than $3,000 a year.

They are living on less than $3,000 a year, and they are discriminated against also.

So I hope, Mr. Chairman, just as I am supporting the gentleman in this effort, that when our bill comes up for those poor souls who are forced to retire and still want to work, the gentleman will give us his support.

Mr. BOB WILSON. Mr. Chairman, I agree with the gentlewoman from Ohio (Ms. OAKAR). In fact, I have introduced similar legislation to accomplish what the gentlewoman has in mind.

Mr. EDWARDS of Oklahoma. Mr. Chairman, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Oklahoma.

Mr. EDWARDS of Oklahoma. Mr. Chairman, I just want to say that I commend the gentlewoman on her statement, and I, too, will support the gentlewoman totally in her efforts.

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

Mr. Chairman, I hope we can come quickly to a vote on this issue.

This limitation in the appropriation bill before us would not, of course, become effective with respect to employment by retirees until October 1 of this year. It is true there are many complexities involved in the measure.

The amendment before us now is simply an amendment to strike the provision recommended by the committee in this regard. The House will, of course, work its will with regard to that. If the amendment should be voted down, then other amendments would, of course, be in order.

It seems to me this is the time to face up to this issue. There is a lot of room for improvement in the dual-compensation area. The question of disabled veterans must be considered carefully.

It seems to me that there is some hope in the fact that we have been assured by the gentleman from California (Mr. BOB WILSON) that the Committee on Armed Services will look into this matter and try to come to some sort of appropriate resolution of it.

We have 150,000 retired military people who are so-called double dippers, and about 80,000 or 90,000 of these are employed by the Defense Department. There is undoubtedly considerable abuse in connection with the program. It ought to be tightened up, the matter ought to be thoroughly explored, and we ought to have some legislation on the subject that would be meaningful, appropriate, and fair to all concerned. It is not easy, of course, to construct limitation language in an appropriation bill to achieve these kinds of goals.

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

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

Mr. STRATTON. Mr. Chairman, I appreciate the gentleman's yielding to me.

There is one question I want to clarify for the legislative record.

When an individual retires under the military retirement system, he usually fills out a form that permits a deduction of a portion of his retired pay to pay for annuity protection for his spouse in the case of his death. That is the survivors' benefits program. Now, under the committee bill, an individual who retires from the military and takes a job in the Federal Government is going to have his retired pay completely eliminated. But unless we make specific provisions this would appear to wipe out his privilege of making any provision for his wife under the survivor benefit program.

I wonder if the committee chairman could assure me that the language of the appropriation bill would not in fact eliminate that particular benefit, and that although a recipient might not receive his own retired pay during employment in the civilian branch of the government, his retirement program would still be in effect insofar as the protection to his wife's survivor benefits would be concerned, and could also be resumed on his release from government employment.

Mr. MAHON. Mr. Chairman, I concur with the gentleman that his observation is entirely correct.

We have no intention to work any undue or improper harm on anyone in connection with this matter, or to affect any of the other benefits that accrue to military retirees. We make that clear in the committee report.

Mr. STRATTON. Mr. Chairman, I appreciate the gentleman's statement.

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

Mr. Chairman, I shall not take more than 2 minutes. I know we want to get this finished, and I do, too.

I rise in strong support of the amendment offered by the gentleman from California (Mr. BOB WILSON), but for a different reason. The way the bill is written, I think unquestionably any veteran with a 10-percent disability is prohibited from coming to work for the Federal Government, and that is the point of having the 10-point veterans' preference.

As it is written, this bill effectively removes the 10-point preference in hiring. This is what some have been trying to

do for years. In this case it is not intentional but just as effective.

However, we simply cannot take this chance.

Therefore, Mr. Chairman, I hope that the Members will vote it down, and then we will have an opportunity for the proper committee to make the necessary decision.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

(By unanimous consent, Messrs. FLYNT, EDWARDS of Alabama, and BOB WILSON yielded their time to Mr. NICHOLS.)

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, this amendment concerns a matter popularly but falsely labeled as "double dipping." I want to explain briefly why I contend it should better be known as "equal justice." That equality of justice not only affects every man and woman now in military service, but also every taxpayer in this country.

The bill would propose penalties on every person now in service who might wish to continue to serve our country in a civil service job after he completes his military duty. There was no warning on entry into the military that there would be restrictions such as those proposed here. No recruiter and no reenlistment officer told them that they would be targets of discrimination when they finished 20 or 30 years of military service or less if they retired with disability. Despite occasions when they worried about erosion of benefits, I believe most of them thought they had earned the respect and appreciation of their fellow citizens.

Yet now we are proposing to tell them that they are not to have the retirement rights they have earned, if they choose to continue working for the Federal Government. We are asked to introduce discrimination, because we do not limit their employment in the private sector nor even decree penalties if they go to work for a State, a city, a school board or some other unit of local government.

I say we are also asked to deal from the bottom of the deck to all taxpayers. We are asked to say that the Civil Service cannot get the best return on every tax dollar it spends, because we would strike from the rolls of job applicants those people who do not wish to sacrifice part of their retirement pay, even though some of them may be better qualified for a particular civil service job than anyone lacking service experience.

I am not unaware that we have had some questionable cases of the "buddy system" causing some job descriptions to be tailored to make a place for some retiring admiral or general. I decry such incidents. But I would argue that those occasions are the faults of the agencies or departments where they occur, and I would welcome attention to such incidents by the congressional committee having legislative oversight responsibilities. But I do not think we have to load a congressional cannon when sharpshooting is what is needed.

Let me also stress that I am not making this argument in behalf of retired generals and admirals. There are some 150,000 military retirees now in the civil service—and not one in a thousand of these men and women ever reached star rank. Only 1 percent of them earned more than $36,000 in service, and pensions, as you know, run less than half of active duty pay.

Many of those who get out after 20 years' service could not support their families on their pensions, let alone educate their children. They have skills, discipline and dedication that the Civil Service can use well, and yet we are asked to say they have got to pay a price for the time they served the Nation in uniform.

If we feel that a change must be made, that as the bill suggests this country cannot afford its contractual obligation to these people, then let us be fair about it. Let us not discriminate against those who are now serving—the major with 19 years' service, or the warrant officer or sergeant with 18. In fact, let us be fair to all those men and women dedicating their first careers to the Nation.

Mr. Chairman, this amendment should be adopted.

(By unanimous consent, Mr. KAZEN yielded the balance of his time to Mr. NICHOLS).

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. NICHOLS) for 5 minutes.

Mr. NICHOLS. Mr. Chairman, I rise in support of the amendment and will speak to it, but first let me say that the issue of military retirement is a matter that gives the Armed Services Committee and the Subcommittee on Military Compensation, which I chair, a great deal of concern.

I would be the first to agree that the entire military retirement program is going to have to be reappraised in the light of its overall cost in today's military budget. Some weeks ago on the floor of this House, I gave this body my assurance that I expected to hold preliminary hearings on this very complicated subject following the August District Work Period. I likewise assured this House that the subcommittee expected to go into more detailed hearings on the entire matter upon receipt of the report from the administration's Blue Ribbon Committee. You will recall this committee has been assigned the task of reviewing the entire military retirement program and they are expected to report back to the President early next year.

Mr. Chairman, let me address my remark to one particular group of the retired military and that is those members who are receiving retired pay not because they served 20 years, but because they are eligible for retirement pay due to disabilities incurred in the military service of their country and I submit the following figures.

Of the 1,243,000 present military retirees some 157,000, 12 percent of all retirees, were retired for disability reasons. Many of these individuals were injured in combat. Others were injured in training accidents while in service and are relatively young, having served on the average only 11 years in the uniform of their country. The average disability retired pay for this group computed as of June 1976, was $6,048 per year, certainly a figure insufficient for a man and his family to live on and so invariably these disabled military retirees must engage in some type of gainful employment. This is an economic necessity and a great deal of emphasis today is placed on rehabilitating both military and civilian disabled people in order to make them self-supporting, productive citizens.

Let me give you a typical case representative of this group. An E–5 who was either drafted or enlisted and saw service toward the end of the Vietnam war and had the misfortune of losing a leg, and who has now been fitted with an artificial limb, is generally rated 40 percent disabled by the military retirement board. Since he served 4 years he is entitled to receive disability retirement from the military in the amount of $223.23 per month as a retired E–5.

Prior to entering service this man worked as a lineman with a utility company and because he can no longer climb utility poles he must seek less demanding employment and so he applies for a vacancy as a mail clerk in the Post Office or as a maintenance employee in a Veterans hospital at a GS–5 level with a salary of $9,303 per year. The Congress in its wisdom has seen fit to give preferential treatment to these veterans when they seek Federal employment and so he passes the examination and because of his 10-point veterans preference from Civil Service he is offered the job at $9,303 and with his $2,678 per year from his military retirement this man has a new start in life toward caring for his wife and family.

Now what sort of a law would this be to deny this disabled veteran who has served his country well, the right to his disability retirement pay?

Mr. Chairman, I submit this is wrong and I do not believe the very able chairman of this committee nor members of his committee, nor Members of this body want this to happen. Much emphasis is placed on rehabilitating this man physically, socially, and economically, and I cannot believe that this Congress would want to take from one who has served his country well and I respectfully seek the vote of this House in support of this amendment.

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

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

Mr. LLOYD of California. Mr. Chairman, as the only Member of the House who is a retired career military officer, I would like to comment on the so-called double dipping provision in the defense appropriation bill. I will vote "present" on the issue because of possible conflict of interest, but I urge my colleagues to consider the ramifications of this proposal, rather than the publicity value.

The prohibition against double dipping contained in an appropriation bill is, in my opinion, the wrong place to re-

solve this complex problem. By banning double dipping for those currently leaving the military, we will be breaking a commitment made 20 years ago.

Stories have been circulated about highly pensioned generals and colonels taking top level civil service jobs with a total income of $50,000 to $60,000 per year. What we do not hear about is the majority of retirees—the staff sergeants who receive $455 a month in retirement before taxes. The same staff sergeant with 20 years of service began his career with a monthly income of about $75. His service spanned the Vietnam conflict. This retired serviceman fills a job with the Federal Government at the midlevel, let us say GS–9 with an income of $14,000 a year. Total yearly income is under $20,000. Repaying 20 years of service, and using skills and experience in the Federal Government for $20,000 a year seems hardly worth the furor over get rich quick double dippers.

We made a promise to servicemen 20 years ago, and I think we should keep that promise.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. CHAPPELL).

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, I rise in opposition to the amendment and urge that the committee's well-thought-out provision be retained. The proposal in this year's Defense Appropriations Act to prohibit all future double-dipping by retired military personnel in the Federal Government is a commendable and necessary step to eliminate one of the most unjustifiable provisions of the military retirement system. I have no argument with the payment of a military pension to a serviceman who is retired. But what we have here is the payment of retired pay to people who are not retired. And this retired pay is going to people who are generally in their late thirties or early forties.

To permit military retirees to receive both their full retirement pay and a full civil service salary is simply unfair to the American taxpayer. The important point to remember is that the military retirement system is funded annually from general revenues and not from a trust fund set aside for that purpose. Thus, double-dipping is a direct drain on every taxpayer in the country. There is no other Federal retirement system that allows a Government retiree to collect both his retired pay and a Federal salary. The social security system does not allow this when an individual makes more than $3,000 annually. Even the Veterans' Administration cuts off a disability pension to military retirees who make more than a specified income each year.

Double-dipping costs more than $1 billion annually over and above the civil service pay of these retirees. This is a cost to the Government for which there is no justification. Civil service pay alone is very generous, as is the civil service retirement system. I can find no reason to continue the practice and I urge that this amendment be defeated. This may be a losing cause. Capitol Hill is peppered with double-dippers. They constitute a powerful lobby. Nevertheless, I hope reason will prevail and that this amendment will be rejected.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I rise in strong support of the amendment offered by my esteemed colleague, BOB WILSON of California. Mr. Wilson's amendment would strike section 858 from H.R. 7933, the Department of Defense appropriations bill for fiscal year 1978. The section of the bill I join my colleague in opposing would, if adopted, deny retirement pay to military retirees who accept Federal civil service employment after October 1, 1977.

This radical change in the opportunities available to our retired military personnel is presented to us this afternoon as part of a $110 billion appropriations bill. I submit that this is a substantive policy issue with many serious implications for the military personnel system and ought not to be treated so lightly.

Additionally, I want to point out to my colleagues that the implications of such a provision have not enjoyed the benefit of hearings, study, or adequate input from the affected Government agencies. President Carter has appointed a Blue Ribbon Commission on Military Compensation to provide just such executive branch input. It appears to me that the Appropriations Committee has jumped the gun and the House would be wise to wait for the President's Commission to conduct its study and issue its report before we act. To adopt the bill before us including section 858 would be a disservice to the deliberative procedures of the House. We do not need to act so hastily.

Mr. Chairman, in addition to my procedural objections, I believe the merits of the issue itself clearly argue for support of Mr. Wilson's amendment. If this provision is not deleted, the largest group that will be adversely affected are retired enlisted personnel. Of the 141,000 military retirees currently employed by the Federal Government, over 111,000 are former enlisted men and women who served on active duty for at least 20 years. Their average retired pay is $5,670 a year. This compares with the Bureau of the Census poverty-level yearly income of $5,820 for an urban family of four. This by no means qualifies as a lavish retirement. You can readily see why these "retirees" need to work.

The proponents of this section quite correctly state that this will reduce the number of former military personnel working for the Federal civil service. They argue that this is a worthwhile policy objective. In my opinion, the exact opposite is true. The plain fact of the matter is that these retired military personnel have hard to find management and technical skills in high demand by civilian agencies. In many ways, permitting retired military personnel to continue Government service represents a bonus for the taxpayer, considering our investment in 20 to 30 years of experience and training which has especially qualified the retiree for the needs of many of our agencies.

Mr. Chairman, I will also like to address the question of equity for military personnel. For years we have told them that they could compete for Federal civil service jobs upon their retirement. To radically alter our civil service ground rules in this area with only 3 months' notice is simply not fair. We cannot treat our military personnel in such a cavalier fashion and expect to recruit and retain qualified people for our Armed Forces. Given the rigors of military life and the many dislocations the military family experiences, we must make every effort to make military service as attractive as possible.

Mr. Chairman, while I am critical of the provisions of section 858, I appreciate the effort by the Appropriations Commitee to begin reexamining our military retirement system. I share the committee's view that substantial changes need to be made in our military personnel retirement policy.

However, the Appropriations Committee approaches this issue from the perspective of the prerogatives military retirees are to enjoy once they have left the uniformed services. I believe a much broader question needs to be addressed. I am very disturbed that we waste so much talent and expertise in the military by forcing qualified personnel out after 20 years. Our current military retirement system, as the committee report points out, encourages retirement after 20 years of service. Additionally, our "up-or-out" promotion system forces many military personnel into retirement.

The cost to the military are considerable in replacing the skills, training, and professionalism developed over a 20-year career. In my opinion, we must restructure our military personnel and retirement system so that we retain these highly qualified personnel. It makes no sense to keep a system that turns out a competent employee in his early forties when he has many more contributions to make. We only waste the vast resources we have spent to train our military personnel if we continue the current system. Lastly, our experience has shown that command, control, and communications can be handled as well, if not better, by older, more experienced personnel.

I trust that these broader issues as well as proposals such as that contained in section 858, will be addressed by the President's blue ribbon panel. I believe we would be prudent to wait for their recommendations before we act on these issues. Adopting section 858 as contained in this bill would clearly be unwise and I hope my colleagues will defer judgment on this proposal and support Mr. WILSON's amendment to delete this language from the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. MAHON), to close the debate.

Mr. MAHON. Mr. Chairman, I ask for a vote on the amendment.

Mr. BAUMAN. Mr. Chairman, I rise in support of the amendment to delete section 858 from the defense appropriations bill. Prohibiting payment of earned retired pay to military retirees who become employed in the Federal Govern-

ment, is the rankest type of discrimination against a single group that should be praised instead of attacked.

Let us look at the effect of this provision from the perspective of the service member, for a change. Consider the E–7 with 22 years of service as he approaches retirement. He may have had a distinguished career in the service, served in Vietnam, experienced frequent moves, worked long hours, received substandard pay for much of his career, been separated from his family for a total of 6 of his 22 years. When he retires, he can expect $6,411 per year. Can he "retire" at age 40 or 41 on his military retired pay? His children may be just reaching their college years. Because he is now just settling down, he decides to buy a house. I think we must conclude that he must find a job in order to exist.

Put yourselves in his shoes. If he is offered a job in the private sector, and a similar job in the Federal Government—say as an administrative assistant at a salary of $12,000 per year—which job would he take? By selecting the Government job he experiences a $6,400 cut in pay. Because of his training, his experience, and his demonstrated commitment to the Nation, it seems to me that the Federal Government would want to provide, at least, a slight incentive for this individual to continue his career of Government service. This is exactly counter to what section 858 does.

Perhaps there is a problem with the military retirement system. But the barring of payments of military retired pay to retirees employed in the Federal Government will not solve that problem. We would be applying an inappropriate solution to a relatively small number of military retirees who, for whatever reason, choose to offer their continued services to the Nation.

I think this is inequitable, I think this is ill-conceived, and I urge strongly support the amendment.

Mr. GONZALEZ. Mr. Chairman, I rise in support of the amendment to strike section 858.

One military retiree out of 10 winds up working for the Federal Government. These are the so-called double dippers.

The enactment of section 858 would create two classes of military retirees—one class that could receive retirement pay, and another that could not.

This section says that if a military retiree works for anybody else except the Federal Government, he can still get his retirement pay. The 10 percent who do work for the Federal Government would be barred.

Now it is possible that there is some reason for this kind of discrimination, but I do not see it. Under this provision, a retiree who works for a State or county or local government will still receive his full retirement pay. He will receive that pay even if the State or local or county job he holds is being paid for out of Federal funds. But if he works for Uncle Sam, he is fined—penalized, by the withholding of his retirement pay. It is a fine that amounts to an average of $5,700 a year for a retired enlisted person.

Now if we want to reform the military retirement system, that is a different matter. Perhaps it should be changed and made less costly. This amendment, however, is no way to approach the subject.

You cannot reform a system by making it discriminatory; you cannot save money by attaching the rights of a few, or by ignoring the concepts of basic equity.

I support the amendment, because it corrects a basic error in this bill. For I cannot see why we should penalize a few people who retire from the military and then work for the Federal Government, thereby making them different from all other retirees. It is beyond any concept of reason to deny retirement pay for a sergeant who retires and takes a job as a GSA guard, if his neighbor can retire with full benefits and work at a federally funded job, under a State or local sponsor. They may both be guards, and will both receive all their income from the Treasury—but the circumstance of employment only, would deny $5,700 of income to one, and allow it to the other. That is no reform; it is injustice.

Mr. HARRIS. Mr. Chairman, I am pleased to support today the amendment to remove from the defense appropriations bill the provision in the bill requiring military personnel who accept employment with the Federal Government to forfeit military retirement pensions.

WILL UNDERMINE MILITARY MORALE

This provision, in my view, is a shortsighted budget-cutting device that will undercut the morale of our Armed Forces. Denying retirement pay, which was part of the bargain expected upon entering service and rightfully earned from duty to our country, will mean we are breaking faith with our military people. It will dishearten those many loyal military people who served their country in the armed services and wish to serve their country in the civil service. We should not agree to a "contract" and then break it. It is that simple.

It is inequitable because they earned their retirement pay through many long hours of work and many sacrifices. It is inequitable because we are asking no other group to forfeit other forms of income earned previously when they enter the civil service. As Col. Minter L. Wilson, Jr., of the Retired Officers Association has put it—

> It would be sheer effrontery to suggest that all persons who have earned retirement incomes from any previous employment forego all or a part of it merely because they are now willing to offer their experience and talent to the government. Is it any more fair or honest to single out the regular military officer for such treatment?

WILL KEEP TALENT OUT OF GOVERNMENT

This provision, should it become law, will deprive the Federal Government of the talent and knowledge of many capable individuals. If an ex-military person has to give up his or her income for public service, he or she will be less likely to work for the Government. Our Government cannot afford to close the door to proven manpower resources. Retired military personnel can bring to our Government expertise that few other individuals have. The Federal Government must have incentives to attract the best possible work force—not disincentives to keep them away.

I am also convinced that this action was taken by the Appropriations Committee without consideration by either the Post Office and Civil Service Committee or the Armed Services Committee, the two House committees which have jurisdiction over the subjects of civil service pay and retirement pay. These committees are carefully scrutinizing our pay and retirement systems. Additionally, the Department of Defense is now conducting its legally required third quadrennial review of the military compensation system and President Carter has asked a civilian panel to review the study when it is completed. This will be accomplished by October 1, 1977. Since this is a major investigation and analysis of the entire military pay and retirement system, I believe that the Appropriations Committee's action is not only inappropriate, it is premature. Surely, any committee needs the analysis that this overall study will provide us before making policy decisions of this great import.

ISSUE DISTORTED

The facts surrounding the issue of double dipping have been greatly exaggerated, in my view. Out of the Federal Government's 2.8 million Federal employees, there are 141,817 uniformed services retirees employed in the Federal Government, according to the Civil Service Commission. Of these retirees, only 27,682 are former officers; that leaves 111,793—the vast bulk—as former enlisted personnel. The Commission's study shows a mere 0.6 percent of the military retirees in the civil service are earning over $36,000 and that most of the retirees are in the $10,000 to $17,999 range.

I call on my colleagues to vote "aye" on the Wilson amendment and to stop this attack on our dedicated military men and women. It is time for this Congress to stop precipitously reacting to slogans and to look at the facts for what they are.

Mr. CHAPPELL. Mr. Chairman, when I first supported the provision in the committee, my intention was to focus on the situation where the man had changed from a uniform sitting at a desk one day and the next day coming in as a civilian and occupying the same desk with the same duties and the same responsibilities. However, there is a grave situation encompassed in this provision as it is now and I think we would be making a serious mistake to go ahead as we are attempting to do here. I for one will be satisfied with the recommendations of the committees of the Congress on this subject. I believe that would be a whole lot better way to approach the matter than we are attempting here.

I urge the adoption of the amendment offered by the gentleman from California (Mr. BOB WILSON).

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. BOB WILSON).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk continued to read the bill.

AMENDMENT OFFERED BY MR. BURLISON OF MISSOURI

Mr. BURLISON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURLISON of Missouri: General Provision 859. Add a new General Provision numbered 859, and worded as follows:

SEC. 859. None of the funds appropriated in this act may be obligated for the purpose of planning or executing any assassinations plots against any officials of any foreign governments or political parties of countries not at war with the United States.

Mr. BURLISON of Missouri. Mr. Chairman, this amendment can certainly be debated without divulging classified information. Everything I know about the subject has been gleaned from documentation provided by the Senate Church Investigating Committee, former officials of the CIA, through their writings, and other publications, all of public record and freely available to the public. I have not received nor sought information on this point from the Agency, other than the assurance that our Government is not now engaged in this business.

It is a matter of public knowledge that the CIA has had a part in assassination plots involving numerous foreign government leaders. Several of those leaders met violent deaths. There is no credible evidence tying the CIA to any of these deaths. But the American people consider it shameful that an Agency of our Government would think about killing foreign leaders in time of peace.

The record, as documented by the Church Senate Select Committee report, is tragic. There was Lumumba of the Congo, Trujillo of the Dominican Republic, the Diem brothers of South Vietnam, Allendé and Schneider of Chile, Duvalier of Haiti, and Sukarno of Indonesia. Perhaps the most flagrant example is that of Cuba's Castro. Through the administrations of Presidents Eisenhower, Kennedy, and Johnson, the CIA worked with the Mafia in various and sundry efforts to dispose of him.

No constructive purpose would be served by going into the lurid details of these cases here, nor is there time. Suffice it to say that in those days assassination plots were so much a part of the CIA that they were institutionalized as the "executive action" program of the agency. These operations, obviously, were counterproductive. The negative impact from such revelations are devastating to our country, not to mention the mounting evidence, and inferences to be drawn therefrom, that our role may have provoked actions terminating in the death of a governing President.

Opponents of this amendment will say no good can come of it. They will point to Executive Order 11905, promulgated by President Ford and still in effect. They will remind us of President Carter's promise to stay out of the assassinations arena and his plans to issue further pronouncements thereon. As a matter of fact, in the full Committee on Appropriations markup, my amendment was watered down by substituting the language in the Executive order for mine. I say to you that Presidential Executive orders and Presidential promises do not discharge our legislative responsibility. Assassinations and attempts threat should be wrong as a matter of law.

Evidently, the House next week will establish an intelligence authorizing committee. Perhaps it will be appropriate for that committee to look into this matter in the months to come. In the meantime, my amendment ought to be in place.

Mr. MAHON. Mr. Chairman, I am sure that all of us are opposed to assassinations. Assassination within the United States is of course against the law—it is murder. Assassination performed in other countries, of course, is against the law in those countries.

President Ford on February 18, 1976, issued an Executive order in regard to this matter and that Executive order is still in effect and has been carried forward by President Carter. That Executive order is entitled: "Prohibition of Assassination: No Employee of the United States Shall Engage in or Conspire to Engage in Political Assassination." That is the existing Executive order.

I had not thought that the amendment was necessary, but now that it is before us I fully support it.

I yield to the gentleman from Alabama and ask if he feels that the amendment should be approved.

Mr. EDWARDS of Alabama. Mr. Chairman, we can accept the amendment. I wish the gentleman had not felt it necessary to offer the amendment, and I wish the gentleman had not offered it, but I am unwilling to be put in the position of being for assassinations, and so of course I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. BURLISON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WHALEN

Mr. WHALEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHALEN: Page 58, immediately after line 7, insert the following new section:

SEC. 860. None of the funds appropriated in this Act shall be used for any form of aid or trade, either by monetary payment or by the sale or transfer of any goods of any nature, directly or indirectly to Cuba.

Mr. MAHON. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order against the amendment.

The gentleman from Ohio (Mr. WHALEN) is recognized in support of his amendment.

Mr. WHALEN. Mr. Chairman, the cynics in this body may term this "the Tongue in Cheek Amendment of 1977."

Some of the liberals of this Chamber—a rapidly vanished breed, I might add—might label it "the antihypocrisy amendment of 1977."

Mr. Chairman, I prefer to call it "the legislative consistency amendment of 1977." I do so because this amendment conforms to two previous actions taken by the House.

On June 23d, we voted overwhelmingly to prohibit the use of Federal funds for any form of aid or trade—I emphasize the word "trade"—directly or indirectly with Cuba. A similar amendment was adopted on May 12.

Mr. Chairman, H.R. 7933 violates these strictures.

First, $4,085 in Federal funds are paid annually to Cuba for rental of the Guantanamo Naval Base. Parenthetically, at today's prices this may well be the first instance in which the United States is a recipient, rather than a donor of foreign aid.

Second, the Department of Defense expends funds to employ 149 Cuban nationals at this installation.

Third, Federal funds are appropriated to maintain 2,433 military personnel, 279 American civilian employees, and 2,134 U.S. dependents in Cuba.

I urge adoption of this amendment for three reasons.

First, it would reaffirm this body's determination to prevent any trade between the United States and Cuba.

Second, terminating our military alliance with the Castro government would reinforce this objective.

Third, by withdrawing our forces from Cuba, we would provide moral strength to our argument that Cuban troops be removed from Angola.

Mr. Chairman, I see the author of the two amendments on the floor and I yield to the gentleman from Ohio (Mr. ASHBROOK) and ask for his support of this amendment.

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman for his belated support of the concept of cutting of aid or trade to Cuba.

I think my friend left out another payment. Do we not pay for water in Cuba?

Mr. WHALEN. No. We supply our own water.

Mr. ASHBROOK. I thought they could cut our water off.

Mr. WHALEN. No. We supply our own water.

I would certainly welcome any support my friend could give this amendment.

Mr. ASHBROOK. If my friend could convince me that we take away in this way any aid or trade, our own or somebody else's, from Mr. Castro, I might support the amendment.

I think the key word is trade. Quite obviously, when we rent facilities, that represents trade. When we employ civilians of the host country, that also represents trade.

Mr. ASHBROOK. Mr. Chairman, if the gentleman will yield, I would think that is more of a contractual arrangement. I would say that with most of our trade, we give it away.

The CHAIRMAN. Does the gentleman from Texas insist on his point of order?

Mr. MAHON. Mr. Chairman, I had not read the amendment when I reserved the point of order. Now I have read the amendment and as I see it, the amendment is not subject to a point of order. I withdraw my reservation.

Mr. Chairman, will the gentleman yield?

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

Mr. MAHON. Mr. Chairman. I understand the Navy employs about 145 Cuban Nationals at Guantanamo Bay in Cuba. I would not want to see our operation and

control of this base jeopardized. Certainly I have no desire to aid the Castro government. How would the gentleman propose that we proceed with his amendment?

Mr. WHALEN. Mr. Chairman, I would suggest maybe a voice vote.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Chairman, is the gentleman saying that by adopting this amendment we would no longer be empowered to deal with Cuba insofar as maintaining our base at Guantanamo is concerned?

Mr. WHALEN. That would be my interpretation of it, yes.

Mr. EDWARDS of Alabama. Mr. Chairman, if the gentleman will yield further, I am not quite prepared to say we should pull out of that base at Guantanamo.

Is the gentleman also saying we would not be permitted to pay Cuban Nationals who work at the base at Guantanamo?

Mr. WHALEN. That would be my interpretation. We also would be precluded from paying rent.

I might add additionally that the Cuban Government has not deposited our checks, so that might be a moot issue.

Mr. EDWARDS of Alabama. Mr. Chairman, is the gentleman aware that most of the Cubans that work at Guantanamo are virtual exiles?

Mr. WHALEN. They commute. They go between the base and the mainland.

Mr. EDWARDS of Alabama. Mr. Chairman, if the gentleman will yield further, I think the gentleman's intention is well meaning, but I would not be inclined to support the gentleman's amendment, if it means on such short notice as this that we would make a decision to pull out of Guantanamo at this time.

Mr. Chairman, I urge the gentleman to withdraw the amendment.

Mr. WHALEN. Mr. Chairman, I realize it is a very grave move. I am just really doing it in the interest of consistency.

Mr. EDWARDS of Alabama. Mr. Chairman, having been consistent, would the gentleman now withdraw the amendment?

Mr. FLYNT. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment.

Mr. Chairman, I hope the committee will reject this amendment. I am certainly not willing on 5-minute notice to surrender the principal naval base and naval air station that we have in the Caribbean. The facilities we have there are more essential to the southern command than anything that we have in that entire area. I am not willing to buy such a spur-of-the-moment thing and surrender the most important facility we have in that area.

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

Mr. FLYNT. I yield to my friend the gentleman from Virginia.

Mr. ROBINSON. Mr. Chairman, would the gentleman agree that it would be most inappropriate at this point in time if we would even consider it, when we are on the verge of giving away the Panama Canal, our only other base in the Caribbean, to give away the base at Guantanamo?

Mr. FLYNT. I certainly agree with the gentleman from Virginia. I urge that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. WHALEN).

The amendment was rejected.

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

Mr. Chairman, in colloquy with the gentlewoman from Massachusetts (Mrs. HECKLER) and the chairman of the committee the other day, I discussed the $13.4 million that was going to be expended in this bill for food research which the Army does in Massachusetts. At that time I asked a number of questions with respect to what that research money was going to be used for, and I was attempting to determine what improvements, if any, there had been in the diet of our servicemen after the expenditure of tens of millions of dollars which we have spent in the appropriations in the last 20 years with respect to food experimentation.

I have not had a whole lot of time to conduct research on this subject. I am not going to ask for a separate vote in committee, but I think it is important to lay the groundwork for future action.

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

Mr. DOWNEY. I yield.

Mr. ASHBROOK. Mr. Chairman, I think the members of the committee ought to give very close attention to this subject. I have had an opportunity to review this report once it was brought up, and I think the gentleman from New York is completely on target. I think that pershaps we should let it go through without a vote today, but we should certainly give a subject of this importance the closest scrutiny in the future.

Mr. DOWNEY. I thank my friend from Ohio. I would just like to tell him that in the last 5 or 6 years we have spent over $20 million for food irradiation research conducted by both Energy Research and Development Administration and the Department of Defense. This process involves placing a piece of meat or potato at the end of a linear electron accelerator and bombarding it with Gamma and Beta rays. I am sure Members would prefer their potatoes with sour cream.

The fact is that the FDA has never once allowed any of this experimental food to be permanently placed on the market because it does not meet FDA standards; so, the Army has been and will be spending $6 million on this program to feed livestock experimentally. If that is not bad enough, there is a $2.3 million request in here for an experimental food facility. In 1972, over one-third of the servicemen were not eating at bases, but were taking their allowances and going outside to commercial restaurants. In response, the Army decided to set up a fast food line and a regular food line to accommodate the servicemen interested in the McDonald-type or Burger King-type fast food operation.

This new $2.3 million study involves a pre-preparation program to fast freeze the food in order to make it dispensable to the bases, which while decreasing the cost, will substantially lower the quality of the food. Clearly, the present system barely meets the needs and desires of military personnel; the new system would only exacerbate the problem.

All I am suggesting is that this $13.4 million—and when we talk about a $110 billion dollar bill, it is not much—we are spending on this research, No. 1, does not make a darn bit of difference to the diet of the individual serviceman; and No. 2, it is done extensively already by other agencies. In 1 day, we were able to get a document from the University of Texas, from the Lyndon B. Johnson School of Public Affairs, funded by NASA, which is doing this sort of research. Birds Eye, Howard Johnson's and every other type of private fast food or frozen food system can do exactly what they have been experimenting with in the Army in the last 10 years with these frozen foods.

Therefore, I would suggest to the committee that the next time this appropriation comes up, we give it closer scrutiny.

The CHAIRMAN. The Clerk will read.

The Clerk concluded reading the bill.

Mr. MAHON. Mr. Chairman, concern has been expressed by the distinguished gentleman from Florida (Mr. BENNETT), the chairman of the Seapower Subcommittee of the House Armed Services Committee, relative to the requirements for ship designs that the Congress is placing on the Navy.

My friend, of course, has a right to his opinion. I do not fully agree with his views on the matter, nor does the Committee on Appropriations. I spoke on this subject on last Tuesday. My position has not changed.

As the gentleman knows, neither the authorization bill nor the appropriation bill provides authorization and funding for specific ship programs on a line item basis. We permit sufficient flexibility to the Navy on the use of ship development funds in recognition of the fact that requirements for ships may change during any given year. This flexibility is necessary because of the ever changing threat to our naval forces. The Navy must be prepared to meet changed ship requirements by properly designing ships the Navy may require in future years. So we never try to tie down the Navy too tightly on ship design money.

As you know, in order to carry out the mandate of the authorization bill language with respect to comprehensive evaluation studies of the cost and combat effectiveness of sea-based aircraft platforms, certain ship design effort is required. Without such ship designs, the cost of certain ships cannot be determined with any degree of accuracy. And such costs are necessary if comprehensive evaluation studies of the cost and effectiveness of sea-based aircraft platforms are to be meaningful.

In summary, therefore, I believe the appropriations bill provides sufficient funding flexibility to permit the Navy to comply in a broad sense with the authorization bill language agreed to by the conferees on that bill.

Mr. MAHON. Mr. Chairman, I move that the committee do now rise and re-

port the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7933) making appropriations for the Department of Defense for the fiscal year ending September 30, 1978, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. GIAIMO. Mr. Speaker, I demand a separate vote on the so-called Bob Wilson amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 55, strike out line 16 and all that follows through line 10 on page 56, and redesignate the following sections accordingly.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 39, noes 28.

Mr. GIAIMO. 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 219, nays 174, answered "present" 4, not voting 36, as follows:

[Roll No. 401]

YEAS—219

| | | |
|---|---|---|
| Abdnor | Burton, John | Evans, Del. |
| Alexander | Butler | Evans, Ind. |
| Allen | Caputo | Fary |
| Andrews, N.C. | Carter | Fenwick |
| Andrews, N. Dak. | Chappell | Fisher |
| | Clausen, Don H. | Fithian |
| Archer | | Flood |
| Armstrong | Cochran | Florio |
| Ashbrook | Cohen | Flynt |
| Badham | Coleman | Ford, Mich. |
| Bafalis | Conable | Forsythe |
| Barnard | Corcoran | Fountain |
| Bauman | Cunningham | Frey |
| Beard, R.I. | Daniel, Dan | Gammage |
| Beard, Tenn. | Daniel, R. W. | Gaydos |
| Bennett | de la Garza | Gibbons |
| Bevill | Derwinski | Gilman |
| Boggs | Devine | Ginn |
| Breaux | Dickinson | Goldwater |
| Breckinridge | Dornan | Gonzalez |
| Brinkley | Duncan, Tenn. | Gradison |
| Brooks | Edgar | Gudger |
| Brown, Calif. | Edwards, Okla. | Guyer |
| Buchanan | Eilberg | Hall |
| Burgener | Emery | Hammer-schmidt |
| Burleson, Tex. | Ertel | |
| Hanley | Milford | Seiberling |
| Hansen | Miller, Ohio | Shipley |
| Harris | Mineta | Sikes |
| Harsha | Mitchell, N.Y. | Sisk |
| Hefner | Mollohan | Skelton |
| Heftel | Moore | Slack |
| Hillis | Moorhead, Calif. | Smith, Iowa |
| Holt | | Smith, Nebr. |
| Horton | Murphy, N.Y. | Snyder |
| Howard | Murphy, Pa. | Spellman |
| Hubbard | Murtha | Spence |
| Hughes | Myers, Gary | St Germain |
| Hyde | Myers, Michael | Stangeland |
| Ireland | Myers, Ind. | Steed |
| Jenrette | Natcher | Steers |
| Johnson, Calif. | Neal | Stump |
| Johnson, Colo. | Nichols | Symms |
| Jones, N.C. | Nix | Taylor |
| Jones, Okla. | O'Brien | Thone |
| Jones, Tenn. | Oakar | Thornton |
| Kazen | Panetta | Treen |
| Kelly | Patten | Trible |
| Kemp | Pepper | Tucker |
| Ketchum | Perkins | Van Deerlin |
| Kindness | Poage | Waggonner |
| Krebs | Pressler | Walgren |
| Krueger | Preyer | Walsh |
| Lagomarsino | Price | Wampler |
| Leach | Pritchard | Watkins |
| Lederer | Pursell | Weaver |
| Leggett | Quie | Whalen |
| Levitas | Rahall | White |
| Lloyd, Tenn. | Railsback | Whitehurst |
| Long, Md. | Regula | Whitley |
| Lott | Rhodes | Wilson, Bob |
| Lujan | Risenhoover | Wilson, C. H. |
| Luken | Roberts | Wilson, Tex. |
| McClory | Robinson | Wright |
| McCloskey | Roe | Wydler |
| McDade | Rooney | Wylie |
| McDonald | Rose | Yatron |
| McFall | Rostenkowski | Young, Alaska |
| Madigan | Rousselot | Young, Fla. |
| Marriott | Rudd | Young, Mo. |
| Mathis | Santini | Young, Tex. |
| Mattox | Sarasin | Zablocki |
| Meeds | Satterfield | Zeferetti |
| Meyner | Sawyer | |
| Michel | Schroeder | |

NAYS—174

| | | |
|---|---|---|
| Addabbo | Derrick | Maguire |
| Akaka | Dicks | Mahon |
| Ambro | Diggs | Mann |
| Ammerman | Dingell | Markey |
| Anderson, Calif. | Dodd | Marks |
| | Downey | Martin |
| Anderson, Ill. | Drinan | Mazzoli |
| Annunzio | Duncan, Oreg. | Mikulski |
| Applegate | Early | Mikva |
| Ashley | Eckhardt | Miller, Calif. |
| AuCoin | Edwards, Ala. | Minish |
| Badillo | Edwards, Calif. | Mitchell, Md. |
| Baldus | English | Moakley |
| Baucus | Evans, Colo. | Moorhead, Pa. |
| Bedell | Evans, Ga. | Murphy, Ill. |
| Bellenson | Fascell | Nedzi |
| Benjamin | Findley | Nolan |
| Bingham | Flowers | Nowak |
| Blanchard | Foley | Oberstar |
| Blouin | Ford, Tenn. | Obey |
| Boland | Fowler | Ottinger |
| Bonior | Fraser | Patterson |
| Bonker | Frenzel | Pattison |
| Brademas | Gephardt | Pease |
| Brodhead | Giaimo | Pike |
| Broomfield | Glickman | Quayle |
| Brown, Mich. | Goodling | Rangel |
| Brown, Ohio | Gore | Reuss |
| Broyhill | Grassley | Richmond |
| Burke, Calif. | Hagedorn | Rinaldo |
| Burke, Fla. | Hamilton | Rodino |
| Burlison, Mo. | Hannaford | Rogers |
| Burton, Phillip | Harkin | Roncalio |
| Byron | Harrington | Rosenthal |
| Carney | Heckler | Roybal |
| Carr | Holland | Runnels |
| Cavanaugh | Holtzman | Russo |
| Cederberg | Ichord | Ryan |
| Chisholm | Jacobs | Scheuer |
| Clay | Jenkins | Schulze |
| Cleveland | Jordan | Sebelius |
| Collins, Ill. | Kasten | Sharp |
| Collins, Tex. | Kastenmeier | Shuster |
| Conte | Keys | Simon |
| Conyers | Kildee | Solarz |
| Corman | Kostmayer | Staggers |
| Cornell | LaFalce | Stanton |
| Cornwell | Latta | Stark |
| Cotter | Lehman | Steiger |
| Coughlin | Lent | Stockman |
| D'Amours | Lundine | Stokes |
| Danielson | McCormack | Studds |
| Delaney | McHugh | Thompson |
| Dellums | McKay | Tsongas |
| Udall | Walker | Wirth |
| Vander Jagt | Waxman | Wolff |
| Vanik | Weiss | Yates |
| Vento | Wiggins | |
| Volkmer | Winn | |

ANSWERED "PRESENT"—4

| | | |
|---|---|---|
| Jeffords | Stratton | Ullman |
| Lloyd, Calif. | | |

NOT VOTING—36

| | | |
|---|---|---|
| Aspin | Fuqua | Moffett |
| Biaggi | Hawkins | Montgomery |
| Bolling | Hightower | Moss |
| Bowen | Hollenbeck | Mottl |
| Burke, Mass. | Huckaby | Pettis |
| Clawson, Del | Koch | Pickle |
| Crane | Le Fante | Quillen |
| Davis | Long, La. | Ruppe |
| Dent | McEwen | Skubitz |
| Erlenborn | McKinney | Teague |
| Fish | Marlenee | Traxler |
| Flippo | Metcalfe | Whitten |

The Clerk announced the following pairs:

On this vote:

Mr. Pickle for, with Mr. Fuqua against.

Mr. Montgomery for, with Mr. Metcalfe against.

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

Mr. Marlenee for, with Mr. Moffett against.

Mr. McEwen for, with Mr. Traxler against.

Mr. Del Clawson, for, with Mr. Hawkins against.

Mr. Fish for, with Mr. Koch against.

Mr. Erlenborn for, with Mr. Motti against.

Until further notice:

Mr. Davis with Mr. Biaggi.

Mr. Dent with Mr. Whitten.

Mr. Le Fante with Mr. Long of Louisiana.

Mr. Huckaby with Mr. Bowen.

Mr. Moss with Mr. Flippo.

Mr. Quillen with Mr. Aspin.

Mr. Ruppe with Mr. Hollenbeck.

Mr. Skubitz with Mr. McKinney.

Messrs. COLLINS of Texas, REUSS, MURPHY of Illinois, BOLAND, CORMAN, COTTER, GLICKMAN, AMMERMAN and LENT changed their vote from "yea" to "nay."

Mrs. LLOYD of Tennessee, Mrs. SCHROEDER, Mrs. MEYNER, Messrs. LUKEN, CAPUTO, PRESSLER, FORD of Michigan, WALGREN, HUBBARD, REGULA, RAILSBACK, LEACH, McDADE, GUDGER, and PATTEN changed their vote from "nay" to "yea."

Mr. NEAL changed his vote from "present" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

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

MOTION TO RECOMMIT OFFERED BY MR. FORSYTHE

Mr. FORSYTHE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FORSYTHE. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. FORSYTHE moves to recommit the bill H.R. 7933 to the Committee on Appropriations.

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

There was no objection.

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

The motion to recommit was rejected.

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

Mr. EDWARDS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 333, nays 54, not voting 46, as follows:

[Roll No. 402]

YEAS—333

| | | |
|---|---|---|
| Abdnor | Eckhardt | Kindness |
| Addabbo | Edgar | Krebs |
| Akaka | Edwards, Ala. | Krueger |
| Alexander | Edwards, Okla. | LaFalce |
| Allen | Eilberg | Lagomarsino |
| Ambro | Emery | Latta |
| Ammerman | English | Leach |
| Anderson, Calif. | Ertel | Lederer |
| | Evans, Colo. | Leggett |
| Anderson, Ill. | Evans, Del. | Lehman |
| Andrews, N.C. | Evans, Ga. | Lent |
| Andrews, N. Dak. | Evans, Ind. | Levitas |
| | Fary | Lloyd, Calif. |
| Annunzio | Fascell | Lloyd, Tenn. |
| Applegate | Fenwick | Long, Md. |
| Archer | Findley | Lott |
| Ashbrook | Fisher | Lujan |
| Ashley | Fithian | Luken |
| Bafalis | Flood | Lundine |
| Barnard | Florio | McClory |
| Bauman | Flowers | McCloskey |
| Beard, R.I. | Flynt | McCormack |
| Beard, Tenn. | Foley | McDade |
| Benjamin | Ford, Mich. | McDonald |
| Bennett | Ford, Tenn. | McFall |
| Bevill | Fountain | McHugh |
| Bingham | Fowler | McKay |
| Blanchard | Fraser | Madigan |
| Boggs | Frenzel | Mahon |
| Boland | Frey | Marks |
| Bonker | Gammage | Marriott |
| Brademas | Gaydos | Martin |
| Breaux | Gephardt | Mathis |
| Brinkley | Giaimo | Mattox |
| Brooks | Gibbons | Mazzoli |
| Broomfield | Gilman | Meeds |
| Brown, Calif. | Ginn | Meyner |
| Brown, Mich. | Glickman | Michel |
| Brown, Ohio | Goldwater | Mikulski |
| Broyhill | Gonzalez | Milford |
| Buchanan | Gore | Miller, Ohio |
| Burgener | Gradison | Mineta |
| Burke, Fla. | Grassley | Minish |
| Burleson, Tex. | Gudger | Mitchell, N.Y. |
| Burlison, Mo. | Guyer | Moakley |
| Butler | Hagedorn | Mollohan |
| Byron | Hall | Moore |
| Carney | Hamilton | Moorhead, Calif. |
| Carter | Hammer-schmidt | Moorhead, Pa. |
| Cavanaugh | | |
| Cederberg | Hanley | Murphy, Ill. |
| Chappell | Hannaford | Murphy, N.Y. |
| Clausen, Don H. | Hansen | Murphy, Pa. |
| | Harris | Murtha |
| Cleveland | Harsha | Myers, Gary |
| Cochran | Heckler | Myers, Michael |
| Cohen | Hefner | Myers, Ind. |
| Coleman | Heftel | Natcher |
| Collins, Ill. | Hillis | Neal |
| Collins, Tex. | Holland | Nedzi |
| Conable | Holt | Nichols |
| Conte | Horton | Nix |
| Corcoran | Howard | Nowak |
| Corman | Hubbard | O'Brien |
| Cornwell | Hughes | Oakar |
| Cotter | Hyde | Panetta |
| Coughlin | Ichord | Patten |
| Cunningham | Ireland | Pease |
| D'Amours | Jacobs | Pepper |
| Daniel, Dan | Jeffords | Perkins |
| Daniel, R. W. | Jenkins | Pike |
| Danielson | Jenrette | Poage |
| de la Garza | Johnson, Calif. | Pressler |
| Delaney | Johnson, Colo. | Preyer |
| Derwinski | Jones, N.C. | Price |
| Devine | Jones, Okla. | Pritchard |
| Dickinson | Jones, Tenn. | Pursell |
| Dicks | Jordan | Quayle |
| Diggs | Kasten | Quie |
| Dingell | Kazen | Rahall |
| Dodd | Kelly | Railsback |
| Dornan | Kemp | Regula |
| Downey | Ketchum | Rhodes |
| Duncan, Oreg. | Keys | Rinaldo |
| Duncan, Tenn. | Kildee | Risenhoover |
| Roberts | Smith, Iowa | Walgren |
| Robinson | Smith, Nebr. | Walker |
| Rodino | Snyder | Walsh |
| Roe | Solarz | Wampler |
| Rogers | Spellman | Watkins |
| Roncalio | Spence | Waxman |
| Rooney | St Germain | Whalen |
| Rose | Staggers | White |
| Rosenthal | Stangeland | Whitehurst |
| Rostenkowski | Stanton | Whitley |
| Rousselot | Steed | Whitten |
| Rudd | Steers | Wiggins |
| Runnels | Steiger | Wilson, Bob |
| Russo | Stratton | Wilson, C. H. |
| Santini | Stump | Wilson, Tex. |
| Sarasin | Symms | Wolff |
| Satterfield | Taylor | Wright |
| Sawyer | Thone | Wydler |
| Schulze | Thornton | Wylie |
| Seiberling | Treen | Yates |
| Sharp | Trible | Yatron |
| Shipley | Tucker | Young, Alaska |
| Shuster | Udall | Young, Fla. |
| Sikes | Ullman | Young, Mo. |
| Simon | Van Deerlin | Young, Tex. |
| Sisk | Vander Jagt | Zablocki |
| Skelton | Vanik | Zeferetti |
| Slack | Waggonner | |

NAYS—54

| | | |
|---|---|---|
| AuCoin | Dellums | Ottinger |
| Badillo | Drinan | Pattison |
| Baldus | Early | Rangel |
| Baucus | Edwards, Calif. | Reuss |
| Bedell | Forsythe | Richmond |
| Bellenson | Goodling | Roybal |
| Blouin | Harkin | Scheuer |
| Bonior | Harrington | Schroeder |
| Brodhead | Holtzman | Stark |
| Burke, Calif. | Kastenmeier | Stokes |
| Burton, John | Kostmayer | Studds |
| Burton, Phillip | Maguire | Thompson |
| Caputo | Markey | Tsongas |
| Carr | Mikva | Vento |
| Chisholm | Miller, Calif. | Volkmer |
| Clay | Mitchell, Md. | Weaver |
| Conyers | Oberstar | Weiss |
| Cornell | Obey | Wirth |

NOT VOTING—46

| | | |
|---|---|---|
| Armstrong | Fuqua | Mottl |
| Aspin | Hawkins | Nolan |
| Badham | Hightower | Patterson |
| Biaggi | Hollenbeck | Pettis |
| Bolling | Huckaby | Pickle |
| Bowen | Koch | Quillen |
| Breckinridge | Le Fante | Ruppe |
| Burke, Mass. | Long, La. | Ryan |
| Clawson, Del | McEwen | Sebelius |
| Crane | McKinney | Skubitz |
| Davis | Mann | Stockman |
| Dent | Marlenee | Teague |
| Derrick | Metcalfe | Traxler |
| Erlenborn | Moffett | Winn |
| Fish | Montgomery | |
| Flippo | Moss | |

The Clerk announced the following pairs:

On this vote:

Mr. Teague for, with Mr. Metcalfe against.

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

Mr. Biaggi for, with Mr. Koch against.

Mr. Pickle for, with Mr. Hawkins against.

Until further notice:

Mr. Fuqua with Mr. Patterson.

Mr. Le Fante with Mr. Long of Louisiana.

Mr. Breckinridge with Mr. Davis.

Mr. Dent with Mr. Del Clawson.

Mr. Badham with Mr. Skubitz.

Mr. Winn with Mr. Ruppe.

Mr. Marlenee with Mr. Sebelius.

Mr. Stockman with Mr. Fish.

Mr. McEwen with Mr. McKinney.

Mr. Hollenbeck with Mr. Erlenborn.

Mr. Quillen with Mr. Crane.

Mr. Flippo with Mr. Hightower.

Mr. Huckaby with Mr. Mann.

Mr. Montgomery with Mr. Moss.

Mr. Mottl with Mr. Nolan.

Mr. Traxler with Mr. Ryan.

Mr. Bowen with Mr. Aspin.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AUTHORIZING CLERK TO MAKE TECHNICAL CORRECTIONS IN THE ENGROSSMENT OF H.R. 7933, DEPARTMENT OF DEFENSE APPROPRIATION ACT, 1978

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Clerk may be permitted to make technical corrections by renumbering the sections in title VIII, General Provisions, in the engrossment of the bill (H.R. 7933) making appropriations for the Department of Defense for the fiscal year ending September 30, 1978, and for other purposes.

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

There was no objection.

## GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 7933) making appropriations for the Department of Defense for the fiscal year ending September 30, 1978, and for other purposes.

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

There was no objection.

## A FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. SPARROW, one of its clerks, announced that the Senate had passed without amendment bills concurrent and joint resolutions of the House of the following titles:

H.R. 4585. An act to authorize appropriations for the Indian Claims Commission for fiscal year 1978; to facilitate the transfer of cases from the Indian Claims Commission to the United States Court of Claims; and for other purposes;

H.R. 4992. An act to amend the Indian Financing Act of 1974 by revising the appropriations authorization for the Indian business development program;

H. Con. Resolution 267. Concurrent resolution providing for an adjournment of the House from June 30 until July 11, 1977, and a recess of the Senate from July 1 until July 11, 1977; and

H.J. Res. 539. Joint resolution to amend the statute of limitations provisions in section 2415 of title 28, United States Code, relating to claims by the United States on behalf of Indians.

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

H.R. 6415. An act to extend and amend the Export-Import Bank Act of 1945; and

H.R. 7589. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1978, and for other purposes.

The message also announced that the Senate insists upon its amendments to

the bill (H.R. 7589) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1978, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON, Mr. MCCLELLAN, Mr. INOUYE, Mr. HUDDLESTON, Mr. SASSER, Mr. STEVENS, Mr. YOUNG, and Mr. BELLMON to be the conferees on the part of the Senate.

## PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO HAVE UNTIL MIDNIGHT, JULY 8, 1977, TO FILE LEGISLATIVE REPORTS ON H.R. 7691, H.R. 2176, AND S. 213

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight, July 8, 1977, to file legislative reports on H.R. 7691, Federal Grant and Cooperative Agreement Act; H.R. 2176, GAO audit of banking agencies; and S. 213, GAO audit of IRS.

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

There was no objection.

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

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

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, will the gentleman from Texas (Mr. ECKHARDT) explain to us why we need unanimous consent for this action?

Mr. ECKHARDT. Mr. Speaker, if the gentleman will yield, it is just for the purpose of appointing conferees.

Mr. ROUSSELOT. Will the gentleman explain it further? Suppose I objected; what would happen?

Mr. ECKHARDT. Well, I suppose we would have to wait until this matter came up in its regular order.

Mr. ROUSSELOT. Mr. Speaker, this is what I am wondering: Why is this unanimous-consent request so necessary, now that we are about to adjourn? Why can we not do this in the normal process?

What will occur while we are away during the July 4th week that makes this necessary? Why can we not wait until we get back?

Mr. ECKHARDT. This is, of course, the customary process.

Mr. ROUSSELOT. The customary process would be to do this in the normal manner; it would not be customary to ask for unanimous consent for the appointment of conferees at this time. Why is it necessary to get unanimous consent for this purpose now?

Mr. ECKHARDT. I did not quite understand the gentleman's question.

Mr. ROUSSELOT. Why is it necessary to do this on a unanimous-consent basis?

Mr. ECKHARDT. Mr. Speaker, if the gentleman will yield further, it is done in this manner ordinarily, as I understand it.

Mr. ROUSSELOT. Well, not hardly. Ordinarily we would just go to conference. Why do we need unanimous consent?

Mr. ECKHARDT. This is being done in order to bring it up at this time.

Mr. ROUSSELOT. By what rule is the gentleman so committed to getting unanimous consent for this purpose? Why is it so urgent?

Mr. ECKHARDT. It is urgent for committee staff of both the Senate and the House. We want to prepare this matter so that we may proceed with the conference expeditiously.

This is nothing but the authorization for the Securities and Exchange Commission, and these authorizations must be done, as I understand, by the 18th of next month.

The SPEAKER. The gentleman from California (Mr. ROUSSELOT) is aware, is he not, that this request is a normal one to go to conference?

Mr. ROUSSELOT. Yes, Mr. Speaker, the gentleman is.

However, Mr. Speaker, further reserving the right to object, could the gentleman tell us why this matter could not be deferred until we return? The conferees are not going to meet over the weekend; is that correct?

Mr. ECKHARDT. We would simply do this at that time.

Mr. ROUSSELOT. That is fine.

Mr. Speaker, I object.

The SPEAKER. Objection is heard.

## AMENDING THE ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT OF 1974

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1468) to amend the Energy Supply and Environmental Coordination Act of 1974, with the Senate amendment to the House amendments thereto and concur in the Senate amendment to the House amendments.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendments, as follows:

*Resolved*, That the Senate agree to the amendments of the House of Representatives to the bill (S. 1468) entitled "An act to amend the Energy Supply and Environmental Coordination Act of 1974," with the following Senate amendment to House amendments: Page 6, line 5, of the House engrossed amendment, strike out "$500,000,000" and insert: "$1,210,000,000".

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

Mr. SYMMS. Reserving the right to object, Mr. Speaker, would the gentleman from Michigan (Mr. DINGELL) explain to me whether this is a sort of way back around the track in order to get that $700 million that the gentleman tried to put in the House bill?

Mr. DINGELL. If the gentleman will yield, Mr. Speaker, the differences between the House bill and the Senate bill are that the Senate bill or the Senate amendments to the House bill contain additional money for the strategic oil storage program.

Mr. SYMMS. In other words, is this the same amendment which the gentleman from Michigan wanted to ask unanimous consent to introduce when we were under suspension?

Mr. DINGELL. This is substantially identical to that proposal.

Mr. SYMMS. What would be the procedure if there is an objection raised? What would happen?

Mr. DINGELL. Then we will go to conference.

Mr. SYMMS. How long would it delay the matter?

Mr. DINGELL. I cannot prophesy how long the delay would be.

Mr. SYMMS. Mr. Speaker, the gentleman from Idaho understands that the gentleman from Michigan has the votes to do this, and I do not wish to be dilatory; but is there any way that the FEA could be wiped off the books so that we could get rid of those people by an objection today?

Mr. DINGELL. The answer to that question is no.

Mr. Speaker, there are a few points which I believe should be made clear in the course of our approval of this legislation today. The Energy Supply and Environmental Coordination Act authorities to require the conversion of certain installations to coal would have expired at midnight today, had it not been for this action. We have, however, extended the expiration date of that legislation 18 months, until December 30, 1978, in order to give the Congress adequate opportunity to review and rework that legislation—as is in fact happening in the course of committee consideration of the administration energy legislation at the moment.

I do not want anyone to have the slightest doubt that the ESECA authorities are extended, and that it is the very clear intention of the Congress that this extension will continue existing authorities in place, notwithstanding any time gap that may take place between today and the date that the President may sign this measure. No such gap exists. This legislation is intended to relate back to the time of expiration of the present ESECA authorities, and to prevent any such interruption from taking place. Congress intent in this regard could not be clearer.

I have already spoken with members of the Appropriations Committee about the funding of the expanded strategic petroleum reserve. It is not yet certain that this expansion can be funded through this year's regular appropriation bill, but I believe that a supplemental request will be submitted by the

administration at an early date—assuming that today's bill is approved—and I will support any such initiative and I believe that my colleagues will as well.

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

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

There was no objection.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM FOR WEEK OF JULY 11, 1977

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

Mr. RHODES. Mr. Speaker, I take this time to inquire as to the program for the balance of the week and for the week following the Fourth of July district work period.

Mr. MINETA. Mr. Speaker, will the distinguished minority leader yield?

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

Mr. MINETA. At the close of business today, there is no further business for this week.

On our return on Monday, the 11th of July, we will be voting on the following suspensions:

House Joint Resolution 24, National Lupus Week; H.R. 2960, memorial for Declaration of Independence signers; and H.R. 5023, Indian claims statute of limitations provisions, under an open rule, with 1 hour of general debate.

On Tuesday, July 12, we have 8 suspensions.

First we will consider H.R. 6827, the Safe Drinking Water Amendments of 1977; then H.R. 7678, Assignment of Retired Military Personnel to American Battle Monuments Commission; next H.R. 7658, special adapted housing benefits for veterans with total and permanent service-connected disabilities.

H.R. 7345, Veterans and Survivors Pension Adjustment Act of 1977.

H.R. 186, international regulations for preventing collisions at sea.

H.R. 7462, to amend Federal Aid Highway Act.

H.R. 7738, Presidential powers in wartime or national emergency.

And H.R. 7792, limitation on the use of the frank.

Following those eight suspensions we will consider H.R. 4963, the maritime authorization for 1978.

On Wednesday, July 13, the House will meet at noon and will take up H.R. 2777, National Consumer Cooperative Bank Act and H.R. 3816, Federal Trade Commission Amendments of 1977.

On Thursday, July 14, we will take up House Resolution 658, creation of Select Committee on Intelligence and H.R. 4287, mining health and safety.

On Friday, July 15, the House will meet at 10 o'clock a.m. and we will take up H.R. 7171, the Agricultural Act of 1977.

Mr. RHODES. Mr. Speaker, could the gentleman from California (Mr. MINETA), please inform the House as to whether it is still the plan of the leadership on the majority side to ask permission for the House to meet at 10 o'clock a.m. on Thursday, 12 o'clock noon on Wednesday and 10 o'clock a.m. on Friday?

Mr. MINETA. If the gentleman will yield further, I do have a privileged resolution to that effect that I will send to the desk.

Mr. RHODES. I thank the gentleman.

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

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

Mr. ROUSSELOT. Mr. Chairman, I appreciate my colleague, the gentleman from Arizona (Mr. RHODES) yielding.

Mr. Speaker, I would ask the gentleman from California if there is to be a new schedule of some kind on Fridays or are we still going to get out at 5:30 o'clock on Thursdays and 3 o'clock on Fridays?

Mr. MINETA. Mr. Chairman, if the gentleman from Arizona will yield still further, it is the intention of the leadership to still adjourn at the time that has been followed up to this point, and that is at 3 p.m. on Fridays and 5:30 p.m. on Thursdays.

Mr. ROUSSELOT. That would be for the rest of this session?

Mr. MINETA. That is correct.

Mr. ROUSSELOT. Is it still the anticipation that we will be out of here in October?

Mr. MINETA. Will the gentleman from Arizona yield still further?

Mr. RHODES. I do.

Mr. MINETA. Yes; it is the hopeful intent of the leadership to do that.

Mr. ROUSSELOT. Hope is the purpose of intent.

## DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

## AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS, AND APPOINT COMMISSIONS, BOARDS, AND COMMITTEES AUTHORIZED BY LAW OR BY THE HOUSE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Monday, July 11, 1977, the Speaker be authorized to accept resignations, and to appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

## AUTHORIZING CLERK TO RECEIVE MESSAGES FROM SENATE, AND SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DULY PASSED BY THE TWO HOUSES AND FOUND TRULY ENROLLED, NOTWITHSTANDING ADJOURNMENT

Mr. MINETA. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Monday, July 11, 1977, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

## HOUR OF MEETING OF THE HOUSE FROM JULY 1, 1977, UNTIL THE END OF THE FIRST SESSION

Mr. MINETA. Mr. Speaker, I send to the desk a resolution, House Resolution 671, setting the hour of meeting of the House from July 1, 1977, until the end of the first session, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That until otherwise ordered and from July 1, 1977, until the end of the first session, the hour of meeting of the House shall be, 12 o'clock meridian on Mondays, Tuesdays, and Wednesdays, and 10 o'clock antemeridian on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ANOTHER VOICE IN SUPPORT OF 6-DAY MAIL DELIVERY

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

Mr. CHARLES H. WILSON of California. Mr. Speaker, in a recent article columnist Andrew Tully makes some very sensible observations on the folly of Postmaster General Benjamin Bailar's intent to further increase postal rates and also cut back home delivery service from 6 to 5 days a week.

As Mr. Tully correctly suggests, the U.S. Postal Service, is, in fact, a vital service to the American public, and must be preserved even though Government subsidy is inevitable.

What is needed immediately of course is congressional action to return some degree of accountability for postal management decisions to the President and Congress. Legislation which I have cosponsored with Mr. HANLEY, of New York; H.R. 7700, would accomplish this. Hopefully that bill will move expeditiously through the legislative process this year.

Mr. Tully's article follows:

POSTMASTER GENERAL'S NEW FRANTIC GIMMICKS

(By Andrew Tully)

WASHINGTON.—Postmaster General Benjamin Bailar's announcement that the Postal Service "expects" to increase postage rates and eliminate Saturday mail deliveries makes mandatory reference to a recent editorial in the Montgomery, Ala., Advertiser by a soul mate named John Bitter.

Commenting on the Postal Service's frantic gimmicks to rip off the plain citizen, Bitter told a tale about the method used by certain Oriental villagers to ascertain the marrying age of their maidens. The young ladies were made to stand in a barrel. If they could see over the top, they were judged old enough for matrimony. If they couldn't, the village elders sawed off the top until they could.

That, Bitter suggested, "may be the direction the U.S. Postal Service is taking in its futile efforts to get itself on a paying basis."

Bailar's latest ploy is in the fine old tradition of the Oriental Solution. Like those canny village elders, Bailar puts the blame on the barrel used to measure the public's assumption that his outfit is a service, not General Motors.

So Bailar plans to punish us naughty working stiffs—again. He proposes to increase first class rates from 13 cents to either 15 or 16 cents sometime next year. The 15-cent rate would go into effect if deliveries were reduced from six to five days per week, at an estimated savings of $412 million a year. Once more, the Postal Service would give its patrons less at a higher price.

Bailer also wants to reduce the number of post offices in rural communities, which he calls "redundant." He noted that "we have rural letter carriers that go down almost every rural road in the country. They deliver mail and sell stamps. They are like having a post office on wheels."

Just so. But I am not convinced that the Postal Service necessarily should operate in the black. If possible, that would be nice, but Bailar's approach singles out his outfit as the only government service that should not be supported by the taxpayers.

It is as if Defense Secretary Brown announced that henceforth the military establishment would be required to pay its own way by eliminating basic training for its forces and selling off some of its battleships, aircraft carriers, warplanes, and nuclear bombs. We do not ask police and fire departments to be self-supporting. Nor do we order that public school classes be reduced to two days a week.

Indeed, Benjamin Franklin originally conceived the fetching and carrying of mail as a free service to the fledgling nation. He argued that nothing was more important to a country than a publicly supported system of communication, "in order that the people might be informed and thereby participate more fully in the affairs of their government."

Government subsidization of the Postal Service is not merely an ideal, it is a practicality—especially in an age when people look too much and read too little. It is a boon to the economy, an important and often vital service to business. A postal Service at modest cost to the user is as much a government responsibility as police protection.

## SENIOR CITIZENS IN THE INTERN PROGRAM ON CAPITOL HILL

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

Mr. HILLIS. Mr. Speaker, I think all of us in this distinguished body know that internships on Capitol Hill have customarily and traditionally focused on young people, and that thousands from all over the country come to Washington to work in the offices of their Representatives or Senators. I believe we like to think of the many bright, young minds this practice has helped encourage toward a better understanding of our democratic system and how it works.

Five years ago a former colleague, Pete Biester, and I began something a little different with the intern concept. It started on a shoestring, so to speak, when but a handful of Members sponsored internships for 11 senior citizens from our respective congressional districts. At that time, we were not sure where this little experiment would take us. Here was a completely different age group, with unique interests all their own, and obviously having a perspective on their futures and their lives quite far removed from those of their mostly college-age counterparts.

Since that initial "baptism," the program has grown. This year, for example, there were over 90 senior citizens who gathered here in mid-May, representing some 52 Members of the House and Senate.

To those Members who have participated in this program, I do not think I need to describe the kind of experience sponsoring a senior citizen can be. To those of you who have not participated for reasons of space, facilities, or expense, I cannot adequately relay what it means to participate in this program. All I know, and I think I speak for those in this body who know what I am talking about, is I have learned an invaluable lesson about what our senior citizens can contribute to our society.

Earlier in my remarks I spoke of bright young minds. And, when I think of the gentleman from my congressional district who was my senior intern this year, I want to rephrase that description somewhat—to "bright, mature minds." The gentleman in my office was Lee Walters of Kokomo, Ind., a retired educator, a teacher, and principal. He was named the outstanding senior citizen in my home county and he is active, tremendously active in community affairs at the ripe "young" age of 74. This man has returned home after his 2-week visit with us, and he is sharing the knowledge he learned here with his friends and contemporaries. He is helping them know of all the laws and legislative programs affecting social security, consumer affairs, housing, public transportation, and related issues of special concern to the retired and elderly.

Thanks to all the help and participation by other Members, staff, Federal agencies, administration personnel and many others, the congressional senior citizen intern program has become a most meaningful, enlightening, and educational experience for these senior citizens who, often at great inconvenience, willingly come to Washington for this program. But it is not a one-way street, it is equally enlightening to those Members who have taken part. I think they would tell you how we have also learned, and how we as Members of Congress have benefited in gaining insights into their particular, problems, concerns, and needs as we never have before.

I believe this is the time to make the congressional senior citizen intern program an official one. Mr. Speaker, today I am introducing legislation to create an official senior citizen intern program within the House of Representatives. Having coordinated this effort for the past 5 years, I see a real need, now, for Congress to provide the mechanism for all Members to participate in a broadened, comprehensive, and coordinated program. The bill I introduce today has 61 cosponsors. I hope and urge that this will get prompt attention so that we may strengthen the bonds between Members of Congress and our senior citizens and so that we may be more responsive to their special needs.

## THE BREEDER REACTOR DECISION

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

Mr. PRICE. Mr. Speaker, grave new responsibilities have devolved on a number of committees with the changes in committee jurisdiction brought about by the changes in the House rules adopted on January 4. One of the most fortunate aspects of the rule changes was the assumption by Chairman OLIN TEAGUE of the Science and Technology Committee of nuclear energy research and development responsibilities. In this short while they have accomplished a great deal.

To top off the recent intensive series of hearings on nuclear matters, Mr. TEAGUE made a strenuous and searching trip to find out just what foreign countries are doing to try to obtain control of their energy supply destinies. This he did for two important reasons: First, we do not have a corner on the knowledge market and, since most leading industrial nations have similar, but more serious energy problems than we do, we probably can learn from their planned solutions; and second, since a number of things which our administration has proposed in the nuclear field is principally aimed at influencing programs abroad, we should find out the reaction to our efforts.

Our esteemed colleagues have been very successful in getting answers to these questions. Mr. TEAGUE and his colleagues were eminently successful in getting answers for us on these important matters. I included his first report on his findings in the June 20 RECORD starting on page 19861.

Unfortunately, practically no media notice was given to the important facts he brought back which were that our foreign friends see no alternative to nuclear power, which is synonymous to the breeder reactor, and that their plans have no vacillations in them from these goals. It was encouraging to note in yesterday morning's New York Times that Mr. TEAGUE and the ranking minority member of his committee, JOHN W. WYDLER, are trying to get media notice of their findings. These gentlemen sent a letter to the New York Times which attempts to correct media misstatement on the matter of nuclear energy.

I would like to bring their letter to the attention of all of my colleagues by including it at the close of my remarks. Please keep in mind that our esteemed colleagues worked hard to obtain the best information we have concerning international plans for the civilian atom. Their letter you will see, is critical of some of the views which have been presented to us by administration officials. Considering the writers and their sources, their comments warrant our special attention.

OF BREEDER REACTORS AND "NUCLEAR ISOLATION"

To the Editor:

We are writing to express our views about the Clinch River Breeder Reactor Demonstration Plant, which was the subject of your editorial on June 16.

It appears that you have uncritically swallowed the Administration's arguments. The issue is complex and offers several opportunities for distortion and misinformation. Regrettably, the Administration seems to be following its heart on this issue. We are surprised that The Times endorses the concept of nuclear isolation, and at the same time fails to look at the ways that nations can better work together to overcome the serious proliferation dangers presented by nuclear energy and by technology advances.

Our committee has recently completed an intensive review of the breeder reactor technology and weighed the pros and cons of the Clinch River Demonstration Plant. We also recently returned from an oversight trip to Europe, where we spoke candidly with European leaders, including the International Atomic Energy Agency.

We can report that there is general agreement on the issue of proliferation of nuclear weapons—no nation is in favor of that—but there is almost uniform disagreement with the U.S. approach to achieve this objective.

In our meetings we did not find any officials who claimed to understand the Carter position. (1) The world is not possessed of vast amounts of uranium, they pointed out; (2) other nations do not have the fossil resources possessed by the U.S.; (3) other nations are further along in breeder and reprocessing technologies; (4) plutonium is dangerous, but international cooperation must be effected, and technology development cannot be halted. The day your editorial was printed, claiming that ". . . other potential builders, including West Germany, Japan and Britain, can still be influenced by American policy and example," the lead on a story by Andrew H. Malcolm filed from Tokyo read, "A new and *unexpected difficulty* [emphasis added] has arisen in the Japanese-American negotiations over carrying out President Carter's controversial policy to prevent the spread of nuclear weapons." We hope that our letter serves to alert you and your readers so that other foreign reactions will not be viewed as unexpected difficulties.

The breeder is a more efficient way to use scarce resources. The challenge, we feel, is to move ahead with the task of addressing the technical approaches to make it an acceptable technology, politically and economically. The Time's conclusion that we can hold back has serious consequences. Unless we are operating a test or demonstration facility, we lose not only the technological initiative but the basic understanding of how best to attack the problem—a base program just will not do it. Furthermore the logic we find in moving ahead is to offer incentives for cooperation with others, rather than provide disincentives for development.

OLIN E. TEAGUE, M.C.
JOHN W. WYDLER, M.D.

WASHINGTON, June 20, 1977.

## SECOND STATUS REPORT PURSUANT TO HOUSE RESOLUTION 252

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

Mr. FLYNT. Mr. Speaker, in accorance with the policy of the Committee on Standards of Official Conduct, I submit for inclusion in today's RECORD the second report on the status of the committee's ongoing investigation pursuant to House Resolution 252. This report supplements the committee's report submitted on June 7, 1977 (CONGRESSIONAL RECORD *p.* VGGBF and covers the period through today.

House Resolution 252 directed the committee to investigate allegations that the Government of South Korea, either directly or through agents, has sought to influence congressional action by conferring things of value on Members of Congress or their families or staffs.

For obvious reasons, this report does not include names of witnesses who have been subpenaed or for whom subpenas have been authorized. Nor does it contain statements and information obtained from witnesses. Such information will be forthcoming at the proper time if an affirmative vote of seven members of the committee so decides in compliance with the Rules of the House of Representatives.

This report is current as of June 30, 1977. Additional reports will be made periodically.

I assure my colleagues that the committee is diligently and effectively carrying out the responsibilities assigned to it by House Resolution 252.

The report follows:

STATUS REPORT ON KOREAN INFLUENCE INVESTIGATION AS OF JUNE 30, 1977

This is the second report of the Committee on Standards of Official Conduct on the status of the investigation mandated by House Resolution 252 adopted on February 9, 1977. The first report covered progress up to May 31, 1977, and was printed in the Congressional Record of June 7, 1977, page 17726.

House Resolution 252 directed this Committee to investigate allegations that the Government of the Republic of Souh Korea, directly or otherwise, sought to influence Congressional action by gifts of money or other things of value to Members of Congress, their families or their staffs.

The Committee has engaged a Special Staff to conduct this investigation. The staff is headed by Philip A. Lacovara and consists of a team of lawyers, investigators and clerical assistants. The names of the professional staff members and a brief description of their qualifications were included in the Committee's first report. Also included in that report was the text of a resolution adopted by the Committee outlining the scope of the investigation.

The Committee has approved a comprehensive Manual of Offenses and Procedures outlining the nature of possible violations being investigated and the standards to which the Committee believes Members of Congress should adhere. Copies of the Manual are available in the Committee's office.

The Committee and the staff have made contacts and held meetings with representatives of the Department of Justice and other government agencies which have been investigating similar allegations.

While the policy of the Committee is to seek information from witnesses through voluntary cooperation rather than through coercive means, it has not hesitated to authorize the issuance of subpoenas when necessary. As of this date, the Committee has authorized 83 subpoenas for testimony and 62 subpoenas for the production of documentary and other evidence.

Members of the Special Staff have conducted interviews with 98 witnesses, including employees of the United States Government, former employees of the Government of the Republic of South Korea, Members and former Members of Congress, business associates of Tongsun Park, and others.

An order of immunity has been obtained from the United States District Court for the District of Columbia in order to receive testimony from a witness who refused to testify without such an immunity grant. Requests for additional orders of immunity have been authorized by the Committee.

The Committee has obtained and reviewed approximately 15,000 documents from Members and former Members of Congress, banks, credit card companies, telephone companies and various other businesses and individuals.

It sent questionnaires to 718 individuals who served as Members of Congress since 1970. More than 500 responses have been received.

As the Committee noted in its first report, much of the investigative work still remains to be done. Public hearings will be held at the earliest possible date.

The Committee believes that to conduct public hearings prematurely would result in unwarranted injury to reputations of individuals whose names have been mentioned in allegations under investigation and certainly would result in a poorly organized presentation of the facts.

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## U.S. CANAL ZONE SOVEREIGNTY RESOLUTION

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

Mr. MURPHY of New York. Mr. Speaker, we have been embroiled for years in the battle over the possibility of negotiating a new treaty with Panama over American rights and sovereignty in the Panama Canal Zone. Dozens of Members of the House have recounted time and time again the undeniable case for a continued American presence and retention of rights for which we have paid nearly $7 billion over the brief life of the canal.

Yet the State Department persists in attempting to negotiate what is, at best, an unsupportable treaty to give up all our rights and control in this strategic waterway. What is worse, the Department of State now tells the media that it will have a treaty ready by August 1—a treaty which up until a few months ago, they contended was very far from being in a workable and acceptable form.

Even worse, although such a treaty would have to be ratified by a two-thirds vote of the full Senate, and would require enabling legislation from the House of Representatives for the divestiture of Federal property, the language of the proposed draft treaty is apparently being leaked to everybody except the House

and Senate. The newspapers and wire services report on its contents, the Panamanian Government speaks publicly on its provisions, and the lobbyists and pressure groups scramble to either support or decry the language of the proposals, yet we in Congress have yet to see any material, pertinent or not, which is neither third-hand information nor biased speculation.

The result of such a treaty would be the loss of American influence and control over the only water passage between the Atlantic and Pacific Oceans. The economic and strategic costs of such a loss would be immeasurable. I have attached for inclusion in the RECORD two letters to the President, one from Senate cosponsors of a similar resolution, and from four of the most outstanding names in recent American military history: Arleigh Burke, Thomas Moorer, George Anderson, and Robert Carney, all former Chiefs of Naval Operations, who conclude that the Panama Canal should remain under American sovereign control, as provided in the existing treaty. Yet the State Department, apparently oblivious to such sound judgment, continues its attempted giveaway with no authorization from Congress for such negotiations.

The resolution I offer today on behalf of myself and 24 colleagues should come as no surprise to anyone here, although I sometimes think the State Department might not be aware of our responsibilities. Over 50 Members of Congress have already cosponsored identical resolutions, but I felt that as chairman of the Merchant Marine and Fisheries Committee, which has jurisdiction over the Panama Canal, it was imperative that I initiate immediately this call to action. One of our most urgent responsibilities is that immediate need to reinforce the congressional stance which leaves no doubt that the Panama Canal should not and shall not be surrendered to a Communist influenced dictatorship on the brink of bankruptcy and political revolution.

The rushed deadline for the State Department version of a new treaty simply indicates their realization that opposition is growing rapidly stronger, and that last ditch effort to railroad a hastily prepared, and so far "secret treaty" through Congress will be met with a growing awareness that such a proposal will meet with an immediate and resounding defeat.

I believe that it is no coincidence that the new treaty is expected to be made public at a time when the Congress takes a month-long summer recess. You may be certain that these tactics, as well as this ill-conceived treaty proposal, will not go unanswered.

I also wish to include in my remarks at this time the resolution along with its cosponsors, also an article from the editorial page of Barron's, the national business and financial weekly which is one of the most highly respected journals in the Nation. It points out quite clearly that from almost every conceivable point of view—financial, political, military, historical, strategic, and simply common practicality—there is no justification for relinquishing control of the Panama Canal.

H. RES. —

Whereas United States diplomatic representatives are presently engaged in negotiations with representatives of the de facto Revolutionary Government of Panama, under the declared purpose to surrender to Panama, at an early date, United States sovereign rights and to abandon its treaty obligations, as defined below, to maintain, operate, protect, and otherwise govern the United States-owned canal and its protective frame of the Canal Zone, herein designated as the "canal" and the "zone", respectively, situated within the Isthmus of Panama; and

Whereas the United States is obligated by international agreement to regulate, manage, and protect a ship canal, guaranteeing its neutrality to the shipping of all nations at equal toll rates, to wit:

The Hay-Pauncefote Treaty of 1901 between the United States and Great Britain, under which the United States adopted the principles of the Convention of Constantinople of 1888 as the rules for operation, regulation, and management of the canal; and

Whereas title to and ownership of the zone, under the right "in perpetuity" to exercise sovereign control thereof, were vested entirely and absolutely in the United States and recognized to have been so vested in certain solemnly ratified treaties by the United States with Panama and Colombia, to wit:

(1) The Hay-Bunau-Varilla Treaty of 1903 between the Republic of Panama and the United States, by the terms of which the Republic of Panama granted to the United States in perpetuity the use, occupation, and control of the zone with full sovereign rights, power, and authority over the zone for the construction, maintenance, operation, sanitation, and protection of the canal to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority; and

(2) The Thomson-Urrutia Treaty of April 6, 1914, proclaimed March 30, 1922, between the Republic of Colombia and the United States, and under which the Republic of Colombia recognized that the title to the canal and the Panama Railroad is vested "entirely and absolutely" in the United States, which treaty granted important rights in the use of the canal and railroad to Colombia; and

Whereas the United States, in addition to having so acquired title to and ownership of the zone by constitutional means pursuant to congressional authorization, purchased all privately owned land and property in the zone, making it the most costly United States territorial possession; and

Whereas the United States since 1904 has continuously occupied and exercised sovereign control over the zone, constructed the canal, and since 1914, for a period of more than sixty years, operated the canal in a highly efficient manner of reasonable toll rates to the vessels of all nations without discrimination under the terms of the above-mentioned treaties, thereby honoring its obligations; and

Whereas from 1904 through June 30, 1974, the United States made a total investment in the canal, including defense, at a cost to the taxpayers of the United States of over $6,880,370,000; and

Whereas the investment of the United States in the canal includes the sacrifices of many thousands of United States citizens who have worked to construct the canal, to keep it operating smoothly and efficiently, and to protect it; and

Whereas the canal is of vital and imperative importance to hemispheric defense and to the security of the United States and Panama; and

Whereas approximately 70 per centum of canal traffic either originates or terminates in United States ports, making the continued operation of the canal by the United States vital to its economy; and

Whereas the people of the United States have exhibited strong support for retention of full and undiluted jurisdiction over the canal and zone, and the Constitution insures the supremacy of the people; and

Whereas Panama has, under the terms of the 1903 treaty and the 1936 and 1955 revisions thereof, been well compensated for the sovereign rights, power, and authority it granted to the United States, in such significantly beneficial manner that said compensation and correlated benefits have constituted a major portion of the economy of Panama, giving it the highest per capita income in all of Central America; and

Whereas the long established friendly and cooperative relations between the United States and the Republic of Panama as a consequence of the benefits flowing from the present treaty structure are prone to deterioration by the dilution of any United States sovereignty or jurisdiction in the canal and zone; and

Whereas the present negotiations pursuant to the February 7, 1974, "Agreement on Principles" signed without congressional authorization by United States Secretary of State Henry A. Kissinger, and by Panamanian Foreign Minister Juan A. Tack, constitute a clear and present danger to the hemispheric security and the successful operation of the canal by the United States under its treaty obligations; and

Whereas the present treaty negotiations are being conducted under a cloak of unwarranted secrecy, thus withholding from our people and their representatives in Congress information vital to the commerce and security of the United States; and

Whereas the United States House of Representatives on February 2, 1960, adopted House Concurrent Resolution 459, Eighty-sixth Congress, reaffirming the sovereignty of the United States over the zone territory by the overwhelming vote of three hundred and eighty-two to twelve, thus demonstrating the firm determination of the people that the United States should maintain its indispensable sovereignty and jurisdiction over the canal and the zone; and

Whereas under article IV, section 3, clause 2, of the United States Constitution, the power to dispose of territory or other property of the United States is specifically vested in the Congress, which includes the House of Representatives; and

Whereas the Communist regime in Cuba has made that country a satellite of the Union of Soviet Socialist Republics in violation of the Monroe Doctrine; and

Whereas the proposed surrender of United States sovereign control over the zone and canal to Panama, which is unable to defend them, would invite the Union of Soviet Socialist Republics to establish its power still more firmly in the strategic center of the Americas and threaten the operations and projected modernization of the canal; and

Whereas such a takeover would transform the Caribbean-Gulf of Mexico into a strategic Soviet stronghold; and

Whereas the Congress of the United States is invested with constitutional responsibilities to provide for the common defense and general welfare of the United States, to regulate commerce with foreign nations, to raise and support armies and provide and maintain a Navy, to make all needful rules and regulations respecting the territory of the United States, and to make all laws necessary and proper for carrying into execution these and other powers, all of which denote that it is the solemn duty of Congress to safeguard the interests of the people of the United States in the canal and zone: Now, therefore, be it

*Resolved,* That it is the sense of the House of Representatives of the United States of America that—

(1) the Government of the United States should retain unimpaired and protect its sovereign rights, power and authority, and jurisdiction over the Panama Canal and the entire Canal Zone, and should in no way cede, dilute, forfeit, negotiate, or transfer any such sovereign rights, power, authority, jurisdiction, territory, or property, all of which are indispensably necessary for the maintenance, operation, sanitation and protection, and for the proposed major modernization of the Panama Canal, as well as the security of the United States and the entire Western Hemisphere; and

(2) there be no relinquishment or surrender of any presently vested United States sovereign right, power, or authority in the Canal Zone without prior authorization by the Congress; and

(3) there be no rescession or cession or other divestiture of any United States territory or property in the Canal Zone, tangible or intangible, to Panama or any other entity, country or international organization, without prior authorization by the Congress (House and Senate), as provided in article IV, section 3, clause 2, of the United States Constitution.

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COSPONSORS OF THE RESOLUTION

Mr. MURPHY, of New York, for himself and Mr. DANIEL, of Virginia; Mr. GUYER, of Ohio, Mr. YOUNG, of Florida; Mr. WINN, of Kansas; Mr. STUMP, of Arizona; Mr. ENGLISH, of Oklahoma; Mr. ROBERTS, of Texas; Mr. HUCKABY, of Louisiana; Mr. D'AMOURS, of New Hampshire; Mr. FLOOD, of Pennsylvania; Mr. GAYDOS, of Pennsylvania; Mr. MCDONALD, of Georgia; Mr. STANGELAND, of Minnesota; Mr. SNYDER, of Kentucky; Mr. GINN, of Georgia; Mr. ZEFERETTI, of New York; Mr. BIAGGI, of New York; Mr. BOWEN, of Mississippi, Mr. HUBBARD, of Kentucky; Mr. LENT, of New York; Mr. JONES, of North Carolina; Mr. BURGENER, of California; Mr. DINGELL, of Michigan; Mr. YOUNG, of Alaska; and Mr. ROUSSELOT, of California.

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U.S. SENATE,
*Washington, D.C., June 15, 1977.*

THE PRESIDENT,
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: We are enclosing a most important letter from four former Chiefs of Naval Operations who give their combined judgment on the strategic value of the Panama Canal to the United States.

We think you will agree that these four men are among the greatest living naval strategists today, both in terms of experience and judgment. Their letter concludes:

"It is our considered individual and combined judgment that you should instruct our negotiators to retain full sovereign control for the United States over both the Panama Canal and its protective frame, the U.S. Canal Zone as provided in the existing treaty."

We concur in their judgment and trust you will find such action wholly consistent with our national interest and will act accordingly.

Sincerely,

JOHN L. MCCLELLAN,
HARRY F. BYRD, JR.,
STROM THURMOND,
JESSE HELMS,
*U.S. Senators.*

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THE PRESIDENT,
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: As former Chiefs of Naval Operations, fleet commanders and Naval Advisers to previous Presidents, we believe we have an obligation to you and the nation to offer our combined judgment on the strategic value of the Panama Canal to the United States.

Contrary to what we read about the declining strategic and economic value of the Canal, the truth is that this inter-oceanic waterway is as important, if not more so, to the United States than ever. The Panama Canal enables the United States to transfer its naval forces and commercial units from ocean to ocean as the need arises. This capability is increasingly important now in view of the reduced size of the U.S. Atlantic and Pacific fleets.

We recognize that the Navy's largest aircraft carriers and some of the world's supertankers are too wide to transit the Canal as it exists today. The super-tankers represent but a small percentage of the world's commercial fleets. From a strategic viewpoint, the Navy's largest carriers can be wisely positioned as pressures and tensions build in any kind of a shortrange, limited situation. Meanwhile, the hundreds of combatants, from submarines to cruisers, can be funneled through the transit as can the vital fleet train needed to sustain the combatants. In the years ahead as carriers become smaller or as the Canal is modernized, this problem will no longer exist.

Our experience has been that as each crisis developed during our active service—World War II, Korea, Vietnam and the Cuban missile crisis—the value of the Canal was forcefully emphasized by emergency transits of our naval units and massive logistic support for the Armed Forces. The Canal provided operational flexibility and rapid mobility. In addition, there are the psychological advantages of this power potential. As Commander-in-Chief, you will find the ownership and sovereign control of the Canal indispensable during periods of tension and conflict.

As long as most of the world's combatant and commercial tonnage can transit through the Canal, it offers inestimable strategic advantages to the United States, giving us maximum strength at minimum cost. Moreover, sovereignty and jurisdiction over the Canal Zone and Canal offer the opportunity to use the waterway or to deny its use to others in wartime. This authority was especially helpful during World War II and also Vietnam. Under the control of a potential adversary, the Panama Canal would become an immediate crucial problem and prove a serious weakness in the overall U.S. defense capability, with enormous potential consequences for evil.

Mr. President, you have become our leader at a time when the adequacy of our naval capabilities is being seriously challenged. The existing maritime threat to us is compounded by the possibility that the Canal under Panamanian sovereignty could be neutralized or lost, depending on that government's relationship with other nations. We note that the present Panamanian government has close ties with the present Cuban government which in turn is closely tied to the Soviet Union. Loss of the Panama Canal, which would be a serious set-back in war, would contribute to the encirclement of the U.S. by hostile naval forces, and threaten our ability to survive.

For meeting the current situation, you have the well-known precedent of former distinguished Secretary of State (later Chief Justice) Charles Evans Hughes, who, when faced with a comparable situation in 1923, declared to the Panamanian government that it was an "absolute futility" for it "to expect an American administration, no matter what it was, any President or any Secretary of State, ever to surrender any part of (the) rights which the United States had acquired under the Treaty of 1903," (Ho. Doc. No. 474, 89th Congress, p. 154).

We recognize that a certain amount of social unrest is generated by the contrast in living standards between Zonians and Panamanians living nearby. Bilateral programs are recommended to upgrade Panamanian boundary areas. Canal modernization, once U.S. sovereignty is guaranteed, might benefit the entire Panamanian economy, and especially those areas near the U.S. Zone.

The Panama Canal represents a vital portion of our U.S. naval and maritime assets, all of which are absolutely essential for free world security. It is our considered individual and combined judgment that you should instruct our negotiators to retain full sovereign control for the United States over both the Panama Canal and its protective frame, the U.S. Canal Zone as provided in the existing treaty.

Very respectfully,

ARLEIGH A. BURKE,
THOMAS H. MOORER,
ROBERT B. CARNEY,
GEORGE ANDERSON.

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[From Barron's, June 27, 1977]

COMBAT ZONE? THE U.S. OUGHT TO HARDEN ITS STANCE ON THE PANAMA CANAL

Call it coincidence, call it intuition, call it what you will. On just two occasions in the past 20 years or so, we have somehow been minded to write about one or another of the world's great waterways. Both times political upheaval or worse promptly followed. To illustrate, on June 25, 1956, in an editorial on the Suez Canal, we wrote: "For the better part of a century, the big ditch linking the Red Sea with the Mediterranean has served as a major artery of global commerce. But the Canal today is something more. Privately owned and operated, it has become an enduring monument to the daring and vision of venture capitalism. Equally significant, since by general consent its facilities are open to ships hailing from any port, it stands as a rare and valuable symbol of international goodwill. On all counts, however, the sands may be running out . . ."

Barely five months later, the second Arab-Israeli war, which effectively demolished both the statue of Ferdinand de Lesseps and the monument to capitalism, broke out. Again, on April 1, 1968, Barron's carried a piece headlined "Storm Over Panama—The U.S. Shouldn't Give an Inch on the Canal." In October came a military coup which toppled the duly elected government in favor of the regime of Omar Torrijos, leftist dictator who continues to rule—some fear to the brink of ruin—that strategic and troubled isthmus.

"Today is history," our promotion mavens like to say. "Tomorrow is Barron's." Be that as it may, the third time around it takes no crystal ball to call the turn on impending disaster. Indeed, throughout the Canal Zone (which has been U.S. territory since 1903), as The Christian Science Monitor reported last week, trouble of sorts is already afoot. According to its Latin American correspondent, a growing exodus of "Zonians," as they are known, notably such skilled workers as pilots and tugboat masters, has reached alarming proportions. "With the 'quit rate' of U.S. citizens currently running 50 percent higher than normal, officials, including Harold Parfitt, say the Canal's Operating efficiency could be in jeopardy." And the ugly trend seems to be feeding on itself: "the more that leave, the more that think about leaving."

The wave of departures, of course, reflects the local perceptions of the progress of negotiations on a new Panama Canal treaty, which has been going on for many months between the U.S. and Panama. Launched by former Secretary of State Kissinger, without so much as a by-your-leave to Congress (which, one way or another, will have the final say), the talks, conducted on behalf of our side by Ambassadors Ellsworth Bunker and Sol Linowitz, start from the premise that this country, after a stipulated length of time still to be agreed on and subject to cer-

tain provisos, would turn over the Canal—lock, stock and barrel—to the Panamanian government. Meanwhile, the U.S. is prepared to accept a much earlier surrender of sovereignty in the Canal Zone, and to share with the Torrijos regime responsibility for operation and defense of the vital waterway.

"You drive a hard bargain," muttered Peter Minuit to the Manhattan Indians. Thus, despite the incredible concessions which, with fine bipartisanship, both Republican and Democratic administrations have been moved to offer, the Panamanians persistently have sought more. To the dismay of the U.S. State Department, which has been a vocal proponent of treaty revision, the talks have been punctuated by repeated threats from the other side of sabotage and guerrilla warfare. Yet, as a solid bloc in both houses of Congress, not to mention the overwhelming majority of the American people, time and again have reaffirmed, it is and ought to be, no deal.

There are good and sufficient reasons, practical and philosophic alike, for taking an unyielding stance. On the first count, it has made no sense from the word go to negotiate with General Torrijos. Though the State Department—"hostile to our friends, friendly to the neutrals and neutral to our enemies"—diplomatically overlooks the fact, his government, apart from its dubious origins, also happens to be repressive, Marxist and bitterly opposed to this country. Torrijos aside, the Panama Canal (in a world which, despite official disclaimers, grows increasingly dangerous and hostile) still commands much of its strategic and military importance; to weaken in any way the U.S. hold upon it is to run an unacceptable and needless risk. Charges to the contrary notwithstanding, finally, the U.S. position in Panama—and the mighty achievement to which it gave rise—should be a source not of shame but of pride. In the course of time, monuments topple, but the builders should be the last to lend a helping hand.

Thanks to the State Department, however, the wreckers have been hard at work. Demolition began in early 1974, when Secretary Kissinger launched negotiations which, at the outset, offered to yield control. Since then, to the mounting disapproval of the American people, which in poll after poll of public opinion has voted heavily against any change in the status quo, they have proceeded in secrecy. Chief negotiators for the U.S., as noted, are Messrs. Bunker and Linowitz, who, whatever their other undoubted merits, are a curious choice for the task. Ambassador Bunker once distinguished himself by handing over Dutch New Guinea to the leftist Indonesian dictator, Sukarno, while Linowitz, according to Rep. Daniel J. Flood (D., Pa.), served as a "registered agent of the Allende Marxist government of Chile from June 1972 through December 1972." In any case, given their original brief, even the hardest of hardliners would be hard put to protect the national interest.

On this score, Panama, economically and politically, would be more of a liability than an asset. Left-wing oligarchs rarely know how to meet a payroll, and General Torrijos has proved no exception. According to a memo from the U.S. Embassy, economic conditions in Panama have steadily worsened. The report cited year-to-year declines in manufacturing, construction and foreign trade, basically reflecting excessive labor costs—the banana republic boasts a minimum wage twice as high as any other Central American land—and low productivity.

In an update, S.J. Rundt & Associates, consultants on international business, recently observed: "The economy ground to a standstill in 1976." Meanwhile, external borrowings have climbed relentlessly, to the point where debt service now constitutes neary 40% of current revenue. Panama isn't exactly broke; indeed, it just succeeded in cadging another $100 million on very favorable terms. But its credit, like its credibility as a partner in running the Canal, grows increasingly strained.

So much for dollar diplomacy. From a political standpoint, the Torrijos regime looks even worse. After the coup in the fall of '68, it swiftly filled its ministries with Marxists. According to the Pulitzer Prize-winning columnist, Charles Bartlett, "two queasy figures with Marxist links, Diaz Herrera and Antonio Noriega, are moving with the president's support into dominance over the national guard." Totalitarianism runs rampant: people are jailed and beaten without access to a lawyer or judge, while scores of businessmen, on one pretext or another, have been forced into exile. On the issue of human rights, Rep. Benjamin S. Rosenthal (D., N.Y.), longtime advocate of a revised Canal treaty, last week sounded a warning.

"According to recent press reports and information I have received from people close to events in Panama, there are ominous signs of growing anti-Semitism," notably following a visit by the Chief of State to Libya, where he signed several pacts on economic and military cooperation. "In establishing our relations with Panama on a more solid footing," added the Congressman, "we must not be unmindful of increasing allegations of human rights violations in that country." Nor should we be unmindful of the blatant anti-Americanism, underscored by repeated episodes of forcible entry into the Canal Zone, flag-burning, illegal detentions, bombings and the like, which invariably are the other side of the Marxist coin.

Other considerations, military and strategic, loom equally large. Despite claims to the contrary, most of the Navy (which remains a one-ocean fleet with a two-ocean mission) still can use the Canal; its loss would thus be a blow to national security. Diplomats may argue that giving it away would enhance this country's prestige; however, in a world which respects firmness and strength above all, such a move is likelier to lead to demands for the evacuation of Guantanamo and to a global lessening of U.S. clout. And while legal scholars may differ on the issue, we are satisfied that after nearly 75 years, the U.S. need not apologize for the $7 billion which it has invested in the Canal and the vast amount of good, not least for Panama, it thereby has achieved.

"In the history of finance capitalism, in the history of medicine," writes David McCullough in his new book, "The Path Between the Seas," the Panama Canal "was an event of signal consequence. . . . And yet (it) marked the resolution of a dream as old as the voyages of Columbus" Pity to see it all go down the drain.—*Robert M. Bleiberg.*

## HELSINKI'S UNFULFILLED PROMISE

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. BLANCHARD) is recognized for 5 minutes.

Mr. BLANCHARD. Mr. Speaker, I am pleased today to join the gentleman from Massachusetts (Mr. DRINAN) in his project entitled "Helsinki's Unfulfilled Promise," which is continuing on behalf of Soviet Jewish families and individuals who are being forcibly detained within the U.S.S.R.

The timing of this particular statement is especially fitting, since the United States and U.S.S.R. are currently meeting in Belgrade, Yugoslavia, along with other signatories to the Helsinki Final Act.

The purpose of their meeting is to review adherence of the signatories to the act, which recognizes the universal right of freedom to emigrate.

Mr. Speaker, Mikhail Strugach of Leningrad, a Soviet Jew whose relatives live in my own congressional district, is living proof that the Soviet Union has betrayed the promise of Helsinki.

For over 3 years, Mikhail Strugach has been denied exit visas because of "regime reasons" or access to state secrets. These denials—the latest of which occurred June 3—have taken place despite the fact that some of Mikhail's coworkers have been allowed to emigrate in the past.

Since his application for permission to emigrate, he has been essentially unemployed except for a brief stint as a night watchman, although he was trained as a mathematician and engineer.

Life has not been easy for Mikhail in the last three years. Twice he was arrested for "hooliganism"—Jewish activity—and on both occasions spent 15 days in jail. He and his family have been subjected to house searches by the secret police, during which copies of his dissertation and other valuable papers were taken.

During the last several months, my own staff and others have been continuing to work to obtain permission for Mikhail, his wife and his son to emigrate.

Officials of the nursing home in New York where Mikhail's ailing 83-year-old aunt resides have written to the Department of Visas, asking that he be given permission to visit her.

Congregation Beth Shalom, in my district, last year sponsored a mass mailing of New Year's greetings to the Strugach family.

I have written to the State Department and to the Soviet Embassy, and the State Department has indicated that it is pursuing the matter.

For his part, Mikhail has not given up. The most recent letter of which a copy is in my possession, dated early this month, includes the following passage:

Of course, it is very sad. We could have had our new child born in the USA, and he would be a citizen of the United States. . . . So, we must fight for emigration longer. But how?

Saddest of all is the fact that all of these efforts have been made necessary by one thing—the Soviet Union's failure to live up to its international agreements. Because of that failure, the Strugaches and thousands of others like them must continue to wait—and wait, for a promise which has yet to be kept.

## A TRIBUTE TO HON. MELVIN PRICE

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

Mr. BOB WILSON. Mr. Speaker, I would like to take a few minutes to make a most appropriate and gratifying announcement. Tomorrow, on July 1, 1977, the Non Commissioned Officers Association of the USA (NCOA) will present its coveted "L. Mendel Rivers Award for Legislative Action" to the distinguished chairman of the Armed Services Committee, the Honorable MELVIN PRICE of Illinois.

The presentation will be made at the association's 16th annual international convention banquet in San Antonio, Tex.—the site of NCOA's international headquarters.

The gentleman from Illinois will join such distinguished former recipients as the previous chairman of the Committee on Armed Services, now retired, the Honorable F. Edward Hébert; retired First District of Virginia Congressman, the Honorable Thomas N. Downing; and the Honorable Messrs. STROM THURMOND and JOHN TOWER of the U.S. Senate.

Chairman PRICE will be the second recipient who previously served in the U.S. Armed Forces as a noncommissioned or petty officer. The first was Senator TOWER of Texas, a U.S. Navy veteran and now a chief petty officer in the Naval Reserve.

Chairman PRICE was a corporal in the Army Quartermaster Corps when he was elected for the first time to the Congress of the United States.

It is befitting that the NCOA, the world's largest enlisted military association, has chosen MEL PRICE as its 1977 honoree. He has distinguished himself in the House of Representatives through exemplary, dedicated service and devotion to his beloved country.

He has worked long and hard to see that the well-being of our citizens and our military personnel are uppermost in the minds of his colleagues.

He has devoted himself to a strong national defense and has contributed greatly to its solid posture.

MEL PRICE is the epitome of the purpose behind the award—"to be presented to a legislator who, in the opinion of the NCOA governing body, is most worthy of recognition for his or her efforts in furthering the ideals of democracy, freedom and patriotism on behalf of the United States of America."

There is no other Member of this August body who is more deserving of the award than MEL PRICE. He has upheld the high morality, the patriotic responsibilities and love of country so vital to the continued success and growth of our great Nation.

Like his friend, Mendel Rivers, after whom the award is named, the chairman brings greater glory and recognition to the Armed Services Committee. He is his own man and has placed his record before the public as one that stands by itself—supported as have his predecessors', only by those who serve or have served on that committee.

Mr. Speaker, as an honored recipient of last year's "L. Mendel Rivers Award for Legislative Action," I join the Noncommissioned Officers Association, its president, James O. Duncan; its board of directors; and its staff director, national capital office, "Mack" McKinney, in saluting MEL PRICE of Illinois for his devotion to God and country.

I hope my colleagues will also join me in paying tribute to this great American.

## B–1 TERMINATION IS DEAD WRONG

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

Mr. GOLDWATER. Mr. Speaker, I am astounded at the President's decision to terminate the B–1 bomber program. I can think of only two sources of happiness and celebration over this decision—the Kremlin and those who do not understand that national security and influence in the world is based on more than moral stance and suasion.

To my deep regret and concern, the decision to terminate the B–1 program confirms what I have feared all along—President Carter has surrounded himself with some of the most misguided but vociferous softliners on national defense in the Nation.

I am convinced that this administration has gotten its lessons of history confused. Diogenes wandered around Greece searching for an honorable man. His example of honesty and morality was as well known then as now. But, he had to rely on others to implement his goals and aspirations. Apparently this administration is using his example as a model for our foreign policies and national defense. Most Americans, however, find more inspiration and comfort in the example of Soloman, who was fair, wise and strong enough to defend his nation and its values.

Make no mistake about it. In one gesture, Mr. Carter has placed this Nation at a tremendous disadvantage.

Andrew Young is no substitute for the B–1.

The President cites program expense and the adequacy of the B–52 and the cruise missile as the justification for his decision. He also indicates that his decision should be interpreted as a signal to the Russians on our intentions in the SALT negotiations. I have discussed the importance of the B–1 program before and believe that a recapitulation is warranted.

I rise to express my complete opposition to any postponement of the B–1 bomber program.

Most of the opponents of this important defense preparedness program—those who are currently advocating its postponement—are trying to cloak their efforts in the mantles of "economic sense" and "military nonnecessity."

In both cases, their arguments simply do not make sense. They are not supported by the facts.

Regarding the military facts, I find the case in support of the B–1 bomber program overwhelmingly compelling. The Soviet Union, in spite of détente and the SALT negotiations, is clearly pursuing a military posture of preemptive nuclear first strike capability; strategic nuclear and conventional superiority; a war-winning, war-surviving capability; and the ability to engage in nuclear blackmail for both tactical and strategic purposes.

In spite of SALT, a policy that in my opinion has acted as an halucinogenic on our national commonsense and fortitude, the Soviet Union has deliberately pursued the development and deployment of five new weapons systems and at least five new strategic capabilities that were either circumscribed or prohibited by the agreements. First, they have gone ahead with the development of three new ICBM rocket systems. Second, they have not only made these systems multiple payload and target capable, but they are currently MIRV'ing their intermediate missile systems as well. Third, they have aggressively pursued the development of an intercontinental manned bomber, the Backfire, and will clearly deploy it. Fourth, they are pressing the development of a land-mobile ICBM missile system that they intend to be both nuclear and MIRV capable. I might add at this point that a land-mobile system rather effectively defeats one of the previously reliable qualities of our own nuclear missile force, and that circumvents one of the prime potential effects of the cruise missile. Fifth, they are aggressively pursuing the development of a 4,000-plus-mile submarine-launched missile system. This program is substantially ahead of our own Trident missile system.

I ask you, do these activities and dedicated programs strike you as ones a nation interested in peaceful coexistence and détente and nuclear parity would pursue? Can such strategic capability be for use only if they are attacked first? Can the Soviet Union be developing and deploying such a military capability because of their concern for the Chinese, as one of my colleagues has blithely suggested? Aside from the facts, commonsense tells you the answer is clearly "No."

It should be pointed out that the Soviets have also been diligently working on killer satellites to destroy our own tracking, detection, and surveillance satellites. They have been developing a vastly improved and expanded surface fleet. The recently deployed *Kiev* aircraft carrier, equipped with vertical takeoff and landing, heavily armed attack planes, is only one example of this activity. They have been exporting military assistance to all corners of the world; from Ireland—yes, Ireland—to Angola, to Ethiopia, to Somalia, to Cuba, to Asia, and elsewhere. They have also been directly involved in political activities in Portugal, Iceland, Panama, Chile, Italy, Afghanistan, India, Indochina, and the Philippines, to name a few.

All of these activities are not those of a wrongfully misunderstood nation indulging in a grand social-economic experiment. They are clear manifestations of a nation pursuing an aggressive, worldwide manifest destiny—a destiny they believe ordained by history—that will by force and deceit crush and defeat any unprepared and irresolute opponent.

The B–52, which has been the manned airborne element of our three-part military defense system, has served us well. Unfortunately, it has been overtaken by the same things that rendered the long bow first marginally effective and then obsolete. The passage time has brought age. It has also brought improved counter technologies to our enemies—enemies who are clearly not content with equal strength and capability. By the 1980's the Soviet Union will be able to effectively defense the B–52. They will possess superior strategic nuclear power and delivery capability. Our missiles, locked in silos, will not be either a valid deter-

rent or reliably safe from pre-emptive knockout. Thus, a manned bomber with the flexibilities and capabilities of the B–1 will be essential.

Well, what about alternatives in function and mission to the B–1? Simply put, the cruise missile will not be ready for deployment under the best of circumstances until the late 1980's or early 1990's. Our need to replace the B–52 will exist well before then. Even if the cruise missile proves to be a more cost-effective weapons system, the savings will provide little more than food for a momentarily comforting thought if we are trying to act in the world from a position of strategic inferiority. If the last 50 years are any indication of the Soviet willingness to refrain from exploiting the weakness of an opponent, only the beknighted would deliberately opt for making the United States strategically inferior.

Now, what about the economics of this situation? In terms of our domestic economy, a recent study by Chase Econometric Associates, Inc. provides some very revealing insights into the impact of the B–1 program. Regarding impact on the GNP, the study concludes that for $17.2 billion spent, the GNP will be boosted by $49.1 billion for a multiplier effect of 2.85 for the B–1 production program. The report goes on to demonstrate that even if the B–1 funds were returned to the economy in the form of a tax cut or through welfare transfer, the effect on the total health of the economy would be the same except that the latter approaches would not assist the employment or manufacturing sectors in the same, broader based way, the employment factor takes on an added dimension when it is realized that for every aerospace job that is created, five additional jobs are generated in the economy. These jobs in most cases will last throughout the life of the program, or for 10 years. There is not one federally subsidized employment program that can achieve this result. The tax cut or the welfare return would provide between 1,000 and 4,000 fewer jobs a year.

The Chase study also reveals that the B–1 program will: First, generate or support an average of 291,000 jobs per year over the next 10 years; second, increase the after tax disposable income by $38 billion; and, third, return $25.6 billion Federal and State tax revenues, with some $6.3 billion being generated for State and local governments alone.

The B–1 pays its way in our economy while at the same time significantly contributing to our national security.

But, as significant as these economic impacts are, they should not overshadow the fact that the B–1 is being built to contribute to and enhance our national defense and strength. It is this function that is of prime concern to me and it is this function that will mean the most for this Nation.

Recently, the Los Angeles Times published an excellent article on the B–1 program. This paper is not noted for hasty or sloppy journalism. I would like to quote from two sections of that article:

The United States is certain to lose equivalence in the early 1980's if we do not push on with the existing (B–1) plans while preparing new initiatives in both force modernization and arms control proposals. The only new systems we can deploy by that date are those now underway: not only the B–1 but also the Trident subs and their missiles.

The B–1 clearly is the best bomber for its purposes that can be built now . . . delay would assure the Russians' reaching superiority in the 1980's.

At this reasonable cost—244 planes at $1 billion a year in 1976 dollars, the B–1 has a far better chance to maintain our capability for assured retaliation and flexible options against improving Soviet air defenses than the far less capable B–52, which would require an estimated $40 million per plane, three-quarters of the cost of the B–1, for modernization and rebuilding so that it could keep flying for one-half of the life of the B–1.

For all these reasons, Congress should decide to get on with B–1 production—not because the Air Force pilots want it, not because it would provide jobs, but because it is a plane that can do what is required in time to help meet the mushrooming Soviet threat and to help provide the essential strength from which the United States can try to negotiate acceptable arms-control agreements.

For the Congress to take any other course of action would be sheer folly. The B–1 is not an option among many comparable, viable alternatives. There are no reasonable, cost-effective alternatives that give this Nation the strategic strength and flexibility that is required.

I urge my colleagues to reject any attempt to postpone or stop the production of the B–1.

## CONGRESSMAN WHALEN LAUDS AMBASSADOR RAMSBOTHAM

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. WHALEN) is recognized for 5 minutes.

Mr. WHALEN. Mr. Speaker, the city of Washington, D.C. loses the presence of a distinguished Ambassador and one of the finest gentlemen I have met since assuming office in January 1976 when Sir Peter Ramsbotham boards a British Airways plane on Saturday.

Ambassadors come and go but Peter Ramsbotham is one who will be long remembered by the many people who had the pleasure of meeting him and getting to know him and his charming wife. While I look forward to meeting his successor, I am saddened by his departure. He did a superb job in representing Great Britain. To use the word the English are so fond of, Ambassador Ramsbotham was "super."

In my view, there are basically two criteria by which to judge ambassadors.

First is how well they represent their countries.

As I already have indicated, Sir Peter gets the highest grades in both categories. He has been Her Majesty's representative during times that have been very difficult indeed for the United Kingdom. The last several years have seen that fountainhead of the English-speaking peoples approaching economic disaster but fortunately averting it and resuming the road to recovering. It takes a special kind of person to represent a nation during such a period, to be able to explain its circumstances forthrightly, and to indicate what can and possibly should be done to reverse the adversity at hand

Sir Peter acquited himself admirably in these instances. In so doing, it has seemed to me and to others that he exemplified the best of the British spirit, the indomitability, intelligence and grade which distinguish our cousins from the rest of Europe. These same characteristics typied the British during World War II and enabled the inhabitants of that small island to withstand the all but overwhelming threat facing them on all sides at that time.

In a visit to my district, Dayton, Ohio, Sir Peter made a tremendous impact. I was certain that he would. However, the degree to which he succeeded, I must admit, did surprise me. I also recall my executive assistant, Bill Steponkus, remarking similarly about the Ambassador's performance as the speaker at a luncheon meeting of the RAMS, an association of top Republican House and Senate staff people. The group, hardly one to be easily impressed by anyone, was totally captivated by Sir Peter. I am sure that this is typical of so many other events in which he has participated during his term of office here.

It is worth mentioning also that Washington is a hard town in which to come out on top in the diplomatic circle because of the tremendous competition. Once again, it is fair to say that Ambassador Ramsbotham has done himself and his country proud.

We will miss his warmth, his erudition, his charm, his personality, and even the fact that he speaks a brand of elegant English that Americans can easily understand. It is all of a piece because this career foreign service officer is all of those things and more. The British Government could do worse in assigning an Ambassador here. But it would have great difficulty in doing better.

Mr. Speaker, I wish Ambassador Ramsbotham well, as do all of us in this House, as he proceeds to his next assignment in Bermuda. He takes with him our respect and admiration.

## COMMENDING SPECIALIST FIVE ROSAIRE ALBERT COTE

The SPEAKER. Under a previous order of the House, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 5 minutes.

Mr. CLEVELAND. Mr. Speaker, our newspapers are filled daily with accounts of the wrongs people commit, so it is especially important for us to take time to commend those individual acts of courage that help make our land the great one it is.

The enclosed resolution, drafted by Berlin, N.H., Mayor and State Senator Laurier Lamontagune, was adopted by the New Hampshire State Senate on June 20; it eloqeuntly states the facts of such a case. I add my own congratulations to Specialist Five Rosaire Albert Cote, whose quick action deserves the praise of all of us.

I certainly want to take this opportunity to commend him and to bring his

meritorious act to the attention of my colleagues.

New Hampshire Senate Resolution 7 follows:

SENATE RESOLUTION No. 7 COMMENDING SPECIALIST FIVE ROSAIRE ALBERT COTE

Whereas, Rosaire Albert Cote is a specialist five in the New Hampshire Army National Guard; and

Whereas, on June 14, 1976, upon seeing that two members of his unit needed aid and upon realizing that said members of his unit may have been victims of an electrical shock, Specialist Five Cote went to the aid of the two victims, administering mouth to mouth resuscitation to one, instructing another member of his unit to administer cardiac pulmonary resuscitation and employing prompt and correct first aid; and

Whereas, as a result of Specialist Five Cote's actions, the life of one of the victims was saved; now, therefore, be it

Resolved by the Senate:

That the Senate commends Specialist Five Rosaire Albert Cote for his quick thinking and actions in saving the life of his fellow soldier; and

That a copy of this resolution shall be sent to Specialist Five Rosaire Albert Cote.

## PRESIDENT CARTER IS TAKING GRAVE RISKS WITH AMERICAN SECURITY IN ORDER TO REDEEM A HASTY CAMPAIGN PROMISE

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 5 minutes.

Mr. KEMP. Mr. Speaker, today, the President announced his intention to terminate the production program for the B–1 bomber despite his hints to the effect that he would make a favorable deployment decision.

It is by now, no secret that the Soviet Union is building its Tu–26 Backfire bomber at the rate of five aircraft per month or more with 85 already deployed with Soviet forces. Moreover, the Soviet Union has added uprated air defense radars of the phased array type, and has improved the acceleration of its air defense missiles. Thus, the existing bomber aircraft, the 1948-designed B–52 will become vulnerable to Soviet air defenses in the coming decade. The result is that one leg of the strategic nuclear forces which has maintained the credibility of deterrence for two decades will be allowed to atrophy. The failure of the President to permit improvements in the survivability of our land based ICBM force appears to indicate a similar intention with respect to these forces as well. In short, the President is laying the basis for the unilateral disarmament of the United States by the slow wastage of our existing forces.

The failure of the President to rise above a campaign promise to the political left within his party represents a serious threat to our credibility around the world and at SALT. No President in the past, has placed future American security at risk for the sake of tranquilizing a political faction.

## THE PRESIDENT'S DECISION TO OPPOSE B–1 COMES AS A SHOCK

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

Mr. DORNAN. Mr. Speaker, frankly, I feel deceived. The President's decision to oppose the funding of the B–1 Peacekeeper comes as a great shock to me personally and I am sure to the majority in this body who voted in favor of B–1 funding only 2 days ago.

I am shocked, and quite frankly, worried for our country. It is a terrible decision which our President has made. NORAD chief General Daniel "Chappie" James, has said the Congress has "chosen to leave America virtually defenseless." Well, I believe the President has crippled our deterrent for the 1980's and 1990's.

Without the B–1, we cannot defend ourselves against the Soviet might. Our triad of defense may be fatally weakened. The Communists will not be frightened of our bare-boned Air Force now. They will not be frightened of our cruise missiles which are still on the drawing board. They will not be frightened of our old B–52's—no matter how we try to camouflage their age and remodel them. They will not be frightened of our 747's: They are overweight albatrosses waiting to be shot out of the sky by the sleek, fast Soviet MIG 25 "Foxbats" or better.

I am frightened because I do not—and I cannot—trust the Soviets. I do not understand why the President thinks that he can. He knows what they plan for us. He has read their war plan described in the Foreign Intelligence Advisory Board's report to him. The Soviet Union's strategic nuclear doctrine seeks victory, not deterrence; superiority in weapons rather than sufficiency; and offensive pre-emptive operations rather than retaliation. He has been told this to his face. Mr. Carter knows we need to arm ourselves to ward off and discourage the Soviets to keep them at bay in the 1980's and 1990's to buy time for peace. But without the B–1, the Soviets have no need to think twice before attack. They have no fear of successful retaliation. The United States cannot get through the Russian defenses without the B–1 and so the Soviets run no risk when they move to implement their war plan.

Why does the President trust the Soviets? Why? Who has told him to trust them?

In a recent editorial in the Los Angeles Times the anxiety that so many Americans must now feel was voiced with clarity. In referring to the case of Russian dissident, Anatoly Shcharansky, the Los Angeles Times said:

It is but one of many cases that bear witness to an order and a policy that can only create distrust of the Soviet Union in all it does. A country that cannot be counted on to protect the minimal human rights of its own citizens invites suspicion of the integrity with which it will honor all relationships. The distrust it sows at home inevitably also infects its relations abroad.

It is strange that none of that distrust has been sown in the White House.

Frankly, Mr. Speaker, I am frightened for this country. I pray for our Nation's safety, and I pray the President will somehow find the courage to reverse this decision.

## GEN. JOHN R. KELLY, JR.

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

Mr. GONZALEZ. Mr. Speaker, today Gen. John R. Kelly, Jr., is relinquishing command of Kelly Air Force Base—one of the largest and most important installations of the Air Force. It is not unusual for a command to change hands, but it is unusual to find a commander of the quality of Gen. John Kelly.

The installation that he has commanded for the past 3 years is as much an industrial complex as it is a military organization. Military officers, good ones, at least, must be able to lead and motivate people. General Kelly has been able to do this in a superb manner. He has an immense civilian work force—18,000 people—and he has been able to inspire the highest level of efficiency and performance by this work force. It takes a person of unusual ability and talent to make such an immense force feel a sense of real pride and personal interest in the success and mission of the organization. General Kelly has done this.

But an installation like Kelly Air Force Base requires skillful management, as well as personal leadership.

Kelly Air Force Base is responsible for the management of 17 different kinds of aircraft, totaling 4,500 airplanes around the world. The base is responsible for management of more than half of all the jet engines used by the Air Force. Kelly manages all fuels, oils, and lubricants of the Air Force; and it manages all special weapons.

Taken together, the equipment that this base is responsible for represents an investment of $3.4 billion. There are not many industrial enterprises of this scope and complexity. General Kelly has managed all of this with remarkable skill and acumen. It is very uncommon to find a person who possesses all the skills of human leadership and managerial ability that I have observed in General Kelly.

In his 3 years in San Antonio, General Kelly has earned the admiration and respect of the community. He has won the genuine affection of the people who work for him. He has contributed significantly to the effectiveness of the installation he commanded, and to the efficiency and effectiveness of the Air Force, and so to our own national security.

No military commander stays permanently in one place, and so the day has inevitably come when General Kelly relinquishes command and moves on to another post. I am sorry that the day has come. John Kelly will be missed in San Antonio. Our community is better for his stay, and Kelly Air Force Base the better for his service.

## DENIAL OF HUMAN RIGHTS IN NORTHERN IRELAND

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

Mr. WOLFF. Mr. Speaker, I rise today as I have so often in the past to call the attention of this House to the situation

in Northern Ireland, where the minority population continues to have its human rights denied by the majority.

Mr. Speaker, I make these points today because the House has just approved a defense appropriations bill. A memorandum of understanding exists between the United States, Great Britain, and the Government of Northern Ireland which is intended, in effect, to spread the wealth of NATO contracts for research and development among our close allies.

This is certainly a laudable intent, and I applaud the concern of our Government for the economic well-being of our allies.

I just, however, might say I have visited Northern Ireland and toured the Ballymurphy district of Belfast. I found areas where some 50 percent of the population was unemployed, and has been for many years. Not just young people, as in our own inner cities—and this is tragic and dangerous enough—but fully grown, educated, intelligent, and desperate adults who are unable to support their families with anything but the meager help of the dole. This is really outrageous.

This has been true for much of the 20th century, and the inescapable conclusion of most observers is that the majority population and the Government have been only too happy to keep it this way. Just one specific example which I myself witnessed: In the Wolf Shipyards, which unfortunately has the same name I bear but with which I have no connection, only a dozen or so of the more than 10,000 employees are of the minority population, which is Catholic.

I think that it is important that we understand the question of human rights is not a selective one and that we here in this Nation have to take to task our friends as well as those who are not our friends when it comes to the question of discrimination.

In my tours of Northern Ireland I have been told by some that the minority population has grown fond of living on the dole and that the people are constitutionally lazy and do not want to work.

As we in the United States have learned through our civil rights movement, and the equal opportunity legislation which to our credit we have approved and implemented, there is no such social phenomenon as an entire race or class of people who can be slandered by such an absurd contention—"they don't want to work."

Mr. Speaker, I hold for the House a memorandum of understanding which specifically makes provision for Northern Ireland to get special attention. I think that this memorandum of understanding should be set aside.

Actually, if we are to really pursue the matter of human rights, I think we have to see to it that such a memorandum of understanding which was concluded in 1975 and then re-issued to the defense contractors of the United States in November, 1976, that such memoranda do not articulate U.S. policy.

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

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

Mr. GILMAN. Mr. Speaker, I would like to commend the distinguished gentleman from New York (Mr. WOLFF) for his consistent concern in trying to help bring peace to Ireland and for taking this time on the floor of the House to discuss this important issue.

Mr. Speaker, the minority population of Northern Ireland, men and women like any other men and women, want and need and deserve gainful employment. They have been systematically denied these and other basic human rights for years, and it would be a tragedy if we in this House failed to take action taking their interests to heart.

In recent weeks we have been enforcing the expressed concern of our President in the area of human rights, with great frequency and consistency when it comes to certain nations. We have adopted several significant amendments in the area.

Today, the battle moves a little closer to home, and I hope that this House will be equally forthright, and equally true to its convictions that the rights of men and women everywhere should not be impaired with the official sanction of the U.S. Government.

Accordingly, I urge our colleagues to support the request by the distinguished gentleman from New York (Mr. WOLFF), to set aside the Defense Department's memorandum of understanding with the United Kingdom and Northern Ireland, based upon these discriminatory employment practices.

Mr. WOLFF. Mr. Speaker, I thank the gentleman from New York for his contribution. I know the gentleman has been in the forefront of activity trying to bring to the attention of the House the height of discrimination and the discriminatory practices that have been existing in Northern Ireland. Neither one, nor any of us, condones violence. I think also, however, we must see to it that the attention of the House is drawn to this very unfortunate situation that exists and continues to exist.

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## U.S. CANAL ZONE AND PANAMA CANAL: FORMER CHIEFS OF NAVAL OPERATIONS URGE RETENTION OF FULL SOVEREIGN CONTROL

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

Mr. FLOOD. Mr. Speaker, as a member of the Subcommittee on Defense of the House Committee on Appropriations for many years, I have become fairly well informed on the post-World War II military and naval needs of the United States and acquainted with most of the highest leaders of our Armed Forces.

One of the crucial elements in the seapower of the United States is the Panama Canal with its indispensable protective frame of the Canal Zone. Their undiluted sovereign control is absolutely essential for the protection of not only the United States but also the entire Western Hemisphere and other parts of the free world. The loss of such control would be a calamity of the gravest consequence and probably involve the United States in the affairs of the Republic of Panama to a far greater extent than any previously experienced.

As is well known, high active officers of the Armed Forces are not free to express their opinions publicly on such matters as U.S. Isthmian Canal policies unless their statements conform to "official policy." Those on the retired list are not so constrained but can speak out publicly; and four former Chiefs of Naval Operations have done so in a clear and forceful manner in a letter to the President dated June 8, 1977. This letter was forwarded to the President with a cover letter dated June 15 by four distinguished members of the U.S. Senate: Senators JOHN L. MCCLELLAN, HARRY F. BYRD, JR., STROM THURMOND, and JESSE HELMS, all of whom have studied the Isthmian Canal question.

The high ranking naval officers who wrote the President are not "Johnnies come lately" on the canal question as are many others who are so stridently expressing themselves but some of the ablest strategists of the modern Navy that our country has produced and have been tested in war as well as in peace: Adm. Robert B. Carney, Arleigh A. Burke, George W. Anderson, and Thomas H. Moorer. The last was also Chairman of the Joint Chiefs of Staff. Moreover, their views are supported by other experienced officers, both active and retired, as well as by leading civilian authorities on the canal issue. A number of former naval Commanders in Chief, Pacific, such as Adm. John S. McCain, have stressed that such operations as the Korean and Vietnam wars could not have been effectively conducted except for the logistic support made possible by the Panama Canal.

Since the latest information on the treaty negotiations indicate that the negotiating diplomats have proposed a scheme for partial internationalization of the Panama Canal, it is pertinent to quote what former President Theodore Roosevelt said about this idea on December 2, 1918, shortly after it was first voiced during the 1917 revolution in Russia:

> The Panama Canal must not be internationalized. It is our Canal; we built it, and we will protect it, and we will not permit our enemies to use it in war. In time of peace, all nations shall use it alike but in time of war our interest becomes dominant. (H. Doc. No. 474, 89th Congress, p. 388.)

Mr. Speaker, were Theodore Roosevelt and other great leaders of his time, such as Adm. John G. Walker and A. T. Mahan, Secretaries Elihu Root and W. H. Taft, and former Assistant Secretary of State John Bassett Moore here today, I am sure that they would strongly support the views so ably expressed by the four former Chiefs of Naval Operations. To enable the Congress and the Nation to know the considered judgment of the four distinguished naval officers and the Senators who support them, I quote both of the previously mentioned letters as parts of my remarks and urge that they be read:

COMMITTEE ON APPROPRIATIONS,
*Washington, D.C., June 15, 1977.*

THE PRESIDENT,
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: We are enclosing a most important letter from four former Chiefs of Naval Operations who give their combined judgment on the strategic value of the Panama Canal to the United States.

We think you will agree that these four men are among the greatest living naval strategists today, both in terms of experience and judgment. Their letter concludes:

"It is our considered individual and combined judgment that you should instruct our negotiators to retain full sovereign control for the United States over both the Panama Canal and its protective frame, the U.S. Canal Zone as provided in the existing treaty."

We concur in their judgment and trust you will find such action wholly consistent with our national interest and will act accordingly.

Sincerely,

JOHN L. MCCLELLAN,
HARRY F. BYRD, JR.,
STROM THURMOND,
JESSE HELMS,
*U.S. Senators.*

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JUNE 8, 1977.

The PRESIDENT,
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: As former Chiefs of Naval Operations, fleet commanders and Naval Advisers to previous Presidents, we believe we have an obligation to you and the nation to offer our combined judgment on the strategic value of the Panama Canal to the United States.

Contrary to what we read about the declining strategic and economic value of the Canal, the truth is that this inter-oceanic waterway is as important, if not more so, to the United States than ever. The Panama Canal enables the United States to transfer its naval forces and commercial units from ocean to ocean as the need arises. This capability is increasingly important now in view of the reduced size of the U.S. Atlantic and Pacific fleets.

We recognize that the Navy's largest aircraft carriers and some of the world's supertankers are too wide to transit the Canal as it exists today. The super-tankers represent but a small percentage of the world's commercial fleets. From a strategic viewpoint, the Navy's largest carriers can be wisely positioned as pressures and tensions build in any kind of a short-range, limited situation. Meanwhile, the hundreds of combatants, from submarines to cruisers, can be funneled through the transit as can the vital fleet train needed to sustain the combatants. In the years ahead, as carriers become smaller or as the Canal is modernized, this problem will no longer exist.

Our experience has been that as each crisis developed during our active service—World War II, Korea, Vietnam and the Cuban missile crisis—the value of the Canal was forcefully emphasized by emergency transits of our naval units and massive logistic support for the Armed Forces. The Canal provided operational flexibility and rapid mobility. In addition, there are the psychological advantages of this power potential. As Commander-in-Chief, you will find the ownership and sovereign control of the Canal indispensable during periods of tension and conflict.

As long as most of the world's combatant and commercial tonnage can transit through the Canal, it offers inestimable strategic advantages to the United States, giving us maximum strength at minimum cost. Moreover, sovereignty and jurisdiction over the Canal Zone and Canal offer the opportunity to use the waterway or to deny its use to others in wartime. This authority was especially helpful during World War II and also Vietnam. Under the control of a potential adversary, the Panama Canal would become an immediate crucial problem and prove a serious weakness in the over-all U.S. defense capability, with enormous potential consequences for evil.

Mr. President, you have become our leader at a time when the adequacy of our naval capabilities is being seriously challenged. The existing maritime threat to us is compounded by the possibility that the Canal under Panamanian sovereignty could be neutralized or lost, depending on that government's relationship with other nations. We note that the present Panamanian government has close ties with the present Cuban government which in turn is closely tied to the Soviet Union. Loss of the Panama Canal, which would be a serious set-back in war, would contribute to the encirclement of the U.S. by hostile naval forces, and threaten our ability to survive.

For meeting the current situation, you have the well-known precedent of former distinguished Secretary of State (later Chief Justice) Charles Evans Hughes, who, when faced with a comparable situation in 1923, declared to the Panamanian government that it was an "absolute futility" for it "to expect an American administration, no matter what it was, any President or any Secretary of State, ever to surrender any part of (the) rights which the United States had acquired under the Treaty of 1903," (Ho. Doc. No. 474, 89th Congress, p. 154).

We recognize that a certain amount of social unrest is generated by the contrast in living standards between Zonians and Panamanians living nearby. Bilateral programs are recommended to upgrade Panamanian boundary areas. Canal modernization, once U.S. sovereignty is guaranteed, might benefit the entire Panamanian economy, and especially those areas near the U.S. Zone.

The Panama Canal represents a vital portion of our U.S. naval and maritime assets, all of which are absolutely essential for free world security. It is our considered individual and combined judgment that you should instruct our negotiators to retain full sovereign control for the United States over both the Panama Canal and its protective frame, the U.S. Canal Zone as provided in the existing treaty.

Very respectfully,

ROBERT B. CARNEY.
GEORGE ANDERSON.
ARLEIGH A. BURKE.
THOMAS H. MOORER.

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## A PILOT FULL EMPLOYMENT PROGRAM

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

Mr. SIMON. Mr. Speaker, I would like to bring to my colleagues' attention the Pilot Guaranteed Employment Opportunities Act, H.R. 7193, which I introduced on May 13, 1977.

This legislation, which has been cosponsored by a bipartisan group of 23 Congressmen, would establish an experimental program of guaranteeing jobs for all unemployed people in 20 selected counties throughout the country. It would provide us, as legislators, with essential data for analyzing the impact of full employment policies.

Since the passage of the Full Employment Act of 1946, this country has engaged in a long- and wide-ranging debate over what our ultimate employment policy should be. This debate has intensified in recent years as consideration of full employment has focused on the Humphrey-Hawkins bill—the Full Employment and Balanced Growth Act.

Few bills in recent years have generated as much discussion as has Humphrey-Hawkins. Charges and countercharges have been circulated. I am a cosponsor of it, and I hope we move ahead with the Humphrey-Hawkins concept.

If full employment is indeed the route we should be taking—which I am convinced it is—then the successful results of an experimental full employment program will neutralize the complaints of critics. On the other hand, if the results indicate that there are still problems that need to be worked out with full employment, we can work those problems out.

Mr. Speaker, I would now like to outline the experimental program that is developed in H.R. 7193.

This legislation directs the Secretary of Labor to choose 20 counties to participate in the experimental guaranteed jobs program. He will base his decision primarily on the number and percentages of unemployed people in the county and the amount of public assistance benefits paid to people in the county. Applications will include data on the county's population, criminal activity, welfare recipients, unemployment, and employment opportunities. This information will assist in the eventual evaluation of the program.

The bill currently limits eligibility to 20 counties with populations of 20,000 or below. This limitation may need to be reevaluated as the legislation is further considered, however.

My reason for inserting the 20,000 limitation into the legislation is that it reduces appreciably the costs of this experimental program. In addition, there are a great number of rural counties which have urban characteristics, so that the statistical data gathered would have applicability to both rural and urban areas. But, if my colleagues in the House would want to modify the bill to include one or two urban areas, I would be willing to consider such an amendment if the economic consequences of such an amendment would not jeopardize the chance of the bill passing and becoming law.

To be eligible for guaranteed employment under H.R. 7193, a person must be at least 18 years old, a resident of the county involved at the time of the law's enactment, unemployed for 3 weeks, and a member of a family that did not earn over $700 in the previous month. No more than two people from the same family are eligible for the guaranteed employment program.

The bill establishes a three-tiered system of guaranteed employment in the participating counties. The primary emphasis is on the private sector. The Federal Government will reimburse private businesses in participating counties at the rate of 50 percent of the minimum wage for newly hired eligible employees. This reimbursement will be made for a maximum of 32 hours per week and will last for 1 year after the date of employment.

The number of new employees for whom an employer is entitled to reimbursement depends on the size of his business. An employer with 1 to 10 employees could be reimbursed for 1 new worker. If he had between 11 and 30 employees, he could be reimbursed for 2 workers, and if he had between 31 and 60 employees he could be reimbursed for 4 new workers. This scale continues until an employer with more than 100 employees could be reimbursed for 10 new workers.

Strict provisions are included in the bill to insure that no employees are fired or suspended so that an employer can take part in the program. The bill also protects employees from being fired without sufficient cause within a 90-day period after the subsidy for his job ends. These requirements will insure that the program contributes to overall long-term employment in the counties involved.

As with Humphrey-Hawkins, H.R. 7193 envisions the maximum possible use of the private sector. The real answer to our unemployment problem is to stimulate new jobs in the private sector. This is where permanent jobs can be best created with maximum benefits to our economy and our social and political systems.

However, in some areas and in some instances, the private sector cannot adequately meet the demand for jobs. In these cases, the Government must step in. If the private sector cannot meet the needs of a participating county under H.R. 7193, State and local governments might provide jobs.

The Federal Government will reimburse State and local governments for new employees at a rate of 50 percent of the minimum wage, again for 32 hours per week. The same restrictions on substitution that apply to private businesses also apply to State and local governments.

Finally, when sufficient jobs cannot be provided by the private sector and State and local governments, the Federal Government will step in and fill the gap directly by providing minimum wage jobs for 32 hours per week.

This three-tiered system will guarantee full employment in the participating counties. Not only will it make a positive contribution to the quality of life in these areas, but the results of the program will allow us to make much more informed decisions about full employment policies.

H.R. 7193 requires that the Secretary of Labor report to the Congress on the effects of the pilot guaranteed employment program. The report will describe the cost of administering the program in each participating county. It will also analyze the effect of the program on at least the following factors: unemployment insurance and welfare costs, criminal activity, Federal revenues, State and local revenues, public school attendence and population changes.

Mr. Speaker, unemployment still stands at nearly 7 percent. Approximately 6½ million Americans want jobs but cannot find them, and that does not count the more than 1 million categorized as "discouraged workers," who have just given up hope of getting a job. The threat to the long-term fabric of our economy and our society of continued joblessness is immense. So is the drain on the Federal Treasury. Every 1 percentage point of unemployment represents an increased Federal deficit of about $16 billion—$14 billion because of reduced tax receipts and $2 billion because of Federal payments to support the unemployed.

I do not contend that H.R. 7193 is a panacea for these ills. Nothing can be. My bill is a suggestion. It is open to constructive change. Enactment of this or similar legislation would be a significant step toward a fuller understanding of what we need to do to achieve full employment in this country, and toward achieving full employment itself.

A copy of H.R. 7193 follows. I urge my colleagues to carefully consider this bill and the idea it represents. A column on my proposal written by Clayton Fritchey, which appeared in the Washington Post in January 1976, is reproduced below:

H.R. 7193

A bill to require the Secretary of Labor to establish a pilot program for the provision of guaranteed employment opportunities in selected counties of the United States

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be referred to as the "Pilot Guaranteed Employment Opportunities Act".

DEFINITIONS

SEC. 2. For purposes of this Act—

(1) the term "business concern" means any commercial or agricultural business enterprise which employs at least one employee;

(2) the term "designated county" means any county designated by the Secretary under section 3;

(3) the term "eligible employee" means any individual who meets the requirements established by section 4;

(4) the term "Federal minimum wage" means the appropriate minimum wage in effect from time to time under section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206);

(5) the term "family" means any group of related individuals residing together;

(6) the term "local government" means any local unit of government, including a county, municipality, city, town, township, or a school or other special district created by or pursuant to State law;

(7) the term "pilot program" means the pilot program established by the Secretary under section 3(a);

(8) the term "Secretary" means the Secretary of Labor;

(9) the term "State" means the several States, Guam, Puerto Rico, the Virgin Islands, and any territory or possession of the United States; and

(10) the term "chief executive officer" means the person designated by the Secretary to be the chief administrator of this Act within a designated county.

ESTABLISHMENT OF PILOT PROGRAM

SEC. 3 (a) (1) The Secretary shall establish and maintain a pilot program to provide a guaranteed employment opportunity to any eligible employee in accordance with the provisions of this Act.

(2) The pilot program required in paragraph (1) may be established and maintained by the Secretary in not more than twenty counties in the United States. The Secretary shall designate such counties from among counties which transmit applications to the Secretary under subsection (b). Any such designation shall be based in part upon—

(A) the number of unemployed persons in the county involved; and

(B) the amount of public assistance benefits paid to persons residing in such county.

(b) Any county of the United States having a population of twenty thousand or less, as determined by the most recent census taken by the Secretary of Commerce under section 141(a) of title 13, United States Code, may transmit to the Secretary an application, in such form and according to such procedures as the Secretary may prescribe, for participation in the pilot program. Such application shall include information relating to—

(1) the resident population of such county;

(2) the number of individuals in such county receiving public assistance benefits;

(3) the incidence of criminal activity in such county;

(4) the number of employed and unemployed persons in such county; and

(5) the nature of public and private employment opportunities in such county.

ELIGIBILITY

SEC. 4. (a) Except as provided by subsection (b), any individual who—

(1) is eighteen years of age or older;

(2) is a resident of the designated county in which he is applying for employment under this Act on the date of the enactment of this Act;

(3) has not engaged in full-time employment during the three-week period immediately before the date of his application for employment under this Act; and

(4) is a member of a family whose total income did not exceed $700 in the previous month;

shall be considered an eligible employee for purposes of private sector employment under section 5 and public service employment under sections 6 and 7.

(b) No more than two individuals from the same family may be considered eligible employees for purposes of private sector employment under section 5 and public service employment under sections 6 and 7.

PRIVATE SECTOR EMPLOYMENT

SEC. 5. (a) (1) The Secretary shall, in accordance with the provisions of subsection (b), reimburse any business concern in an amount equal to 50 per centum of the Federal minimum wage for each eligible employee employed in a designated county by such business concern.

(2) Such reimbursement shall be made for the one-year period following the date of employment of an eligible employee and shall be made for a maximum of thirty-two hours of work by such eligible employee during any workweek.

(b) A business concern shall be entitled to reimbursement for the following number of eligible employees—

(1) one eligible employee, if the business concern employs between one and ten employees on the date of its application under this section;

(2) two eligible employees, if the business concern employs between eleven and thirty employees on such date;

(3) four eligible employees, if the business concern employs between thirty-one and sixty employees on such date;

(4) six eligible employees, if the business concern employs between sixty-one and eighty employees on such date;

(5) eight eligible employees, if the business concern employs between eighty-one and one hundred employees on such date; and

(6) ten eligible employees, if the business concern employs more than one hundred employees on such date.

Except as provided by section 8, any entitlement of a business concern established on the date of its application under this section shall not be affected by any decrease in the number of persons employed by such business concern occurring after such date.

(c) Any business concern in a designated county may transmit to the Secretary or to the chief executive officer established under this Act an application, in such form and according to such procedures as the Secretary may prescribe, for reimbursement under this section. Any such application shall include—

(1) the total number of employees employed by the business concern;

(2) the number of employees for whom the business concern seeks reimbursement under this section, together with information relating to such employees which is sufficient to enable the Secretary to determine whether such employees are eligible employees;

(3) the number of hours during which any employee listed under paragraph (2) is employed during any workweek with respect to which the business concern seeks reimbursement under this section; and

(4) such other information as the Secretary considers necessary to carry out the purposes of this Act.

(d) The Secretary or chief executive officer shall determine, no later than ninety days after the receipt of any application transmitted by a business concern under subsection (c), the extent to which such business concern is entitled to reimbursement under this section.

PUBLIC SERVICE EMPLOYMENT

SEC. 6. (a) The Secretary shall, in accordance with the provisions of this section, reimburse any State or local government in an amount equal to 50 per centum of the Federal minimum wage for up to thirty-two hours for each eligible employee employed in a designated county by such State or local government. The provisions of section 5(a)(2) shall apply with respect to any such reimbursement.

(b) A State or local government shall be entitled to reimbursement for any eligible employee who is employed—

(1) directly by such State or local government in a designated county; or

(2) in any program or activity, in a designated county, which—

(A) receives funding from such State or local government; and

(B) is designed to improve the physical condition or appearance of the community involved, or to provide recreational or cultural enrichment to such community.

(c) Any State or local government may transmit to the Secretary or to the chief executive officer of the county selected pursuant to this Act an application, in such form and according to such procedures as the Secretary may prescribe, for reimbursement under this section. Any application shall include a description of any program or activity which meets the requirements of subsection (b)(2) and which is in existence or is to be implemented, together with such other information as the Secretary considers necessary to carry out the purposes of this Act.

(d) The Secretary or the chief executive officer shall determine, no later than ninety days after the receipt of any application transmitted by a State or local government under subsection (c), the extent to which such State or local government is entitled to reimbursement under this section.

ADDITIONAL EMPLOYMENT OPPORTUNITIES

SEC. 7. (a) The Secretary or the chief executive officer of each designated county, shall, with the advice of the advisory council established under section 9, have the responsibility of creating jobs for those who are not employed as provided in sections 5 and 6. Those employed under this section shall be reimbursed by the Federal Government in an amount which does not exceed the Federal minimum wage.

(b) The work opportunities created by the chief executive officer and the advisory council shall meet the standards provided in section 6(b)(2)(B).

(c) The chief executive officer in each county shall employ such staff as may be required by this Act, subject to limitations imposed by the Secretary.

(d) Employment offered to those eligible under section 4 shall not exceed thirty-two hours per week.

RULES RELATING TO ELIGIBILITY FOR REIMBURSEMENTS

SEC. 8. A State, local government, or business concern shall not be entitled to any reimbursements under this Act if the Secretary determines that such State, local government, or business concern—

(1) has terminated the employment of any employee, or has suspended any employee, for the purpose of replacing such employee with an eligible employee; or

(2) has terminated the employment of any eligible employee without sufficient cause during the ninety-day period immediately after the one-year reimbursement period applicable with respect to such eligible employee.

ADVISORY COUNCILS

SEC. 9. (a) The chief executive officer of each designated county shall establish an advisory council to assist in the administration of this Act in the designated county.

(b) The chief executive officer of each designated county shall appoint twelve members to the advisory council established under subsection (a). Such members shall be selected under subsection (a). Such members shall be selected from among individuals who are residents of the designated county involved and are representatives of major political parties, business, labor, and civic affairs groups in such designated county.

(c) Each advisory council established under subsection (a) shall assist the chief executive officer of the designated county responsible for the administration of this Act with respect to appropriate programs and activities under section 6(b)(2) and with respect to other matters relating to the administration of this Act.

(d) Each advisory council established under subsection (a) shall transmit quarterly reports to the Secretary and to each House of the Congress. Each such report shall contain a description of the nature of assistance furnished by such advisory council under subsection (c) and shall include a discussion of the effects of the pilot program in the designated county involved.

REPORTS

SEC. 10. (a) The Secretary shall transmit to each House of the Congress quarterly reports which shall review the administration of this Act in each designated county, with a view toward determining the effect of this Act upon the economic conditions in each designated county.

(b) The Secretary shall transmit to each House of the Congress a report no later than one year after the date of the enactment of this Act. Such report shall include—

(1) a description of the cost of administering this Act in each designated county;

(2) an analysis of the effect of this Act upon—

(A) any expenditures for unemployment insurance and welfare programs or other similar programs in each designated county;

(B) the incidence of criminal activity in each designated county;

(C) internal revenues of the Federal Government;

(D) State and local revenues;

(E) student attendance at public schools in each designated county;

(F) any change in the population of each designated county; and

(3) any other information, findings, or recommendations which the Secretary considers necessary or appropriate.

RULES

SEC. 11. The Secretary shall prescribe such rules as he considers necessary or appropriate to carry out the purposes of this Act.

COOPERATION WITH FEDERAL AGENCIES

SEC. 12. The Secretary shall take such action as he considers necessary or appropriate to encourage any available Federal funds, in addition to any amounts appropriated under section 13, to defray costs relating to administration, equipment, supplies, support services, and supervisory personnel necessary to carry out the provisions of this Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 13. (a) There is authorized to be appropriated to carry out the purposes of this Act $80,000,000 for each of fiscal years 1978 and 1979.

(b) Not more than 25 per centum of any amounts appropriated under this Act may be used by the Secretary and by chief executive officers of designated counties for administrative expenses, equipment, supplies, support services, and supervisory personnel. Not less than 75 per centum of such funds shall be expended for wages and employment benefits for eligible employees.

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[From The Washington Post, Jan. 17, 1976]

(By Clayton Fritchey)

UNCLE SAM: EMPLOYER OF LAST RESORT?

It is better to pay people to work than pay them to do nothing. While this simple, seemingly incontrovertible, proposition is not yet effective U.S. policy, it's finally on its way to acceptance, maybe before 1976 is over, but certainly soon after the next election.

Congress and the American people seem to be learning the hard way that even semiproductive work is better for the country than totally unproductive idleness, and less costly as well to the taxpayers.

The involuntary idleness of 8 to 10 million unemployed Americans is costing the taxpayers about $40 billion a year in unemployment compensation, welfare payments, food stamps, subsidized housing and other benefits, which is more than it would cost to put almost everybody to work through government-guaranteed full employment.

Belated recognition of that fact is changing the political scene. The idea of the government accepting the responsibility of being the employer of last resort has long been resisted on the assumption that it would be a burden on the taxpayers, but now at last it is dawning on the public that there is nothing so costly, so extravagant, so utterly wasteful as unemployment and plowed-under manpower.

So the welcome change in attitude is not so much a burst of compassion for the jobless as a realization that everybody's pocket is picked by mass unemployment. Part of the change is due to the leaders of organized labor who have discovered that the economy loses about $16 billion a year for every million out of work, to say nothing of the billions in tax revenues that are also lost through reduced payrolls.

Since President Ford has resisted most job-creating proposals introduced in Congress, it is not likely that legislation guaranteeing full employment can be put into effect while he still has the power to veto, but it may be possible to adopt a pilot plan advanced by Rep. Paul Simon (D-Ill.), which would pave the way for a subsequent national program.

Simon's novel bill would establish a two-year experimental guaranteed-jobs program in 20 high unemployment counties throughout the country, with the idea of convincing even skeptics that there can be a practical and constructive way of putting the jobless to work and rejuvenating the economy.

The legislation would require the Secretary of Labor to study the effects public service jobs on such things as unemployment compensation, criminal activity, welfare payments, sales and income tax revenues, and a variety of other factors affected by creation of new jobs.

"We may find," Simon says, "that by making government the employer of last resort we will both save some money and eliminate or substantially reduce some of the social costs of unemployment."

Jobs would be created in several ways, one being government subsidy of new private enterprise jobs created especially for the program. There also would be federal subsidy of new state and local jobs, along with specially created federal jobs to improve community living standards.

Any employer who now employs one to 10 persons would be able to add one worker and be reimbursed by the government for one-half of the minimum wage of that person for one year. An employer with 11 to 20 people could add two employees, and this scale would continue up to a maximum of 10 who could be added. Basically the same provisions would apply to local and state governmental units.

By limiting the program to a two-year trial, and applying it to only a handful of small counties, Simon says, "we can stop it if it is a failure." The estimated cost of a year's trial would be only $45 million.

Except for the old Works Progress Administration (WPA), which tackled unemployment in a limited way during the Great Depression more than 40 years ago, the United States has had little experience with government-guaranteed full employment. The WPA effort became the butt of many pejorative jokes during its brief life, but in retrospect the record looks impressive.

It left the nation a legacy of 600,000 miles of highway (new or rebuilt), 116,000 bridges and viaducts (built or repaired), 110,000 schools, libraries and auditoriums, 600 airports constructed, 8,000 parks and 13,000 playgrounds created, millions of trees planted, countless swamps drained, many sewer and water systems provided.

That only scratches the surface of the record, Simon says. "There is no question that we also are a richer nation culturally because of the WPA experience." And, as he might have added, we are certainly a poorer nation because of the present unemployment experience.

## PROHIBITION AGAINST MILITARY UNIONS

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

Mr. ICHORD. Mr. Speaker, in January of this year I introduced legislation which would prohibit union organizing and union membership among members of this Nation's armed services for the purpose of collective bargaining.

The movement toward unionization of the Nation's Armed Forces is a relatively new phenomenon. Discussions about military unions only came to public light in the last year or two, and since that time, military unionization has been actively supported by the American Federation of Government Employees, the National Maritime Union, and the Association of Civilian Technicians.

As a strong proponent and supporter of this Nation's military men and women and their vital mission, I strongly believe that we must provide equitable compensation and benefits to our military personnel and have supported past actions directed toward this goal. However, I do not believe that unionization of the military is in the best interest of this Nation. I stress that my concern, however, lies only in unionization of men and women serving in their military capacity. I am not opposed to unions in any way, shape or form but only object to their incompatibility with the military mission. My bill, H.R. 51, in no way, however, would impair the ability of servicemen or reservists to join labor unions as a result of their off-duty, civilian employment nor would the bill impair any service man's or woman's right to petition Congress or exercise the first amendment right to Freedom of Speech.

There are several basic concerns which motivate my introduction of this bill. In the first instance, members of the Armed Forces are public employees. When union workers in private enterprise win increased salaries and benefits, the industry can either absorb the increased payments or pass them on to the consumer which then has the choice at that point to buy or not to buy. In the case of public employees, the taxpayers have no alternative. They must absorb the increases and at the same time are also the consumer. Thus, the taxpayer must not only fund the increased salaries and benefits through an increased tax assessment each year but also must absorb the results of those pay increases through funding the rising costs of defense. In the case of the armed services, there is the added point that as a consumer faced with increased costs, the taxpayer has no alternative system for defense services.

Another concern which is raised by military unions lies in the potential incompatibility of unions with the military mission. The military by its very nature demands discipline and at times unquestioned decisions and compliance, particularly in wartime. These are matters which cannot be subject to collective bargaining or grievance procedures. Certainly safeguards for complaint procedures and outside legal counsel already are open to service men and women on a case-by-case basis to insure proper protection of individual rights. We all receive numerous service cases which testify to the fact that existing grievance procedures are well-known and utilized. Members of the military are also afforded rights of petition, peaceable assembly, and free speech.

Military duty, by its very nature, often entails hardship, unwanted family separations, compliance with often seemingly arbitrary commands, and at times, uncomfortable working conditions. These facts of military life, however, are well known by those choosing military life in today's all-volunteer service and to subject these realities to union negotiation would impair, in my opinion, our overall combat effectiveness. A command decision to be effective must be unswerving. It can be protested to current review boards and possibly overturned but to subject such a decision to on the spot debate can only bring disruption to the entire military system. For better or worse, the military services cannot be a wholly democratic organization. National defense requires a direct command authority which can only be impaired by military unionization. As Mr. Justice Powell stated in a concurring opinion to *Greer* v. *Spock* (44 LW 4380, 4387):

> A military organization is not constructed along democratic lines and military activities cannot be governed by democratic procedures. Military institutions are necessarily far more authoritarian; military decisions cannot be made by vote of the interested participants. . . . (T)he existence of the two systems (military and civilian) (does not) mean that constitutional safeguards, including the First Amendment, have no application at all within the military sphere. It only means that the rules must be somewhat different.

Also the Supreme Court has stressed the unique character of the Armed Forces and its correlation with first amendment protections:

> While the members of the military are not excluded from the protection granted by the First Amendment, the different character of the military community and of the military mission requires a different application of those protections. The fundamental necessity for obedience, and the consequent necessity for imposition of discipline, may render permissible within the military that which would be constitutionally impermissible outside it.

A third matter which is raised by military unions is the reality—albeit rare—that military personnel may, on occasion, be required to assist or replace existing local civil enforcement personnel in instances of civil unrest or some similar situation. With such potential existing, it would seem in the best interests of all that military personnel not be affiliated with any national or international organization representing other employees in other fields of employment.

The bill I introduced is a simple prohibition of union organization or membership among personnel of the Armed Forces in their military capacity. The bill applies only to active members of the armed services. The bill does not apply to military retirees or to union membership pertaining to civilian employment. For any individual who knowingly violates the prohibition of this bill against enrolling, soliciting, or otherwise encouraging any member of the Armed Forces to join any labor organization the penalty is a fine of not more than $1,000 and/or 1 year in jail for each offense. For any organization found in violation of this bill, said organization shall be fined not more than $50,000 per offense. For any member of the Armed Forces who violates this bill, the offense shall be deemed a violation of the Uniform Code of Military Justice and the violator shall be subject to suitable punishment set forth by a court-martial review.

I urge and welcome my fellow colleagues to join me in cosponsorship of this legislation and ask that the text of my bill, H.R. 51, to be printed at this point:

H.R. 51

A bill to amend title 10, United States Code, to prohibit collective bargaining with the Armed Forces, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of*

*America in Congress assembled,* That (a) chapter 49 of title 10, United States Code, is amended by adding after section 974 the following new section:

"§ 975. Collective bargaining with armed forces prohibited

"(a) It shall be unlawful for any individual not subject to section 892a of this title or for any organization to enroll any member of the armed forces (other than a member in a retired status) in, or to solicit or otherwise encourage any member of the armed forces (other than a member in a retired status) to join, any organization which has as its purpose, in whole or in part, engaging in collective bargaining with any civilian officer or employee of the Department of Defense or, in the case of the Coast Guard when it is not operating as a service in the Navy, the Department of Transportation or with any member of the armed forces, concerning grievances or other terms and conditions of service in the armed forces.

"(b)(1) Any organization violating subsection (a) shall be fined not more than $50,000.

"(2) Any individual violating subsection (a) shall be fined not more than $1,000 or imprisoned not more than one year, or both."

(b) The table of sections for chapter 49 of title 10, United States Code, is amended by adding at the end the following new item:

"975. Collective bargaining with armed forces prohibited.".

SEC. 2. (a) Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 892 (article 92) the following new section (article):

"§ 892a. Art. 92a. Union organizing and membership

"Any member of the armed forces (other than a member of the armed forces in a retired status) who forms, joins, or belongs to any organization, or who solicits or otherwise encourages any other member of the armed forces (other than a member of the armed forces in a retired status) to form, join, or belong to any organization which has as its purpose, in whole or in part, engaging in collective bargaining with any civilian officer or employee of the Department of Defense or, in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy, the Department of Transportation or with any member of the armed forces, concerning grievances or other terms and conditions of service in the armed forces shall be punished as a court-martial may direct.".

(b) The table of sections for subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after the item relating to section 892 (article 892) the following new item:

"892a. 92a. Union organizing and membership.".

## CONGRESS SHOULD PAY ATTENTION

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

Mr. CORMAN. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial which appeared in the Los Angeles Times on Tuesday, June 28, concerning the Clinch River breeder reactor project.

Mr. Speaker, both Houses of Congress must deal with the breeder reactor issue shortly after the July 4 recess. Our decision, fraught with politically and scientifically explosive implications, will reverberate around the word. Other nations await our vote. We, in the Congress, have an opportunity, as well as an awesome responsibility, to stand back and carefully examine where and what this energy technology could lead to. I believe the Congress should support the President in his request to cancel construction of the Federal Government's demonstration breeder reactor.

An opportunity to do so will arise in the form of an amendment offered by Representative GEORGE BROWN to the ERDA appropriations legislation. Mr. BROWN's amendment will strike $117,000,000 from the $150,000,000 operating expenditures proposed for the Clinch River project. This is identical to President Carter's April budget proposal. The amendment is not meant to end the breeder program, or signal rigid opposition to the breeder concept. Rather, it is meant to face the reality that numerous factors have changed dramatically since the original breeder commercialization schedule was planned in the early 1970's.

New ideas of breeder design and demonstration have emerged in the intervening years. More design changes may be indicated by operations of the fast flux test facility, which is just beginning to provide test data. Most of all, awareness of proliferation dangers has suggested the need for a pause to develop an international framework for any eventual plutonium use. A pause, before large-scale breeder commercial demonstration, will provide time for such negotiations and needed modernization of design, and is fully compatible with timetables suggested in any case by nuclear demand and uranium resource projection.

The Los Angeles Times editorial follows:

CONGRESS SHOULD PAY ATTENTION

The Lawrence Livermore Laboratory is one of two scientific centers that do most of the research and development work on nuclear weapons for the U.S. government. It follows that when the laboratory's bomb-making experts warn, as they have done, that plutonium produced in civilian nuclear power plants could be used to make nuclear weapons, Congress should listen.

But the warning is not being heeded in Congress. That is evident in the strong opposition on Capitol Hill to President Carter's decision to stop the Clinch River breeder-reactor demonstration project—opposition that has been stoked by lobbyists for nuclear-equipment manufacturers, electric utilities and their trade associations.

Breeder reactors are designed to run on a mixture of plutonium, reprocessed from the spent-fuel elements of conventional nuclear reactors, and uranium. In the process of generating electric power, breeders will supposedly produce more plutonium than they consume.

Alternatively, plutonium separated from spent-fuel elements can be reused as fuel in the conventional reactors themselves.

The use of plutonium as reactor fuel, therefore, holds out the promise of squeezing a lot more usable energy from each pound of uranium—a characteristic that makes it attractive to electric-utility executives and to some energy planners worried about the long-range cost and availability of uranium.

Unfortunately, plutonium can also be used to make nuclear weapons, and no foreseeable system of international controls can prevent such diversions from occurring.

For this reason, Carter's energy plan calls for the extensive use of conventional power reactors, but for a ban on the separation of plutonium and an indefinite moratorium on the development of the plutonium-burning fast-breeder. The President, accordingly, announced his intention of halting the $2.2 billion project at Clinch River. The United States is making a major diplomatic effort to persuade other countries to follow the American lead.

Considering the perils that would arise from more and more countries gaining a nuclear-weapon capability, it is extremely important that this diplomatic effort succeed. And, indeed, some progress is being made; the West Germans, for example, announced two weeks ago that they would no longer export sensitive nuclear technology.

But the Carter Administration still faces an uphill fight, and its job will be made impossible if the breeder-reactor advocates continue to prevail on Capitol Hill.

The Senate Energy Committee, ignoring entreaties from the Administration, voted Monday to authorize $150 million to keep the Clinch River project going. The House Science Committee took similar action earlier this month.

Pro-breeder lobbyists have had considerable success with their argument—presented to congressmen and newsmen—that reactor-grade plutonium cannot, as a practical matter, be used in weapons.

The Lawrence Livermore Laboratory, as disclosed by Times reporter Robert Gillette on Sunday, strongly disagrees. It is self-evident that the laboratory knows more about what it takes to make a nuclear weapon than do utility executives and reactor manufacturers.

We urge the California congressional delegation to use its considerable weight to support the President and to oppose those who, for reasons of self-interest, would facilitate the spread of nuclear weapons in the world. If the pro-breeder forces nonetheless prevail, we urge Carter to use his veto.

## PRESIDENT PROMISES TO MONITOR CLOSELY ROMANIA'S HUMAN RIGHTS AND EMIGRATION PERFORMANCE

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

Mr. KOCH. Mr. Speaker, last month along with 54 other Members of the House I wrote the President concerning the extension of most favored nation trade treatment for the Socialist Republic of Romania. In our letter, we expressed concern that Romania had not fully complied with the terms of the Jackson-Vanik amendment to the Trade Act of 1974, which requires "nonmarket economy" countries such as Romania, who receive most favored nation treatment pursuant to that act, to maintain a free emigration policy.

In addition, the Jackson-Vanik amendment and the subsequent Helsinki Final Act, signed by both the United States and Romania, make not only free emigration but also human rights, such as the treatment of dissidents and minority groups, the proper subject of review in appraising trade and other relations between the United States and Romania. In our letter to the President, we asked that President Carter carefully review

the emigration trends from Romania, which appear to be particularly disappointing this year, and also to evaluate the treatment of dissidents and national minorities such as the Hungarian-speaking minority.

Although the President recommended on June 2 that most-favored-nation treatment be extended to Romania for another year, I am encouraged that the President's recommendation does appear to be sensitive to the problems mentioned in our letter. I am also pleased with the response that I have recently received from Frank Moore, the President's Special Assistant for Congressional Liaison, and I want to share it with my colleagues.

In his letter, Mr. Moore reiterates the administration's pledge to "monitor closely Romanian compliance with the objectives of section 402" and states that "should performance not accord with the intent of this provision" that the President "would want to reconsider this recommendation." The letter goes on to say that the Department of State has raised the question of emigration and human rights with the Romanian Government, and that the Department has received certain assurances from the Romanian Government with regard to emigration and that the Romanians have also taken steps to ease the tension caused by the arrest of a number of dissidents in Romania.

Specifically the Romanians have released over 19,000 prisoners in a general amnesty, and reduced the sentence of 9,500 others. Included in those released during May were several noted dissidents, including writer Paul Goma, Prof. Vlad Georgescu, and Baptist Iosif Ton.

I am also pleased that Mr. Moore's letter specifically indicates that the administration is "aware of and concerned about the charges of discrimination against the Hungarian minority in Romania." I urge the President to instruct the State Department to investigate these charges carefully and make a complete and fair report on the question of discrimination against the Hungarian minority.

As the Congress considers whether to exercise its option under the Jackson-Vanik amendment to disapprove the extension of MFN treatment for Romania, the forthcoming, cooperative, and candid assessment of the situation provided by the administration, as exhibited by this letter, will be of great assistance.

I am appending a copy of the letter that I sent to the President along with 54 other colleagues, and the response that I received from Frank Moore:

HOUSE OF REPRESENTATIVES,
*Washington, D.C. May 18, 1977.*

HON. JIMMY CARTER,
*President of the United States, The White House, Washington, D.C.*

DEAR MR. PRESIDENT: One element of your announced policies which has met with almost unanimous approval in both Houses of Congress is your principled stand on the role of human rights in our foreign policy. We would like to call your attention to a particular situation where our foreign policy seems to conflict with our respect for fundamental human rights. . .

As you know, Romania is the only country which enjoys United States most-favored nation trade benefits subject to the human rights and free emigration conditions of Section 402 of the Trade Act of 1974. These trade benefits were granted in part because Romania, while remaining within the Communist bloc, allegedly was pursuing a foreign policy somewhat independent of the Soviet Union.

On June 3 of this year, the terms of Section 402 require your recommendation on whether the United States should continue to grant Romania a waiver from the free emigration requirements of the Trade Act. As you know, the law allows a waiver where it will substantially promote the human rights objectives of Section 402, and where you have received assurances that the emigration practices of Romania "will henceforth lead substantially to the achievement of the objectives of this section."

During the first two years of the United States-Romania Trade Agreement, the Romanian record on emigration has been highly unsatisfactory, according to evidence presented in the summer of 1975 and again last fall at Congressional hearings. During the most recent nine-month period (July, 1976 through March, 1977) the number of visas issued by Romania for emigration to both the U.S. and Israel has dropped precipitously when compared to the previous year's period. The number of visas to the U.S. dropped from 1054 to 715, and for Israel, from 2,157 to 1,146. Even those of us who supported the renewal of MFN last fall were disappointed in Romania's continued frustration and harassment of those seeking to emigrate. These latest figures are even more disappointing.

Moreover, last year very serious charges were raised about human rights violations against the several million minority inhabitants of Romania, including approximately 2.5 million Hungarians. Some of these allegations were substantiated by reference to official Romanian sources, and it appears that some of Romania's minority policies violate the Helsinki Agreement and other international covenants, all ratified by Romania. We feel that this question is also relevant to continuation of Romania's MFN status and request that you make representations to the Romanian Government accordingly.

Finally, the recent crackdown on dissidents as reported by the Associated Press, including the arrest of human rights leader Paul Goma, alleged beatings and "work assignments" in labor camps should also be taken into account when the extension of MFN is considered.

We do not want to prejudge this situation in advance of your recommendations, but before you make those recommendations, we hope that you will look into each of these human rights questions. We hope that the Romanian government can provide some evidence of its good faith by granting permission to emigrate to those who have been waiting long periods, by ceasing its harrassment of those who apply to emigrate, and by simplifying emigration procedures. While we are concerned about those who seek to emigrate, we are also concerned about the even larger number who will remain in Romania. We hope that in preparing your recommendation concerning a waiver of Section 402, you will be able to focus the attention of both the Romanian and our own government on the importance of human rights.

Thanking you for your kindness and cooperation, we are,

Sincerely,

EDWARD I. KOCH, CHRISTOPHER J. DODD, ROBERT F. DRINAN, JOSEPH P. ADDABBO, JEROME A. AMBRO, HERMAN BADILLO, JONATHAN B. BINGHAM, JAMES J. BLANCHARD.

DON BONKER, SILVIO O. CONTE, PHILIP M. CRANE, THOMAS J. DOWNEY, MICKEY EDWARDS, JOSHUA EILBERG, ALLEN E. ERTEL, DANTE B. FASCELL, JAMES J. FLORIO, DONALD M. FRASER, CHARLES E. GRASSLEY, MARJORIE S. HOLT, HAROLD C. HOLLENBECK.

FRANK HORTON, JAMES J. HOWARD, WILLIAM J. HUGHES, JACK F. KEMP, PETER H. KOSTMAYER, NORMAN F. LENT, ELLIOTT H. LEVITAS, CLARENCE D. LONG, STANLEY N. LUNDINE, LARRY MCDONALD, STEWART B. MCKINNEY, RALPH H. METCALFE, BARBARA MIKULSKI.

NORMAN Y. MINETA, JOE MOAKLEY, JOHN M. MURPHY, MARY ROSE OAKAR, RICHARD L. OTTINGER, DONALD J. PEASE, CLAUDE PEPPER, CHARLES B. RANGEL, MATTHEW J. RINALDO, ROBERT E. BAUMAN, FRED B. ROONEY.

JOHN H. ROUSSELOT, STEPHEN J. SOLARZ, NEWTON I. STEERS, JR., HENRY A. WAXMAN, THEODORE S. WEISS, LESTER L. WOLFF, JOHN W. WYDLER, GUS YATRON, HENRY J. HYDE, ED JENKINS.

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THE WHITE HOUSE,
*Washington, D.C., June 23, 1977.*

HON. EDWARD I. KOCH,
*U.S. House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN: The President has asked me, in consultation with the State Department, to respond to your letter of May 18 regarding the application of the Jackson-Vanik amendment to Romania and the role of human rights in United States foreign policy. As you know, the President is strongly committed to an American foreign policy based on the fundamental principle of respect for human rights. He is determined to conduct U.S. foreign policy—in cooperation with the Congress—in a way that upholds that principle.

The President's decision to recommend a further extension of the Section 402 waiver applicable to Romania was made after careful consideration of the issues raised in your letter. He determined that, despite concern over certain areas of Romanian performance, the objectives of the Jackson-Vanik amendment would be promoted by the continuation of most-favored nation tariff status for Romania. However, he has made it equally clear in his recommendation that this Administration intends to monitor closely Romanian compliance with the objectives of Section 402 and, should performance not accord with the intent of this provision, he would want to reconsider this recommendation.

With specific regard to emigration performance, we are encouraged that the overall trend of emigration approvals since the initial extension of most-favored nation tariff status has been favorable. However, we have noted with concern that an appreciable number of those who seek to emigrate to the United States or Israel have not yet been permitted to do so, and both our Embassy in Bucharest and the Department of State here in Washington have discussed that matter with high-level Romanian officials. These discussions have been received in a positive spirit by the Romanians, who have assured us that emigration cases will be treated in a humanitarian manner. The President has directed that, should Romanian actions or emigration trends fail to conform to such Romanian assurances, the Department of State will bring this to the attention of the Romanian Government.

Your letter also refers to recent reports of human rights violations in Romania. These reports were of concern to the President personally, and he directed the Department of State to raise our concern with high-level Romanian officials. We have since received indications that the Romanian authorities are well aware of the potential negative consequences of a pattern of increasingly repressive actions and that they have taken steps to relieve the tense atmosphere which prevailed in April.

On May 8 President Ceausescu announced a sweeping amnesty which provided for the release of approximately 19,000 Romanian prisoners and reduction in the sentences of 9,500 others. Several noted dissidents, in-

cluding writer Paul Goma, Professor Vlad Georgescu and Baptist Iosif Ton, have been freed from jail or detention. Some of those who signed Goma's petition and had encountered difficulties have been allowed to leave the country. To the best of our knowledge, none of the leading personalities involved in either religious or intellectual dissent is now being detained. We are therefore encouraged that our expressions of concern have been understood by the Romanian officials. We are also aware of and concerned about the charges of discrimination against the Hungarian minority in Romania.

Let me once again assure you that the Administration wishes to work closely with Congress in carrying out its foreign policy objectives. The President welcomes your initiative in bringing to his attention your concerns and, should you have further questions on this subject, we would be glad to address them.

Sincerely,

FRANK MOORE,
*Assistant to the President for Congressional Liaison.*

## WILDERNESS LEGISLATION AFFECTING MONTANA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. BAUCUS) is recognized for 10 minutes.

Mr. BAUCUS. Mr. Speaker, today I place in the RECORD a series of questions and answers regarding wilderness legislation affecting Montana:

BAUCUS. I would like to talk about one of the most important issues facing Western Montana—what land should be classified as wilderness. As we all know there are some areas in Western Montana that are presently included in the national wilderness system. In Congress today, there are two legislative proposals to study other Montana areas for possible inclusion in the wilderness system. The first proposal, introduced by Congressman Morris Udall, is called the American Endangered Wilderness Bill. The second proposal, S. 393, was introduced by our senior Senator Lee Metcalf. S. 393 proposes studies for nine areas in Montana.

QUESTION. Well let's start with a general overview of the present situation. How much land is involved in all the various wilderness proposals?

BAUCUS. Montana has about 16.7 million acres in national forests. Of that total, 2 million acres are designated wilderness. Under study are the Elkhorn, Great Bear and selected roadless areas also totalling about 2 million acres. S. 393 proposes for study nearly 1 million more acres. Finally, H.R. 3454 recommends in the neighborhood of about 100,000 acres for wilderness study in Montana.

QUESTION. That sounds like a lot of land. I am curious as to what kind of impact the wilderness bills will have on forestry in Montana.

BAUCUS. That question goes to the heart of the dilemma that we face in Western Montana. How much of our land base can be designated as wilderness before our state's economy and wood products industry is adversely affected? We shouldn't forget that in Western Montana about 51 percent of our economy is dependent either directly or indirectly on the forest products industry.

The wilderness issue, in my judgment, depends almost entirely on how well we manage our forests. Currently our timber base is declining; production is declining as well. If we are to maintain current levels of production on existing roaded lands we must increase federal support for management of those lands.

QUESTION. With the problems of low production plus the incentives to try to keep our wilderness areas, what can be done to solve the problems of decreased production?

BAUCUS. Nearly every Montanan wants to maintain our high quality of life. We want to keep our mountains majestic and our streams clear. At the same time, we all want a good solid economic base. So the question is, "To what degree can we have both?" In order to achieve both, we must increase as much as possible federal support to forest management in Montana. This support should be directed toward our productive forests. That is, we should not place dollars in those areas in Montana which are low-productive sites or low yield. Instead, we should direct increased timber management budgets on high-productive sites.

This year, with my active support, the House Appropriations Committee increased the funding levels for timber management. The House increased the level up from 75 to 85 percent of full funding. This is $265 million above last year's Forest Service budget. For timber management alone, we increased Region I's budget by more than $19.5 million—about half of which (or nearly $10 million) would go to Montana's forests. This means that if we maintain the increased funding level—and I have assurances that we will—we'll be able to increase the Region's allowable harvest by about 200 million board feet by 1980. We should be able to increase sales in Montana in the neighborhood of about 100 million board feet.

So the point is, if we increase the intensity with which we manage our forests, we can actually increase timber yields and production without continuing to intrude on existing roadless areas. In other words, it is my hope, grounded upon some convincing evidence, that we will be able to save much of the wilderness areas in western Montana we value so highly.

QUESTION. What did you do in arriving at the decisions you made regarding the wilderness study areas?

BAUCUS. Well, I've devoted considerable time studying the subject. In the first place, I conducted a lot of town meetings in western Montana—Plains, Thompson Falls, Dillon, Missoula, Hamilton, Helena, Bozeman—areas that are all close to potential wilderness study areas. Obviously, questions regarding wilderness came up and that gave me a good chance to talk to people and get their views of whether they support or oppose more wilderness lands. Second, I travelled to most of the study areas myself. This gave me a better feel for each. Third, I talked with Forest Service officials. I also spoke with environmentalists to get their views, and I've spoken with timber industry people. In addition, I spoke with people who represent snowmobilers, off-road vehicle users, farmers and ranchers who own stock that now grazes on potential wilderness.

QUESTION. Well, getting back to the two bills, can you tell us a little about the Congressional situation?

BAUCUS. Right now, we're really talking about two major bills. The first is the American Endangered Wilderness bill introduced by Congressman Udall which includes three areas in Western Montana—Welcome Creek outside of Missoula, McGregor-Thompson between Thompson Falls and Kalispell, and Mt. Henry near Libby. That bill is now before the Public Lands Subcommittee in the House.

The second bill, S. 393 sponsored by Senator Metcalf, includes nine potential study areas. That bill passed the Senate and is now spending in the House. The House will probably be considering S. 393 within the next month.

QUESTION. On both of these bills—do they call for studies or do they designate areas as wilderness?

BAUCUS. Both are study bills. Neither would allocate one acre of wilderness. Since we don't have enough information to know whether the areas are in fact wilderness, they should be studied. Although the Carter Administration recommended instant wilderness classification for the three areas in Congressman Udall's bill (i.e., Mt. Henry, Welcome Creek and McGregor-Thompson), I don't think we know enough yet about the wilderness qualities of these areas or about the economic impacts that withholding these areas from development would have on adjacent communities.

QUESTION. So you are saying that both bills call for study, but the Administration wants to make instant wilderness out of the areas in the Endangered bill?

BAUCUS. That's right.

QUESTION. I understand that you are going to propose a major revision in Senator Metcalf's S. 393. Can you tell us what that revision would do?

BAUCUS. That bill calls for a five year study period. At the end of that period, the Forest Service has two more years to make its recommendations to the Congress. Thus, there is as long as a seven year period before Congress will get an opportunity to consider whether additional wilderness should be designated. In my judgment, that is just too long. Some of these areas have been partially studied. I feel it makes sense to reduce the study period. My amendment would shorten it from seven to three years.

QUESTION. During the study period, what happens to the wilderness areas themselves?

BAUCUS. This has been one question that has bothered me for some time. During previous studies, no uses were permitted. Thus, snowmobilers were not permitted to snowmobile during the study period; ranchers were given a hard time grazing cattle; and off-road vehicle users weren't allowed to drive in these areas.

I don't think we want to damage the land to the point that it can not longer be called wilderness. On the other hand, it seems to me that the Forest Service, during a study period, should permit, as many interim uses as possible, provided they don't jeopardize the area's wilderness potential.

QUESTION. What are your recommendations going to be to the Committee? Can we review the two different bills starting out with the Endangered bill first and then going on to S. 393 and can you then tell us what you are going to recommend to the Committee?

BAUCUS. In the first place, I disagree with the Carter Administration's proposal that McGregor-Thompson be designated instant wilderness. In fact I believe that the Forest Service has done a very good job in developing its land management plan in the McGregor-Thompson area. Because there is so much private holdings in McGregor-Thompson, there would be serious problems managing the area as wilderness.

Second, in the American Endangered Bill I also feel that Welcome Creek should not be included. It should not be designated as instant wilderness. I think that can be included in the Forest Service Rare II program (i.e. the Forest Service's recently announced program which will re-evaluate all the roadless areas during a fifteen month period). They are going to do that right now and I think that is the proper time for the Forest Service to look at Welcome Creek under Rare II.

The third area in the Endangered bill is Mt Henry. I think that Mt. Henry should be deleted from this bill, but retained in S. 393

QUESTION. Let's go then to S. 393. It has not only Mt. Henry but eight other Montana areas as well. What is your recommendation for the areas in S. 393?

BAUCUS. We can start with the Sapphire proposed study. That includes about 94,000 acres in the Deer Lodge and Beaverhead National Forests. I recommend that the Sapphire be included for wilderness study. I think that the Forest Service during its inventory of the Sapphires looked at units

which were much too small. They divided up the area into a number of little parcels and really didn't give the wilderness potential much of a chance. I think, therefore, that the Forest Service should restudy the area and make its recommendation within the three year period as to whether or not it should be designated as wilderness.

QUESTION. What about the Big Snowies area?

BAUCUS. Big Snowies and the Middle Fork of the Judith are actually located pretty close together. Both are located in the Lewis and Clark Forest in the Eastern District of Montana. The town closest to the areas is Lewistown.

The Big Snowies area totals about 91,000 acres in the Lewis and Clark forest. I recommend that it be included for wilderness study. Its impact on timber potential would be minimal. Also, it is located in an area where there is no other wilderness nearby. I think we should at least study it to see if it should be included.

The second area, the Middle Fork of the Judith, totals about 81,000 acres. I think it should also be studied as wilderness study. Like the Big Snowies area, the timber impact in the Middle Fork of the Judith would be relatively insignificant during the study period.

In both of these areas, I think it is imperative that the Forest Service draft reasonable regulations so that interim uses can be continued so long as the potential wilderness characteristics are not jeopardized. I mention that, with particular emphasis on the Judith area, because I understand there are nearly 70 miles of jeep and other improved roads.

QUESTION. Okay, let's go on to the Hyalite Porcupine Buffalo Horn. What should we do with that area?

BAUCUS. Hyalite Porcupine Buffalo Horn includes 151,000 acres in the Gallatin National Forest. The area is south of Bozeman down the southern portion of Western Montana. I think the wilderness potential there is significant. It should be studied. Also, the timber impact there would be minimal.

QUESTION. What about the Taylor-Hilgard area?

BAUCUS. Taylor-Hilgard is one of the more unique areas in Western Montana. It is about 289,000 acres in the Beaverhead and Gallatin National Forests. It is near Yellowstone National Park and has very significant wildlife characteristics in the area.

I think it should be studied. We need more information to see whether it should be included in the National Wilderness System.

QUESTION. What about the Ten Lakes area?

BAUCUS. The Ten Lakes is in the Kootenai National Forest and totals about 34,000 acres, and the timber impact really in the area is not significant. There are some planned sales. The real question there is not so much what the boundaries should be, but whether it should be scenic or wilderness. The area is near Glacier National Park and there are significant wildlife values there. I think we need a few more facts, so I recommend that it be included for wilderness study.

QUESTION. What about the Bluejoint area?

BAUCUS. The Bluejoint is about 61,000 acres. It's in the Bitterroot National Forest, the area south of the southern end of Ravalli County, down near Darby. I think it should be studied. There are no significant timber sales planned during this study period, and I think it should be studied.

QUESTION. Getting down to the last area in the Metcalf bill, what do you think about the West Pioneers area?

BAUCUS. The West Pioneer study area is probably one of the most difficult ones on which to make a decision. The area includes about 151,000 acres in the Beaverhead National Forest. I have flown over and walked through the area. I looked at it fairly extensively.

The Forest Service recently announced its plan which sets aside about 90,000 acres as proposed wilderness. Thus, the additional acreage would be around 60,000 under S. 393.

Beaverhead County has a very delicate economy. It is very dependent upon its livestock industry, and the town of Dillon has a sawmill which is very dependent upon a diminishing supply of timber.

The question in my mind is whether the inclusion of the West Pioneers into a study and perhaps into the wilderness system would have an adverse effect on Beaverhead's economy. All that being said, my judgment is that we should include the West Pioneers into a study; conduct the study as quickly as possible; and tell the Forest Service to pay particular attention to the economic aspects of the area.

QUESTION. What are your recommendations going to mean to the forest products industry?

BAUCUS. The essential question is the degree to which these recommendations will affect the forest products industry. One might think that it will have an adverse effect on the industry because during the study period (although it should be only three years) we would be taking a significant amount of acreage away from the timber land base. There are several points to keep in mind. In the first place, even though the acreage is in the neighborhood of 900,000 acres in the proposed study areas, most of it is in very low timber producing areas. Although estimates vary, it is clear that there is very little commercial forest land in these areas.

So the economic effect is probably not going to be very great at all. To make doubly sure that the effect on the timber industry is not significant during the study period, we are adding additional federal funds to national forest management, particularly in Montana. As I mentioned before, the Forest Service tells me that according to its figures, with the additional funds Congress is providing this year, we will be able not only to maintain, but probably increase the allowable harvest and the annual sales in Western Montana, even if about 900,000 acres of land are not logged during the study period.

QUESTION. Let's get in a little bit on the impact of what this will mean for Montana wilderness.

BAUCUS. Well, I think it is hard to say because this is a study bill. It is not really a bill to designate lands as wilderness. It will give Western Montanans a chance—probably for the last time in our state's history—to look at a significant acreage and decide whether it should be included in the American Wilderness System for ourselves, for the future, and for our children and grandchildren. Our land base is rapidly diminishing, and with each passing year, there are more and more intrusions into roadless areas—large parts of which are by and large wilderness. So what we are doing, during this study period of three years, is deciding, probably for the last time in Western Montana, whether these acres should be included in a wilderness system and therefore, whether they will be protected for ourselves and for our future.

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## STATUS OF MUTUAL SAVINGS BANKS

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

Mr. HANLEY. Mr. Speaker, it is my pleasure to resubmit this legislation today with the welcome cosponsorship of 24 of my colleagues on the full Banking, Finance, and Urban Affairs Committee. As was pointed out at the time of the first filing of this bill, then designated H.R. 7179, this is an effort to bring parity of opportunity for the mutual savings banks which would be able to choose either a Federal charter or a State charter organizational mode.

The bill is quite straightforward—it grants no new powers and allows no expansion of savings banks outside States presently chartering such institutions. It does seek to establish the dual chartering option for savings banks such as is now available to commercial banks, savings and loan associations, and credit unions.

Mr. Speaker, at this time I request that my statement in the RECORD of May 13, 1977, be repeated so that a fuller outline of the context for the legislation may be available for our fellow Members. Also, as further commentary and analysis becomes available, I will update the dialog on this important matter.

The statement follows:

STATEMENT OF MR. HANLEY

Mr. Speaker, an imbalance has existed within the financial institutions structure of this Nation vis-a-vis the status of mutual savings banks. Despite the duality of our banking system in other regards, there is not any provision which will allow a State chartered mutual savings bank to solicit or be granted Federal chartering privileges.

On other occasions in the past both this House in its wisdom and our sister body have both moved to redress this disparity of opportunity. However, fate or circumstance has always seemed to intervene and frustrate this effort at establishing equity.

Mr. Speaker, the bill which I reintroduce today may well be a vehicle for the renewal of this long overdue adjustment in the banking system. Hopefully, the House Banking, Finance, and Urban Affairs Committee through its financial institutions supervision, regulation and insurance subcommittee can deal with this matter expeditiously and fairly.

Not that there is not some historical resistance to this Federal chartering, Mr. Speaker. There has been opposition in the past. However, a fresh look at this matter will disclose that refinements and stricter conditions have met the major objections of the past.

Unlike prior Federal charter proposals, this one would clearly restrict Federal savings banks to those States which charter mutual savings banks. Moreover, no institution which is not a State mutual savings bank at the time of its conversion to Federal charter could call itself a Federal mutual savings bank. The FHLBB could not charter de novo any institution to be called a Federal mutual savings bank.

Section 3 "grandfathers" the service powers and investment authority of converting state mutual savings banks but imposes a limitation on the extent of equity, corporate bond and consumer loan investments.

Section 6 is a necessary technical amendment which would provide positive Federal authority for state-chartered savings banks to convert to Federal charter.

This bill differs from its predecessors not only in that it limits Federal mutual savings bank charters to institutions that were state mutual savings banks at the time of conversion, but in addition would confer no new powers on converting savings banks. Indeed, the recommended grandfather clause in Section 3 would limit investment alternatives to some extent because State-chartered institutions would not be subject to the 5-year floating average.

The Congress should enact legislation to provide a federal charter alternative for ex-

isting state-chartered mutual savings banks. Such action would complete the dual banking system, correct a long-standing inequity in the nation's financial structure and provide significant long-run benefits to consumer savers and home mortgage borrowers.

Mutual savings banks operate as state-chartered institutions in 17 states and do not have the option of being chartered and regulated by the federal government. Commercial banks, savings and loan associations and credit unions, by contrast, have long had the choice of being chartered and regulated by the various states or by the federal government.

The benefits to the public of such a dual chartering system in promoting progessive financial legislation and regulation, financial innovation, increased competition and improved services in financial markets are widely recognized. There is no logical reason to deny mutual savings banks, and the consumers and communities they serve, equal access to the benefits of a dual system that are available to all other depository institutions.

Providing a federal alternative and the benefits of a dual system for existing state-chartered mutual savings banks is widely supported. There is no known opposition to this noncontroversial public-interest goal. Providing a federal alternative could easily be accomplished, moreover, by a few simple amendments to the federal savings and loan law. These amendments would, in effect, give existing state-chartered mutual savings banks the option of converting into federal savings and loan associations.

Those savings banks which might choose to exercise this option would be known as federal mutual savings banks and would be permitted to maintain certain assets and consumer services available to them at the time of conversion, in order to make a federal alternative a real possibility. Federal mutual savings banks would not be authorized in those states which do not authorize state-chartered mutual savings banks.

These simple amendments to provide a dual system for existing state-chartered mutual savings banks would confer no new powers. The availability of existing federal savings and loan powers—especially with regard to branching and full access to the Federal Home Loan Bank System's advances mechanism—could be attractive to some state-chartered savings banks. Future changes in federal savings and loan powers, moreover, would apply equally to federal mutual savings banks, and would provide continuing incentives for progressive savings bank legislation and regulation at the state level.

By establishing a progressive framework for the future evolution of savings banking within a dual system, a federal alternative for existing state-chartered savings banks would strengthen their long-run viability and reduce future pressures to convert into commercial banks. The preservation of strong mutual thrift institutions in the financial system is the best long-run guaranty that consumers will earn the maximum long-run return on their deposit savings, and that the nation's critical housing credit needs will be met.

These long-run benefits to the public argue strongly for Congressional action to provide a federal charter alternative for existing state-chartered mutual savings banks. In view of the widespread support for a federal alternative, there is no reason to delay any longer in extending the dual banking system to mutual savings banking.

Providing a federal charter alternative for existing state-chartered mutual savings banks is the least controversial issue in the entire area of structural reform for depository institutions. This is clearly evident in the extensive record of hearings on the Senate-passed Financial Institutions Act of 1975, on the FINE Study "Discussion Principles" and on the Committee Print of the Financial Reform Act of 1976, which all provided such an alternative. This record reveals no opposition to a federal alternative for state-chartered savings banks and widespread support for such a provision.

It is particularly significant that a federal alternative for existing state-chartered savings banks has been supported in recent testimony before the House Banking Committee by the major trade associations of the commercial banking, savings and loan, credit union, home building and real estate industries.

The American Bankers Association in December 1975 testified:

"The Association does not oppose Federal chartering of mutual savings banks but would limit the availability of Federal charters to states which specifically authorize the formation of mutual savings banks." [1]

The National Association of Home Builders in March 1976 testified:

"We are also, of course, in support of granting mutual savings banks the power to obtain Federal charters . . ." [2]

The National Association of Realtors in March 1976 testified:

"We are in agreement with extending the principle of the dual system of both Federal and State charter options now applicable to commercial banks and savings and loan associations to mutual savings banks . . . Such a system applied to mutual savings banks, will in our opinion, significantly strengthen the mortgage market. . . ." [3]

The United States League of Savings Associations in December 1975 strongly endorsed dual chartering systems and testified:

"We believe the public has been well-served by the dual system of chartering and examination . . . we remind the Subcommittee that the differing types of financial institutions—savings and loan associations, commercial banks, mutual savings banks and credit unions—need differing types of supervision." [4]

The National Savings and Loan League in March 1976 testified:

"The League also supports the conversion of mutual savings banks to Federally-chartered institutions . . ." [5]

The Credit Union National Association in March 1976 testified:

"The proposal for federal chartering of mutual savings banks opens the door for even more competition in the consumer credit and savings market." [6]

The record of recent testimony before the House Banking Committee also shows that a federal alternative for savings banks is supported by the federal regulatory agencies. For example:

The Federal Reserve Board in January 1976 testified:

"We support the proposal which would permit Federal chartering of mutual savings banks." [7]

The Chairman of the Federal Deposit Insurance Corporation in March 1976 testified:

"I have previously testified for the Corporation in general support of the objectives and provisions of the Senate-passed Financial Institutions Act, particularly those provisions which would enlarge the asset and liability powers of thrift institutions [and] provide a Federal charter option for mutual savings banks. . . . Naturally, the Corporation would favor those same provisions in the House bill. . . ." [8]

Support for a federal alternative for savings banks was also expressed in recent testimony before the House Banking Committee by the Conference of State Bank Supervisors and by individual state banking regulators. For example:

The Conference of State Bank Supervisors in March 1976 testified:

"CSBS supports the federal charter option for mutual savings banks in those 17 states in which they operate today under state charter, or in other states in which state administrations and legislatures may in the future choose to enact enabling legislation relative to mutual savings banks." [9]

The New York State Superintendent of Banks in March 1976 testified:

"The existence of a federal option for savings bank chartering is an essential part of the dual banking system. . . . I support this federal chartering and conversion option for mutual savings banks." [10]

Consumer groups have supported a federal alternative for savings banks.

The Kennedy, Johnson, Nixon and Ford Administrations have supported a federal alternative for savings banks.

The House Banking Committee has supported a federal alternative for savings banks. In 1967, the Committee voted to report the Federal Savings Institutions Act (H.R. 13718), which provided such an alternative.[11] A federal alternative for savings banks was again recommended by the Committee's staff in August 1973, in a comprehensive report on financial institutions.[12]

The Senate voted in December 1975 to provide a federal alternative for savings banks when it passed the Financial Institutions Act of 1975 by an overwhelming margin.

Finally, it is highly significant that a federal alternative for savings banks was recommended by three major study groups charged with examining the overall efficiency of the nation's financial system in recent years—the privately-sponsored Commission on Money and Credit in 1961; President Kennedy's cabinet Committee on Financial Institutions in 1963; and the Hunt Commission in 1971.[13]

FOOTNOTES

[1] American Bankers Association, testimony on the FINE Study "Discussion Principles" presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, December 17, 1975, page 24.

[2] National Association of Home Builders, testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, March 23, 1976, page 7.

[3] National Association of Realtors, testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, March 23, 1976, page 2.

[4] United States League of Savings Associations, testimony on the FINE Study "Discussion Principles" presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, December 18, 1975, page 32.

[5] National Savings and Loan League, testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, March 4, 1976, Addendum, page 7.

[6] Credit Union National Association, Inc., testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, March 9, 1976, page 5.

[7] Robert C. Holland, Member, Board of Governors of the Federal Reserve System, testimony on the FINE Study "Discussion Principles" presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, January 22, 1976, page 12.

[8] Frank Wille, Chairman, Federal Deposit Insurance Corporation, testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regu-

lation and Insurance, March 16, 1976, pages 1–2.

[9] Conference of State Bank Supervisors, testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, March 16, 1976, page 19.

[10] John G. Heimann, New York State Superintendent of Banks, testimony on the Committee Print of the Financial Reform Act of 1976 presented to the House Subcommittee on Financial Institutions Supervision, Regulation and Insurance, March 16, 1976, page 17.

[11] *Federal Savings Institutions*, Report on H.R. 13718, House Report No. 1042, Committee on Banking and Currency, House of Representatives, 90th Congress, 1st Session, December 13, 1967, page 6.

[12] *Financial Institutions: Reform and the Public Interest*, Staff Report of the Subcommittee on Domestic Finance of the Committee on Banking and Currency, House of Representatives, 93rd Congress, 1st Session, August 1973, page 89.

[13] *Money and Credit: Their Influence on Jobs, Prices and Growth*, the Report of the Commission on Money and Credit, Prentice-Hall, Inc., Englewood Cliffs, New Jersey, June 1961, page 164; *Report of the Committee on Financial Institutions to the President of the United States*, U.S. Government Printing Office, Washington, D.C., April 1963, pages 33–35; *The Report of the President's Commission on Financial Structure and Regulation*, U.S. Government Printing Office, Washington, D.C., December 22, 1971, pages 59–60.

## RESTORING SERVICE TO THE POSTAL SERVICE

(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 reintroducing the "Postal Service Act of 1977." This bill is identical to that introduced by Representatives JAMES M. HANLEY and CHARLES H. WILSON on June 8, 1977. I hope that this bill will help to provide both the President and the Congress greater opportunity to establish and to monitor postal policy, and to restore the concept of "Service" to primary in the conduct of the U.S. Postal Service.

Seven years ago, I was among those who supported the legislation which eliminated the old Post Office and replaced it with a new, quasi-independent corporation. I hoped that removing politics from the postal service would result in improved service and in more efficient operations. I was wrong.

Over the course of the past 7 years, rates have soared while service has been severely curtailed and has become increasingly unreliable. We are now told that Saturday deliveries will have to be ended. When will Friday deliveries suffer the same fate? Meanwhile, this reduced service costs all of us more—both through higher postal rates and through higher Federal Government subsidies.

I do not believe that Americans will—nor should they—tolerate increased rates and deteriorating service. It is a hardship upon business and private citizen alike. For low income groups and for the elderly, higher rates and service cutbacks impose special hardships and further isolate them from the world at large.

It is incumbent upon the Congress that we take measures to correct this situation. That is why I would like to take this opportunity to reintroduce the legislation of Mr. HANLEY and of Mr. WILSON as a gesture of my support for the goals of their bill.

## URGENT NEED FOR CHILEAN REFUGEE BILL

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

Mr. OTTINGER. Mr. Speaker, the following questions and answers with regard to my Chilean refugee bill (H.R. 5969), cosponsored by 30 of my colleagues (H.R. 7347 and 7366), prepared by Blair A. Ruble, a very able intern who has been working on my staff, illustrate dramatically the need for this legislation.

QUESTIONS AND ANSWERS

Q. Do we need a special law for Chilean Refugees?

A. Yes. It has been over three-and-three-quarter years since the government of President Salvadore Allende was overthrown. Since that time, nearly 30,000 people have fled Chile. These Chileans, as well as many of their countrymen still inside of Chile, have faced, and continue to face, severe difficulties. Amnesty International reports that over 1,500 Chileans has disappeared since the September, 1973 coup; another 5,000 have been executed. In Argentina, during the past two-and-one-half years, between 3,000 and 30,000 persons have disappeared. Many of these people were Chileans. The Amnesty report concluded by observing:

"There are about 12,000 Latin American refugees in Argentina registered with the UNHCR/United Nations High Commission for Refugees/ and possibly as many as 100,000 in all (mainly unregistered). Many of these people are Chileans who fled from Chile after the coup there in September, 1973 and were caught up in a similar, if not worse wave of terror and repression in Argentina. Many have been intimidated, abducted, tortured, and even killed . . . Chilean refugees . . . are not only the target for the DINA/Chilean secret police/ but also for Argentine security forces and extreme right-wing groups such as the Argentinian Anti-communist Alliance (AAA)."

The threat of sudden separation from one's family, torture and even death is but a limited aspect of the refugee's life. In addition, Chileans face a myriad of day-to-day problems, perhaps the most pernicious being the necessity of moving from one country to another. The coup in Chile created a new band of migrants moving across Latin America. Receiving permission to live in Ecuador for six months, in Venezuela for three, families are never allowed to settle down. Such disruptions are particularly hard on the children of refugees. Special measures are needed if such uncertainty is to come to an end.

Finally, special legislation is needed to overcome prejudices existing within the United States Immigration and Naturalization Service against refugees from right-wing governments. During the past three-and-three-quarter years, the United States has admitted approximately 1,600 Chilean refugees. Meanwhile, over 130,000 refugees from Indochina have immigrated to the United States, and, since 1961, over 650,000 Cuban refugees. These figures reflect a bias which exists not only in the Immigration and Naturalization Service, but also in Congress. During recent hearings on proposed amendments to the Immigration Act, some members distorted facts to reflect their preference for refugees from left-wing dictatorships. Questions were often exclusively framed with reference to the experience of refugees from Hungary, Czchoslovakia, and Indochina. Moreover, questioners misrepresented American financial aid to the United Nations High Commission for Refugees as financial assistance to move Chilean refugees all over Latin America. In addition, some belittled the considerable efforts of the Canadian government to help refugees. Without special legislation such as the Chilean Refugee Bill (H.R. 5969, 7347, 7366) prejudices such as those reflected in the actions of the Immigration and Naturalization Service and in the statements of some members of Congress can never be overcome.

Q. Hasn't the terror in Chile come to an end?

A. No. The Human Rights Commission of the Organization of American States reported in May, 1977 that while fewer persons are being arrested than in the past, the current military government continues to violate regularly the most basic human rights of its citizens.

Q. Aren't there thousands of Chilean refugees?

A. Yes, the United States Committee for Refugees reported that, at the beginning of 1977, there were approximately 10,000 Chileans in Argentina and approximately 10,000 in other Latin American countries. While the United States can not be expected to absorb all of these people, the American government should be willing to take in its fair share.

Q. Aren't all of the refugees Communists and Marxists?

A. No. While some Chilean refugees may be Marxists, many more are not. Spokesmen for Amnesty International are willing to testify that the current military government has sought to quiet a broad spectrum of democratic dissent, including that of non-Marxists as well as that of Marxists. The Chilean Refugee Bill (H.R. 5969, 7347, 7366) does allow consular officials to determine the degree to which the political views of a specific refugee might disqualify the applicant under current statutory restrictions.

Q. Hasn't there already been a Parole Program to assist Chileans?

A. Yes. In June, 1975, the United States established a program to assist Chileans in Chile. In October, 1976, a similar program was begun to help Chileans in Argentina. Under the initial program, 400 heads of family (about 1600 people in all) have been allowed to enter the United States. In addition to these persons, 40 more heads of family have been accepted pending expansion of the numerical limitations by Congress.

While both programs represent first good steps, much more remains to be done. The International Committee for European Migration reported that, as of April 1, 1977, additional opportunities for 1,000 prisoners and their dependents now in Chile were needed in order to complete the prison release program. In addition, there are thousands of Chileans already in the United States and in countries other than Chile and Argentina who could benefit from legislation such as the Chilean Refugee Bill (H.R. 5969, 7347, 7366).

In creating new programs to help these people, or in extending the old programs, Congress must be particularly aware of the difficulties faced by hundreds of Chileans who applied for entrance to the United States under existing law. For example, there has been a dangerously long waiting period from the time of application to the time of entry.

The first refugees under the 1975 program did not arrive in the United States until October, 1976; and the last families are only now arriving. Moreover, under the 1976 Argentine Parole Program, not one refugee has entered the United States as of May, 1977. This would not be unusual or noteworthy were it not for the fact that every day the application of a Chilean is delayed could cost that Chilean his or her life. This threat also often applies to whole families.

Under the current Parole Program, Chileans in Chile can apply only when they are actually under detention. Chileans are not eligible if they are under threat of arrest, or if they are picked up by the police, tortured, and released. Upon approaching the United States Embassy in Buenos Aires, those Chileans who did manage to flee to Argentina were told to register first with the Office of the United Nations High Commission for Refugees. However, that office has been broken into on no less than two occasions, with the files containing the identity and the whereabouts of Chilean refugees being stolen. Several individuals whose files were removed during these breakins soon disappeared. Thus, it is imperative that the application process for any program designed to assist Chileans be as expeditious as possible.

Finally, the application process remains quiet complex. This complexity creates a bias for those Chileans sophisticated enough to deal with American "Red Tape". Yet, if the United States is truly interested in the plight of political refugees in Latin America, or, for that matter, around the globe, Congress must design programs which will benefit not only the rich, the powerful, and the worldly, but also the poor, the weak, and the unsophisticated. For this reason, new programs must be carefully implemented so as to avoid unintentional discrimination often found in previous efforts.

Q. Do we know that Chilean refugees would want to come to the United States?

A. Yes. Representatives of the United States Committee for Refugees, of Amnesty International, and of a number of other groups directly concerned with the plight of Chilean refugees are ready to testify that a significant number of Chileans would be interested in coming to the United States if a quick, simple, and direct application process could be established.

Q. Wouldn't a program to help Chilean refugees cost the American taxpayer a great amount of money?

A. No. A new Chilean refugee program would not cost the American taxpayer anything. Transportation to the United States would continue to be paid for by the Intergovernmental Committee for European Migration. In addition, both national and community church-related organizations have offered to assist the refugees once they arrive in the United States. On May 31, 1977, John E. McCarthy, Director of Migration and Refugee Services of the United States Catholic Conference wrote Congressman Richard L. Ottinger that:

"It has been our privilege over the past years to provide resettlement opportunities without any costs to the United States Government for some hundreds of Chilean nationals who wish to establish new lives for themselves and their families in the United States. We have found these refugees to be hardworking, dedicated, and most anxious to become integral and contributing members of their communities."

"You can therefore be assured that we truly support your endeavors and are ready to provide for the resettlement opportunities of those who may be admitted to the United States . . ."

In addition, Mr. Patrick Taran, Program Coordinator of the Seattle Chilean Refugee Resettlement Program has written that his group would be very interested in assisting more Chileans. In short, it appears that a number of groups, religious and secular, national and local, would be willing to assist refugees. Chilean refugees need not become wards of the state.

Q. Can't the Chileans go elsewhere?

A. Yes. For example, the Canadian government continues its program under which representatives of the federal Ministry of Manpower and Immigration have been dispatched to Chile, to Argentina, to Panama, and to other Latin American countries to search out, to relocate, to retain, and to find Canadian employment opportunities for Chileans threatened by the present government in Chile. On June 14, 1977, the Canadian Government announced that the number of Chileans to be allowed to enter Canada under this program would be increased from 6,000 to 7,000. Thus far, Canada, a country whose population is but one-tenth of our own, has admitted nearly two-and-one-half times the number of Chilean refugees as the United States has. Canadian government officials are ready to testify that these refugees have been assimilated into Canadian society with relative ease. In addition, France has taken in 4,000 Chilean refugees while Italy, Sweden, and Switzerland have admitted smaller numbers. The time has come for the United States to accept its fair share, as well.

Q. Isn't the authority that the Chilean Refugee Bill (H.R. 5969, 7347, 7366) would grant to consular officials unprecedented?

A. Yes. As the answer to each of these questions indicate, the plight of Chileans is also unprecedented. This fact has been recognized by several social service organizations in the United States which has established special programs to assist Chileans, as well as by several of our allies, which have established unprecedented programs of their own. What everyone concerned with this problem agrees on is that swift application procedures are absolutely necessary for any program to succeed. One way in which that application process can be streamlined would be to grant to consular officials the authority provided in the Chilean Refugee Bill to make immediate determination concerning the application of a Chilean.

Q. Has there been any interest in Congress for such measures?

A. Yes. On May 23, 1977, Mr. Ottinger reintroduced the Chilean Refugee Bill (H.R. 5969) with thirty cosponsors:

H.R. 7347: Mr. Badillo; Mr. Bedell; Mr. Bonior; Mr. Brown of California; Mr. John Burton; Mr. Conyers; Mr. Downey of New York; Mr. Edgar; Mr. Edwards of California; Ms. Fenwick; Mr. Fraser; Mr. Harkin; Mr Harrington; Mr. Kastenmeier; Mr. Koch; Mr. LaFalce; Mr. McCloskey; Mr. McHugh; Ms. Meyner; Ms. Mikulski; Mr. Miller of California; Mr. Mineta; Mr. Mitchell of Maryland; and Mr. Moakley.

H.R. 7366: Mr. Moffett; Mr. Patterson of California; Mr. Simon; Mr. Stark; Mr. Waxman; and Mr. Weiss.

Mr. Speaker, the text of the Chilean refugee bill (H.R. 5969) can be found in the CONGRESSIONAL RECORD of April 4, 1977 on pages 10296–10297, or copies can be obtained from the office of Congressman RICHARD L. OTTINGER (202) 225–6506. The CONGRESSIONAL RECORD insert also contains his remarks on introducing H.R. 5969, and a section-by-section analysis of the bill.

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## THE WATERGATE SPECIAL PROSECUTOR FORCE HAS FAILED TO ACCOUNT FOR THE WORK OF THEIR OFFICE

(Ms. HOLTZMAN asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Ms. HOLTZMAN. Mr. Speaker, in October 1975 the Watergate Special Prosecutor Force issued a report on the activities of that office. Shortly afterward I made a detailed analysis of questions left unanswered by that report and the many new questions it raised.

I was very disturbed that the final report issued on the closing of the Special Prosecutor's Office last week shed no further light on any of these matters.

I would like to insert in the RECORD the memorandum I prepared in December 1975:

MEMORANDUM: THE INADEQUACIES OF THE OCTOBER 1975 REPORT OF THE WATERGATE SPECIAL PROSECUTION FORCE

The Office of the Watergate Special Prosecutor was given the responsibility for conducting the most important criminal investigation ever undertaken in the history of the United States. Its mandate was clear: To prosecute all crimes arising out of the break-in at the Democratic Headquarters on June 17, 1972, and to investigate criminal charges against the then-President of the United States, Richard M. Nixon, and his staff.[1] The Office itself had been created in response to a national concern that the traditional law enforcement agencies were covering up the truth about criminal activities of government officials.

The report of the Watergate Special Prosecution Force, issued on October 16, 1975, fails to meet the requirements of informing the public about the historic mission of the Special Prosecutor. In fact, the report raises many new questions about the thoroughness of the Special Prosecutor's investigations, in addition to failing to answer the old questions—including those that gave rise to the formation of the Special Prosecutor's Office in the first instance. We still don't know who ordered the Watergate break-in and why, or what was President Nixon's precise role in the Watergate break-in and other illegal acts.

It is significant that Archibald Cox, in testimony during Senate hearings on Elliot Richardson's confirmation as Attorney General, promised the Senate and the American people that the report would include:

". . . the reasons for not bringing prosecution or reason for not indicting other figures, the exculpatory facts, if there were any—about other figures. . ."

If Archibald Cox had told the Senate at the time: "I will not prosecute any higher ups for the Watergate break-in, and I will not at the end of my investigation tell you who ordered the break-in and why it was ordered," the Senate of the United States would never have accepted that proposition or confirmed Elliot Richardson. It is plain that the Special Prosecutor was created expressly to answer those questions and to report the answers to the American public. Distressingly, the Report issued by Henry Ruth unilaterally abrogates the commitment made

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[1] The Special Prosecutor was mandated to have ". . . full authority for investigating and prosecuting offenses against the United States arising out of the unauthorized entry into Democratic National Committee Headquarters at the Watergate, all offenses arising out of the 1972 Presidential Election for which the Special Prosecutor deems it necessary and appropriate to assume responsibility, allegations involving the President, members of the White House staff, or Presidential appointees, and any other matters which he consents to have assigned to him by the Attorney General." Nomination of Elliot L. Richardson to be Attorney General, Hearing before the Committee on the Judiciary of the United States Senate, May 21, 1973 pp. 144–145.

by Mr. Cox to the United States Senate and flouts the expectations of the American public that, at the end of the investigation, criminal responsibility would be clearly assigned.

The Report is also defective for the following reasons:

1. The Report does not provide sufficient information to determine if the Special Prosecutor thoroughly and fairly discharged the broad responsibility given to his Office. "Was the investigation itself adequately completed?" remains an open question.

2. The Special Prosecutor was charged with investigating crimes committed by Richard M. Nixon. In early September, 1975, the Special Prosecutor presented to President Ford a memorandum of ten areas (in addition to the Watergate cover-up conspiracy) in which President Nixon's criminal culpability was being investigated. Yet, incredibly, there is not one word in the Report about the role that Mr. Nixon played in any criminal activity other than the cover-up. Nor do we learn whether the pardon issued to Richard Nixon aborted the ten investigations of Nixon's other possible criminal activities then in progress or aborted investigations of others who may have been implicated as cohorts.

3. Ambiguous descriptions of several investigations where no prosecutions resulted raise serious questions about the soundness of the Prosecutor's decisions.

4. The Report is remarkably uninformative, even with respect to matters in the public domain. It fails even to summarize the evidence on which defendants were ultimately convicted.

5. Certain policies of the Special Prosecutor may have resulted in fewer prosecutions than were warranted. While these policies may be the result of appropriate prosecutorial discretion, they may also demonstrate a questionable desire to preserve a perfect batting average in court. Specifically, these policies were: not to bring additional charges against defendants convicted of one serious crime; to allow defense attorneys prior to indictment to raise arguments against prosecution; and to use a stricter standard for bringing indictments than that of the American Bar Association Prosecutorial Standards.

A more detailed discussion of these problems follows.

I. THE WSPF REPORT DOES NOT PROVIDE SUFFICIENT INFORMATION TO DETERMINE IF A THOROUGH INVESTIGATION WAS MADE

*A. Lack of information on Presidential tape recordings requested and listened to*

Presidential tape recordings were the critical pieces of evidence at the Watergate cover-up trial; and disclosure of the June 23rd tape was the motivating factor in Nixon's resignation. Although the report elaborately describes the tapes requested before the pardon, it does not state which requests remained outstanding at the time of Nixon's resignation.

For the post-resignation period, the Report elaborately describes the methods used to review the Special Prosecutor's requests for tapes and documents, but gives no information about which tapes were actually requested and received after the resignation. It may well be true that the Special Prosecutor obtained all relevant information, but one lesson learned from Watergate is that neither the public nor the Congress should have to accept on faith alone that public officials did their jobs.

*B. Was the investigation into President Nixon's criminal liability completed?*

On September 3, 1974, Deputy Special Prosecutor Ruth prepared a memorandum, subsequently made public, stating that 10 matters were "still under investigation" which "may prove to have some direct connection to activities in which Mr. Nixon is personally involved." Significantly, the Special Prosecutor's Report does not state whether the investigation of these matters was completed or whether, as a result of the pardon, the investigations were halted in midstream. The Report gives no information about Richard M. Nixon's personal involvement, or lack of involvement, in any of these 10 matters. Indeed, it fails even to list the items covered in the memorandum.

Since the Special Prosecutor's Office was set up expressly to resolve the question of charges against Mr. Nixon, the public and the Congress should be told whether investigations of all criminal charges against him were completed. The Report is inexplicably silent on this subject.

In addition, curtailment of these investigations could have imapired investigations of persons associated with Nixon. Yet, here too, the Report's silence is deafening.

*C. Was there at least tacit agreement that no indictment would follow a pardon?*

The Report tells us that the Special Prosecutor examined the pardon to see whether it was issued pursuant to Presidential powers, and whether these powers were limited by the Special Prosecutor's charter. As a general matter of common law, even though a person may be legally empowered to issue a pardon, it may be invalid if obtained by bribery, fraud, or misrepresentation. Nowhere does the report assure us that those possibilities were examined.

In fact, the following passage in the Report seems to indicate that Mr. Jaworski felt that if a pardon were issued, there would be nothing further to investigate—about the pardon or Mr. Nixon.

"Jaworski had made it plain to staff members that he would not seek the former President's indictment if President Ford intended to pardon him. Accordingly, he met with Philip W. Buchen, President Ford's counsel on September 4. Jaworski reported later to staff members that during this meeting he had advised Buchen that the President's statements at the press conference had put the Special Prosecutor in a 'peculiar position' since the President's comments suggested that any action taken by WSPF against former President Nixon might prove to be futile.' "

This statement is disturbng. It seems to imply that the meeting was called by Mr. Jaworski; yet Mr. Buchen and Mr. Ford both stated that the meeting was initiated by Mr. Buchen. Also Mr. Ford and Mr. Buchen both stated that no commitments regarding prosecution were received from the Special Prosecutor prior to the pardon. This passage seems to indicate that Mr. Jaworski at least left an impression that there would be no indictment if Nixon were pardoned. The nature of the "peculiar position" in which Mr. Jaworski felt himself placed is mysterious, since Mr. Jaworski's mandate was to investigate and prosecute and let the chips fall where they might.

The ambiguity of this passage is particularly troubling in light of the serious questions which have been raised about President Ford's role, while still in the House of Representatives, in blocking a 1972 pre-election investigation of the Watergate break-in by Representative Wright Patman's Banking Committee. At hearings on Ford's confirmation as Vice President, Mr. Ford denied that his actions had in any way been motivated by White House requests. Yet a September 15, 1972 White House tape later revealed that President Nixon had clearly ordered H. R. Haldeman to see that Representative Ford was instructed to try and stop the investigation.

Furthermore, in an affidavit submitted to the House Judiciary Committee in November 1973, William Timmons flatly denied any communication with Mr. Ford regarding the Patman hearings. Yet Mr. Ford testified that he had talked in general terms with Mr. Timmons about the investigation. At these November hearings, I asked Mr. Ford to turn over to this subcommittee all tape recordings of conversations between Mr. Ford and Mr. Nixon. Mr. Ford avoided the question, saying the Attorney General had indicated the tapes belonged to President Nixon and that they were "being held for the benefit of the Special Prosecutor." Has the Special Prosecutor listened to these tapes?

Given that the nature of any commitments between Mr. Ford and Mr. Nixon were already in question, the specific details of the meeting between Mr. Jaworski and Mr. Buchen should be set forth in detail and all ambiguities resolved.

*E. What was the basis for the decision not to indict Richard Nixon?*

In regard to the decision not to indict Richard Nixon, the Report says:

"The Special Prosecutor concluded that the Supreme Court, if presented with the question, would not uphold an indictment of the President for the crimes of which he would be accused." (p. 122)

Yet on the previous page, the Report says that the staff's examination of ". . . the Constitution, relevant case law, and the historical and contemporary arguments" suggested that there was no constitutional basis for concluding that the President was immune from criminal process.

If the WSPF staff concluded that Richard M. Nixon could be indicted, and the Special Prosecutor reached the opposite conclusion his basis for doing so should be explained.[2]

*F. Inadequate and confusing description of investigations*

The Special Prosecutor's Report describes several investigations and the reasons for not commencing criminal prosecutions in some of them. The reasons given for failing to prosecute are not persuasive in all cases. For example:

1. Transcripts submitted to the House Judiciary Committee

The Report claims that no one was prosecuted for submitting incomplete Presidential transcripts to the Judiciary Committee because no criminal intent could be found. The WSPF reached this conclusion by deciding that President Nixon had made a bona fide offer to allow the Chairman of the House Judiciary Committee Mr. Rodino, and the ranking Republican member, Mr. Hutchinson, to verify the transcripts submitted to the Committee.

The Report concludes:

". . . all the available evidence indicated that the verification offer made by the White House to the Committee was made with the full expectation that the offer might indeed be accepted." (p. 55)

Therefore, the Report assumes that the offer could realistically have resulted in verification.

This conclusion is nonsense. In fact the Judiciary Committee rejected this offer for two reasons:

1. The authenticity and completeness of the tapes heard could not be verified since no technical experts would be allowed to examine them.

2. The time factor involved in having two people listen to the tapes—even assuming that all tapes had indeed been presented—was unrealistically long.

The Nixon verification offer applied to 23 tapes of 35 hours of conversation which covered 1308 pages of typed transcript. A former Judiciary Committee staff member has said that a "conservative estimate" of the time it took Judiciary staff members to transcribe the eight tapes submitted to the Committee in October 1973 was two hours per each min-

[2] Mr. Jaworski indicated in press reports that the decision was based on "politics of impeachment."

ute of tape.[3] At that rate, had Chairman Rodino and Ranking Minority Member Hutchinson undertaken to verify the tapes, and done nothing but listen to them eight hours per day, five days per week, verification would have taken two years. The impeachment inquiry would not have been resumed until President Nixon's term had expired.

To claim that such an offer was bona fide—as does the Special Prosecutor—strains credibility.

2. Wiretaps

The Report states that no prosecution occurred for any wiretap that might at any time have been construed as related to national security (p. 65). This policy is questionable, especially since the Report admits that at least one wiretap clearly became purely political soon after it was begun. Even more disturbing, the Report states that no prosecutions were brought on two wiretaps entirely unrelated to national security. In these instances, it claims, there was "insufficient evidence to bring criminal charges particularly when weighed against other matters under inquiry by WSPF as to some of the subjects of the wiretap investigation." (p. 65)

What does this statement mean? How can there be "insufficient evidence particularly when weighed against" something else? Was the evidence insufficient or not? This smokescreen of words raises serious doubts about the legitimacy of the prosecutor's decision.

3. Misuse of Internal Revenue Service

In January 1975 hearings, the members of the Special Prosecutor's staff testified that the Report would include information on federal agency abuse by the White House.[4] Such abuses vitally concern us as a nation, since Watergate greatly shook our confidence in the proposition that federal agencies are unbiased and nonpolitical.

Yet the Report contains virtually no useful information in this regard.

As to alleged misuse of the Internal Revenue Service by the White House for political purposes, we are told:

"It was concluded ultimately, however, that there was insufficient evidence and/or substantial legal problems mitigating [sic] against the bringing of any criminal charges." (p. 67)

If there was sufficient evidence to justify prosecution, the Report should have stated this, and, without naming names, made clear whether the persons involved were IRS or White House officials. If legal problems blocked prosecution, they should have been specified. In any event, the Report should have described in some detail the respective roles of White House and IRS officials.

Instead, as so often in the Report, what we read is a description of the problem, followed by a complete lack of specifics, and a defense of the prosecutor's conclusion.

4. Assault upon anti-war demonstrators

The Report tells us merely that "On the basis of several factors cited in Chapter 2, no criminal charges were brought" (p. 69) against those who allegedly assaulted anti-war protestors. This means, in effect, that any one of the 11 factors listed in Chapter 2 could have been responsible for the refusal to prosecute—including the health of a potential defendant or his wife. To conceal the evidence collected and the process whereby the WSPF decided that criminal prosecution was unwarranted by merely enumerating 11 diverse possible reasons for inaction is inexcusable.

5. Hughes and Rebozo

Serious questions remain unanswered about Howard Hughes' alleged $100,000 contribution held by Bebe Rebozo. A complete description of certain facts could have been set forth without compromising the parties' rights, and would have given us a better basis on which to judge the wisdom of the decision not to prosecute. For example, according to the publicly-distributed Senate Select Committee Report, Bebe Rebozo refused to produce a number of financial records for the Senate Select Committee. (p. 1071). Were these materials obtained by the WSPF?

After the Senate Select Committee Report, it appeared that a crucial piece of evidence in the Rebozo investigation was information possessed by Thomas Wakefield, a lawyer who claimed to have represented both Rebozo and Nixon. Wakefield claimed that this material was protected by the attorney-client privilege. Was this information obtained? If not, did the WSPF challenge the claim of privilege in court? If not, why not?

On September 21, 1975, the *New York Times* reported that Bebe Rebozo and Robert Abplanalp were never taken before the grand jury. The Congress and the public have a right to know if the report is true, and if so, why this decision was made.

II. Uninformative and Sometimes Misleading Nature of Report

A. NO BASIS FOR INFERRING SUBCOMMITTEE ACTION

In Appendix E, the WSPF describes Messrs. Ruth, Jaworski and Vorenberg's testimony on the WSPF final report before the Criminal Justice Subcommittee of the House Judiciary Committee on January 30, 1975. They then comment:

"In light of the arguments by the prosecutors against the proposed bills that would require release of raw investigative files, the Subcommittee on Criminal Justice decided not to proceed with legislation that would specify what WSPF reports should contain." (p. 216)

Nothing in any public record supports this inference about the Subcommittee's reasoning. Furthermore, no member of the Subcommittee suggested releasing the "raw investigative files." This statement is totally unsupported and conclusory; and casts doubt on the soundness of other conclusions in the report.

B. NO INFORMATION ON CASES IN WHICH COX AND RUTH RECUSED THEMSELVES

Specifics are offered only for Leon Jaworski's recusals (p. 40, fn. 2). We should also be told about cases in which Mr. Cox and Mr. Ruth did not participate.

C. NO SUMMARY OF IMPORTANT EVIDENCE

It would have been useful to the general public if the WSPF had summarized briefly the evidence in cases in which convictions were obtained or prosecutions brought.

D. UNSIGNED GRAND JURY INDICTMENTS

The Report should state if the Special Prosecutor refused to sign any indictments returned by the grand jury.

III. Troublesome Policies of the WSPF

A. REFUSAL TO BRING ADDITIONAL CHARGES AGAINST CONVICTED DEFENDANTS

The Special Prosecutor states that it was a matter of policy not to bring any additional charges against persons already convicted of a "serious crime" (p. 40).

The implications of this policy are most disturbing, since American prosecutors have not shown the same reluctance to prosecute thousands of less highly-placed offenders for multiple crimes when their involvement in multiple episodes could be proven.

If public officials have committed a serious crime, why should their further crimes be overlooked?

The inadequate justification given for dealing in this manner with public officials who abused the public trust is that second convictions would only have produced concurrent sentences. First, this cannot be said with certainty. More important, when cases involved misconduct of public officials, even if no additional penalty were imposed, the Special Prosecutor could have sought guilty pleas. Acknowledgment of the officials' guilt would have given the Congress and the public the definitive answers they expected.

B. DECISIONS NOT TO PROSECUTE

The Report states that prospective defendants' attorneys were invited to present arguments against prosecution. (p. 40) The WSPF acknowledges that this is a "departure from many federal prosecutors' normal practice." Since numerous risks are involved in this policy, including perjury, there is a need to know in greater detail the manner in which the policy worked, and its consequences. How many prosecutions were dropped as a result? Had evidence already been presented to the grand jury in these cases? Had the grand jury recommended an indictment? What was the nature and gravity of crimes involved? What types of arguments were found convincing?

C. QUESTIONABLE PLEA BARGAINING

Often policies described by the Report do not seem to explain particular results. We are told that defendants were generally required to plead to a felony charge carrying at least a five-year penalty. (p. 45) Nowhere is it explained why an exception was made for Richard Kleindienst.

The Report notes that perjury charges were waived when statements were not clearly perjurious or when defendants had pleaded guilty to a crime about which conflicting stories were told (pp. 36, 46). Neither of these policies seems to explain the disposition of Richard Kleindienst's case.

The Report states that plea bargaining did not cover undisclosed past crimes. When the January 8, 1973, tape played at the Watergate cover-up trial indicated Charles Colson had given conflicting testimony before the House Judiciary Committee, why was no prosecution commenced?

D. STANDARDS FOR SEEKING INDICTMENT

"The WSPF describes its attempt to approach a standard of seeking indictments only when all the available evidence, including a defendant's explanations, seemed likely to produce a guilty verdict at trial." (p. 37)

The Report admits that this is a different standard from the one required by the American Bar Association. To support its decision, the WSPF cites several sound considerations, but what were the consequences of applying a higher standard of prosecution in these cases than that used in hundreds of thousands of cases involving less well-known citizens?

The different standard of prosecution raises the question of a double standard of American justice—one for the highly placed and another for ordinary people. The sensitivity of this issue makes it vitally important to recount in detail the actual results of choosing a different standard of prosecution.

[3] Tapes from the Executive Office Building were of very poor quality; some portions had to be listened to nine or ten times. Tapes were reviewed by at least three people in order to reconstruct their substance.

[4] These hearings on the October 1975 Report were conducted by the Criminal Justice Subcommittee of the House Judiciary Committee.

## ADMINISTRATION STATEMENTS JEOPARDIZE ISRAEL'S SECURITY AND PEACE IN MIDDLE EAST

(Ms. HOLTZMAN asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Ms. HOLTZMAN. Mr. Speaker, I am deeply concerned that recent statements

by high administration officials signal a very dangerous shift for American policy in the Middle East—a shift that reduces chances for peace and threatens the security of Israel.

Until recently, this country's Middle East policy was based on four fundamental principles.

First, that while we would seek to mediate and facilitate discussions, a true peace could be arrived at only through face-to-face negotiations among the parties.

Second, that the basis for such negotiations would be Security Council Resolutions 242 and 338.

Third, that any true peace settlement would necessarily include permanent, recognized borders for Israel within which it could assure its own security, normal diplomatic and trade relationships among the parties, and an end to propaganda and trade warfare against Israel.

Fourth, that the United States would continue to provide Israel with the military and economic assistance it needs in order to protect itself.

In my judgment, statements by Vice President MONDALE, State Department spokesman Hodding Carter—speaking on behalf of the White House as well as the Department—and others in the past several weeks indicate that the administration is abandoning these very sound principles.

Instead of allowing the Arabs and Israelis to reach their own settlement, the administration seems to have decided what the settlement should be and is seeking to impose it on the parties. Instead of assuring that Israel has secure borders, the administration talks of "defense lines" outside of Israeli territory which would be maintained by international supervision. Instead of stating a genuine and complete peace as a final goal, the administration proposes only "steps by the Arabs toward the normalization of relations with Israel." Instead of guaranteeing continued American support for Israel, the State Department has reportedly sought to convey to the newly elected Israeli leadership that if Menachem Begin continues to express Israel's serious and justified concern over an independent Palestinian state on the west bank of the Jordan, he should forget about visiting this country in the next few weeks. Finally, instead of encouraging the parties to move toward negotiations at a pace which all sides can accept, the administration has said, that progress on peace "is essential this year if future disaster is to be avoided."

As Middle East policy, this set of positions is dangerous folly. Israel and its neighbors have been at war for 30 years. The administration cannot simply dictate a timetable for settlement, as it announces timetables for its own proposals. We are not dealing with welfare reform or tax reform or an energy package here. We are instead confronting infinitely delicate and complex issues of national survival.

Nor can the administration dictate the terms of the settlement, particularly when the terms outlined by its spokesmen suggest to the Arabs that they need not negotiate with Israel at all, that the United States will give them all they want. If the Arabs are encouraged to believe that they do not have to negotiate, and the Israelis are made to fear that they will be asked for impossible concessions, the result will be increased intransigence on all sides.

In enunciating the goal of a just and lasting peace in the Middle East, the President has spoken for all of the American people. I believe this administration now must recognize that this goal cannot be achieved instantly, and that this country cannot impose the settlement. Only the parties involved can determine the elements of an agreement that will protect their essential national interests. We can best help them reach such an agreement by showing patience, moderation and a continued adherence to the fundamental principles of our Middle East policy set forth earlier.

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## HELSINKI'S UNFULFILLED PROMISE: BORIS PENSON

(Ms. HOLTZMAN asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Ms. HOLTZMAN. Mr. Speaker, earlier this month the signatories to the Helsinki agreement met to begin preparations for this fall's review of compliance with the accords. It will not take intensive study to reveal that the Soviet Union's repressive emigration policy and wanton disregard of human rights belies that government's supposed commitment to observance of the accords.

Like many other prisoners of conscience in the Soviet Union, Boris Penson has been persecuted solely because of his desire to emigrate to Israel. Initially arrested at age 17, Boris was sentenced to 3½ years at hard labor, gaining his release in 1968. Subsequently, he embarked on a career as an artist, and, according to those who have studied his paintings, his works understandably evoke moods of anguish and desperation.

Boris was arrested a second time in June 1970, accused of trying to escape across the Finnish border to Israel. In testimony at his trial 6 months later, he described the unbearable frustrations of repeatedly applying for and continually being denied an exit visa to Israel. Despite his testimony, at the prosecutor's request he received a 12-year sentence in a strict regime camp for his "crimes" of "betrayal of the fatherland" and "misappropriation of state or public property." Two of his codefendnats were sentenced to death, although Boris was among those who appealed to the court to spare their lives.

As a result of public condemnation of the harsh sentence, Boris' term was reduced to 10 years at forced labor, hardly an overwhelming act of mercy.

There is ample cause for concern about Boris' treatment in prison. Soviet authorities have been uncooperative about providing information as to his condition, and his mother was routinely denied the opportunity to visit him at the work camp. Boris has been warned recently by camp officials that if he continues to participate in hunger strikes with other prisoners of conscience, he will be transferred to another labor camp under harsher conditions.

Boris Penson's mother emigrated to Israel last year and subsequently visited the United States seeking support for her son's release. She has recently written an eloquent letter to Soviet authorities, pleading for a pardon for Boris:

> No matter what kind of violation of law my son has committed, I am sure that he is not a criminal to have earned such a hard punishment. He did not shed any blood, was not a spy or a saboteur, did not engage in any propaganda against the Soviet Union, did not call for the overthrowing of the Soviet regime; he did not rob anyone and did not use violence against anyone. Is it possible that the long years of separation from his mother, the hard times in prison, the difficult life conditions and the separation from his vocation—art, is it possible that he did not atone for his crime, no matter how heavy it was, by these difficult seven years that he has lost?

Mr. Speaker, Boris Penson has committed no crime. He is simply a Jew who wishes to emigrate to Israel. His imprisonment is unconscionable; it is further evidence of the Soviet Union's callous failure to facilitate the free movement of peoples and the reunification of families required by the Helsinki agreement.

It is our responsibility to focus the world's attention on the Soviet Union's contemptuous attitude. Our own commitment to the struggle for freedom of emigration for Soviet Jews and human rights around the world must never be in doubt. It is my hope that Boris Penson will be the beneficiary of this commitment and will soon join his mother in Israel.

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## CONFERENCE REPORT ON H.R. 7556

Mr. SLACK submitted the following conference report and statement on the bill (H.R. 7556) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1978, and for other purposes.

CONFERENCE REPORT (H. REPT. NO. 95-476)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7556) "making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1978, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 7, 21, 25, 29, 34, 36, and 68.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 8, 9, 12, 14, 16, 18, 19, 22, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 51, 55, 56, 57, 59, 60, 82, 83, 84, 85, 86, 87, 88, and 89, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$65,500,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,200,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ", including $10,000,000 for antitrust enforcement grants to the States authorized by section 309 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$39,785,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$179,075,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$266,450,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$259,576,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$647,250,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

WHITE HOUSE CONFERENCE ON BALANCED NATIONAL GROWTH AND ECONOMIC DEVELOPMENT

For expenses necessary to carry out the provisions of title II of the Public Works and Economic Development Act Amendments of 1976, as amended, $750,000.

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$45,235,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$382,500,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "26,825,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$65,947,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$607,506,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,822,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,480,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$77,050,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$61,400,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$205,000,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$58,100,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$605,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 32, 33, 52, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, and 90.

JOHN M. SLACK,
NEAL SMITH,
JOHN J. FLYNT, JR.,
BILL ALEXANDER,
YVONNE BRATHWAITE BURKE,
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ELFORD A. CEDERBERG,
MARK ANDREWS,
CLARENCE E. MILLER,
*Managers on the Part of the House.*

ERNEST F. HOLLINGS,
JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
THOMAS F. EAGLETON,
DANIEL K. INOUYE,
QUENTIN N. BURDICK,
PATRICK J. LEAHY,
DENNIS DECONCINI,
LOWELL P. WEICKER, JR.,
EDWARD W. BROOKE,
MARK O. HATFIELD,
TED STEVENS,
MILTON R. YOUNG,
*Managers on the Part of the Senate.*

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7556) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1978, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

*Salaries and expenses*

Amendment No. 1: Appropriates $604,000,000 as proposed by the Senate instead of $598,200,000 as proposed by the House. The amount approved includes funds to establish passport agencies in Houston, Texas; Detroit, Michigan; and in the State of Connecticut.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

*Contributions to international organizations*

Amendment No. 2: Appropriates $325,979,000 as proposed by the House instead of $306,729,000 as proposed by the Senate.

The amount approved includes funds for technical assistance which the Senate proposal would not have allowed. Approval of such funding, however, does not mean that the conferees condone the present situation with respect to such funds.

The conferees are concerned over the growing tendency of United Nations specialized agencies to increase their assessed budgets to finance technical assistance programs. The Committee firmly believes that technical assistance should be financed through voluntary contributions, and not by substantial increases in regular assessed budgets of international organizations. In particular, technical assistance activities should be voluntarily financed by the United Nations Development Program.

The conferees believe it is time to go beyond encouraging the Secretary of State to express concern with the international organizations funding technical assistance programs in the assessed budgets. The State Department should recognize and develop new policies to account for the fact that many of the large specialized agencies have become development institutions providing technical assistance as well as common purpose organization fostering technical cooperation, that distinctions between assessed budget and voluntary budget activities have become obscured, and that more rationality, planning, and sense of overall objectives have to be injected into the budgeting and programming process for both assessed and voluntary contributions. The conferees instruct the Department to report on how it intends to deal with this problem in the next budget cycle.

These comments should serve as a warning to the UN and other international agencies that the continuation of current funding trends threatens to call into doubt the basic understandings necessary to preserve the willingness of large donors to honor assessed contributions.

MISSIONS TO INTERNATIONAL ORGANIZATIONS

Amendment No. 3: Appropriates $10,144,000 as proposed by the Senate instead of $9,900,000 as proposed by the House.

INTERNATIONAL COMMISSIONS

*American sections, international commissions*

Amendment No. 4: Appropriates $2,232,000 as proposed by the Senate instead of $2,200,000 as proposed by the House.

EDUCATIONAL EXCHANGE

*Mutual educational and cultural exchange activities*

Amendment No. 5: Appropriates $65,500,000 instead of $66,500,000 as proposed by the House and $64,500,000 as proposed by the Senate.

CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST

Amendment No. 6: Appropriates $12,200,000 instead of $11,000,000 as proposed by the House and $12,600,000 as proposed by the Senate.

GENERAL PROVISIONS—DEPARTMENT OF STATE

Amendment No. 7: Deletes proposal of the Senate to insert language requiring that no less than $165,000 of the amount appropriated to "Salaries and Expenses" be available only for six additional positions in the Bureau of Oceans and International Environmental and Scientific Affairs.

The conferees have deleted this proposal without prejudice. They are agreed, however, that such funding is included and that six additional positions are to be assigned to the Bureau of Oceans and International Environmental and Scientific Affairs to support the creation of a policy assessment group in order to give that Bureau a long-range planning capability.

TITLE II—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

*Salaries and expenses*

Amendment No. 8: Appropriates $26,067,000 as proposed by the Senate instead of $25,067,000 as proposed by the House.

Amendment No. 9: Designates $2,000,000 for the Federal justice research program as proposed by the Senate instead of $1,000,000 as proposed by the House.

LEGAL ACTIVITIES

*Salaries and expenses, Antitrust Division*

Amendment No. 10: Designates $10,000,000 for antitrust enforcement grants to the States, as proposed by the Senate, but deletes "not to exceed" language.

Amendment No. 11: Appropriates $39,785,000 instead of $29,785,000 as proposed by the House and $41,678,000 as proposed by the Senate.

Although $1,893,000 of the increase proposed by the Senate has not been approved, the conferees are concerned about additional requirements of the Antitrust Division. The Appropriations Committees of the House and the Senate will entertain a supplemental request for the Antitrust Division in the event the Administration determines that sufficient funds are not available to vigorously prosecute major antitrust cases.

*Salaries and expenses, United States attorneys and marshals*

Amendment No. 12: Inserts language concerning supervision of United States prisoners in non-Federal institutions, as proposed by the Senate.

Amendment No. 13: Appropriates $179,075,000 instead of $178,300,000 as proposed by the House and $179,300,000 as proposed by the Senate. The increase over the House amount will fund 25 positions transferred from the Bureau of Prisons, plus 10 additional positions for maintenance of contracts for and inspection of non-Federal detention facilities.

SUPPORT OF UNITED STATES PRISONERS

Amendment No. 14: Appropriates $21,000,000 for support of United States prisoners in non-Federal institutions, as proposed by the Senate. This account has been transferred from the Federal Prison System in accordance with the realignment of responsibility for support of certain United States prisoners in non-Federal institutions.

IMMIGRATION AND NATURALIZATION SERVICE

*Salaries and expenses*

Amendment No. 15: Appropriates $266,450,000 instead of $269,500,000 as proposed by the House and $260,350,000 as proposed by the Senate.

The amount approved is $10,138,000 more than the budget request. The increase will fund 454 additional positions distributed as follows: 100 for inspections, 150 for border patrol, 36 for investigations, 23 for detention and deportation, 45 for immigration and naturalization records, and 100 for dealing with additional workload brought on by the Western Hemisphere legislation. The increase above the budget request also includes funds for additional sedans, trucks, radios, night viewing devices, fence and lighting in the Chula Vista sector, and intrusion sensors.

The conferees are agreed that three of the additional positions allowed are to be assigned to the processing of applications for border cards at the ports of entry at Nogales, Arizona. These are in addition to positions presently assigned to Nogales.

FEDERAL PRISON SYSTEM

*Salaries and expenses, Bureau of Prisons*

Amendment No. 16: Inserts language concerning support of United States prisoners in non-Federal institutions, as proposed by the Senate.

Amendment No. 17: Appropriates $259,576,000 instead of $234,040,000 as proposed by the House and $264,650,000 as proposed by the Senate.

The conferees support the efforts of the Department of Justice in trying to work out arangements with the Department of Defense to establish prison camps on military installations and urge the Department to proceed as expeditiously as possible. The conferees expect the Department to report to the Appropriations Committees of the House and the Senate by October 1, 1977, on progress made in this effort. The Committees will be pleased to consider budget requests for establishing and operating such camps when firm arrangements have been made.

BUILDINGS AND FACILITIES

Amendment No. 18: Appropriates $38,850,000 as proposed by the Senate instead of $54,400,000 as proposed by the House.

SUPPORT OF UNITED STATES PRISONERS

Amendment No. 19: Deletes proposal of the House to appropriate $35,063,000. The language and appropriation have been transferred to other accounts in accordance with the realignment of responsibility for support of certain United States prisoners in non-Federal institutions.

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

*Salaries and expenses*

Amendment No. 20: Appropriates $647,250,000 instead of $700,000,000 as proposed by the House and $694,500,000 as proposed by the Senate. The amount approved includes $100,000,000 for the juvenile justice and delinquency prevention program, $30,000,000 (plus an additional $10,000,000 from prior appropriations) for the law enforcement education program, $15,000,000 for the community anticrime program, and $15,000,000 for carrying out the Public Safety Officers Benefits Act.

Funds are included in this appropriation item for grants under Part E of the Omnibus Crime Control and Safe Streets Act. These grants are for correctional institutions and programs, including the construction of local jails. The conferees feel that, in considering proposals under this program, proper weight should be given to the requirements of local communities. The conferees urge that LEAA, in applying standards for jail construction as part of the project approval process, give consideration to the needs of local communities, and where State standards exist use those standards in the certification of funding for local jails.

Amendment No. 21: Deletes proposal of the Senate to insert language setting forth the declarations and purposes of the Omnibus Crime Control and Safe Streets Act of 1968.

TITLE III—DEPARTMENT OF COMMERCE

GENERAL ADMINISTRATION

*Salaries and expenses*

Amendment No. 22: Appropriates $15,750,000 as proposed by the Senate instead of $15,725,000 as proposed by the House.

WHITE HOUSE CONFERENCE ON BALANCED NATIONAL GROWTH AND ECONOMIC DEVELOPMENT

Amendment No. 23: Appropriates $750,000 as proposed by the Senate, but deletes language making funds available until September 30, 1979.

BUREAU OF THE CENSUS

*Salaries and expenses*

Amendment No. 24: Appropriates $45,235,000 instead of $44,560,000 as proposed by the House and $45,560,000 as proposed by the Senate.

Funds are included within the total amount provided to carry out the social indicators program. Funds are also included to carry out the survey of residential alterations and repairs and the survey of State and local government finances on a semiannual basis.

BUREAU OF ECONOMIC ANALYSIS

*Salaries and expenses*

Amendment No. 25: Appropriates $13,475,000 as proposed by the House instead of $13,749,000 as proposed by the Senate.

The conferees are agreed that the program to measure the quality of life may be carried out within the total amount provided.

ECONOMIC DEVELOPMENT ADMINISTRATION

*Economic development assistance programs*

Amendment No. 26: Appropriates $382,500,000 instead of $360,000,000 as proposed by the House and $405,000,000 as proposed by the Senate.

The conferees are agreed on the following distribution of the total amount provided:

| *Activity* | *Conference agreement* |
|---|---|
| Public works | $184,000,000 |
| Business development | 68,000,000 |
| Planning, technical assistance and research | 35,500,000 |
| Section 304 grants to States | 20,000,000 |
| Economic adjustment | 72,000,000 |
| High Plains study | 3,000,000 |
| Total | 382,500,000 |

The conference agreement includes $15,000,000 to begin the Section 204 redevelopment area loan program authorized by the Public Works and Economic Development Act Amendments of 1976. Of this amount 50 percent is to be spent in redevelopment areas with populations under 100,000 including nonstandard metropolitan statistical areas and 50 percent is to be spent in redevelopment areas with populations exceeding 100,000.

In addition, $3,000,000 is provided to study the depletion of natural resources of the High Plains region and to develop plans to increase water supplies in that area; and $500,000 is provided out of the $2,500,000 for research for the regional economic development internship program.

The conferees are also agreed that out of the funds for the technical assistance program, EDA should provide technical assistance grants for the planning, development and implementation of center city industrial parks in major U.S. cities.

ADMINISTRATION OF ECONOMIC DEVELOPMENT

*Assistance programs*

Amendment No. 27: Appropriates $26,825,000 instead of $26,725,000 as proposed by the House and $26,925,000 as proposed by the Senate.

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

*Operations and administration*

Amendment No. 28: Appropriates $65,947,000 instead of $65,775,000 as proposed by the House and $66,250,000 as proposed by the Senate.

The conferees expect the foreign buyer program to be maintained and the Sydney Trade Center to be kept open and operated within the total amount provided in this appropriation.

UNITED STATES TRAVEL SERVICE

*Salaries and expenses*

Amendment No. 29: Appropriates $14,190,000 as proposed by the House instead of $14,500,000 as proposed by the Senate.

The conferees are agreed that the multilingual receptionists program should be maintained at the current level of funding within the total amount provided in this appropriation.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

*Operations, research, and facilities*

Amendment No. 30: Appropriates $607,506,000 instead of $595,000,000 as proposed by the House and $620,290,000 as proposed by the Senate.

The amount appropriated includes $1,000,000 to expand East coast marine resource surveys; $500,000 for East coast whale studies; $906,000 to expand the environmental assessment program in the Southeast region; $200,000 to maintain the *Oregon* in an active status; and $3,430,000 to fund various aquaculture programs including the construction and operation of a research facility at Oregon State University, expansion of the National Marine Fisheries Research Laboratory at Milford, Connecticut, and expansion of Alaska salmon ocean ranching research. In addition, a total of $3,750,000 is provided for the OCEAN LAB project, $500,000 for undersea research; $700,000 for deep ocean data buoys; $3,476,000 for funding portions of various programs required to be absorbed within the House allowance; and $31,767,000 for the Sea Grant program. The conferees are agreed that of the $4,000,000 provided above the budget request for the Sea Grant program, $2,000,000 is to be allocated to the basic program and $2,000,000 to national projects, Sea Grant fellowships and international cooperation assistance.

The conferees are agreed that a snow pack analysis program using aerial gamma radiation survey techniques shall be carried out within the total amount provided.

COASTAL ZONE MANAGEMENT

Amendment No. 31: Appropriates $50,822,000 instead of $44,800,000 as proposed by the House and $57,000,000 as proposed by the Senate.

The amount provided includes $11,028,000 for program development grants; $17,690,000 for energy impact formula grants; and $3,592,000 for program management costs.

In addition, the conferees expect that sufficient funds will be made available through a fiscal year 1977 reprogramming to enable the State of Ohio to acquire the Old Woman Creek Estuarine Sanctuary site.

CONSTRUCTION

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for the design and construction of facilities at Sand Point, Seattle, Washington.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert "$15,500,000".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

*Operations, research, and facilities*

Amendment No. 34: Appropriates $13,850,000 as proposed by the House instead of $15,850,000 as proposed by the Senate.

PATENT AND TRADEMARK OFFICE

*Salaries and expenses*

Amendment No. 35: Appropriates $89,500,000 as proposed by the Senate instead of $89,590,000 as proposed by the House.

MARITIME ADMINISTRATION

*Research and development*

Amendment No. 36: Appropriates $18,325,000 as proposed by the House instead of $20,725,000 as proposed by the Senate.

*Operations and training*

Amendment No. 37: Appropriates $54,200,000 as proposed by the Senate instead of $53,000,000 as proposed by the House.

TITLE IV—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

*Care of the building and grounds*

Amendment No. 38: Appropriates $800,000 as proposed by the Senate instead of $825,500 as proposed by the House.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

*Salaries of judges*

Amendment No. 39: Appropriates $39,700,000 as proposed by the Senate instead of $39,797,000 as proposed by the House.

*Salaries of supporting personnel*

Amendments Nos. 40 through 44: Condense language, as proposed by the Senate, concerning grade ceiling for secretaries and law clerks. The meaning of the proviso is not changed by these amendments.

TITLE V—RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

*Arms control and disarmament activities*

Amendment No. 45: Appropriates $13,600,000 as proposed by the Senate instead of $13,255,000 as proposed by the House.

BOARD FOR INTERNATIONAL BROADCASTING

*Grants and expenses*

Amendment No. 46: Appropriates $65,900,000 as proposed by the Senate instead of $60,660,000 as proposed by the House.

COMMISSION ON CIVIL RIGHTS

*Salaries and expenses*

Amendment No. 47: Appropriates $10,480,000 instead of $10,540,000 as proposed by the House and $10,420,000 as proposed by the Senate.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

*Salaries and expenses*

Amendment No. 48: Appropriates $347,000 as proposed by the Senate instead of $325,000 as proposed by the House.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

*Salaries and expenses*

Amendment No. 49: Appropriates $77,050,000 instead of $76,800,000 as proposed by the House and $77,150,000 as proposed by the Senate.

Funds are included for moving to Dallas, Texas the litigation center now located in Denver, Colorado.

FEDERAL COMMUNICATIONS COMMISSION

*Salaries and expenses*

Amendment No. 50: Appropriates $61,400,000 instead of $61,300,000 as proposed by the House and $61,500,000 as proposed by the Senate.

The conference agreement provides $100,000 over the amount in the House bill for four additional positions to assist the Federal Communications Commission in developing policy options concerning various communications issues.

FEDERAL MARTIME COMMISSION

*Salaries and expenses*

Amendment No. 51: Appropriates $9,424,000 as proposed by the Senate instead of $8,950,000 as proposed by the House.

INTERNATIONAL TRADE COMMISSION

*Salaries and expenses*

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

INTERNATIONAL TRADE COMMISSION

*Salaries and expenses*

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $11,500,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the International Trade Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That no part of the foregoing appropriation shall be used for making any special study, investigation, or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

LEGAL SERVICES CORPORATION

*Payment to the Legal Services Corporation*

Amendment No. 53: Appropriates $205,000,000 instead of $217,000,000 as proposed by the House and $195,000,000 as proposed by the Senate.

SECURITIES AND EXCHANGE COMMISSION

*Salaries and expenses*

Amendment No. 54: Appropriates $58,100,000 instead of $58,000,000 as proposed by the House and $58,290,000 as proposed by the Senate.

SMALL BUSINESS ADMINISTRATION

*Salaries and expenses*

Amendment No. 55: Deletes a line of the heading as proposed by the Senate. That line in the heading is no longer necessary since no funds are to be provided by transfer.

Amendment No. 56: Appropriates $164,000,000 as proposed by the Senate instead of $43,150,000 as proposed by the House.

Amendment No. 57: Deletes proposal of the House to transfer $110,000,000 from the revolving funds, since that amount is included in the direct appropriation provided in amendment number 56.

*Business loan and investment fund*

Amendment No. 58: Appropriates $605,000,000 instead of $750,000,000 as proposed by the House and $520,000,000 as proposed by the Senate. The amount provided includes $190,000,000 for 7(a) direct and immediate participation business loans, as well

as funds to carry out a 7(a) guarantee program of $2,750,000,000.

*Disaster loan fund*

Amendment No. 59: Appropriates $115,000,000 as proposed by the Senate instead of $120,000,000 as proposed by the House. The amount approved by the conferees is to enable the Small Business Administration to provide loans at the following levels: $70,000,000 for disaster loans, $30,000,000 for displaced business loans, and $180,000,000 for other non-physical disaster loans.

UNITED STATES INFORMATION AGENCY

*Acquisition and construction of radio facilities*

Amendment No. 60: Appropriates $13,032,000 as proposed by the Senate instead of $2,952,000 as proposed by the House.

TITLE VI—SUPPLEMENTAL APPROPRIATIONS, 1977

Amendment No. 61: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts heading and language making supplemental appropriations included in the bill for fiscal year 1977 available immediately.

DEPARTMENT OF STATE

Amendments Nos. 62 through 64: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the amendments of the Senate which insert headings and appropriate $145,000 for "Missions to international organizations" and $20,000 for "American sections, international commissions."

DEPARTMENT OF JUSTICE

Amendments Nos. 65 through 67: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the amendments of the Senate which insert headings and appropriate $147,000 for "Salaries and expenses, general administration", to be derived by transfer from "Salaries and expenses, Community Relations Service", and $1,000,000 for the Antitrust Division to provide antitrust enforcement grants to the States as authorized by section 309 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

Amendment No. 68: Deletes proposal of the Senate to appropriate $1,617,000 for salaries and expenses, Antitrust Division.

THE JUDICIARY

Amendments Nos. 69 through 75: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the amendments of the Senate which insert headings and appropriate $41,000 for the Court of Customs and Patent Appeals; $73,000 for the Customs Court; $159,000 for the Court of Claims; $4,300,000 for "Salaries of judges"; $249,000 for "Salaries of supporting personnel"; $450,000 for "Salaries and expenses of United States Magistrates"; $1,435,000 for "Salaries and expenses of referees"; $53,000 for the Administrative Office of the United States Courts; and $20,000 for the Federal Judicial Center.

RELATED AGENCIES

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts heading.

ARMS CONTROL AND DISARMAMENT AGENCY

Amendment No. 77: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $220,000 for "Arms control and disarmament activities".

BOARD FOR INTERNATIONAL BROADCASTING

Amendment No. 78: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to appropriate $3,350,000 for "Grants and Expenses" to cover losses incurred by Radio Free Europe/Radio Liberty, Inc. as a result of unfavorable fluctuations in foreign currency exchange rates.

SMALL BUSINESS ADMINISTRATION

Amendments Nos. 79 through 81: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur in the amendments of the Senate which insert headings and appropriate $500,000 for "Salaries and Expenses" by transfer from the Disaster Loan Fund and $200,000,000 for the "Disaster Loan Fund" to remain available without fiscal year limitation.

TITLE VII—GENERAL PROVISIONS

Amendments Nos. 82 through 88: Change title and section numbers to conform with new title VI inserted earlier in the bill.

Amendment No. 89: Prohibits the obligation or expenditure of funds made available in the Act for making a commitment to provide any reparations, aid or credits to Vietnam, Cambodia, or Laos, as proposed by the Senate.

Amendment No. 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits the use of funds contained in the Act for the purpose of negotiating a settlement of United States claims against private property confiscated by the Cuban Government at less than the principal value, giving full consideration to the amounts certified by the United States Foreign Claims Settlement Commission on July 6, 1972.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1978 recommended by the Committee of Conference, with comparisons to the fiscal year 1977 amount, the 1978 budget estimates, and the House and Senate bills for 1978 follow:

| | |
|---|---|
| New budget (obligational) authority, fiscal year 1977 | $13,315,030,802 |
| Budget estimates of new (obligational) authority, fiscal year 1978 [1] | 7,477,556,500 |
| House bill, fiscal year 1978 | 7,606,119,500 |
| Senate bill, fiscal year 1978 | 7,706,415,000 |
| Conference agreement | 7,709,432,000 |
| Conference agreement compared with: | |
| New budget (obligational) authority, fiscal year 1977 | −5,605,598,802 |
| Budget estimates of new (obligational) authority, fiscal year 1978 | +231,875,500 |
| House bill, fiscal year 1978 | +103,312,500 |
| Senate bill, fiscal year 1978 | +3,017,000 |

The total new budget (obligational) authority for fiscal year 1977 recommended by the Committee of Conference, with comparisons to the 1977 budget estimates, and the House and Senate bills for 1977 follow:

| | |
|---|---|
| Budget estimates of new (obligational) authority, fiscal year 1977 [2] | 212,575,000 |
| House bill, fiscal year 1977 | ---------- |
| Senate bill, fiscal year 1977 | 213,132,000 |
| Conference agreement | 211,515,000 |
| Conference agreement compared with: | |
| Budget estimates of new (obligational) authority, fiscal year 1977 | −1,060,000 |
| House bill, fiscal year 1977 | +211,515,000 |
| Senate bill, fiscal year 1977 | −1,617,000 |

[1] Includes $45,343,000 of budget estimates not considered by House.

[2] Not considered by the House.

JOHN M. SLACK,
NEAL SMITH,
JOHN J. FLYNT, JR.,
BILL ALEXANDER,
YVONNE BRATHWAITE BURKE,
JOSEPH D. EARLY,
GEORGE MAHON,
ELFORD A. CEDERBERG,
MARK ANDREWS,
CLARENCE E. MILLER,
*Managers on the Part of the House.*

ERNEST F. HOLLINGS,
JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
THOMAS F. EAGLETON,
DANIEL K. INOUYE,
QUENTIN N. BURDICK,
PATRICK J. LEAHY,
DENNIS DECONCINI,
LOWELL P. WEICKER, JR.,
EDWARD W. BROOKE,
MARK O. HATFIELD,
TED STEVENS,
MILTON R. YOUNG,
*Managers on the Part of the Senate.*

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MCEWEN (at the request of Mr. RHODES), 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:

(The following Members (at the request of Mr. CAPUTO), to revise and extend their remarks, and to include extraneous matter:)

Mr. BOB WILSON, for 5 minutes, on June 30.

Mr. EDWARDS of Oklahoma, for 1 hour, on July 12.

Mr. GOLDWATER, for 5 minutes, today.

Mr. WHALEN, for 5 minutes, today.

Mr. CLEVELAND, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. KEMP, for 5 minutes, today.

Mr. DORNAN, for 5 minutes, today.

(The following Members (at the request of Mr. KILDEE) to revise and extend their remarks and include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. BINGHAM, for 10 minutes, today.

Mr. WOLFF, for 10 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. SIMON, for 5 minutes, today.

Mr. ICHORD, for 5 minutes, today.

Mr. CORMAN, for 5 minutes, today.

Mrs. SPELLMAN, for 60 minutes, today.

Mr. KOCH, for 5 minutes, today.

Mr. BAUCUS, for 10 minutes, today.

Mr. HANLEY, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICHEL, in two instances, and to include extraneous matter.

Mr. WIGGINS, following the remarks of

Mr. STRATTON on the B–1 bomber, in the Committee of the Whole on H.R. 7933 today.

Mr. BROWN of Ohio, following the remarks of Mr. KEMP on the B–1 bomber, in the Committee of the Whole on H.R. 7933 today.

Mr. BOB WILSON to extend his remarks following the remarks of Mr. STRATTON on the B–1.

Mr. DAN DANIEL to revise and extend his remarks regarding the B–1 following the remarks of Mr. STRATTON.

(The following Members (at the request of Mr. CAPUTO) and to include extraneous matter:)

Mr. RHODES in two instances.
Mr. STEIGER.
Mr. GRADISON.
Mr. MARRIOTT.
Mr. YOUNG of Florida in three instances.
Mr. MICHEL in two instances.
Mr. BADHAM.
Mr. HAMMERSCHMIDT.
Mr. SARASIN in two instances.
Mr. WYDLER.
Mr. LAGOMARSINO in three instances.
Mr. ASHBROOK in three instances.
Mr. KETCHUM.
Mr. LEACH.
Mr. STEERS.
Mr. RUDD.
Mr. ROUSSELOT in three instances.
Mr. CUNNINGHAM.
Mr. SEBELIUS.
Mr. DERWINSKI in two instances.
Mr. COLLINS of Texas in two instances.
Mr. CRANE.
Mr. REGULA.
Mr. TRIBLE.
Mr. JEFFORDS.
Mr. TREEN in two instances.
Mrs. FENWICK.
Mr. ABDNOR.
Mr. GILMAN in three instances.
Mr. ANDERSON of Illinois.
Mr. KEMP in three instances.
Mr. MILLER of Ohio in three instances.
Mr. PRESSLER.

(The following Members (at the request of Mr. KILDEE) and to include extraneous matter:)

Mr. DAN DANIEL.
Mr. ANDERSON of California in three instances.
Mr. GONZALEZ in three instances.
Mrs. SCHROEDER.
Mr. MINETA.
Mr. MCDONALD.
Mr. MILFORD.
Mr. MAZZOLI in two instances.
Mr. ADDABBO.
Mr. BLANCHARD.
Mr. FORD of Tennessee in two instances.
Mr. CAVANAUGH in two instances.
Mr. TRAXLER.
Mr. DRINAN in five instances.
Mr. SATTERFIELD.
Mr. BOWEN.
Mr. BONKER.
Mr. MITCHELL of Maryland.
Mr. FARY in two instances.
Mr. SOLARZ.
Mr. FLOOD.
Mr. WALGREN in two instances.
Mr. WON PAT in two instances.
Mr. BINGHAM.
Mr. NOLAN.
Mr. RODINO.
Mr. BAUCUS in two instances.
Mr. FISHER.
Mr. MAGUIRE.
Mr. PEPPER in three instances.
Mr. JONES of Tennessee.
Mr. ROGERS in five instances.
Mr. TSONGAS.
Mr. TEAGUE.
Mr. WAXMAN.
Mr. BREAUX.
Mr. EDGAR.
Mr. OBERSTAR.
Mr. KOSTMAYER in two instances.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1535. An act to amend the Federal Power Act to authorize appropriations for the Federal Power Commission, to require the Commission to recodify its rules, and for other purposes; to the Committee on Interstate and Foreign Commerce; and

S. 1536. An act to amend the Communications Act of 1934 to authorize appropriations for the Federal Communications Commission, to require the Commission to recodify its rules, and for other purposes; to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1404. An act for the relief of Smith College, Northampton, Mass., and for other purposes;

H.J. Res. 525. Joint resolution to provide for a temporary extension of certain Federal Housing Administration mortgage insurance and related authorities and of the national flood insurance program, and for other purposes; and

H.J. Res. 539. Joint resolution to amend the statute of limitations provisions in section 2415 of title 28, United States Code, relating to claims by the United States on behalf of Indians.

## BILLS PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1437. For the relief of Soo Jin Lee;

H.R. 3838. For the relief of Tulsedei Zalim; and

H.R. 4246. For the relief of Hee Kyung Yoo.

## ADJOURNMENT

Mr. WOLFF. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. In accordance with House Concurrent Resolution 267, 95th Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 11, 1977.

Thereupon (at 4 o'clock and 44 minutes p.m.), pursuant to House Concurrent Resolution 267, the House adjourned until Monday, July 11, 1977, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1798. A communication from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1977 for Foreign Assistance and the Department of Justice, and amendments to the request for appropriations for the fiscal year 1978 for the Department of Commerce and the Department of Justice (H. Doc. No. 95–174); to the Committee on Appropriations and ordered to be printed.

1799. A communication from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1977 for the legislative branch and the Department of the Interior, and amendments to the request for appropriations for fiscal year 1978 for the legislative branch (H. Doc. No. 95–175); to the Committee on Appropriations and ordered to be printed.

1800. A communication from the President of the United States, transmitting the second annual report on executive branch activities under the Privacy Act of 1974, covering calendar year 1975, pursuant to 5 U.S.C. 552a(p); to the Committee on Government Operations.

1801. A letter from the Comptroller General of the United States transmitting his review of the deferral of budget authority contained in the message from the President dated May 18, 1977 (H. Doc. No. 95–158), pursuant to sectibn 1014(b) of Public Law 93–344 (H. Doc. No. 95–176); to the Committee on Appropriations and ordered to be printed.

1802. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of various construction projects proposed to be undertaken by the Army National Guard, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1803. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on loan, guarantee and insurance transactions supported by Eximbank during May 1977, to Communist countries; to the Committee on Banking, Finance and Urban Affairs.

1804. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a statement describing a proposed transaction with three Spanish electric utilities—Empresa Nacional de Electricidad, Empresa Nacional Hidroelectrica del Ribagorzana, and Electricas Reunidas de Zaragoza, which exceeds $60 million, pursuant to section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking, Finance and Urban Affairs.

1805. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Act No. 2–44, To provide procedures for the conduct of an election to consider amendments to the Charter of the District of Columbia in November 1977, by the District of Columbia Board of Elections and Ethics; to the Committee on the District of Columbia.

1806. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Act No. 2–49, To provide for the appointment of individuals to fill vacancies on Advisory Neighborhood Commissions, pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1807. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to change from a fiscal year to a school year basis certain provisions of the National School Lunch Act, as amended, and the Child Nutrition Act of 1966, as amended, and for other purposes; to the Committee on Education and Labor.

1808. A letter from the U.S. Commissioner of Education, Department of Health, Education, and Welfare, transmitting a report describing efforts by the Office of Education to promote establishment of guaranteed student loan insurance programs and responses received as of the date of transmittal, pursuant to section 421(c) of the Higher Education Act of 1965, as amended (90 Stat. 2100); to the Committee on Education and Labor.

1809. A letter from the Deputy Administrator-Designate, Agency for International Development, Department of State, transmitting notice of proposed changes in the Agency's system of records, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1810. A letter from the Administrator, Small Business Administration, transmitting notice of proposed changes in the Small Business Administration's system of records, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1811. A letter from the Secretary of State, transmitting a report on U.S. conventional arms transfer policy, pursuant to sections 202(b) and 218 of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94-329); to the Committee on International Relations.

1812. A letter from the Secretary of Transportation, transmitting a proposed final rule to amend the Federal motor vehicle safety standard on occupant restraint systems, pursuant to section 125(c)(4) of Public Law 89-563 (15 USC 1410b(c)(4)) (H. Doc. No. 95-177); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

1813. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's final report on bank-sponsored securities services, pursuant to section 11A(e) of the Securities Exchange Act of 1934, as amended (89 Stat. 117); to the Committee on Interstate and Foreign Commerce.

1814. A letter from the Vice President for Government Affairs, National Railroad Passenger Corporation, transmitting the financial report of the Corporation for the month of March 1977, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1815. A letter from the Vice President for Government Affairs, National Railroad Passenger Corporation, transmitting a report covering the month of April 1977, on the average number of passengers per day on board each train operated, and the on-time performance at the final destination of each train operated, by route and by railroad pursuant to section 308(a)(2) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1816. A letter from the Counsel to the Pacific Tropical Botanical Garden, transmitting a report on the audit of the Corporation for calendar year 1976, pursuant to section 10(b) of Public Law 88-449; to the Committee on the Judiciary.

1817. A letter from the Acting Administrator, U.S. Environmental Protection Agency, transmitting the national water quality inventory report for 1976, pursuant to section 305(b) of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works and Transportation.

1818. A letter from the Comptroller General of the United States, transmitting a progress report on the development and implementation of a national dam safety program (CED-77-94, June 29, 1977); jointly, to the Committees on Government Operations, and Public Works and Transportation.

1819. A letter from the Comptroller General of the United States, transmitting a report concerning the funding of the Washington, D.C. Metrorail system (PSAD-77-123, June 29, 1977); jointly, to the Committees on Government Operations, the District of Columbia, and Public Works and Transportation.

1820. A letter from the Chairman, Commission on Administrative Review, U.S. House of Representatives, transmitting the semiannual report of the Commission providing information on House administrative units, Members' offices and committees and leadership offices, pursuant to section 5 of House Resolution 1368, 94th Congress (H. Doc No. 95-178); Ordered to be printed.

## 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 foillows:

Mr. BROOKS: Committee on Government Operations. Report on Federal Trade Commission oversight-rulemaking, advertising, and consumer access (Rept. No. 95-472). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on real estate leasing practices of the Comptroller of the Currency and the Federal Deposit Insurance Corporation (Rept. No. 95-473). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURPHY of New York: Committee on Merchant Marine and Fisheries. H.R. 6503. A bill to amend the Intercoastal Shipping Act, 1933, and for other purposes; with amendment (Rept. No. 95-474). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SPELLMAN: Committee on Post Office and Civil Service. H.R. 3755. A bill to provide for the reinstatement of civil service retirement survivor annuities for certain widows and widowers whose remarriages occurred before July 18, 1966, and for other purposes. (Rept. No. 95-475). Referred to the Committee of the Whole House on the State of the Union.

Mr. SLACK: Committee of conference. Conference report on H.R. 7556; with amendment (Rept. No. 95-476). Ordered to be printed.

Mr. LEHMAN: Committee on Post Office and Civil Service. House Joint Resolution 372. Joint resolution to authorize the President to issue a proclamation designating the week in November which includes Thanksgiving Day in each year as National Family Week; with amendment (Rept. No. 95-477). Referred to the House Calendar.

Mr. LEHMAN: Committee on Post Office and Civil Service. House Joint Resolution 24. Joint resolution to provide for the designation of a week as National Lupus Week (Rept. No. 95-478). Referred to the House Calendar.

Mr. NICHOLS: Committee on Armed Services. H.R. 8011. A bill to extend for 1 year the special pay provisions for physicians and dentists in the uniformed services and to reinstate the special pay provisions for optometrists and veterinarians in the uniformed services (Rept. No. 95-479). 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. ROGERS:

H.R. 8121. A bill to establish a transitional system of hospital cost containment by providing for incentives and restraints to contain the rate of increase in hospital revenues, to establish a system of capital allocation designed to encourage communities to avoid the creation of unneeded and duplicative hospital facilities and services, to provide for the publication and disclosure of information useful to the public in making decisions about health care, to provide for the development of permanent reforms in hospital reimbursement designed to provide incentives for the efficient and effective use of hospital resources, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. ABDNOR:

H.R. 8122. A bill to require research into the comprehensive and various uses of grain or grain products, and wood and other forest products in the development and use of fuels, and for other purposes; to the Committee on Science and Technology.

By Mr. ALLEN:

H.R. 8123. A bill to reform electric energy ratemaking of the Tennessee Valley Authority, to authorize certain pilot and demonstration programs, and for other purposes, by amending title 16, section 831, United States Code, the Tennessee Valley Authority Act of 1933, as amended; to the Committee on Public Works and Transportation.

By Mr. ANDERSON of California (for himself, Mr. JOHNSON of California, Mr. HARSHA, Mr. HAMMERSCHMIDT, Mr. LEVITAS, and Mr. TAYLOR):

H.R. 8124. A bill to provide for noise compatibility programs for airports, to provide assistance to aircraft operators to comply with noise standards, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. ANDERSON of Illinois (for himself and Mr. AuCOIN):

H.R. 8125. A bill to amend title 28 of the United States Code to provide for the appointment of a special prosecutor in appropriate cases, to require the Attorney General to make a preliminary investigation of alleged improper foreign influence in Congress to determine whether or not such a special prosecutor should be appointed for any cases arising therefrom, and for other purposes; to the Committee on the Judiciary.

By Mr. BADILLO (for himself, Mr. ADDABBO, Mr. HANLEY, Mr. CAPUTO, Mr. MURPHY of New York, Mr. WALSH, Mrs. CHISHOLM and Mr. LENT):

H.R. 8126. A bill to amend the Clean Air Act to permit the revision of certain transportation control plans, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BADILLO (for himself, Mr. CONYERS, Mr. DELLUMS, Mr. DRINAN, Mr. HAWKINS, Mr. STARK, Mr. BONIOR, Mr. BRODHEAD, Mr. PHILLIP BURTON, Mr. CLAY, Mr. HARKIN, Mr. PATTERSON of California, Mr. REUSS, Mr. STOKES, Mr. THOMPSON, and Mr. WEISS):

H.R. 8127 A bill to prevent abuses of power by the intelligence agencies of the Federal Government, to limit the jurisdictions of the Federal Bureau of Investigation and the Central Intelligence Agency, to regulate dissemination of information by intelligence agencies, to amend the Freedom of Information Act to promote greater public access to the operation of intelligence agencies, to punish deception of Congress or the public by officials of intelligence agencies, to establish procedures for assuring compliance with the foregoing measures, and for other purposes; jointly, to the Committees on

the Judiciary, Banking, Finance and Urban Affairs, Armed Services, and Government Operations.

By Mr. BINGHAM (for himself, Mr. BADILLO, Mr. BEILENSON, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. HARRINGTON, Ms. HOLTZMAN, Mr. MITCHELL of Maryland, Mr. RANGEL, Mr. ROSENTHAL, Mr. ROYBAL, Mr. STARK, Mr. VAN DEERLIN, Mr. WAXMAN, and Mr. WON PAT):

H.R. 8128. A bill to prohibit the importation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns, except for or by members of the Armed Forces, law enforcement officials, and, as authorized by the Secretary of the Treasury, licensed importers, manufacturers, dealers, antique collectors, and pistol clubs; to the Committee on the Judiciary.

By Mr. BLANCHARD:

H.R. 8129. A bill to amend section 9441 of title 10, United States Code, to provide for the budgeting by the Secretary of Defense, the authorization of appropriations, and the use of those appropriated funds by the Secretary of the Air Force, for certain specified purposes to assist the Civil Air Patrol in providing services in connection with the noncombatant mission of the Air Force; to the Committee on Armed Services.

By Mr. BONKER (for himself and Mrs. COLLINS of Illinois):

H.R. 8130. A bill to establish an African Development Foundation; to the Committee on International Relations.

By Mr. BRODHEAD:

H.R. 8131. A bill to amend title XIX of the Social Security Act to permit State medicaid plans to provide medical assistance for individuals who no longer receive SSI benefits because they have worked longer than their trial work period; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL:

H.R. 8132. A bill to authorize a study for the purpose of determining the feasibility and desirability of designating the Overmountain Men Victory Trail as a national scenic trail; to the Committee on Interior and Insular Affairs.

By Mr. CAVANAUGH (for himself, Ms. OAKAR, Mr. LEACH, Mr. REUSS, Mr. ROUSSELOT, Mr. PATTERSON of California, Mr. DERRICK, Mr. HANNAFORD, Mr. PATTISON of New York, Mr. VENTO, Mr. BARNARD, Mr. CAPUTO, and Mr. STARK):

H.R. 8133. A bill to protect the constitutional rights of citizens of the United States and to prevent unwarranted invasions of privacy by prescribing procedures and standards governing the disclosure of certain financial information by depository institutions to governmental agencies, and for other purposes; to the Committee on Banking, Finance, and Urban Affairs.

By Mr. DON H. CLAUSEN:

H.R. 8134. A bill to establish a program of comprehensive medical, hospital, and dental care as protection against the cost of ordinary and catastrophic illness by requiring employers to make insurance available to each employee and his family, by Federal financing of insurance for persons of low income, in whole or in part according to ability to pay, and by assuring the availability of insurance to all persons regardless of medical history, and on a guaranteed renewable basis; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. COHEN (for himself and Mr. CORRADA):

H.R. 8135. A bill to provide for quality assurance and utilization control in home health care under the medicare, medicaid, and social services programs in accordance with a plan to be developed by a commission specifically established for that purpose; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. CONABLE:

H.R. 8136. A bill to amend the Internal Revenue Code of 1954 to provide rules for the tax treatment of employees under certain profit-sharing plans; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 8137. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide that if epidemiological studies show that any food additive which is found to induce cancer in animals does not induce cancer in humans, regulations permitting the use of such additive may be issued; to the Committee on Interstate and Foreign Commerce.

By Mr. ERTEL (for himself, Mr. YATRON, Mr. MURPHY of Pennsylvania, Mr. EILBERG, Mr. DENT, Mr. MURTHA, Mr. GAYDOS, Mr. CLEVELAND, Ms. MIKULSKI, Mr. HOWARD, Mr. NIX, Mr. GEPHARDT, Mr. KILDEE, Mr. CONTE, Mr. ICHORD, Mr. DERRICK, Mr. D'AMOURS, Mr. RODINO, and Mr. TSONGAS):

H.R. 8138. A bill to amend the Tariff Schedules of the United States to repeal, in the case of certain wearing apparel and nonrubber footwear, the special tariff treatment accorded to articles assembled abroad with components produced in the United States; to the Committee on Ways and Means.

By Mr. FORD of Michigan (for himself and Mr. HANLEY):

H.R. 8139. A bill to amend title 39, United States Code, to establish a reduced rate of postage for certain mail matter of private individuals; to the Committee on Post Office and Civil Service.

By Mr. FUQUA (for himself and Mr. SIKES):

H.R. 8140. A bill to provide for a Veterans' Administration outpatient clinic at an appropriate location in northwest Florida; to the Committee on Veterans' Affairs.

By Mr. GILMAN:

H.R. 8141. A bill revising repayment schedules and eligibility requirements for emergency loans; to the Committee on Agriculture.

By Mr. GOODLING (for himself, Mr. GLICKMAN, and Mr. NOLAN):

H.R. 8142. A bill to establish under the direction of the Secretary of Housing and Urban Development a State-administered program providing financial assistance to individuals and families for the purpose of purchasing and installing solar heating (or combined solar heating and cooling) equipment; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HAMMERSCHMIDT (for himself, Mr. GUYER, Mr. KINDNESS, Mr. ROE, Mr. PATTERSON of California, Mr. EILBERG, Mr. ERTEL, and Mr. HAGEDORN):

H.R. 8143. A bill to amend the Airport and Airway Development Act of 1970 to require the establishment of a system of automated flight service stations; to the Committee on Public Works and Transportation.

By Mr. HAMMERSCHMIDT (for himself, Mr. GOODLING, Mr. ICHORD, and Mr. MANN):

H.R. 8144. A bill to deny entitlement to veterans' benefits to certain persons who would otherwise become so entitled solely by virtue of the administrative upgrading under temporarily revised standards of less than honorable discharges from service during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HANLEY (for himself, Mr. MOORHEAD of Pennsylvania, Mr. ANNUNZIO, Mr. MITCHELL of Maryland, Mr. FAUNTROY, Mr. NEAL, Mr. PATTERSON of California, Mr. HUBBARD, Mr. LAFALCE, Mrs. SPELLMAN, Mr. AUCOIN, Mr. TSONGAS, Mr. DERRICK, Mr. HANNAFORD, Mr. EVANS of Indiana, Mr. LUNDINE, Mr. BADILLO, Mr. PATTISON of New York, Mr. VENTO, Mr. BARNARD, Mr. BROWN of Michigan, Mr. MCKINNEY, Mrs. FENWICK, Mr. EVANS of Delaware, and Mr. CAPUTO):

H.R. 8145. A bill to improve the flow of funds for mortgage credit, to expand competition and the dual banking system, and to provide improved consumer services; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HANLEY (for himself, Mr. REUSS, Mr. OTTINGER, and Mr. ASHLEY):

H.R. 8146. A bill to improve the flow of funds for mortgage credit, to expand competition and the dual banking system, and provide improved consumer services; to the Committee on Banking and Finance and Urban Affairs.

By Mr. HARRIS (for himself and Mrs. HOLT):

H.R. 8147. A bill to amend title 5, United States Code, to improve the basic workweek of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HEFTEL:

H.R. 8148. A bill to authorize the Secretary of the Navy to convey to the State of Hawaii certain lands within the Fort Ruger Military Reservation, Hawaii, for educational purposes; to the Committee on Armed Services.

By Mr. JONES of Oklahoma (for himself, Mr. VANIK, Mr. HOLLAND, Mr. JENKINS, and Mr. FRENZEL):

H.R. 8149. A bill to provide customs procedural reform, and for other purposes; to the Committee on Ways and Means.

By Mr. JONES of Tennessee (for himself and Mr. JEFFORDS):

H.R. 8150. A bill to provide for the maintenance or enhancement of the quality of water in rural areas; to the Committee on Agriculture.

By Mr. KASTEN:

H.R. 8151. A bill to provide that polling and registration places for elections for Federal office be accessible to physically handicapped and elderly individuals; to the Committee on House Administration.

By Mr. KOCH (for himself, Mr. COHEN, Mr. ADDABBO, Mr. APPLEGATE, Mr. BADILLO, Mr. BONIOR, Mr. BRODHEAD, Mr. CARNEY, Mr. DIGGS, Mr. DOWNEY, Mr. DRINAN, Mr. EDGAR, Mr. EILBERG, Mr. FORD of Tennessee, Mr. HARRINGTON, Ms. HOLTZMAN, Mr. LEACH, Mr. LEHMAN, and Mr. MAZZOLI):

H.R. 8152. A bill to establish a system for promoting the creation of independent living centers for handicapped individuals, and for other purposes; jointly, to the Committees on Education and Labor, and Interstate and Foreign Commerce.

By Mr. KOCH (for himself, Mr. COHEN, Ms. MIKULSKI, Mr. MILLER of California, Mr. MINETA, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. NOLAN, Mr. PANETTA, Mr. PURSELL, Mr. QUIE, Mr. RICHMOND, Mr. RODINO, Mr. SANTINI, Mr. SIMON, Ms SPELLMAN, Mr. VENTO, Mr. WALGREN, Mr. WAXMAN, and Mr. WIRTH):

H.R. 8153. A bill to establish a system for promoting the creation of independent living centers for handicapped individuals, and for other purposes; jointly, to the Committees on Education and Labor, and Interstate and Foreign Commerce.

By Mr. KREBS:

H.R. 8154. A bill to amend the Immigration and Nationality Act to provide that before an alien who is likely to become a public charge may be admitted into the United States, such alien must have an immigration sponsor post a $5,000 bond on such immigrant's behalf, and for other purposes; to the Committee on the Judiciary.

By Mr. LEACH:

H.R. 8155. A bill to prohibit any person from raising as a defense to any proceeding commenced under the laws of the United States that such person was compe led by a foreign state to take the action which is the basis of the proceeding; to the Committee on the Judiciary.

By Mr. LEACH (for himself, Mr BEDELL, Mr. HAGEDORN, and Mr. NEAL):

H.R. 8156. A bill to amend section 18 of the Federal Deposit Insurance Act; to the Committee on Banking, Finance and Urban Affairs.

By Ms. MIKULSKI (for herself and Mr. HILLIS):

H.R. 8157. A bill to repeal the changes made by the Tax Reform Act of 1976 in the exclusion for sick pay; to the Committee on Ways and Means.

By Mr. MIKVA:

H.R. 8158. A bill to amend title II of the Social Security Act to liberalize the condition governing eligibility of blind persons to receive disability benefits thereunder; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. BIAGGI, Mr. BREAUX, Mr. STUDDS, Mr. BOWEN, Mr. EILBERG, Mr. DE LUGO, Mr. HUBBARD, Mr. ZEFERETTI, Mr. HUGHES, Mr. BONIOR, Mr. AKAKA, and Mr. TRIBLE):

H.R. 8159. A bill to establish uniform structural requirements for intermodal cargo containers, subject to the jurisdiction of the United States, designed to be transported interchangeably by sea and land carriers, and moving in, or designed to move in, international trade, and for other purposes; jointly, to the Committees on International Relations, Interstate and Foreign Commerce, and Merchant Marine and Fisheries.

By Mr. NIX:

H.R. 8160. A bill to provide for loans for the establishment and/or construction of municipal, low-cost, nonprofit clinics for spaying and neutering of dogs and cats, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. OBERSTAR (for himself, Mr. BONKER and Mr. STUDDS):

H.R. 8161. A bill to amend the Fish and Wildlife Coordination Act, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 8162. A bill to amend title 39, United States Code, to establish congressional review of postal rate decisions, to increase congressional oversight of the U.S. Postal Service, to abolish the Board of Governors of the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OTTINGER (for himself, Mr. AKAKA, Mr. BADILLO, Mr. BENJAMIN, Mr. BLANCHARD, Mr. BLOUIN, Mr. CAPUTO, Mr. CORNELL, Mr. CORRADA, Mr. D'AMOURS, Mr. EILBERG, Mr. FAUNTROY, Mr. FLORIO, Mr. HANNAFORD, Mr. KOSTMAYER, Mrs. LLOYD of Tennessee, Ms. MIKULSKI, Mr. MOAKLEY, Mr. MURPHY of Pennsylvania, Mr. PATTERSON of California, Mr. QUIE, and Mr. ROSE):

H.R. 8163. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first $5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. AKAKA, Mr. AUCOIN, Mr. BADILLO, Mr. BAUCUS, Mr. BENJAMIN, Mr. BLANCHARD, Mr. BLOUIN, Mr. CAPUTO, Mr. CORNELL, Mr. CORRADA, Mr. EILBERG, Mr. FAUNTROY, Mr. FLORIO, Mr. HOLLENBECK, and Mr. KOSTMAYER):

H.R. 8164. A bill to amend title XVI of the Social Security Act to provide for the payment of a special housing allowance to each recipient of supplemental security income benefits whose housing expenses exceed an amount equal to 25 percent of his or her income, so as to reduce such expenses to that amount; to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. SIMON, Mr. SPENCE, Mr. STARK, Mr. VENTO, Mr. WAXMAN, Mr. WEAVER, Mr. WEISS, and Mr. CHARLES H. WILSON of Texas):

H.R. 8165. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first $5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. LENT, Mr. MURPHY of Pennsylvana, Mr. PATTERSON of California, Mr. ROSE, Mr. SIMON, Mrs. SPELLMAN, Mr. VENTO, Mr. WAXMAN Mr. WEAVER, Mr. WEISS, and Mr. WOLFF):

H.R. 8166. A bill to amend title XVI of the Social Security Act to provide for the payment of a special housing allowance to each recipient of supplemental security income benefits whose housing expenses exceed an amount equal to 25 percent of his or her income, so as to reduce such expenses to that amount; to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. MURPHY of Pennsylvania, Mr. PATTERSON of California, Mr. REUSS, Mr. ROSE, Mr. SIMON, Mr. SISK, Mrs. SPELLMAN, Mr. STARK, Mr. TRAXLER, Mr. TRIBLE, Mr. VENTO, Mr. WAXMAN, Mr. WEAVER, Mr. WEISS, Mr. CHARLES WILSON of Texas, and Mr. WOLFF):

H.R. 8167. A bill to amend title XVIII of the Social Security Act to include hearing aids and dentures among the items and services for which payment may be made under the supplementary medical insurance program; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. OTTINGER (for himself, Mr. AKAKA, Mr. AUCOIN, Mr. BADILLO, Mr. BALDUS, Mr. BAUCUS, Mr. BENJAMIN, Mr. BLANCHARD, Mr. BLOUIN, Mr. CAPUTO, Mr. CORNELL, Mr. CORRADA, Mr. D'AMOURS, Mr. EILBERG, Mr. ERTEL, Mr. FAUNTROY, Mr. FLORIO, Mr. HANNAFORD, Mr. HOLLENBECK, Ms. HOLTZMAN, Mr. KOSTMAYER, Mr. LENT, Mrs. LLOYD of Tennessee, Ms. MIKULSKI, and Mr. MONTGOMERY):

H.R. 8168. A bill to amend title XVIII of the Social Security Act to include hearing aids and dentures among the items and services for which payment may be made under the supplementary medical insurance program; jointly to the Committees on Interstate and Foreign Commerce, and Ways and Means.

By Mr. PEPPER:

H.R. 8169. A bill to amend the Tariff Schedules of the United States to repeal the special tariff treatment accorded to articles assembled abroad with components produced in the United States; to the Committee on Ways and Means.

By Mr. ROGERS:

H.R. 8170. A bill to amend the Federal Salary Act of 1967 to remove Members of Congress from its provisions; to amend the Legislative Reorganization Act of 1946 to eliminate the cost-of-living adjustment provisions for Members of Congress; to set the salary for Members of Congress at the level in effect before October 1, 1976; and to require that any increase in the level of salary for Members of Congress not take effect until the next Congress; to the Committee on Post Office and Civil Service.

By Mr. ROUSSELOT:

H.R. 8171. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. RUSSO:

H.R. 8172. A bill to amend the Department of Transportation Act and the Regional Rail Reorganization Act of 1973 to extend the eligibility for financial assistance under the rail service assistance programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SANTINI (for himself, Mr. NEAL, Mr. EDWARDS of Oklahoma, Mr. GILMAN, Mr. EDWARDS of California, Mr. PEASE, Mr. PRESSLER, Mr. HARRIS, Mr. JEFFORDS, Mr. LUNDINE, Mr. JENRETTE, Mr. MOFFETT, Mr. MANN, Mr. REUSS, Mr. HOLLENBECK, Mr. DOWNEY, Mr. RUPPE, Mr. FLORIO, Mr. WINN, Mr. WHITEHURST, Mr. PATTERSON of California, Mrs. SPELLMAN, Mr. SYMMS, and Mr. BENJAMIN):

H.R. 8173. A bill to limit the use of limousines, chauffeurs, and passenger motor vehicles by Government agencies; to the Committee on Government Operations.

By Mr. SANTINI (for himself, Mr. HANLEY, Mr. JONES of Oklahoma, Mr. MEEDS, Mr. KREBS, Mr. FREY, Mr. BRODHEAD, Ms. OAKAR, Mr. STUDDS, Mr. GRADISON, Mr. RAHALL, Mr. JOHN T. MYERS, Mr. MITCHELL of New York, Mr. EILBERG, Ms. HOLTZMAN, Mr. CORCORAN of Illinois, Mr. HYDE, Mr. ERTEL, Mr. GLICKMAN, Mr. CLEVELAND, Mrs. BURKE of California, Mr. HUGHES, Mr. MILLER of California, Mr. TRIBLE, and Mr. HARKIN):

H.R. 8174. A bill to limit the use of limousines, chauffeurs, and passenger motor vehicles by Government agencies; to the Committee on Government Operations.

By Mr. SATTERFIELD (for himself and Mr. HAMMERSCHMIDT):

H.R. 8175. A bill to amend the Veterans' Administration Physician and Dentist Pay Comparability Act of 1975, approved October 22, 1975, as amended, in order to extend certain provisions thereof, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8176. A bill to amend the Veterans' Administration Physician and Dentist Pay Comparability Act of 1975 approved October 22, 1975, as amended, in order to extend certain provisions thereof, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SOLARZ:

H.R. 8177. A bill to amend title 39, United States Code, to permit an individual to send certain mail matter at no cost to Members of the Congress and to the President; to the Committee on Post Office and Civil Service.

By Mr. STANGELAND:

H.R. 8178. 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. TRAXLER (for himself, Mr. ADDABBO, Mr. WINN, Mr. MAZZOLI, Mr. EILBERG, Mr. GIBBONS, Mr. FRASER, Mr. HANNAFORD, Mr. CLAY, Mr. MITCHELL of Maryland, Mr. CEDERBERG, Mr. WALKER, Mr. CHARLES WILSON of Texas, Mr. RISENHOOVER, Mr. VENTO, Mr. BRECKINRIDGE, Mr. MURPHY of Pennsylvania, Mr. PEPPER, Mr. HOLLENBECK, Mr. ICHORD, Mr. BLANCHARD, Mr. ROE, and Mr. D'AMOURS):

H.R. 8179. A bill to amend title 38, United States Code, to provide that a member of a Reserve component of the Armed Forces shall not be denied certain employment because of membership in such Reserve component; to the Committee on Veterans' Affairs.

By Mr. TREEN (for himself, Mr. HYDE, Mr. DAN DANIEL, Mr. BURGENER, Mr. DUNCAN of Tennessee, Mr. SEBELIUS, Mr. MANN, Mr. JOHN L. BURTON, Mr. LEDERER, and Mr. ARMSTRONG):

H.R. 8180. A bill to amend the provisions of the Federal Salary Act of 1967 and the Legislative Reorganization Act of 1946 which relate to the adjustment of the salary rate for Members of Congress, and for other purposes; jointly, to the Committees on Post Office and Civil Service, and Rules.

By Mr. TRIBLE (for himself, Mr. LONG of Maryland, Mr. MARKS, Mr. MARTIN, Mr. MAZZOLI, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MICHEL, Mr. MILLER of Ohio, Mr. MITCHELL of Maryland, Mr. MOORE, Mr. MURPHY of Pennsylvania, Mr. JOHN T. MYERS, Mr. NEAL, Mr. O'BRIEN, Mr. PEPPER, Mr. PERKINS, Mr. PURSELL, Mr. RAHALL, Mr. RHODES, Mr. RICHMOND, Mr. RUDD, Mr. SCHULZE, Mr. SHARP, and Mrs. SMITH of Nebraska):

H.R. 8181. A bill to amend the Internal Revenue Code of 1954 to allow individuals to compute the amount of the deduction for payment into retirement savings on the basis of the compensation of their spouses, and for other purposes; to the Committee on Ways and Means.

By Mr. TRIBLE (for himself, Mr. ADDABBO, Mr. AUCOIN, Mr. BEARD of Tennessee, Mr. BEDELL, Mrs. BOGGS, Mr. BRECKINRIDGE, Mr. CEDERBERG, Mr. DON H. CLAUSEN, Mr. COLEMAN, Mr. DICKINSON, Mrs. FENWICK, Mr. FORSYTHE, Mr. GLICKMAN, Mr. DE LA GARZA, Mr. GUYER, Mr. HAGEDORN, Mr. HANNAFORD, Mrs. HECKLER, Mr. HOLLENBECK, Mr. HUCKABY, Mr. HUGHES, Mr. HYDE, Mr. LAGOMARSINO, and Mr. LEACH):

H.R. 8182. A bill to amend the Internal Revenue Code of 1954 to allow individuals to compute the amount of the deduction for payments into retirement savings on the basis of the compensation of their spouses, and for other purposes; to the Committee on Ways and Means.

By Mr. TRIBLE (for himself, Mr. SPENCE, Mr. SYMMS, Mr. THOMPSON, Mr. THONE, Mr. BOB WILSON, Mr. BURGENER, Mr. ROBINSON, Mr. CAPUTO, Mr. MCCLORY, Mr. TSONGAS, and Mr. THORNTON):

H.R. 8183. A bill to amend the Internal Revenue Code of 1954 to allow individuals to compute the amount of the deduction for payments into retirement savings on the basis of the compensation of their spouses, and for other purpcses; to the Committee on Ways and Means.

By Mr. TSONGAS (for himself, Mr. BEDELL, Mr. BLOUIN, Mr. D'AMOURS, Mr. DERRICK, Mr. DRINAN, Mr. ERTEL, Mrs. FENWICK, Mr. FRASER, Mr. HANNAFORD, Mr. HARRINGTON, Mr. HOWARD, Mr. HUGHES, Mr. MAGUIRE, Mr. MANN, Mr. MAZZOLI, Ms. MIKULSKI, Mr. MIKVA, Mr. MILLER of California, Mr. PATTISON of New York, Mr. SIMON, and Mr. CHARLES WILSON of Texas):

H.R. 8184. A bill to foster competition and consumer protection policies in the development of product standards, the testing and certification of products, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce, and Science and Technology.

By Mr. WEAVER (for himself, Mr. MITCHELL of Maryland, Mr. ZABLOCKI, Mr. CONYERS, Mr. BADILLO, Mr. EDWARDS of California, Mr. PRITCHARD, Mr. BUCHANAN, Mr. TSONGAS, Mr. HAWKINS, Mr. LLOYD of California, Mr. COTTER, Mr. MINETA, Mr. YATES, Mr. HUBBARD, Mrs. BURKE of California, Mr. STUDDS, Mr. CAPUTO, Mr. LUNDINE, Mr. MCHUGH, and Mr. PATTISON of New York):

H.R. 8185. A bill to assist in the marketing and handling of 1977, 1978, 1979, 1980, and 1981 crops of wheat and feed grains; to the Committee on Agriculture.

By Mr. CHARLES H. WILSON of California:

H.R. 8186. A bill to amend title 39, United States Code, to provide that the U.S. Postal Service shall be subject to certain provisions of the Occupational Safety and Health Act of 1970; to the Committee on Post Office and Civil Service.

By Mr. WOLFF (for himself, Mr. FAUNTROY, Mr. DERWINSKI, Mr. GUYER, Mrs. BOGGS, Mr. HARRINGTON, Mr. PEPPER, Mr. EILBERG, Mr. RAHALL, Mr. PANETTA, Mr. HAWKINS, Mr. MIKVA, Mr. COUGHLIN, Mr. BEDELL, and Mr. RYAN):

H.R. 8187. A bill to amend title 38, United States Code, to provide counseling for certain veterans; to permit acceleration of monthly educational assistance payments to eligible veterans and dependents; to revise the criteria for nonaccredited courses; to provide alternative financial and educational assistance to peacetime post-Korean veterans affected by the expiration of their delimiting period; to provide for a conditional extension of the delimiting period for certain Vietnam era veterans; to provide for the development of additional educational, employment, and readjustment assistance programs for veterans; to provide for the correction and preclusion of, and protection against, abuses and misuse of veterans benefits; and to otherwise enhance and improve the effectiveness, integrity, and utilization of veterans readjustment assistance programs; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr. HANNAFORD, Mr. WALSH, Mr. MURPHY of Pennsylvania, Mr. CONYERS, Mr. LENT, Mr. DUNCAN of Tennessee, Mrs. COLLINS of Illinois, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. MOAKLEY, Mr. MINETA, Mr. VENTO, Mr. ROYBAL, Mr. BEDELL, Mr. BYRON, Mr. FRASER, Mr. RYAN, and Mr. WIRTH):

H.R. 8188. A bill to restore to certain institutions of higher learning their rights to determine academic standards of progress with respect to veterans and to provide counseling to veterans whose educational assistance allowance is discontinued under certain circumstances, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr. ADDABBO, Mr. AMBRO, Mr. BADILLO, Mr. BOWEN, Mr. CORNELL, Mr. CORNWELL, Mr. CORRADA, Mr. DOWNEY, Mr. EILBERG, Mr. ERTEL, Mr. FAUNTROY, Mr. KEMP, Mr. LAGOMARSINO, Mr. LENT, Ms. MIKULSKI, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. MURPHY of Pennsylvania, Mr. NOLAN, Mr. OBERSTAR, Mr. PEPPER, Mr. ROYBAL, Mr. SKELTON, and Mr. VENTO):

H.R. 8189. A bill to provide coordinated veterans readjustment training and supportive services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr. RODINO, Mr. CHARLES WILSON of Texas, Mr. WIRTH, Mr. RYAN, Mr. BEDELL, Mr. GILMAN, Mr. BINGHAM, and Mr. ENGLISH):

H.R. 8190. A bill to provide coordinated veterans readjustment training and supportive services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HORTON (for himself and Mr. MINETA):

H.J. Res. 540. Joint resolution authorizing the President to proclaim annually a week during the first 10 days in May as Pacific/Asian American Heritage Week; to the Committee on Post Office and Civil Service.

By Mr. NOLAN (for himself, Mr. BAUCUS, Mr. BLOUIN, Mr. BONIOR, Mr. BRADEMAS, Mr. BROWN of California, Mr. CAVANAUGH, Mr. COHEN, Mr. DOWNEY, Mr. FAUNTROY, Mr. FINDLEY, Mr. FLOOD, Mr. GIBBONS, Mr. HORTON, Mr. HOWARD, Mr. JEFFORDS, Mr. MAGUIRE, Mr. MINETA, Mr. QUIE, Mr. RICHMOND, Mr. RODINO, Mr. ROE, Mr. STOKES, Mr. WHITEHURST, and Mr. YATRON):

H.J. Res. 541. Joint resolution authorizing the President to proclaim the third week of July of 1977, 1978, and 1979, as National Architectural Barrier Awareness Week; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York (for himself, Mr. EDWARDS of Oklahoma, Mr. DAN DANIEL, Mr. WHITEHURST, Mr. MCCLORY, Mr. KEMP, Mr. EILBERG, Mr. MOIL, and Mr. BADHAM):

H. Con. Res. 272. Concurrent resolution expressing the sense of the Congress that the United States take no action to withdraw U.S. ground forces from the Republic of Korea until the Congress has had an opportunity to examine the American security commitment to the Republic of Korea and the effects such a withdrawal would have on the stability of the Korean peninsula; to the Committee on International Relations.

By Mr. SHUSTER:

H. Con. Res. 273. Concurrent resolution to disapprove Federal motor vehicle safety standard 208 transmitted June 30, 1977; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMON:

H. Con. Res. 274. Concurrent resolution relating to broadening the observance of Thanksgiving to an occasion of sharing our plenty with the hungry of other lands; to the Committee on Post Office and Civil Service.

By Mr. CRANE (for himself, Mr. DUNCAN of Tennessee, Mr. THONE, Mr. HALL, Mr. ARCHER, Mr. VANDER JAGT, Mr. KINDNESS, Mr. RUNNELS, and Mr. HAGEDORN):

H. Res. 672. Resolution insisting upon retention of undiluted U.S. sovereignty over the Canal Zone and the Panama Canal; to the Committee on International Relations.

By Mr. HILLIS (for himself, Mr. SISK, Mr. PEPPER, Mr. FISH, Mr. PRITCHARD, Mr. FAUNTROY, Mr. DERWINSKI, Mr. CORCORAN of Illinois, Mr. LEVITAS, Mrs. BURKE of California, Mr. LAGOMARSINO, Mr. EDWARDS of Oklahoma, Mr. MITCHELL of Maryland, Mr. WYDLER, Mr. REGULA, Mr. WALSH, Mr. JOHN T. MYERS, Mr. RICHMOND, Mr. ERTEL, Mr. EILBERG, Mr. EDGAR, Ms. MIKULSKI, Mr. DOWNEY, Mr. CAPUTO, and Mr. OBERSTAR):

H. Res. 673. Resolution to create a congressional senior citizen intern program; to the Committee on House Administration.

By Mr. HILLIS (for himself, Mr. RHODES, Mr. RUPPE, Mr. COLEMAN, Mr. HOLLENBECK, Mr. RAILSBACK, Mr. ROBINSON, Mr. OTTINGER, Mr. MITCHELL of New York, Mr. JOHN L. BURTON, Mr. BLOUIN, Mr. LUNDINE, and Mr. KELLY):

H. Res. 674. Resolution to create a congressional senior citizens intern program; to the Committee on House Administration.

By Mr. HILLIS (for himself, Mr. SCHULZE, Mr. MAZZOLI, Mr. FORD of Tennessee, Mr. LEACH, Mr. LEHMAN, Mr. MANN, Mr. RUDD, Mr. BURKE of Massachusetts, Mr. VENTO, Mr. BE-

DELL, Mr. BRODHEAD, Mr. HUGHES, Ms. OAKAR, Mr. COCHRAN of Mississippi, Mr. GILMAN, Mr. MAGUIRE, Mr. MARKS, Mr. AUCOIN, Mr. WALGREN, Mr. ROE, Mr. TAYLOR, Mr. ROYBAL, Mr. DRINAN, and Mr. ABDNOR):

H. Res. 675. Resolution to create a congressional senior citizen intern program; to the Committee on House Administration.

By Mr. MURPHY of New York (for himself, Mr. DAN DANIEL, Mr. GUYER, Mr. YOUNG of Florida, Mr. WINN, Mr. STUMP, Mr. ENGLISH, Mr. ROBERTS, Mr. HUCKABY, Mr. D'AMOURS, Mr. FLOOD, Mr. GAYDOS, Mr. MCDONALD, Mr. STANGELAND, and Mr. SNYDER):

H. Res. 676. Resolution relative to the U.S. retention of the Panama Canal; to the Committee on International Relations.

By Mr. MURPHY of New York (for himself, Mr. BREAUX, Mr. KETCHUM, Mr. ROUSSELOT, Mr. GINN, Mr. ZEFERETTI, Mr. BIAGGI, Mr. BOWEN, Mr. HUBBARD, Mr. LENT, Mr. JONES of North Carolina, Mr. BURGENER, Mr. DINGELL, and Mr. YOUNG of Alaska):

H. Res. 677. Resolution relative to the U.S. retention of the Panama Canal; to the Committee on International Relations.

By Mr. ROGERS:

H. Res. 678. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on International Relations.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

206. By the SPEAKER: Memorial of the House of Representatives of the State of Michigan, relative to the closing of military installations; to the Committee on Armed Services.

207. By Mr. CUNNINGHAM: Memorial of the House of Representatives of the State of Washington, relative to the shipment or trading of Alaskan crude oil; to the Committee on International Relations.

208. Also, memorial of the House of Representatives of the State of Washington, relative to the disbanding of the 365th Civil Affairs Brigade; to the Committee on Armed Services.

209. Also, memorial of the Senate of the State of Washington, relative to development of hydroelectric and multi-purpose projects in the Middle Snake River; to the Committee on Interior and Insular Affairs.

210. Also, memorial of the Senate of the State of Washington, relative to retaining the veterans hospital facilities in Vancouver, Wash.; to the Committee on Veterans' Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 8191. A bill for the relief of Bernarda G. Hermosura; to the Committee on the Judiciary.

By Mr. DELLUMS:

H.R. 8192. A bill for the relief of Andree McGiffin and Jean-Manuel Henry; to the Committee on the Judiciary.

By Mr. LEVITAS:

H.R. 8193. A bill for the relief of C.M.Sgt. J.C. Westmoreland; to the Committee on the Judiciary.

By Mr. TSONGAS:

H.R. 8194. A bill for the relief of Joseph Haddad, Jr.; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

137. By the SPEAKER: Petition of the Public Service Commission of Indiana, Indianapolis, Ind., relative to telecommunications regulatory policies; to the Committee on Interstate and Foreign Commerce.

138. Also, petition of the Executive Committee of the Board of Directors of the Chamber of Commerce of Greater Berwick, Inc., Berwick, Pa., relative to telecommunications regulatory policies; to the Committee on Interstate and Foreign Commerce.

139. Also, petition of the Miletus Church, Inc., Wayzata, Minn., relative to obtaining a special third-class postal rate status; to the Committee on Post Office and Civil Service.

140. Also, petition of the American Fishing Tackle Manufacturers Association, Chicago, Ill., relative to marine recreational fisheries research; jointly to the Committees on Merchant Marine and Fisheries, and Science and Technology.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5400

By Mr. FRENZEL:

Page 22, line 15, insert ", any primary election," after "election" the first place it appears therein.

Page 22, line 15, strike out "general".

Page 22, line 16, strike out "general".

Page 23, line 4, strike out "general".

Page 26, line 17, strike out "general election" and insert in lieu thereof "elections".

Page 33, line 5, strike out "general".

Page 33, line 15, strike out "general".

Page 33, line 16, strike out "general".

Page 26, strike out line 15 and all that follows down through page 27, line 7, and insert in lieu thereof the following new paragraph:

(2) States and units of general local government shall not be required to comply with the provisions of paragraph (1) with respect to any Federal election which is held before the general election for Federal office held in 1980.

Page 28, beginning on line 6, strike out "if additional identification is required by the State or unit of general local government involved,".

Page 26, line 8, strike out "shall" and insert in lieu thereof "may".

Page 26, strike out line 15 and all that follows down through page 27, line 7.

And redesignate the following paragraph accordingly.

Page 20, strike out line 14 and all that follows down through page 21, line 19, and insert in lieu thereof the following new section:

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby declares that it is the purpose of this Act to provide financial and other assistance to encourage States to provide expanded opportunities for voter registration before and on the date of Federal elections and State or local elections, and to modernize the administration of elections and voter registration.

Page 40, line 25, insert after "section 6" the following: "(in the case of any State receiving financial assistance under section 7)".

Page 31, beginning on line 20, strike out "section 6(a)(1) and section 6(b)" and insert in lieu thereof "sections 6(a)(1), 6(b), 10(c)(1), and 10(c)(2)".

Page 32, beginning on line 2, strike out "section 6(a)(1) and section 6(b)" and insert in lieu thereof "sections 6(a)(1), 6(b), 10(c)(1), and 10(c)(2)".

Page 32, beginning on line 8, strike out "section 6(a)(1) and section 6(b)" and insert in lieu thereof "sections 6(a)(1), 6(b), 10(c)(1), and 10(c)(2)".

Page 33, line 10, insert "(A)" after "(2)".

Page 33, after line 17, insert the following new subparagraph:

(B) No State shall receive any payments under paragraph (1) unless such State has complied with the requirements of section 10(c)(1) and section 10(c)(2).

Amend the title so as to read as follows: "A bill to provide grants to States to establish programs which permit individuals to register to vote and vote on the date of Federal elections.".

H.R. 3816

By Mr. LEVITAS:

Page 45, after line 8, insert the following new section:

CONGRESSIONAL REVIEW OF PROPOSED RULES

SEC. 10. (a) Section 18(a)(1) of the Federal Trade Commission Act (15 U.S.C. 57a (a)(1)) is amended by striking out "The" and inserting in lieu thereof "Subject to the provisions of subsection (1), the".

(b) Section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) is amended by adding at the end thereof the following new subsection:

"(1)(1) Notwithstanding any other provision of this Act, simultaneously with prescribing any rule under this Act, the Commission shall transmit a copy thereof to the Secretary of the Senate and the Clerk of the House of Representatives. Except as provided in paragraph (2), the rule shall not become effective, if—

"(A) within 90 calendar days of continuous session of Congress after the date the rule is prescribed, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: 'That Congress disapproves the rule prescribed by the Federal Trade Commission dealing with the matter of , which rule was transmitted to Congress on .', the blank spaces therein being appropriately filled; or

"(B) within 60 calendar days of continuous session of Congress after the date the rule is prescribed, one House of Congress adopts such a concurrent resolution and transmits such resolution to the other House, and such resolution is not disapproved by such other House within 30 calendar days of continuous session of Congress after such transmittal.

"(2) If, at the end of the 60 calendar days of continuous session of Congress after the date on which a rule is prescribed, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the rule, and neither House has adopted such a resolution, the rule may go into effect immediately. If, within such 60 calendar days, such a committee has reported or been discharged from further consideration of such a resolution, or either House has adopted such a resolution, the rule may go into effect not sooner than 90 calendar days of continuous session of Congress after such rule is prescribed unless disapproved as provided in paragraph (1).

"(3) Congressional inaction on, or rejection of, a resolution of disapproval under this subsection shall not be deemed an expression of approval of the rule involved.

"(4) For purposes of this subsection—

"(A) continuity of session is broken only by an adjournment of Congress sine die; and

"(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of 30, 60, and 90 calendar days of continuous session of Congress.".

And redesignate the following sections accordingly.

H.R. 7073

By Mr. LEVITAS:

On the first page, after line 11, add the following new section:

SEC. 2. Section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act is amended by adding the following new paragraph at the end thereof:

"(4) RULE AND REGULATION REVIEW.—

"(A) CONGRESSIONAL REVIEW.—Notwithstanding any other provision of this Act, simultaneously with promulgation or repromulgation of any rule or regulation including an emergency rule, under this Act, the Administrator shall transmit a copy thereof to the Secretary of the Senate and the Clerk of the House of Representatives. Except as provided in subparagraph (B), the rule or regulation, other than emergency rules, shall not become effective, if—

"(i) within 90 calendar days of continuous session of Congress after the date of promulgation, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: 'That Congress disapproves the rule or regulation promulgated by the Administrator of the Environmental Protection Agency dealing with the matter of , which rule or regulation was transmitted to Congress on .', the blank spaces therein being appropriately filled; or

"(ii) within 60 calendar days of continuous session of Congress after the date of promulgation, one House of Congress adopts such a concurrent resolution and transmits such resolution to the other House, and such resolution is not disapproved by such other House within 30 calendar days of continuous session of Congress after such transmittal.

"(B) EFFECTIVE DATE.—If at the end of 60 calendar days of continuous session of Congress after the date of promulgation of a rule or regulation, other than an emergency rule, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the rule or regulation, and neither House has adopted such a resolution, the rule or regulation may go into effect immediately. If, within such 60 calendar days, such a committee has reported or been discharged from further consideration of such a resolution, or either House has adopted such a resolution, the rule or regulation may go into effect not sooner than 90 calendar days of continuous session of Congress after its promulgation unless disapproved as provided in subparagraph (A).

"(C) CALCULATION OF TIME PERIODS.—For the purposes of subparagraphs (A) and (B) of this paragraph—

"(i) continuity of session is broken only by an adjournment of Congress sine die; and

"(ii) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of 30, 60, and 90 calendar days of continuous session of Congress.

"(D) DEFINITION.—For the purposes of subparagraphs (A) and (B) of this paragraph, 'emergency rule' means a rule which is temporarily effective without the expiration of the otherwise specified periods of time for public notice and comment and which was duly promulgated by an agency pursuant to a finding that delay in the effective date would—

"(i) seriously injure an important public interest,

"(ii) substantially frustrate legislative policies and intent, or

"(iii) seriously damage a person or class of persons without serving an important public interest.

"(E) EFFECT OF CONGRESSIONAL INACTION.—Congressional inaction on or rejection of a resolution of disapproval shall not be deemed an expression of approval of such rule."

H.R. 7171

By Mr. BOWEN:

Page 20, strike out lines 21 through 23, and page 21 strike out lines 1 through 18 and insert in lieu thereof the following:

"Sec. 601. Sections 342, 343, 344, 345, 346, and 377 of the Agricultural Adjustment Act of 1938, as amended shall not be applicable to upland cotton of the 1978 through 1981 crops."

Page 22, line 7, strike out "paragraphs (1) and (2) of subsection (e)" and insert in lieu thereof "paragraphs (1), (2), (3), and (4)(A) of section (e)".

Page 23, strike out the sentence beginning on line 15 and ending on line 24.

Page 26, strike out the sentence beginning on line 20 through line 25 and on page 27, strike out lines 1 through 20 and insert in lieu thereof the following:

"If the Secretary determines that the producers on a farm are prevented from planting any portion of the acreage intended for cotton to cotton or other nonconserving crops because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the Secretary shall make a prevented planting disaster payment to the producers on the smaller of (i) the acreage intended to be planted to cotton, or (ii) the acreage planted to cotton for harvest (including any acreage which the producers were prevented from planting to cotton or other nonconserving crop in lieu of cotton) in the immediately preceding year multiplied by 75 per centum of the program yield established by the Secretary for the farm for the current year times a payment rate equal to 33⅓ per centum of the established price for the crop. If the Secretary determines that because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, the total quantity of cotton which the producers are able to harvest on any farm is less than the result of multiplying 75 per centum of the program yield established by the Secretary for the farm for such crop during the current year times the acreage planted to harvest for such crop in such year, the Secretary shall make a farm disaster payment to the producers at a rate equal to 33⅓ per centum of the established price for the crop for the deficiency in production below 75 per centum for the crop. Compensation made under the foregoing provisions of this paragraph for disaster loss with respect to prevented planting and low yield shall not be regarded as payment for purposes of section 101 of the Agricultural Act of 1970, as amended. In the event payments authorized in the first sentence of this paragraph are required to be made for any crop of upland cotton, the payment rate with respect to any producer who (i) is on a small farm (that is, a farm on which the acreage planted to cotton is ten acres or less, or on which the farm program payment yield times the acreage planted to cotton is five thousand pounds or less), (ii) resides on such farm, and (iii) derives his principal income from cotton produced on such farm, shall be increased 30 per centum.".

"(3)(A) In the event payments are required to be made for any crop of upland cotton under the first sentence of paragraph (2) of this subsection, such payments shall be made to producers on each farm on (i) the farm program acreage determined in accordance with subparagraph (D) times (ii) the farm program payment yield determined in accordance with subparagraph (E).

"(B) The Secretary shall establish for each of the 1978 through 1981 crops of upland cotton a national program acreage. Such national program acreage shall be announced not later than December 15 of the calendar year preceding the year for which such acreage is established. The national program acreage shall be the number of harvested acres the Secretary determines (on the basis of the estimated weighted national average of the farm program yields for the crop for which the determination is made) will produce the quantity (less imports) that the Secretary estimates will be utilized domestically and for export during the marketing year for such crop. The national program acreage shall be subject to such adjustment as the Secretary determines necessary, taking into consideration the estimated carryover supply, so as to provide for an adequate but not excessive total supply of cotton for the marketing year for the crop for which such national program acreage is established. In no event shall the national program acreage be less than 10 million acres.

"(C) The Secretary shall determine a program allocation factor for each crop of upland cotton for which payments are to be made as provided for in the first sentence of paragraph (2). The allocation factor (not to exceed 100 per centum) shall be determined by dividing the national program acreage for the crop by the number of acres which the Secretary estimates will be harvested from such crop.

"(D) The individual farm program acreage for each crop of upland cotton shall be determined by multiplying the allocation factor by the acreage of cotton planted for harvest on the farms for which individual farm program acreages are required to be determined: *Provided*, That the cotton acreage eligible for payment on a farm shall not be further reduced by application of the allocation factor if the producers reduced the planted acreage on the farm from the previous year by at least the percentage recommended by the Secretary in announcing the national program acreage. In carrying out the foregoing provision, the Secretary shall provide fair and equitable treatment for producers on farms on which the acreage planted to cotton is less than the preceding year but the reduction is insufficient to exempt the farm from the allocation factor. In establishing the allocation factor under subparagraph (C) the Secretary is authorized to make such adjustment as deemed necessary to take into account the extent of exemption of farms under the foregoing provisions.

"(E) The farm program payment yield for the farm for any year shall be determined on the basis of the actual yields per harvested acre on the farm for the preceding three years: *Provided*, That the actual yields shall be adjusted by the Secretary for abnormal yields in any year caused by drought, flood, or other natural disaster, or other condition beyond the control of the producers. In case farm yield data for one or more years are unavailable or there was no production, the Secretary shall provide for appraisals to be made on the basis of actual yields and program payment yields for similar farms in the area for which data are available.".

"(4)(A) The Secretary shall provide for a set-aside of cropland if he determines that the total supply of upland cotton will, in the absence of such a set-aside, likely be excessive taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. If a set-aside of cropland is in effect under this paragraph, then as a condition of eligibility for loans, purchases, and payment on upland cotton, the producers on a farm must set aside and devote to conservation uses an acreage of cropland equal to a specified percentage as determined by the Secretary (but not to exceed 28 per centum), of the acreage planted to upland cotton on the farm in the year for which the set-aside requirement is established. The set-aside acreage shall be devoted to conservation uses in accordance with regulations issued by the Secretary which will assure protection of such acreage from wind and water erosion throughout the current calendar year; however, the Secretary may permit, subject to

such terms and conditions as he may prescribe, all or any of the set-aside acreage to be devoted to sweet sorghum, hay and grazing or to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, oats, rye, or other commodity, if he determines that such production is needed to provide an adequate supply, is not likely to increase the cost of the price support program, and will not adversely affect farm income. The Secretary may limit the acreage planted to cotton on farms by establishing a factor which shall be multiplied by the highest acreage planted to cotton on the farm (including any acreage not planted to cotton because of drought, flood, or other natural disaster, or other condition beyond the control of the producers) in any one of the preceding five years. Such limitation shall be applied on a uniform basis to all cotton producing farms. Producers on a farm who knowingly plant cotton in excess of the permitted cotton acreage for the farm shall be ineligible for cotton loans or payments with respect to that farm.".

Page 28, lines 4 through 7, strike out all that appears after "SEC. 604." and insert in lieu thereof the following:

"(a) Section 408(b) of the Agricultural Act of 1949, as amended, is amended effective for the 1978 through 1981 crops by changing the second proviso to read as follows: "*And provided*, That for the 1978 through 1981 crops of upland cotton a cooperator shall be a producer who has set aside on the farm the acreage required under section 103(e).".

Page 28, line 12, strike out "Sections 378, 379, and 385" and insert in lieu thereof "Sections 379 and 385".

Page 28, line 20, strike out "section 408" and insert in lieu thereof "Section 408(1)".

Page 28 immediately after line 26, insert the following new subsections:

"(g) Section 101(f) of the Agricultural Act of 1949, as amended, is amended by striking out the words "Middling one-inch" appearing in the first sentence and inserting in lieu thereof "Strict Low Middling one and one-sixteenth inches".

"(h) Notwithstanding any other provision of law, the permanent State, county, and farm base acreage allotments for the 1977 crop of upland cotton, adjusted for any underplantings in 1977 and reconstituted as provided in section 379 of the Agricultural Adjustment Act of 1938, as amended, shall again become effective as preliminary allotments for the 1982 crop."

## FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House Rule X. Previous listing appeared in the CONGRESSIONAL RECORD of June 15, 1977 (page 19131).

H.R. 2401. January 26, 1977. Public Works and Transportation; Interstate and Foreign Commerce. Amends the Federal Aviation Act of 1958 to authorize reduced air fares on a space-available basis to individuals 65 years of age or older. Amends the Interstate Commerce Act to authorize common carriers subject to such Act to offer reduced fares on a space-available basis for such individuals.

H.R. 2402. January 26, 1977. Ways and Means. Allows a limited tax credit, under the Internal Revenue Code, for a percentage of the part-time employment expenses incurred by the taxpayer with respect to any qualified part-time employee.

H.R. 2403. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to allow employers a limited, nonrefundable tax credit for additional employment provided new or previously employed workers during taxable years ending after 1976 and beginning before 1981.

H.R. 2404. January 26, 1977. Ways and Means; Education and Labor. Amends the Internal Revenue Code and the Comprehensive Employment and Training Act to provide a tax credit for employers paying for the compensation and education of youth in qualified apprenticeship programs certified by the Secretary or Labor.

H.R. 2405. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to allow individuals a limited income tax deduction for amounts they pay into employee's retirement trusts, or for annuity contracts.

H.R. 2406. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to require an automatic cost-of-living adjustment in the income tax rates, the amount of the standard deduction, personal exemption, and depreciation deduction, and the rate of interest payable on certain obligations of the United States.

H.R. 2407. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to require an automatic cost-of-living adjustment in the income tax rates, the amount of the standard deduction, personal exemption, and depreciation deduction, and the rate of interest payable on certain obligations or the United States.

H.R. 2408. January 26, 1977. Government Operations. Requires the Secretary of the Treasury to prepare and make public annual consolidated financial statements for all expenditures of the United States, utilizing the accrual method of accounting.

H.R. 2409. January 26, 1977. Government Operations. Requires the Secretary of the Treasury to prepare and make public annual consolidated financial statements for all expenditures of the United States, utilizing the accrual method of accounting.

H.R. 2410. January 26, 1977. Government Operations. Requires the Secretary of the Treasury to prepare and make public annual consolidated financial statements for all expenditures of the United States, utilizing the accrual method of accounting.

H.R. 2411. January 26, 1977. Veterans' Affairs. Provides for a burial allowance to be paid: (1) to any State or political subdivision thereof for burying a veteran in any cemetery owned by the State or subdivision if such cemetery or section thereof is used solely for the interment of veterans; or (2) to a person prescribed by the deceased veteran if burial is in a cemetery other than the kind described.

H.R. 2412. January 26, 1977. Veterans' Affairs. Directs the Secretary of the Army to establish a national cemetery in each State in which there is no national cemetery and to provide for the maintenance and care of each such cemetery.

Directs the Administrator of Veterans' Affairs to pay, in addition to any other burial allowance to be paid, an additional burial allowance of $400 for any deceased veteran interred in other than a national cemetery.

H.R. 2413. January 26, 1977. Veterans' Affairs. Removes the requirement that a veteran die in the service in order to be entitled to a memorial headstone or marker when his remains have not been recovered or identified, or have been buried at sea.

H.R. 2414. January 26, 1977. Veterans' Affairs. Transfers jurisdiction over, and responsibility for, Arlington National Cemetery from the Secretary of the Army to the Administrator of Veterans' Affairs.

Directs the Administrator to permit the burial in Arlington National Cemetery of any veteran and any of his survivors entitled by law to burial in national cemeteries.

H.R. 2415. January 26, 1977. Judiciary. Authorizes the issuance of 25,000 special immigrant visas to British citizens who are residents of Northern Ireland and who are seeking admission to the United States to avoid the consequences of armed conflict or persecution. Allows an alien already in this country on a nonimmigrant visa who is eligible for a visa under this Act to adjust his status to that of a permanent resident.

H.R. 2416. January 26, 1977. Judiciary. Requires formal public rulemaking with respect to procedures and policies concerning public property, loans, grants or benefits. Requires agencies to reimburse specified individuals participating in agency rulemaking proceedings. Waives the sovereign immunity of the United States in suits where relief other than money damages is sought. Requires the establishment of enforcement procedures for grant-in-aid programs.

H.R. 2417. January 26, 1977. Interior and Insular Affairs. Directs the Office of Technology Assessment to conduct a comprehensive five-year study of the nuclear fuel cycle.

H.R. 2418. January 26, 1977. International Relations. Amends the Export Administration Act of 1969 to prohibit the export of any agricultural commodity pursuant to an agricultural commodity export agreement unless the exporter has obtained an agricultural export license from the Secretary of Commerce. Prohibits approval of such license unless the Secretary of Commerce determines that: (1) there will be a sufficient domestic supply of the commodity for a 12 month period; (2) the proposed transaction will not increase consumer prices; and (3) the proposed transaction will not increase domestic unemployment. Exempts from this Act exports in a quantity for which the price is less than $10,000,000.

H.R. 2419. January 26, 1977. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to include tobacco products within the definition of food as contained in such Act thereby subjecting such products to the same regulation as food under such Act.

H.R. 2420. January 26, 1977. Ways and Means. Amends Title II (Old-Age, Survivors', and Disability Insurance) of the Social Security Act: (1) to eliminate special dependency requirements for entitlement to husbands' and widower's insurance benefits; (2) to reduce from 20 to 15 the duration-of-marriage requirement for divorced wives; (3) to provide benefits for certain divorced husbands; (4) to provide benefits to husbands who have minor children in their care; and (5) to provide benefits for widowed fathers with minor children on the same basis as benefits for wives, widows, and mothers. Permits the payment of old-age insurance to a married couple on their combined earnings record.

H.R. 2421. January 26, 1977. Public Works and Transportation. Amends the Federal-Aid Highway Act of 1976 to increase and extend the appropriations authorized under such Act for the Federal-aid primary system. Increases the Federal share of the cost for construction projects financed with primary funds on the Federal-aid primary system.

H.R. 2422. January 26, 1977. Government Operations. Amends the Budget and Accounting Act of 1921 to authorize the Comptroller General to request and receive all necessary documents relating to any expenditure by a Federal agency to determine whether such expenditure was, in fact, made and was authorized by law.

H.R. 2423. January 26, 1977. Government Operations. Amends the Budget and Accounting Act of 1921 to authorize the Comptroller General to request and receive all necessary documents relating to any expenditure by a Federal agency to determine whether such expenditure was, in fact, made and was authorized by law.

H.R. 2424. January 26, 1977. Public Works and Transportation. Revises the definition of "bridge" for purposes of programs relating to the availability of Federal funds for the alteration of bridges obstructing navigation to include within such definition bridges which were lawful at the time of their construction but whose elevation has changed through no action or fault of its owner or users.

H.R. 2425. January 26, 1977. Public Works and Transportation. Modifies the project for

the Houston Ship Channel in Texas to direct the Secretary of the Army, acting through the Chief of Engineers to perform dredging operations to maintain the depth of the channel at a specified level.

H.R. 2426. January 26, 1977. Interior and Insular Affairs. Authorizes the Secretary of the Interior to provide for the establishment in the State of Pennsylvania of the Edgar Allan Poe National Historical Park.

H.R. 2427. January 26, 1977. Merchant Marine and Fisheries. Amends the Ports and Waterways Safety Act of 1972 to apply the safety standards under such act and other specified standards to all vessels entering into the U.S. Fishery Conservation Zone established under the Fishery Conservation Management Act of 1976. Requires (previously allowed) the Secretary of the Department in which the Coast Guard is operating to implement the safety standards specified in such act. Transfers the duty of investigation of navigation accidents from the Secretary to the National Transportation Safety Board.

H.R. 2428. January 26, 1977 Agriculture; Ways and Means. Establishes a base domestic price for sugar and an adjustment formula for such price.

Amends the Tariff Schedules of the United States to establish variable customs duties on the importation of sugar. Exempts such imports from the general preference system. Repeals the special rates for sugar imported from Cuba. Prohibits the exportation or importation of sugar, except under certain determinations by the Secretary of Agriculture regarding domestic supply.

Imposes civil penalties for violation of this act.

Requires the President to find that modification of such duties would not interfere with purposes of this act, prior to making any such modification.

H.R. 2429. January 26, 1977. Post Office and Civil Service. Abolishes the Commission on Executive, Legislative, and Judicial Salaries established by the Federal Salary Act of 1967.

H.R. 2430. January 26, 1977. Post Office and Civil Service. Amends the Legislative Reorganization Act of 1946 to repeal the increase in salaries of Members of Congress authorized by the act of August 9, 1975.

H.R. 2431. January 26, 1977. Post Office and Civil Service. Amends the Legislative Reorganization Act of 1946 to repeal the increase in salaries of Members of Congress authorized by the act of August 9, 1975.

H.R. 2432. January 26, 1977. Ways and Means. Amends title II (Old-Age, Survivors and Disability Insurance) of the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving benefits.

H.R. 2433. January 26, 1977. Ways and Means. Amends title II (Old-age, Survivors and Disability Insurance) of the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving benefits.

H.R. 2434. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to allow employers to take the credit for expenses of work incentive programs for wages paid new, full-time handicapped employees over the first cumulative twelve months of their employment.

H.R. 2435. January 26, 1977. Public Works and Transportation; Ways and Means. Authorizes the Secretary of Transportation to approve Federal particiaption in State projects to repair or replace unsafe highway bridges. Amends the Highway Revenue Act of 1956 to extend the appropriations authorized under such Act for the Highway Trust Fund through fiscal year 1990. Amends the Land and Water Conservation Fund Act to extend such fund through fiscal year 1990. Postpones specified excise tax reductions under the Internal Revenue Code of 1954.

H.R. 2436. January 26, 1977. Banking, Finance and Urban Affairs. Establishes a Solar Energy Loan Administration to provide financial assistance for the purchase and installation of solar hardware. Requires that such solar equipment meet minimum standards prescribed under the Solar Heating and Cooling Demonstration Act of 1974.

H.R. 2437. January 26, 1977. Interior and Insular Affairs. Revises the boundaries of the Manassas National Battlefield Park in Virginia. Authorizes the Secretary of the Interior to acquire additional lands for the battlefield and to make minor revisions in the boundary. Establishes procedures to allow owners of property within the boundaries of the battlefield to retain a right of use and occupancy.

H.R. 2438. January 26, 1977. Judiciary; House Administration. States that the right of a citizen of the United States who otherwise is qualified, to vote in any election for Federal office shall not be denied or abridged because he has committed a criminal offense unless such citizen is imprisoned in a correctional institution or facility at the time of such election.

H.R. 2439. January 26, 1977. Judiciary. Authorizes the Attorney General to bring a civil action in any United States district court for the relief of any institutionalized person whenever the Attorney General has cause to believe that the constitutional rights of such person are being violated pursuant to a pattern or practice of such violations. Requires the Attorney General to give the officials of such institution a reasonable time to correct such violation. Makes any person who causes such a violation liable for redress to the institutionalized person whose rights have been violated. Permits the issuance of an injunction or other preventive relief.

H.R. 2440. January 26, 1977. Judiciary. Forbids permitting Federal or District of Columbia prisoners to be subjects of medical research.

Requires a State, in order to receive assistance for correctional institutions under the Omnibus Crime Control and Safe Streets Act of 1968, to include within its comprehensive State plan assurances that no State prisoner will be allowed to be the subject of such research.

Prohibits the Director of the Bureau of Prisons from contracting with any State, territory, or political subdivision of any State or territory for the imprisonment and care of Federal offenders unless such assurances are given.

H.R. 2441. January 26, 1977. Judiciary. Establishes on Offender Rehabilitation Fund within the Treasury. Authorizes the Attorney General to make loans from such fund to released Federal prisoners in need of assistance.

H.R. 2442. January 26, 1977. Appropriations. Makes appropriations for the survey of the Great Lakes and Saint Lawrence Seaway and for the demonstration program of the practicability of extending the navigation season on such waterways pursuant to the River and Harbor Act of 1970.

H.R. 2443. January 26, 1977. Public Works and Transportation. Amends the Interstate Commerce Act to include owner-operated motor vehicles as an exempt class under such Act. Prohibits such drivers from collecting any fare lower than the lowest fare specified in their tariffs filed with the Interstate Commerce Commission.

H.R. 2444. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide that the Secretary of the Treasury may not prescribe regulations which limit the number of educational grants by private foundations to specified portions of their applicants in order to qualify as nontaxable expenditures.

H.R. 2445. January 26, 1977. Ways and Means. Establishes on the books of the Treasury a fund to be known as the "United States Olympic Committee Fund." Allows an individual taxpayer to designate one dollar of his income taxes for the Fund.

Provides that amounts in the fund shall be paid to the United States Olympic Committee, which shall report on the uses made of these funds.

H.R. 2446. January 26, 1977. Ways and Means. Amends the Tariff Schedules of the United States to repeal the customs duty on the importation of horses, and to repeal the exception for race horses exported from and returned to the United States which permits duty-free entry of such horses.

H.R. 2447. January 26, 1977. Interstate and Foreign Commerce. Exempts sales of natural gas by small, independent producers from regulation by the Federal Power Commission.

H.R. 2448. January 26, 1977. Science and Technology. Authorizes the Secretary of Health, Education, and Welfare to make grants for research and development of new methods of research, experimentation, and testing which minimize the use of, and the pain inflicted upon, live animals.

H.R. 2449. January 26, 1977. Education and Labor; Judiciary. Establishes a Commission on School Integration to study the results of, and other questions relating to, the racial integration of public schools, and the use of busing to achieve such integration.

H.R. 2450. January 26, 1977. Interstate and Foreign Commerce. Amends the Public Health Service Act to require the Secretary of Health, Education, and Welfare to make grants to public or nonprofit entities for research projects in fertility and sterility in humans and the human reproductive process.

H.R. 2451. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide identical income tax rates for single persons and married couples filing joint returns. Limits the earned income that must be reported by a married individual filing a separate return to the amount actually earned by that individual.

H.R. 2452. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide identical income tax rates for single persons and married couples filing joint returns. Limits the earned income that must be reported by a married person filing a separate return to the amount actually earned by that individual.

H.R. 2453. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide identical income tax rates for single persons and married couples filing joint returns. Limits the earned income that must be reported by a married individual filing a separate return to the amount actually earned by that individual.

H.R. 2454. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide identical income tax rates for single persons and married couples filing joint returns. Limits the earned income that must be reported by a married individual filing a separate return to the amount actually earned by that individual.

H.R. 2455. January 26, 1977. Ways and Means. Amends Title IV (Child Welfare Services) of the Social Security Act to authorize States to provide day treatment and in-home services to any child or family experiencing problems which such services would assist in solving, and to any other child or family where parental difficulties may jeopardize the physical, emotional, or psychological condition of the child.

H.R. 2456. January 26, 1977. Merchant Marine and Fisheries. Prohibits vessels transporting petroleum or petroleum products from Alaska to any port in California which is east or south of the Santa Barbara Channel Islands of San Miguel, Santa Rosa, Santa Cruz, and Anacapa from using any route through any territorial or international waters which lie between such islands and the coast of California.

H.R. 2457. January 26, 1977. Ways and Means. Amends title II (Old-Age, Survivors and Disability Insurance) of the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving benefits.

H.R. 2458. January 26, 1977. Banking, Finance, and Urban Affairs. Authorizes the Secretary of Housing and Urban Development to make grants to local agencies for converting closed school buildings into community centers, senior citizen centers and specified educational, medical or social service centers.

Directs the Secretary to serve as a national clearinghouse for local agencies by providing information on possible alternative uses for closed school buildings.

H.R. 2459. January 26, 1977. Public Works and Transportation. Authorizes States or political subdivisions which issued bonds the proceeds of which were used for projects on the Interstate Highway System to partially recover the interest payments made on such bonds from the Federal Government.

H.R. 2460. January 26, 1977. Post Office and Civil Service. Excludes from the definition of "letter," telegrams, letters sent in bulk, and other items not generally considered to be letters. Limits such definition as narrowed by this Act to postal law provisions dealing with private carriage of letters, illegal carriage of letters, and prompt delivery of mail from a vessel. Permits the carriage of mail by private carrier not otherwise permitted if such mail is addressed to such carrier or if the Postal Service determines that such private carriage is in the public interest.

H.R. 2461. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to exclude Federal retirement benefits from the income tax to the same extent the beneficiaries would have been entitled to exclude benefits and income under the Social Security Act.

H.R. 2462. January 26, 1977. Judiciary; Banking, Finance and Urban Affairs; Ways and Means. Amends the Comprehensive Drug Abuse Prevention and Control Act of 1970 to set mandatory minimum terms of imprisonment for individuals convicted of certain opiate traffic related crimes.

Amends the Federal Rules of Criminal Procedure to require a separate sentencing hearing when a person is convicted of a crime for which such sentences are authorized.

Subjects to forfeiture proceeds of and money intended to be used in opiate violations.

Revises reporting requirements relative to (1) importation or exportation of cash and (2) vessels upon arrival in United States ports.

H.R. 2463. January 26, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to provide that the remarriage of a widow, widower, or parent shall not terminate his or her entitlement to widow's, widower's, or parent's insurance benefits or reduce the amount thereof.

H.R. 2464. January 26, 1977. Interior and Insular Affairs. Authorizes the Secretary of the Interior to increase the maximum acreage allotment under Federal reclamation laws for lands of lesser productive potential.

H.R. 2465. January 26, 1977. District of Columbia. Establishes three retirement funds encompassing: (1) District of Columbia firefighters and police officers; (2) District of Columbia teachers; and (3) District of Columbia judges.

Establishes the District of Columbia Retirement Board to manage the retirement funds created by this Act.

Details provisions relating to the administration of such funds and revises provisions relating to specified retirement and disability benefits under the retirement programs of such personnel.

H.R. 2466. January 26, 1977. Post Office and Civil Service. Extends to former employees of county soil conservation committees who are employed by any Federal agency, specified civil service compensation, leave, and seniority benefits afforded to former employees of such county committees who are employed by the Department of Agriculture.

H.R. 2467. January 26, 1977. Post Office and Civil Service. Changes the dates of observance of Memorial Day and Veterans Day.

H.R. 2468. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to allow a limited income tax deduction for agency fees, court costs, attorneys' fees and other necessary costs and fees incurred in the adoption of a child.

H.R. 2469. January 26, 1977. House Administration. Prohibits travel at Government expense outside the United States by Members of Congress who have been defeated, or who have resigned or retired.

H.R. 2470. January 26, 1977. Armed Services. Stipulates that no veteran may be denied care or treatment under the CHAMPUS program for any service-connected disability solely because care or treatment for such disability is available at Veterans' Administration medical facilities.

H.R. 2471. January 26, 1977. Interstate and Foreign Commerce; Judiciary. Amends the Federal Trade Commission Act to prohibit the application of a per se rule of illegality under the antitrust laws in the case of territorial market allocation agreements made as part of a licensing agreement: (1) for the manufacture, distribution and sale of a trademarked soft drink product; or (2) for the distribution or sale of a trademarked private label food product.

H.R. 2472. January 26, 1977. Veterans' Affairs. Revises the eligibility requirements for mustering-out payments to qualified members of the Armed Forces who served on active duty for 90 days or more during the Vietnam era and who were discharged or released under conditions other than dishonorable. Increases payment amounts for specified classes of eligible persons.

H.R. 2473. January 26, 1977. Veterans' Affairs. Reduces the number of items excluded in the determination of income for veterans who have a non-service-connected disability. Sets flat pension rates for specified categories of such veterans and also for widows and children of Mexican border period, World War I, World War II, Korean conflict or Vietnam era veterans. Provides for continuance, even though income status changes, of amounts paid to veterans with a permanent and total disability rating or who are in need of regular care and attendance. Requires cost-of-living increases in the rates payable to persons affected by this Act.

H.R. 2474. January 26, 1977. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to make annual adjustments in monthly rates of disability compensation and dependency and indemnity compensation according to cost-of-living changes in the Bureau of Labor Statistics Consumer Price Index.

H.R. 2475. January 26, 1977. Veterans' Affairs. Provides that pension or compensation payments made to a hospitalized incompetent veteran will not be terminated unless his estate exceeds $3,000 (currently $1,500); and in the event of such termination, payments will be resumed when such veteran's estate has been reduced to $1,000 (currently $500).

H.R. 2476. January 26, 1977. Veterans' Affairs. Permits certain veterans with service-connected disabilities, regardless of disability rating, who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either.

H.R. 2477. January 26, 1977. Armed Services. Makes it unlawful for any individual or entity to solicit to enroll or enroll any member of the armed forces in any labor organization or for any member of the armed forces to join, or encourage others to join any labor organization. Sets forth penalties for violations of this Act.

H.R. 2478. January 26, 1977. Armed Services. Makes it unlawful for any individual or entity to solicit to enroll or enroll any member of the armed forces in any labor organization or for any member of the armed forces to join, or encourage others to join any labor organization. Sets forth penalties for violations of this Act.

H.R. 2479. January 26, 1977. Armed Services. Makes it unlawful for any individual or entity to solicit to enroll or enroll any member of the armed forces in any labor organization or for any member of the armed forces to join, or encourage others to join any labor organization. Sets forth penalties for violations of this Act.

H.R. 2480. January 26, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to include Mississippi among the States which may provide coverage for policemen and firemen under their voluntary agreements for coverage of State and local employees.

H.R. 2481. January 26, 1977. Interstate and Foreign Commerce. Amends the Natural Gas Act to direct the Federal Power Commission to exempt from regulation sales of natural gas to companies with insufficient supplies to fulfill the requirements of high-priority consumers of natural gas.

H.R. 2482. January 26, 1977. Interstate and Foreign Commerce. Requires the Federal Trade Commission to establish the Office of Consumer Redress to establish programs, and to aid and cooperate with State programs, for the administration and adjudication, of controversies involving consumers.

H.R. 2483. January 26, 1977. Interstate and Foreign Commerce. Amends the Federal Trade Commission Act to permit any United States district court to define an unfair or deceptive practice when the Federal Trade Commission, having been petitioned to so define a specified practice, has failed to do so within 120 days.

Imposes a civil penalty upon any person who refuses to provide reports, evidence, or testimony to the Commission when required to do so.

Directs the Commission to determine if the advertising of distilled alcoholic beverages constitutes unfair or deceptive trade practices.

H.R. 2484. January 26, 1977. Ways and Means. Amends the Trade Act of 1974 to make eligible for the trade adjustment assistance programs workers who filed for such assistance before April 4, 1976, and who did not receive timely notification of the program requirements.

H.R. 2485. January 26, 1977. Agriculture. Prohibits the importation of any dairy product into the United States unless it has been inspected and found to be wholesome and unless the foreign farms and plants in which such products were produced comply with all inspection, grading and other standards prescribed by the Secretary of Agriculture.

H.R. 2486. January 26, 1977. Public Works and Transportation. Amends the Federal Water Pollution Control Act to grant a one-year extension from best practicable technology effluent limitations for point sources receiving research grants for the development of new technologies where such research project was unsuccessful.

H.R. 2487. January 26, 1977. Banking, Finance and Urban Affairs. Amends the Housing Act of 1949 to increase relocation payments to individuals, families, and business concerns displaced from urban renewal areas.

H.R. 2488. January 26, 1977. Education and Labor. Authorizes the Commissioner of Education to make reimbursements to eligible institutions of higher education that offer a reduced tuition plan to persons over 60.

Requires the Secretary of Labor to collect certain data relating to the employment of

older Americans and to maintain a computerized job data bank and matching program for older persons.

H.R. 2489. January 26, 1977. Judiciary. Requires the Director of the Administrative Office of United States Courts to examine methods for improving scheduling of criminal cases in district courts.

Directs the judges of each district court to establish and make public sentencing guidelines. Requires the court to state in the record the reasons for any deviation from such guidelines.

Reduces the number of preemptory jury challenges.

H.R. 2490. January 26, 1977. Post Office and Civil Service. Directs the Secretary of Commerce to conduct surveys to determine the number, sex, race, and age of individuals not counted by the most recent census. Requires that such information be used in determining the amount of aid available under Federal assistance programs which are based on population statistics.

H.R. 2491. January 26, 1977. Public Works and Transportation. Amends the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act to change the name of the J. Edgar Hoover F.B.I. Building to the "Federal Bureau of Investigation Building."

H.R. 2492. January 26, 1977. Ways and Means. Amends the Internal Revenue Code of 1954 to permit the full deduction of medical expenses incurred for the care of individuals 65 years of age or more, without regard to the three and one percent floors.

H.R. 2493. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide a limited, refundable tax credit to persons age 65 or over for the real property taxes, or 25 percent of the rent, they pay for their principal residences.

H.R. 2494. January 26, 1977. Ways and Means. Amends Title I (Grants to States for Old-Age Assistance and Medical Assistance for the Aged), Title IV (Aid to Families with Dependent Children), Title XIX (Grants to States for Aid to the Permanently and Totally Disabled), and Title XVI (Supplemental Income for the Aged, Blind, and Disabled) of the Social Security Act to insure that recipients of aid or assistance under specified Federal-State public assistance and Medicaid programs or recipients of assistance under any other federally assisted program will not have the amount of such aid or assistance reduced because of increases in monthly social security benefits.

H.R. 2495. January 26, 1977. Judiciary. Post Office and Civil Service. Extends to three years the time during which certain former officers and employees of the executive branch, independent Federal agencies, or agencies of the District of Columbia are prohibited from appearing before any Federal court, department, or agency for anyone other than the United States in proceedings connected with their former duties.

Prohibits certain Federal employees paid under the Executive Schedule from accepting positions with independent regulatory authorities and other executive agencies within any 12 month period.

H.R. 2496. January 26, 1977. Judiciary. Grants a Federal Charter to the United States Submarine Veterans of World War II.

H.R. 2497. January 26, 1977. Interior and Insular Affairs. Reinstates as federally supervised and recognized Indian tribes the Modoc, Wyandotte, Peoria and Ottawa Indian Tribes (all of Oklahoma). Authorizes the Secretary of the Interior to prescribe regulations necessary to carry out the provisions of this Act.

H.R. 2498. January 26, 1977. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare to formulate and administer a utility stamp program under which, at the request of any State chief executive, any eligible household which has at least one member over age 60 shall have the opportunity to offset a portion of its utility bill with coupons amounting to an allotment of $25 monthly.

H.R. 2499. January 26, 1977. Public Works and Transportation. Amends the Local Public Works Capital Development and Investment Act of 1976 to increase the amount authorized to be appropriated under such Act.

H.R. 2500. January 26, 1977. Interstate and Foreign Commerce. Authorizes the President to declare natural gas emergencies and to order the transfer of supplies of natural gas from one pipeline system to another in order to alleviate the effects of severe natural gas shortages. Stipulates that activities undertaken pursuant to this Act shall be exempt from regulation under the Natural Gas Act and exempt from antitrust laws.

H.R. 2501. January 26, 1977. Interior and Insular Affairs. Directs the Secretary of the Interior to perform a survey in order to eliminate a conflict between the official cadastral survey and a private survey of the boundaries between specified private lands and the surounding lands of Medicine Bow National Forest, Wyoming.

H.R. 2502. January 26, 1977. Interior and Insular Affairs. Extends the time period for certain oil and gas leases committed to a specified development plan, under the authority of the Secretary of the Interior.

H.R. 2503. January 26, 1977. Public Works and Transportation; Ways and Means. Establishes the United States Air Traffic Services Corporation as an independent corporation of the United States. Transfers to the Corporation the functions and duties of the Secretary of Transportation under specified laws relating to civil aviation including those of the Administrator of the Federal Aviation Administration. Authorizes the Corporation to change the rates of tax imposed under the Internal Revenue Code relating to taxes on special fuels, taxes on the transportation of persons and property by air, and taxes on the use of civil aircraft.

H.R. 2504. January 26, 1977. Ways and Means; Interstate and Foreign Commerce. Amends Title XVIII (Medicare) of the Social Security Act to provide payment for rural health clinic services pursuant to the program of Supplementary Medical Insurance Benefits for the Aged and Disabled of such Title.

H.R. 2505. January 26, 1977. Education and Labor. Establishes an Office of Child Development in the Department of Health, Education, and Welfare to coordinate and promote programs in child development. Requires the Secretary of Health, Education, and Welfare to promulgate Federal Standards for Child Development Services and a uniform minimum code for facilities.

Repeals and revises related provisions in the Economic Opportunity Act of 1964. Amends the Higher Education Act of 1965 to authorize grants for the training of personnel for child development programs.

Establishes a National Center for Child Development to develop and evaluate research programs in the area of child development.

H.R. 2506. January 26, 1977. Education and Labor. Amends the Higher Education Act of 1965 to exclude institutions of higher education and vocational schools from participating in the reduced-interest student loan insurance program under such Act unless such institutions or schools carry out a refund policy prescribed by this Act.

Prohibits any educational institution or vocational school from receiving Federal financial assistance under such Act unless the refund policy of such institution is disclosed to its students prior to payment of tuition.

H.R. 2507. January 26, 1977. Interstate and Foreign Commerce. Creates a Federal Energy Commission to regulate rates and charges for energy resource products. Prohibits persons engaged in commerce in the business of refining energy products from acquiring an interest in energy resource product extraction, energy pipeline, or energy marketing assets.

Directs the Attorney General and the Federal Trade Commission to independently examine the relationship of those engaged in one or more branches of the energy industry.

H.R. 2508. January 26, 1977. Interstate and Foreign Commerce. Requires that all motor vehicles used on the public streets, roads and highways be insured under a policy of no-fault insurance. Establishes a system and standards for the issuance of such insurance.

H.R. 2509. January 26, 1977. Intertate and Foreign Commerce. Amends Title XIX (Medicaid) of the Social Security Act to require the States to carry out specified measures to improve the enforcement of standards for nursing homes established by Title XIX.

H.R. 2510. January 26, 1977. Judiciary. Prohibits the manufacture or impact for purposes of sale within the United States of any handgun having basic structural components made from materials below certain specifications relative to melting point, tensile strength and density.

H.R. 2511. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to rename the earned income credit the "negative income tax." Increases such credit and makes it permanent.

H.R. 2512. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to require the Secretary of the Treasury to establish specific criteria and procedures to audit returns and to report certain information regarding audits completed in the previous 12 months to the Joint Committee on Taxation.

H.R. 2513. January 26, 1977. Agriculture; Ways and Means. Amends the Social Security Act by authorizing the Secretary of Health, Education, and Welfare to formulate and administer a food allowance program for the elderly.

H.R. 2514. January 26, 1977. Education and Labor; Post Office and Civil Service. Establishes within the Department of Labor a Midcareer Development Service, through which the Secretary of Labor is authorized to make loans and grants for training designed to upgrade the work skills of middle-aged persons. Authorizes specified studies and programs designed to aid in retraining older workers in needed job skills, alleviating the effects of local mass lay-offs and promoting work opportunities in the community and in the executive branch of the Federal Government.

H.R. 2515. January 26, 1977. Ways and Means; Interstate and Foreign Commerce. Amends Title XVIII (Medicare) and Title XIX (Medicaid) of the Social Security Act to include in the coverage provided under such programs the services of licensed (registered) nurses.

H.R. 2516. January 26, 1977. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by directing the Secretary of Labor to (1) render on-site consultation and advice to any employer, upon the request of such employer, concerning compliance with the Act; and (2) establish programs for the education and training of employers and employees concerning hazards in particular industries.

H.R. 2517. January 26, 1977. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by directing the Secretary of Labor to (1) render on-site consultation and advice to any employer, upon the request of such employer, concerning compliance with the Act; and (2) establish programs for the education and training of employers and employees concerning hazards in particular industries.

H.R. 2518. January 26, 1977. Education and Labor. Requires the Secretary of Health, Education, and Welfare to develop and enforce Federal children and youth camp safety standards.

Establishes an Office of Youth Camp Safety and an Advisory Council on Youth Camp Safety within the Department of Health, Education, and Welfare to assist in the implementation of the provisions of this Act.

H.R. 2519. January 26, 1977. Rules; Government Operations; Ways and Means; Education and Labor. Provides for the periodic expiration of budget authority for all Government programs and activities. Amends the rules of the Senate and House of Representatives to provide periodic reviews of all government programs' efficiency and accomplishments.

Requires that each bill and concurrent resolution include an estimate of the proposal's cost.

Amends the Internal Revenue Code to reduce personal income and estate taxes. Increases specified exemptions and deductions.

Amends the Small Business Act to increase the financial assistance available to small businesses. Amends the Comprehensive Employment and Training Act to provide additional incentives for the employment of youths and the chronically unemployed.

H.R. 2520. January 26, 1977. Banking, Finance and Urban Affairs. Directs the Secretary of the Treasury to strike medals in commemoration of the two hundredth anniversary of the encampment of the American Army at Valley Forge, Pennsylvania.

H.R. 2521. January 26, 1977. Agriculture. Makes the Poultry Products Inspection Act applicable to domesticated rabbits slaughtered for human consumption and the persons and establishments processing such rabbits.

Allows a State two years in which to pass its own regulations controlling such establishments or have such intrastate activity come under Federal regulation.

H.R. 2522. January 26, 1977. Ways and Means. Amends the Internal Revenue Code to provide a two cents per gallon refund of the gasoline tax on gasoline using cereal grain alcohol ("gasohol") as a substitute for lead. Limits the refund to vendors who have passed on the tax savings to purchasers.

H.R. 2523. January 26, 1977. Ways and Means. Amends the Trade Act of 1974 to extend to two years the period within which workers separated from adversely affected employment may apply for trade adjustment assistance.

H.R. 2524. January 26, 1977. Agriculture. Provides, under the Consolidated Farm and Rural Development Act, that aliens legally admitted to the United States for permanent residence are eligible for emergency loans if they are established farmers, ranchers or persons engaged in aquaculture. Makes eligible for such loans domestic corporations or partnerships primarily engaged in farming, ranching or aquaculture which have stockholders or partners who are aliens legally admitted for permanent residence.

H.R. 2525. January 26, 1977. Agriculture. Expands the emergency spending authority of the Secretary of Agriculture with respect to aiding and transporting persons who are lost, seriously ill, injured, or who die within the National Forest System.

H.R. 2526. January 26, 1977. Education and Labor. Amends the National School Lunch Act to require that all goods purchased for distribution pursuant to such Act conform to the Buy American Act.

H.R. 2527. January 26, 1977. Interior and Insular Affairs. Authorizes the Secretary of Agriculture to convey certain lands in the Sierra National Forest, California, to the Madera Cemetery District.

H.R. 2528. January 26, 1977. Government Operations. Authorizes Federal employees under the Freedom of Information Act to disclose any information which an agency is required to make available to the public under the Act, and any information which is requested in writing by a Member of Congress when disclosure is not subject to the Act. Prohibits the dismissal, transfer, or other adverse personnel action or threat of such action in retaliation for such release of information by such employee.

H.R. 2529. January 26, 1977. Interstate and Foreign Commerce. Requires major corporations to file with the Federal Trade Commission cost justifications of price increases which would result from compliance with Federal regulatory requirements.

H.R. 2530. January 26, 1977. Post Office and Civil Service. Makes National Zoological Park police eligible for the civil service pension program.

H.R. 2531. January 26, 1977. Post Office and Civil Service; Rules. Requires the Civil Service Commission to submit any proposed increase in rates charged under civil service health benefits plans to Congress not later than 30 days before the date such increase is proposed to become effective. Disallows a proposed increase if either House of Congress adopts a resolution of disapproval before such increase's effective date. Details rules relating to the consideration of such resolution of disapproval in Congress.

H.R. 2532. January 26, 1977. Judiciary. Amends the Civil Rights Act of 1968 to allow the Secretary of the Department of Housing and Urban Development to initiate civil actions to enforce the provisions of such Act. Extends from 30 to 60 days the period during which no civil suits may be initiated and the Secretary must make efforts to obtain voluntary compliance with such Act.

Permits courts to award attorneys' fees to prevailing plaintiffs without regard to financial ability to assume such fees.

H.R. 2533. January 26, 1977. Interstate and Foreign Commerce. Amends the Energy Policy and Conservation Act to direct the President to call a National Leadership Conference on Energy Policy during 1977.

H.R. 2534. January 26, 1977. Banking, Finance and Urban Affairs. Authorizes the Secretary of Housing and Urban Development to make loans to homeowners and builders to assist them in purchasing and installing solar heating or solar heating and cooling equipment, and directs the Secretary to provide individuals with all current information on such equipment upon request.

Directs the Energy Research and Development Administration to: (1) establish procedures for inspecting and evaluating solar heating and cooling equipment; (2) review new equipment as developed; and (3) periodically review certifications of such equipment for validity.

H.R. 2535. January 26, 1977. Ways and Means. Provides a two-year extension of time for the payment of so much of any income tax as is attributable to the application to 1976 of the change made by the Tax Reform Act in the exclusion for sick pay.

H.R. 2536. January 26, 1977. Ways and Means. Allows a tax credit, under the Internal Revenue Code, for a percentage of the expenses incurred by the taxpayer for employment training expenses of employees enrolled in apprenticeship programs or cooperative education programs or job-related programs of education.

H.R. 2537. January 26, 1977. Interior and Insular Affairs. Amends the Cape Cod National Seashore Act to prohibit the allowance of use and occupancy privileges to property owners who have constructed homes during a period of suspension of the authority of the Secretary of the Interior to acquire land by condemnation.

Requires that new standards issued by the Secretary be incorporated into existing zoning by-laws.

H.R. 2538. January 26, 1977. Agriculture. Directs the Secertary of Agriculture to make loans to agricultural producers who sustain losses incurred on or after January 1, 1973, as a direct result of their food crops, animal feedcrops, livestock (including poultry), or livestock products being quarantined or condemned by a Federal or State official because such crops, livestock or products contain quantities of toxic chemical dangerous to the public health.

H.R. 2539. January 26, 1977. Interior and Insular Affairs. Authorizes the Secretary of the Interior to enter into land transactions on behalf of the Confederated Tribes of the Umatilla Reservation, and individual Indians. Requires that lands acquired pursuant to this Act be taken in the name of the United States in trust for the Confederated Tribes of the Umatilla Reservation, or for the individual for whom the land was acquired. Allows the Confederated Tribes of the Umatilla Reservation to execute mortgages.

H.R. 2540. January 26, 1977. Interior and Insular Affairs. Sets forth rules governing the interstate succession of all interests in trust or restricted land within the Umatilla Reservation, Oregon.

H.R. 2541. January 26, 1977. Post Office and Civil Service. Amends the Federal Salary Act of 1967 and the Legislative Reorganization Act of 1946 to specify when an adjustment in the rate of pay for Members of Congress proposed during any Congress shall take effect.

H.R. 2542. January 26, 1977. Banking, Finance and Urban Affairs; Judiciary. Prohibits any United States entity or representative from obtaining copies of, or access to, information contained in the financial records, toll records, or credit record of any of any customer of a financial institution, communication common carrier, credit card issuer, or consumer reporting agency. Lifts such prohibition if: (1) the records are described with sufficient particularity; and (2) the customer has authorized disclosure, the disclosure is obtained in response to an administrative subpoena, search warrant, or judicial subpoena, or disclosure is in compliance with specified provisions of the Fair Credit Reporting Act. Restricts the use of mail covers and the interception of wire and oral communications for purposes of supervisory observing by communication common carriers and others.

H.R. 2543. January 26, 1977. Interior and Insular Affairs. Designates a unit of the Big Thicket National Preserve, Texas, as the Ralph Yarborough Unit.

H.R. 2544. January 26, 1977. Interior and Insular Affairs. Grants the United States Government the right to immediate possession of specified real property within units of the Big Thicket National Preserve. Makes provisions for the rendering of just compensation for such lands. Permits the Secretary of the Interior, in his discretion, to initiate eminent domain proceedings against improved property if such lands are subject to uses which are detrimental to the stated purposes of this Act.

H.R. 2545. January 26, 1977. Public Works and Transportation. Amends the Federal Water Pollution Control Act to extend until September 30, 1978, the period of time during which funds allotted to States for the construction of treatment works shall remain available.

H.R. 2546. January 26, 1977. Interior and Insular Affairs. Amends the Wild and Scenic Rivers Act by designating a portion of the Salt River, Arizona, for study as a potential addition to the National Wild and Scenic Rivers System.

H.R. 2547. January 26, 1977. Government Operations. Directs the Administrator of General Services to purchase property which is suitable for use as a training facility by the Texas National Guard equal in value to the interest held by the Texas National Guard Armory Board in specified property. Directs the Administrator and the Texas National Guard Armory Board to exchange such purchased and presently owned properties for one another.

H.R. 2548. January 26, 1977. Post Office and Civil Service. Entities to survivor annuities widows or widowers of certain deceased an-

nuitants who had previously made such annuities available to a former spouse to whom such annuitant was married at the time of retirement.

H.R. 2549. January 26, 1977. Ways and Means; Interstate and Foreign Commerce. Amends the Social Security Act by replacing Medicare with a national health care program under which the cost of covered medical services provided to all United States residents and certain non-resident aliens shall be paid by the Federal Government. Establishes an independent Social Security Administration to administer this program, Old-Age, Survivors, and Disability Insurance, Supplemental Security Income, and the health standards provisions of the Federal Coal Mine Health and Safety Act.

Amends the Internal Revenue Code to impose a tax on wages, self-employment income, and certain unearned income for purposes of the national health care program.

H.R. 2550. January 26, 1977. Judiciary. Declares a certain individual eligible for naturalization under the Immigration and Nationality Act.

H.R. 2551. January 26, 1977. Judiciary. Directs the Civil Service Commission to pay a certain individual a lump sum as the equivalent of a survivor annuity to which she is deemed to be entitled.

H.R. 2552. January 26, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2553. January 26, 1977. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 2554. January 26, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2555. January 26, 1977. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 2556. January 26, 1977. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 2557. January 26, 1977. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual for damages suffered by such individual as a result of erroneous actions by a certain Federal agency.

H.R. 2558. January 26, 1977. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2559. January 26, 1977. Judiciary. Directs the Secretary of Agriculture to recovery a patent to a certain individual.

H.R. 2560. January 26, 1977. Judiciary. Declares a certain individual eligible for naturalization under the Immigration and Nationality Act.

H.R. 2561. January 26, 1977. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2562. January 26, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2563. January 26, 1977. Judiciary. Provides that a certain individual be deemed to have made a timely election for purpose of providing a civil service survivor annuity for his wife.

H.R. 2564. January 27, 1977. Merchant Marine and Fisheries. Amends the Fishery Conservation and Management Act of 1976 to redefine "vessel of the United States," and to require the Secretary of Commerce to submit to Congress an annual report regarding foreign investment in the United States fishing industry.

H.R. 2565. January 27, 1977. Public Works and Transportation. Requires the Secretary of the Army, acting through the Corps of Engineers, to alter the Shepherdstown Bridge as part of the river navigation project for Yazoo River, Mississippi. Authorizes the appropriation of not more than $3,000,000 to alter such bridge.

H.R. 2566. January 27, 1977. Judiciary. Authorizes the issuance of immigration visas to aliens who are natives of the Philippines, who served in any United States Armed Force during World War II and who were separated from such service under honorable conditions.

H.R. 2567. January 27, 1977. Judiciary. Amends the Immigration and Nationality Act to allocate the colonies of foreign states a greater number of the visas available to such foreign state if denial of admittance to an immigrant born in such colony resulting from quota limitations pertaining to such colony would result in severe hardship to the family of such immigrant.

H.R. 2568. January 27, 1977. Post Office and Civil Serivce. Allows any Federal employee or Member of Congress who is a Japanese American World War II internee to credit, for civil service retirement purposes, the period during which such individual was detained or interned in a camp or similar facility.

H.R. 2569. December 27, 1977. Ways and Means. Amends title II (Old-Age, Survivors and Disability Insurance) of the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving benefits.

H.R. 2570. January 27, 1977. Agriculture. Revises the eligibility requirements for food coupons under the Food Stamp Act of 1964 to exclude individuals who receive one-half of their income from an individual who is not eligible for food coupons.

H.R. 2571. January 27, 1977. Education and Labor. Amends the Occupational Safety and Health Act to prohibit the assessment of a civil penalty for the initial citation of any employer for a violation of any standard or regulation imposed by such Act unless such employer fails to abate such violation within a specified time.

Permits the Secretary of Labor to inspect such employer and issue a citation, if necessary, to insure the abatement of any initial violation.

H.R. 2572. January 27, 1977. Ways and Means. Increases to $6,000 the amount of outside earnings which is permitted an individual each year without any deduction from benefits under Title II (Old-Age, Survivors, and Disability Insurance Benefits) of the Social Security Act.

H.R. 2573. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to allow an additional income tax exemption for a taxpayer or his spouse who is deaf.

H.R. 2574. January 27, 1977. Post Office and Civil Service. Increases the salary of the Director of the Office of Management and Budget to the annual rate of pay prescribed for level I of the Executive Pay Schedule.

H.R. 2575. January 27, 1977. Banking, Finance and Urban Affairs. Amends the Federal Reserve Act to shorten the term of members of the Board of Governors of the Federal Reserve System from 14 to 8 years. Empowers the President to remove any member of such Board for cause.

H.R. 2576. January 27, 1977. Judiciary. Amends the Bankruptcy Act to include among debts which have priority specified debts to consumers based on deposits of money made in connection with the purchase, lease, or rental of goods or services for personal or household use not delivered on the date of bankruptcy or on account of a cause of action based on the breach of an implied or express warranty in connection with goods or services.

H.R. 2577. January 27, 1977. Banking, Finance and Urban Affairs. Amends the Housing and Community Development Act to provide that units of general local government receiving grants under the hold-harmless provisions of such Act, shall be entitled, after fiscal year 1977, to continue to receive at least the amount to which they are presently entitled.

H.R. 2578. January 27, 1977. Public Works and Transportation. Amends the Federal Aviation Act of 1958 and the Interstate Commerce Act to authorize free or reduced transportation rates for persons over 65 and handicapped individuals and their attendants. Amends the Urban Mass Transportation Act of 1964 to give funding priority under such act to public bodies which offer reduced rates to such individuals. Authorizes the Secretary of Transportation to prescribe standards for facilities funded under such Act to insure ready access to such facilities by these individuals. Amends the Older Americans Act of 1965 to authorize a grant program for special transportation research and demonstration projects for such individuals.

H.R. 2579. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to provide a $5,000 tax exclusion from gross income for any amount received as an annuity, pension, or other retirement benefit.

H.R. 2580. January 27, 1977. Ways and Means. Increases to $5,000 the amount of outside earnings which is permitted an individual each year without any deduction from benefits under title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act.

H.R. 2581. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to repeal the limitations made by the Tax Reform Act of 1976 on the exclusion for sick pay.

H.R. 2582. January 27, 1977. Public Works and Transportation; Ways and Means. Authorizes the Secretary of Transportation to approve Federal participation in State projects to repair or replace unsafe highway bridges. Amends the Highway Revenue Act of 1956 to extend the appropriations authorized under such Act for the Highway Trust Fund through fiscal year 1990. Amends the Land and Water Conservation Fund Act to extend such fund through fiscal year 1990. Postpones specified excise tax reductions under the Internal Revenue Code of 1954.

H.R. 2583. January 27, 1977. Interstate and Foreign Commerce; Judiciary. Amends the Comprehensive Drug Abuse Prevention and Control Act of 1970 to set forth mandatory minimum terms of imprisonment for individuals convicted of certain narcotics traffic related crimes.

Amends the Federal Rules of Criminal Procedure to require a separate sentencing hearing when a person is convicted of a crime for which such sentences are authorized.

Specifies standards for conditions of release and preventive detention of narcotics violators.

Subjects to forfeiture proceeds of and money intended to be used in narcotics violations.

H.R. 2584. January 27, 1977. Interstate and Foreign Commerce; Judiciary. Amends the Comprehensive Drug Abuse Prevention and Control Act of 1970 to set forth mandatory minimum terms of imprisonment for individuals convicted of certain narcotics traffic related crimes.

Amends the Federal Rules of Criminal Procedure to require a separate sentencing hearing when a person is convicted of a crime for which such sentences are authorized.

Specifies standards for conditions of release and preventive detention of narcotics violators.

Subjects to forfeiture proceeds of and money intended to be used in narcotics violations.

H.R. 2585. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to limit the application of the Tax Reform

Act's elimination of the sick pay exclusion for persons who have not retired on total disability, to taxable years beginning after December 31, 1976.

H.R. 2586. January 27, 1977. Interstate and Foreign Commerce; Government Operations; Rules; Judiciary. Establishes a commission to study the impact of Federal regulatory activities on the United States economy. Requires Federal agencies to prepare a cost-benefit assessment of all proposed and specified existing rules which involves public costs. Requires agency rules to be subject to Congress disapproval. Directs the United States to pay the attorney's fees of defendants who prevail in a civil action in which the United States is a plaintiff.

H.R. 2587. January 27, 1977. Interstate and Foreign Commerce. Amends the Clean Air Act to authorize the Administrator of the Environmental Protection Agency to make grants to States to defray costs incurred in reducing asbestos levels in the interior of school buildings.

H.R. 2588. January 27, 1977. Ways and Means. Amends the Trade Act of 1974 to prohibit the President from designating a country as a beneficiary developing country, for purposes of tariff preferences (under the President's authority to confer such designation when he determines it to be in the national economic interest), when such country has participated, or is participating, in withholding supplies of any vital commodity resource from international trade.

H.R. 2589. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to: (1) reduce individual and corporate income tax rates; (2) allow a limited income tax deduction by certain domestic corporations for dividends paid; (3) allow a tax credit for new savings deposits; and (4) allow a deduction for a portion of a property's cost in lieu of a deduction for depreciation.

H.R. 2590. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to: (1) reduce individual and corporate income tax rates; (2) allow a limited income tax deduction by certain domestic corporations for dividends paid; (3) allow a tax credit for new savings deposits; and (4) allow a deduction for a portion of a property's cost in lieu of a deduction for depreciation.

H.R. 2591. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to: (1) reduce individual and corporate income tax rates; (2) allow a limited income tax deduction by certain domestic corporations for dividends paid; (3) allow a tax credit for new savings deposits; and (4) allow a deduction for a portion of a property's cost in lieu of a deduction for depreciation.

H.R. 2592. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to: (1) reduce individual and corporate income tax rates; (2) allow a limited income tax deduction by certain domestic corporations for dividends paid; (3) allow a tax credit for new savings deposits; and (4) allow a deduction for a portion of a property's cost in lieu of a deduction for depreciation.

H.R. 2593. January 27, 1977. Interstate and Foreign Commerce. Requires that medical records maintained by programs assisted by the United States or insurance companies engaged in business in interstate commerce be kept confidential and be disclosed only according to this Act.

H.R. 2594. January 27, 1977. Appropriations. Appropriates $15,000,000 for fiscal year 1977 for the purpose of making grants to increase and improve museum services pursuant to the Museum Services Act.

H.R. 2595. January 27, 1977. Banking, Finance and Urban Affairs; Education and Labor. Directs the President, through the Secretary of Labor, to carry out a program of projects, by means of contracts with public and private employers and institutions of higher education, to: (1) increase employee participation in decisionmaking and gains due to increased productivity; and (2) demonstrate programs and guidelines to maintain employment levels and improve the quality of working life.

Establishes a Human Resources Advisory Council to furnish advice and assistance in the administration of such projects.

Authorizes the Secretary to guarantee loans made to small businesses to enable them to participate in projects under this Act.

H.R. 2596. January 27, 1977. Banking, Finance and Urban Affairs; Education and Labor. Directs the President, through the Secretary of Labor, to carry out a program of projects, by means of contracts with public and private employers and institutions of higher education, to: (1) increase employee participation in decisionmaking and gains due to increased productivity; and (2) demonstrate programs and guidelines to maintain employment levels and improve the quality of working life.

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Authorizes the Secretary to guarantee loans made to small businesses to enable them to participate in projects under this Act.

H.R. 2597. January 27, 1977. Banking, Finance and Urban Affairs; Education and Labor. Directs the President, through the Secretary of Labor, to carry out a program of projects, by means of contracts with public and private employers and institutions of higher education, to: (1) increase employee participation in decisionmaking and gains due to increased productivity; and (2) demonstrate programs and guidelines to maintain employment levels and improve the quality of working life.

Establishes a Human Resources Advisory Council to furnish advice and assistance in the administration of such projects.

Authorizes the Secretary to guarantee loans made to small businesses to enable them to participate in projects under this Act.

H.R. 2598. January 27, 1977. Judiciary. Grants a Federal charter to the Italian American War Veterans of the United States.

H.R. 2599. January 27, 1977. Post Office and Civil Service. Awards one preference point to National Guard and Armed Forces Reserve Veterans applying for employment in the civil service.

H.R. 2600. January 27, 1977. Veterans' Affairs. Removes the time limitation within which programs of education for veterans must be completed.

H.R. 2601. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to provide a limited income tax credit for the purchase and installation of qualified insulation and heating improvements in the taxpayer's principal residence.

H.R. 2602. January 27, 1977. Agriculture. Provides that any individual who is 18 years of age or is enrolled in an institution of higher education, and who is receiving half of his income from any member of another household which, because of its income and other financial resources, is not eligible to receive food stamps shall not be considered as a member of household for purposes of the Food Stamp Act of 1964. Permits any State agency to exempt any individual from this disqualification if the agency determines that such individual should be exempted because of severe hardship conditions.

H.R. 2603. January 27, 1977. Banking, Finance and Urban Affairs. Prescribes procedures and standards governing the disclosure of customer records by financial institutions to Federal agencies.

H.R. 2604. January 27, 1977. Banking, Finance and Urban Affairs. Directs the Administrator of the Energy Research and Development Administration to assist communities in developing solar energy community utility programs. Establishes a revolving fund for continued financing of such program.

H.R. 2605. January 27, 1977. Education and Labor. Directs the Secretary of Health, Education, and Welfare to establish multipurpose service programs for displaced homemakers in order to provide them job, health, financial, and legal services.

Directs the Secretary to prepare and furnish to the Congress a study of the feasibility of and appropriate procedures for allowing displaced homemakers to participate in (1) programs established under the Comprehensive Employment and Training Act of 1973, (2) work incentive programs under the Social Security Act, (3) related, Federal employment, education, and health assistance programs, and (4) programs established or benefits provided under Federal and State unemployment compensation laws.

H.R. 2606. January 27, 1977. Education and Labor. Directs the Secretary of Labor to enter into a contract with Opportunities Industrialization Centers, Incorporated, in order to provide comprehensive employment services and jobs for unemployed persons through such centers.

Requires the head of each Federal agency administering programs under specified Federal Acts to make arrangements with local agencies to assure that special consideration will be given to Opportunities Industrialization Centers for the provision of comprehensive employment services and job opportunities for the unemployed pursuant to such programs.

H.R. 2607. January 27, 1977. Education and Labor. Amends the Civil Rights Act of 1964 to make it an unlawful employment practice for an employer to either: (1) request any employee or applicant for employment to provide copies of military discharge papers or other service records; or (2) make inquiries relative to the military discharge of any employee or applicant for employment.

H.R. 2608. January 27, 1977. Education and Labor. Amends the Higher Education Act of 1965 to establish the Office of Lifetime Learning within the Office of Education. Directs the office to carry out a program of Federal assistance for lifetime learning programs.

H.R. 2609. January 27, 1977. Education and Labor. Authorizes the Commissioner of Education to provide Federal aid to those State teacher retirement systems which allow retirement credit to teachers for out-of-State teaching service.

H.R. 2610. January 27, 1977. House Administration. Authorizes and establishes procedures for public financing of primary and general election campaigns of candidates for election to Congress.

H.R. 2611. January 27, 1977. International Relations. Prohibits the Nuclear Regulatory Commission from licensing and the Energy Research and Development Administration from engaging in or allowing any export of nuclear fuel or technology to a country (1) which furnishes uranium enrichment or nuclear fuel reprocessing plants to a country not party to the Nuclear Nonproliferation Treaty, or (2) which is not a party to such treaty and develops any enrichment or reprocessing plant without concluding an agreement for safeguards against diversion of nuclear material with the International Atomic Energy Agency or Euratom.

Permits such export upon a Presidential determination that it is in the interests of national security.

H.R. 2612. January 27, 1977. Interstate and Foreign Commerce. Amends the Communications Act of 1934 to prescribe the procedures for and the circumstances under which private communications can be disclosed in response to a subpena. Eliminates the provision of the Act allowing such disclosure on demand of other lawful authority.

H.R. 2613. January 27, 1977. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to establish

a National Diabetes Advisory Board to insure the implementation of a long-range plan to combat diabetes. Authorizes the Secretary to make grants to scientists who have shown productivity in diabetes research for the purpose of continuing such research. Authorizes, under the Public Health Service Act, the appropriation of specified sums for the purposes of making grants to centers for research and training in diabetic related disorders.

H.R. 2614. January 27, 1977. Interstate and Foreign Commerce. Amends the Federal Power Act to require that rate increases for the interstate sale of electricity not be granted until public hearings on such increases have been completed by the Federal Power Commission.

Requires 30 days' notice of all rate changes by a public utility to the Commission and to the public.

H.R. 2615. January 27, 1977. Interstate and Foreign Commerce. Prescribes minimum national standards for utility rate structures in order to alleviate burdens imposed on low-income consumers. Establishes requirements for full evidentiary hearings on proposed rate increases, with adequate representation of consumer interests.

Establishes an Electric Utility Ratemaking Assistance Office within the Federal Energy Administration to provide assistance with respect to ratemaking procedures.

Amends the Federal Power Act to require utilities to comply with standards designed to assure a reliable supply of electric energy.

Authorizes appropriations for grants to State regulatory authorities. Establishes procedures for planning and coordination in the siting of bulk power facilities.

H.R. 2616. January 27, 1977. Interstate and Foreign Commerce. Establishes a National Commission on Regulatory Reform to study and make recommendations on the activities and effect on the economy of certain Federal regulatory agencies.

H.R. 2617. January 27, 1977. Interstate and Foreign Commerce. Amends the Community Mental Health Centers Act to direct the Secretary of Health, Education, and Welfare, to establish, within the National Institute of Mental Health, an administrative unit to be known as the National Center for the Prevention and Control of Rape to study existing laws dealing with rape, the attitudes of those who formulate such laws, the treatment of rape victims, and the causes of rape.

H.R. 2618. January 27, 1977. Judiciary. Establishes the National Commission on Victimless Crime to survey Federal, State, and local laws with respect to victimless crime; to study the effect of such laws on the criminal justice system; and to consider whether such laws should be repealed or modified.

H.R. 2619. January 27, 1977. Judiciary. Requires candidates for Federal office, Members of the Congress, and certain officers and employees of the United States to file statements with the Comptroller General with respect to their income and financial transactions.

H.R. 2620. January 27, 1977. Judiciary.

Grants certain rights, including the right to counsel, to Federal grand jury witnesses.

Revises procedures for, and sets forth defenses relative to, finding recalcitrant grand jury or district court criminal witnesses in contempt.

Entitles witnesses compelled to testify before a Federal court, Federal grand jury, Congress, or executive agency to transactional immunity.

Specifies guidelines regarding the rights and authority of a Federal grand jury, including the power to initiate independent inquiries.

H.R. 2621. January 27, 1977. Judiciary. Revises provisions imposing penalties for the commission of rape, including carnal knowledge of a female under age 16, within the special maritime and territorial jurisdiction of the United States to (1) set forth penalties for any unconsented sexual contact or penetration; (2) proscribe sexual contact or penetration with any person under age 18; (3) detail sentencing guidelines; and (4) prohibit introduction of evidence regarding a victim's prior sexual conduct absent a ruling by the court after an in camera hearing.

H.R. 2622. January 27, 1977. Judiciary. Revises provisions imposing penalties for the commission of rape, including carnal knowledge of a female under age 16, within the special maritime and territorial jurisdiction of the United States to (1) set forth penalties for any unconsented sexual contact or penetration; (2) proscribe sexual contact or penetration with any person under age 18; (3) detail sentencing guidelines; and (4) prohibit introduction of evidence regarding a victim's prior sexual conduct absent a ruling by the court after an in camera hearing.

H.R. 2623. January 27, 1977. Government Operations. Requires that meetings of Federal agencies be open to the public except as stipulated in this Act. Requires agencies to make a public announcement, at least one week before the meeting, of the date, place, and subject matter of the meeting, and whether it is to be open or closed to the public. Requires that edited transcripts of all meetings be made available to the public. Prohibits ex parte communications during on-the-record agency meetings.

H.R. 2624. January 27, 1977. Post Office and Civil Service. Sets forth a time schedule for the required introduction of part-time jobs in each grade in each Federal agency, at a rate of two percent each year for five years.

H.R. 2625. January 27, 1977. Rules. Amends the Legislative Reorganization Act of 1970 to require that each committee report accompanying a public bill or resolution contain a paperwork impact statement estimating the number of reports which would be required of private business enterprises, the complexity of the forms which would be required, and the cost and time which would be required in making and keeping such reports.

H.R. 2626. January 27, 1977. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to assist certain totally disabled veterans, including hemiplegics, in acquiring suitable housing units with special fixtures.

H.R. 2627. January 27, 1977. Ways and Means. Amends the Social Security Act with respect to Old-Age, Survivors, and Disability Insurance by directing the Secretary of Health, Education, and Welfare to establish procedures for expediting (1) replacement of lost, stolen or misdelivered benefit checks; (2) initial benefit payments; (3) hearings on eligibility; and (4) final determinations of eligibility.

H.R. 2628. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to provide for the reimbursement of all of a taxpayer's reasonable litigation expenses, including attorneys' fees, in any legal action commenced by the Government, or any action instituted by a taxpayer contesting the accuracy of a deficiency assessment or claiming a refund, in which the taxpayer substantially prevails, or the Government withdraws.

H.R. 2629. January 27, 1977. Ways and Means. Declares all income tax returns to be confidential and prohibits the disclosure or inspection of such returns unless specifically authorized by this Act.

Increases the criminal penalties for unauthorized disclosure of the information contained in tax returns.

Makes it a felony to knowingly receive any such information or material which is criminally disclosed.

H.R. 2630. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to allow a deduction to individuals who rent their principal residences for a portion of the real property taxes paid or accrued by their landlord.

H.R. 2631. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to allow a limited tax credit in an amount of $250 for each individual who is at least 61 years of age before the beginning of the taxable year, whose principal place of abode during the taxable year is the principal residence of the taxpayer, and who is not a lodger with the taxpayer.

H.R. 2632. January 27, 1977. Government Operations; Rules. Abolishes within three years of the enactment of this Act, or three years after they have been established, all Federal regulatory agencies unless the President and Congress determine that such agencies should continue to exist.

H.R. 2633. January 27, 1977. Judiciary; Rules. Requires any rule proposed by any Government agency to be submitted to Congress with a full explanation of such rule. States that such rule shall become effective no later than 60 days after submission to Congress unless either House adopts a resolution disapproving such rule.

H.R. 2634. January 27, 1977. Small Business; Banking, Finance and Urban Affairs. Amends the Small Business Act to authorize the Small Business Administration to make loans to individuals and home-builders for the purchase and installation of qualified solar heating or solar heating and cooling equipment from small business concerns.

Directs the Energy Research and Development Administration to: (1) establish procedures for inspecting and evaluating solar heating and cooling equipment; (2) review new equipment as developed; (3) periodically review certifications of such equipment for validity; and (4) transmit pertinent data to the Small Business Administration for its use in certifying equipment for purposes of the loan program created by this Act.

H.R. 2635. January 27, 1977. Ways and Means; Interstate and Foreign Commerce. Amends Title XVIII (Medicare) of the Social Security Act to provide payment for diagnostic tests and examinations given for the detection of breast cancer under the supplementary medical insurance program.

H.R. 2636. January 27, 1977. Interstate and Foreign Commerce. Amends the Uniform Time Act of 1966 to make daylight saving time effective on a year-round basis.

H.R. 2637. January 27, 1977. Armed Services. Authorizes the Secretary of the Air Force to enter into contracts to include cargo airlift characteristics suitable for defense purposes in new civil aircraft being manufactured for passenger and cargo use and to modify existing civil passenger aircraft to incorporate such characteristics for such purpose.

Stipulates that such aircraft shall be used for defense purposes in the event the full Civil Reserve Air Fleet is activated.

H.R. 2638. January 27, 1977. Banking, Finance and Urban Affairs. Amends the Housing and Community Development Act to provide that units of general local government receiving grants under the hold-harmless provisions of such Act, shall be entitled, after fiscal year 1977, to continue to receive at least the amount to which they are presently entitled.

H.R. 2639. January 27, 1977. Government Operations. Amends the Public Works Employment Act of 1976 to extend for five additional calendar quarters authorization for the appropriation of funds for payments to States and local governments for the maintenance of basic services to assure that Federal efforts to stimulate economic recovery are not hindered.

Increases the base amount authorized to be appropriated for each calendar quarter for such payments.

H.R. 2640. January 27, 1977. Ways and Means. Amends the Internal Revenue Code

to restrict the tax exclusion of proceeds on industrial development bonds to certain types of issues, the proceeds of which will be used within economic development areas. Allows national banks to deal in, and underwrite, such bonds.

H.R. 2641. January 27, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to provide that whenever cost-of-living increases are made in benefits, such amounts shall be further increased for individuals residing in high cost areas by a formula set forth in the Act.

H.R. 2642. January 27, 1977. Ways and Means. Amends the Internal Revenue Code to allow an income tax credit for 25 percent of the amount of rent paid by the taxpayer which is equal to the taxpayer's proportionate share of the local and State property taxes imposed on the land and building in which his dwelling is located.

H.R. 2643. January 27, 1977. Banking, Finance and Urban Affairs. Establishes minimum national standards for disclosure and consumer protection in condominium sales and conversions.

Allows the establishment of condominium regulation by any State or unit of local government. Empowers the Secretary of Housing and Urban Development to make grants to States to assist condominium regulation.

H.R. 2644. January 27, 1977. Judiciary. Establishes criteria for the imposition of the death penalty for specified explosive related offenses.

H.R. 2645. January 27, 1977. Education and Labor. Prohibits the Secretary of Labor from applying regulations affecting permanent housing for agricultural workers to mobile housing in the range sheep industry or temporary range cattle camps.

H.R. 2646. January 27, 1977. Ways and Means. Amends the Tariff Schedules of the United States (1) to repeal the customs duty on the importation of cordage of hard (leaf) fibers measuring ¾ inch or over in diameter which are not made from abaca or sisal (2) to permit the duty free entry of binder twine and baler twine of manmade fibers, and (3) to impose a specified customs duty on other cordage of manmade fibers.

H.R. 2647. January 27, 1977. Small Business. Amends the Small Business Act and the Small Business Investment Act to increase loan limitations and to increase surety bond authorizations.

H.R. 2648. January 27, 1977. Interstate and Foreign Commerce. Amends the Uniform Time Act of 1966 to establish the first Sunday of February as the starting date, and the first Sunday after the first Monday of November as the ending date of daylight saving time.

H.R. 2649. January 27, 1977. Agriculture. Repeals the Food Stamp Act of 1964 and establishes a new food stamp program.

H.R. 2650. January 27, 1977. Government Operations. Establishes the Commission on the Reorganization of the Executive Branch of the Government to study all instrumentalities of the Government except those of the Legislative or Judicial Branches to determine what changes are necessary to eliminate duplication and improve efficiency. Requires the Commission to submit to the President and Congress a final report by December 31, 1978, at which time the Commission shall cease to exist. Permits the President to submit to Congress reorganization plans to implement any recommednation of the Commission until January 1, 1980.

H.R. 2651. January 27, 1977. International Relations; Education and Labor. Establishes a Commission on Proposals for the National Academy of Peace and Conflict Resolution to study the establishment of such academy and alternative proposals which would assist the Federal Government in promoting peace. Directs the Commission to review the theory and techniques of conflict resolution and the institutions for conflict resolution in international relations, race relations, community relations, and family relations.

H.R. 2353. January 27, 1977. Education and Labor. Amends the Education Amendments of 1972 to exempt sex segregated gymnastics classes from the prohibition against sex discrimination contained within such act.

H.R. 2353. January 27, 1977. Education and Labor. Excepts musical and social programs and activities designed for parents and students from the prohibition against sex discrimination in federally assisted educational activities imposed by the Education Amendments of 1972.

H.R. 2654. January 27, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2655. January 27, 1977. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2656. January 27, 1977. Judiciary. Relieves a certain individual of liability to the United States for a certain sum.

H.R. 2657. January 27, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2658. January 27, 1977. Judiciary. Authorizes classification of a certain individual as an immediate relative of a United States citizen for purposes of the Immigration and Nationality Act.

H.R. 2659. January 27, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2660. January 27, 1977. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 2661. January 27, 1977. Judiciary. Provides that a certain individual is conditionally admitted to the United States for permanent residence.

H.R. 2662. January 27, 1977. Judiciary. Provides that a certain individual is conditionally admitted to the United States for permanent residence.

H.R. 2663. January 31, 1977. Education and Labor. Permits the Commissioner of Education to provide financial assistance to local educational agencies determined to be within an area in which an emergency has occurred prior to July 1, 1978, or which has had its public elementary or secondary school facilities destroyed or seriously damaged prior to July 1, 1978.

H.R. 2664. January 31, 1977. Interior and Insular Affairs. Amends the Indian Claims Commission Act of 1946 to empower the Court of Claims to review and enter judgment upon a Commission decision adjudging that certain Sioux lands were taken without just compensation.

H.R. 2665. January 31, 1977. Post Office and Civil Service. Grants a Federal employment preference to employees of the Bureau of Indian Affairs and the Indian Health Service who have been adversely affected by Federal law giving Indians preferential treatment in the competitive service. Changes the hiring procedures of the Departments of the Interior and Health, Education, and Welfare with respect to these employees. Requires the Civil Service Commission to review certain decisions made by appointment officers.

H.R. 2666. January 31, 1977. Post Office and Civil Service. Amends the Legislative Reorganization Act of 1946 and the Bankruptcy Act to repeal provisions of the law allowing automatic cost-of-living adjustments in the salaries of Members of Congress, persons paid pursuant to the Executive Schedule, the Vice President, and specified judicial positions including bankruptcy referees.

H.R. 2667. January 31, 1977. Armed Services. Stipulates that no veteran may be denied care or treatment under the CHAMPUS program for any service-connected disability solely because care or treatment for such disability is available at Veterans' Administration medical facilities.

H.R. 2668. January 31, 1977. Armed Services. Authorizes the recomputation at age 60 of the retired or retainer pay for members or former members of the uniformed services whose retired or retainer pay was computed on the basis of pay scales in effect prior to January 1, 1972, in order to reflect any retired or retainer pay increases for other members which was based on changes in the Consumer Price Index since that date.

H.R. 2669. January 31, 1977. Veterans' Affairs. Provides that recipients of veterans' pensions and compensation will not have the amount of such pension or compensation reduced, or entitlement thereto discontinued, because of increases in monthly social security benefits.

H.R. 2670. January 31, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to entitle disabled widows and widowers to receive unreduced widow's and widower's benefits without regard to age. Increases the amount of earnings allowed an individual under the earnings test when determining excess earnings. Permits adopted children to qualify for benefits without regard to time of adoption. Provides for the issuance of duplicate benefit checks where the initial checks are lost or delayed. Expedites benefit payments to disability beneficiaries.

H.R. 2671. January 31, 1977. Ways and Means. Revises Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to: (1) eliminate the five-month waiting period for disability benefits; (2) permit adopted children to qualify for benefits without regard to time of adoption; (3) eliminate the reconsideration stage in benefit determinations; (4) provide for the issuance of duplicate benefit checks where the initial checks are lost or delayed; and (5) provide for expedited benefit payments to disability beneficiaries. Increases the amount of outside earnings which an individual may earn without a deduction in benefits under Title II of the Social Security Act.

H.R. 2672. January 31, 1977. Ways and Means; Interstate and Foreign Commerce. Amends Title XVIII (Medicare) of the Social Security Act to expand the coverage of the supplementary medical insurance program to include physician extender services.

H.R. 2673. January 31, 1977. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service.

H.R. 2674. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to repeal the carryover basis provisions enacted by the Tax Reform Act which provide that beneficiaries receiving property from a decedent's estate will retain the decedent's basis in the property. Restores prior law which "stepped up" or "stepped down" the property's basis to its market value at the time of death without imposing tax consequences on the appreciation or depreciation the property underwent while held by the decedent.

H.R. 2675. January 31, 1977. Interior and Insular Affairs. Amends the Energy Reorganization Act of 1974 to require that the Energy Research and Development Administration notify legislatures of affected States of plans to explore sites for radioactive waste storage facilities. Prohibits the Administra-

tion from contracting for construction of any such facility at a site where the State legislature has indicated its disapproval.

H.R. 2676. January 31, 1977. Veterans' Affairs. Provides that recipients of veterans' pensions and compensation will not have the amount of such compensation reduced because of increases in social security benefits.

H.R. 2677. January 31, 1977. Judiciary. Permits the furnishing of accommodations to judges of the courts of appeals, upon approval by the appropriate judicial council, at any place where Federal facilities are available regardless of whether court terms are authorized to be held at such locations.

H.R. 2678. January 31, 1977. Armed Services. Makes it unlawful for any individual or entity to solicit to enroll or enroll any member to the Armed Forces in any labor organization or for any member to encourage others to join or to actively support any military labor organization. Sets forth penalties for violation of this Act.

H.R. 2679. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to exclude from gross income the first $5,000 received by an individual for service during less-than-30 days periods as a member of the National Guard or a reserve component of the Armed Forces.

H.R. 2680. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow as a credit against the income tax a limited amount of specified higher education expenses, including tuition, fees, books, and supplies, incurred by the taxpayer for himself and any dependents.

H.R. 2681. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow a limited income tax credit for the tuition paid to a private, nonprofit elementary or secondary educational institution for the education of a dependent.

H.R. 2682. January 31, 1977. Judiciary. Amends the Hobbs Act to impose penalties for interfering with commerce by willfully causing property damage of at least $2,000 at or near a factory, construction site, or other place where work or business of an employer or owner is carried on or where such employer or owner transports, stores, or maintains property.

Stipulates that a violation of such provision or of the provision prohibiting interference with commerce through robbery, violent acts, or extortion shall not be nullified or mitigated by certain factors.

H.R. 2683. January 31, 1977. Banking, Finance and Urban Affairs. Amends the Housing and Community Development Act of 1974 to add to population-density factor to the definition of urban county.

H.R. 2684. January 31, 1977. Public Works and Transportation. Amends the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to approve user charge systems based upon ad valorem taxation if specified requirements are satisfied.

H.R. 2685. January 31, 1977. Armed Services. Requires recomputation at a specified rate of the retired pay of any person who completed service as a sergeant major of the Marine Corps before September 16, 1967.

H.R. 2686. January 31, 1977. Armed Services. Makes specified pay and eligibility adjustments in the Retired Servicemen's Family Protection Plan and the Survivor Benefit Plan of the Armed Forces.

H.R. 2687. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow a limited tax deduction for amounts paid by the taxpayer to a tax exempt educational institution for the tuition of the taxpayer, his spouse, or a dependent.

H.R. 2688. January 31, 1977. Ways and Means. Amends Title XVI (Supplemental Security Income Program) of the Social Security Act to extend benefits to Puerto Rico, the Virgin Islands, and Guam on the same basis as the States.

H.R. 2689. January 31, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to extend to residents of Puerto Rico, the Virgin Islands, and Guam, benefits for specified uninsured persons who have attained age 72 before 1968.

H.R. 2690. January 31, 1977. Ways and Means; Interstate and Foreign Commerce. Amends the Social Security Act to extend specified public assistance benefits to Guam and the Virgin Islands on the same basis as other States.

H.R. 2691. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow employers a limited, refundable income tax credit for 50 percent of the wages paid new employees working in the United States. Provides for future assessments of this credit by the Secretary of the Treasury.

H.R. 2692. January 31, 1977. Ways and Means. Amends the Tariff schedules of the United States to suspend for two years the customs duty on wood excelsior imported from Canada.

H.R. 2693. January 31, 1977. Judiciary. Imposes penalties upon any Federal employee who willfully: (1) procures or inspects business or private records without a warrant or consent or for other than specified purposes.

Repeals the authority of the President to intercept communications for national security purposes. Repeals the authority of certain State and local law enforcement officers to intercept communications without prior court approval for national security purposes or with respect to activities characteristic of organized crime.

H.R. 2694. January 31, 1977. Judiciary. Amends the provision of the Gun Control Act of 1968 imposing penalties for the use of a firearm during the commission of certain crimes to (1) permit Federal courts to impose an additional term of imprisonment upon anyone using or carrying a firearm during the commission of a felony which may be prosecuted in a Federal court, (2) require Federal courts to impose such a sentence for a second or subsequent such conviction, and (3) classify felons using or carrying firearms as dangerous special offenders.

H.R. 2695. January 31, 1977. Post Office and Civil Service. States that effective July 1, 1977, the number of civil service employees in each Federal agency may not exceed the number so employed by such agency on July 1, 1975. Requires the Civil Service Commission to promulgate rules to carry out the requirement of this Act and to report to Congress by the fourth week in April, 1977, regarding the means and extent by which the level of Federal employment has been reduced under this Act.

H.R. 2696. January 31, 1977. Public Works and Transportation. Amends the Federal Aviation Act of 1958 and the Interstate Commerce Act to authorize free or reduced transportation rates for persons over 65 and handicapped individuals and their attendants. Amends the Urban Mass Transportation Act of 1964 to give funding priority under such Act to public bodies which offer reduced rates to such individuals. Authorizes the Secretary of Transportation to prescribe standards for facilities funded under such Act to insure ready access to such facilities by these individuals. Amends the Older Americans Act of 1965 to authorize a grant program for special transportation research and demonstration projects for such individuals.

H.R. 2697. January 31, 1977. Public Works and Transportation. Amends the Tennessee Valley Authority Act to allow credits against required power investment pollution control facilities.

H.R. 2698. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow as a credit against the income tax a limited amount of specified higher education expenses, including tuition, fees, books, and supplies, incurred by the taxpayer for himself and any dependents.

H.R. 2699. January 31, 1977. Judiciary. Directs the Attorney General to make grants to qualified State programs for the compensation of victims of crime.

Establishes an Advisory Committee on Victims of Crime to advise the Attorney General with respect to the administration of such grant program and to the compensation of victims of crime.

H.R. 2700. January 31, 1977. District of Columbia. Restates the charter of the George Washington University, Washington, D.C., in its entirety.

H.R. 2701. January 31, 1977. International Relations. Deems void any suit or judicial or administrative process against a person or the property of a person entitled to immunity under the Vienna Convention on Diplomatic Relations. Makes Presidential determinations of entitlement to immunity binding upon governmental authorities. Requires the President to publish a list of missions and personnel entitled to such immunity.

Repeals the criminal penalties for wrongful suit against an immune person. Repeals exceptions to suits against servants in the service of personnel of a foreign mission. Repeals the present criteria for determining eligibility for immunity.

H.R. 2702. January 31, 1977. International Relations. Deems void any suit or judicial or administrative process against a person or the property of a person entitled to immunity under the Vienna Convention on Diplomatic Relations. Makes Presidential determinations of entitlement to immunity binding upon governmental authorities. Requires the President to publish a list of missions and personnel entitled to such immunity.

Repeals the criminal penalties for wrongful suit against an immune person. Repeals exceptions to suits against servants in the service of personnel of a foreign mission. Repeals the present criteria for determining eligibility for immunity.

H.R. 2703. January 31, 1977. International Relations. Deems void any suit or judicial or administrative process against a person or the property of a person entitled to immunity under the Vienna Convention on Diplomatic Relations. Makes Presidential determinations of entitlement to immunity binding upon governmental authorities. Requires the President to publish a list of missions and personnel entitled to such immunity.

Repeals the criminal penalties for wrongful suit against an immune person. Repeals exceptions to suits against servants in the service of personnel of a foreign mission. Repeals the present criteria for determining eligibility for immunity.

H.R. 2704. January 31, 1977. Ways and Means. Amends the Tax Reform Act to provide an unlimited exclusion from gross income of disability payments received by persons who retired on or before October 1, 1976, and either retired on disability, or were entitled to retire on disability.

H.R. 2705. January 31, 1977. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to make eligible for registration, as being of United States nationality, aircraft owned by a citizen of a foreign country who has been lawfully admitted for permanent residence into the United States.

H.R. 2706. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to exempt government chartered air museums operated exclusively for the care or use of antique, custom-built, racing, military or other special types of aircraft from the excise taxes on special fuels and the use of civil aircraft.

H.R. 2707. January 31, 1977. Interior and Insular Affairs; Armed Services. Directs the

Secretary of the Treasury to make payments to local governments under present law based upon lands within the jurisdiction of such local government on which are located semiactive or inactive installations retained by the Army for mobilization purposes and for support of reserve component training.

H.R. 2708. January 31, 1977. Rules. Establishes within the House of Representatives a Select Committee on Mexico-United States Relations to study matters including: (1) Mexican nationals illegally present in the United States; (2) economic interrelationships; and (3) illegal narcotics traffic between the two countries.

H.R. 2709. January 31, 1977. Ways and Means. Amends the Tariff Schedules of the United States to establish a value limit for personal articles which may be imported duty-free by residents returning from a contiguous country with an annual per capita income of less than $2,000 as of January 1, 1977.

H.R. 2710. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow individuals a limited income tax deduction for handicraft items purchased in Mexico between 1975 and 1981.

H.R. 2711. January 31, 1977. Judiciary. Provides for appointment of a special prosecutor relative to alleged violations of criminal law involving abuse of office, fraud against the United States, obstruction of justice, or campaign finance by any of specified Federal officials or campaign managers.

Directs the Attorney General to promulgate regulations requiring employees of the Department of Justice to disqualify themselves from investigations or prosecutions which may result in a conflict of interest or the appearance thereof.

H.R. 2712. January 31, 1977. Interstate and Foreign Commerce. Amends the Natural Gas Act to exempt from regulation sales and related activities involving transfers of emergency supplies of natural gas to high-priority consumers. Terminates Federal Power Commission authority to regulate sales of new natural gas except gas produced from offshore Federal lands and transactions between natural gas companies and affiliates.

Imposes restrictions on the use of natural gas as boiler fuel. Directs the Federal Power Commission to prohibit the curtailment of supplies of natural gas for essential agricultural purposes.

Grants standby authority to the President to allocate propane during natural gas shortages.

H.R. 2713. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow employers of 50 persons or less to forward payroll taxes quarterly.

H.R. 2714. January 31, 1977. Education and Labor; Ways and Means. Amends the Employee Retirement Income Security Act and the Internal Revenue Code to allow specified banks and credit unions to make loans to the participants or beneficiaries of defined contribution plans using such contributions as security.

H.R. 2715. January 31, 1977. Government Operations. Requires the Secretary of the Treasury to prepare and make public for each fiscal year, a consolidated financial statement for the United States based on accrual accounting procedures.

H.R. 2716. January 31, 1977. Judiciary. Requires candidates for Federal office, Members of the Congress, and certain officers and employees of the United States to file statements with the Comptroller General with respect to their income and financial transactions.

H.R. 2717. January 31, 1977. Interstate and Foreign Commerce. Amends the Natural Gas Act to terminate Federal Power Commission authority to regulate the sale or delivery of new natural gas in interstate commerce, except where excessive rates or charges are made by natural gas companies in dealing with affiliates.

H.R. 2718. January 31, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to increase to $4,800 the amount of outside earnings which is permitted an individual each year without any deduction from benefits under such Title.

H.R. 2719. January 31, 1977. Interior and Insular Affairs. Removes the time limitations upon the authorization of appropriations under which the Secretary of Interior is authorized to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

H.R. 2720. January 31, 1977. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 to revise the method of computation of annuities for certain retired employees and their surviving spouses.

H.R. 2721. January 31, 1977. Judiciary. Relieves a certain conservancy district of all liability to the United States for construction, operation and maintenance of a reclamation project.

H.R. 2722. January 31, 1977. Post Office and Civil Service. Prohibits collective bargaining agreements between the United States Postal Service and labor organizations recognized as exclusive bargaining representatives for their respective postal employee units from containing procedures which would preclude employees from being represented in grievance and adverse actions arising under such agreements by representatives of their own choosing.

H.R. 2723. January 31, 1977. Armed Services. Authorizes the Administrator of General Services to dispose of a specified amount of tin now held in the national and supplemental stockpiles.

H.R. 2724. January 31, 1977. Interstate and Foreign Commerce. Amends the Securities Exchange Act of 1934 to require that specified issuers of municipal securities prepare annual reports and distribution statements.

H.R. 2725. January 31, 1977. Ways and Means. Directs the Secretary of Labor to reimburse States for unemployment compensation paid to a member of a group of employees certified by the Secretary as having a significant number or proportion of members totally or partially unemployed or threatened with such unemployment, primarily due to the inability of an employer to obtain an adequate supply of natural gas.

H.R. 2726. January 31, 1977. Education and Labor. Amends the Act which established the Youth Conservation Corps to direct the Secretaries of Agriculture and Interior to jointly expand the Youth Conservation Corps so as to make possible the year-round employment of young adults.

Extends the program under which grants are made to States for conservation projects carried out by young people.

H.R. 2727. January 31, 1977. Judiciary. Directs the President to appoint, by and with the advice and consent of the Senate, additional district court judges to specified judicial districts of the United States.

H.R. 2728. January 31, 1977. Veterans' Affairs. Entitles veterans of the Mexican border period and of World War I and their widows and children to pensions on the same basis as veterans of the Spanish-American War and their widows and children. Increases the pension rate for all these veterans and their survivors.

H.R. 2729. January 31, 1977. Agriculture. Directs the Secretary of Agriculture to enter into agreements with owners and operators of land in the Great Plains area to promote conservation of soil and water resources through the conversion of cropland from soil depleting uses to conserving uses including the production of soil conserving cover crops.

H.R. 2730. January 31, 1977. Banking, Finance and Urban Affairs. Extends, for one year, the authorization of regulation of maximum interest rates on deposits and accounts on deposits and accounts in depository institutions and of open market operations in agency issues by Federal Reserve Banks.

H.R. 2731. January 31, 1977. Post Office and Civil Service. Repeals the laws permitting the private carriage of letters. Exempts letters and packages carried by private express from the requirement that all letters and packages carried by a vessel in interstate commerce be delivered promptly to the local post office upon arrival in a port.

H.R. 2732. January 31, 1977. Post Office and Civil Service. Requires each Federal agency to establish a flexible scheduling or compressed work schedule program on an experimental basis.

H.R. 2733. January 31, 1977. Post Office and Civil Service. Prohibits Government officials in positions which affect a special interest from participating in any policy decision or other action involving a special interest in which such official has a substantial involvement. Requires all such officials to list all such special interests with which they are substantially involved at the time they begin employment in such a position. Requires immediate dismissal of anyone violating this Act and confers upon any person the right to seek a writ of mandamus to have such person dismissed.

H.R. 2734. January 31, 1977. Judiciary; Education and Labor. Amends the Walsh-Healey Act to permit government contractors to have their employees work a four-day workweek consisting of four ten-hour days.

Amends the Contract Work Hours Standards Act to revise overtime guidelines to accommodate such a workweek.

H.R. 2735. January 31, 1977. Agriculture. Directs the Secretary of Agriculture to promulgate standards of quality for foreign dairy products which are to be marketed in the United States.

Prohibits the entry of a foreign dairy product into the United States unless such a product has been inspected and found to be pure and wholesome.

H.R. 2736. January 31, 1977. Ways and Means. Amends Title XVI (Supplemental Security Income Program) of the Social Security Act to set benefits under such Title at poverty level. Allows each spouse in an eligible couple to receive such benefits in his or her own right. Reduces from 65 to 60 the age of eligibility for such benefits. Provides for the issuance of duplicate benefit checks where the initial checks are lost or delayed.

Directs the Secretary of Health, Education, and Welfare to establish an outreach program to make information concerning the program easily accessible. Requires that any application for benefits under this Title shall be acted upon by the Secretary within 30 days after it is filed.

H.R. 2737. January 31, 1977. Ways and Means; Interstate and Foreign Commerce. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act to remove the present ceiling on the contribution and benefit base. Increases the primary insurance amount under such Title. Provides full benefits at a reduced age for members of groups with less than average life expectancy. Repeals the earnings test. Requires that Federal employees be covered by Title II. Decreases the number of years a divorced woman must have been married to an insured individual in order for her to qualify for wife's or widow's benefits on his wage record.

H.R. 2738. January 31, 1977. Post Office and Civil Service. Amends the Federal Salary Act of 1967 and the Legislative Reorganization Act of 1946 to specify when an adjustment in the rate of pay for Members of Congress proposed during any Congress shall take effect.

H.R. 2739. January 31, 1977. Banking, Finance and Urban Affairs. Establishes the Reconstruction Finance Corporation to make loans and loan guarantees to business concerns which would otherwise be unable to obtain needed financing.

Authorizes the Corporation to issue notes, debentures, bonds, and other such obligations which will be fully guaranteed by the United States.

H.R. 2740. January 31, 1977. Education and Labor. Prohibits except upon the express approval of the board of education, the assignment or compulsory attendance of any student at any school, or the establishment, reorganization, or maintenance of any school district, school zone, or attendance unit, on account of race, creed color, or national origin.

Excepts religious or denominational educational institutions from the prohibitions of this Act.

H.R. 2741. January 31, 1977. Interstate and Foreign Commerce. Increases from three to five years the term for which a license to operate a radio broadcasting station may be issued, and for which such licenses may be renewed under the Communications Act of 1934.

Establishes procedures to be followed for the renewal of broadcasting licenses.

H.R. 2742. January 31, 1977. Interstate and Foreign Commerce. Reaffirms the intent of Congress with respect to the structure of the common carrier telecommunications industry rendering services in interstate and foreign commerce. Grants additional authority to the Federal Communications Commission to authorize mergers of carriers when deemed to be in the public interest. Reaffirms the authority of the States to regulate terminal and station equipment used for telephone exchange service.

H.R. 2743. January 31, 1977. Judiciary. Requires the Supreme Court to issue a full written opinion whenever it reverses a State criminal conviction which had been upheld by the highest State court.

H.R. 2744. January 31, 1977. Repeals the Postal Reorganization Act. Reenacts provisions relating to the postal service which were in effect immediately prior to the enactment of such Act.

H.R. 2745. January 31, 1977. Veterans' Affairs. Establishes a mortgage protection life insurance program for veterans unable to acquire commercial life insurance because of service-connected disabilities.

H.R. 2746. January 31, 1977. Veterans' Affairs. Allows an action to be brought in United States District Court in the event of a disagreement with respect to any claim for compensation under any law administered by the Veterans' Administration on account of disability or death incurred or aggravated in line of duty while serving in the active military or naval service.

H.R. 2747. January 31, 1977. Veterans' Affairs. Authorizes and directs the Administrator of Veterans' Affairs to pay a pension to a veteran of World War I or his widow without regard to his or her annual income derived solely from payments of social security benefits, railroad retirement benefits, or pensions.

H.R. 2748. January 31, 1977. Ways and Means. Amends the Internal Revenue Code of 1939 with regard to the deductions for dental and medical expenses.

H.R. 2749. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to allow as a deduction the ordinary and necessary expenses paid during the taxable year for the repair or improvement of property used by the taxpayer as his principal residence. Permits an owner of rental property to amortize expenditures for the restoration of rental housing.

H.R. 2750. January 31, 1977. Ways and Means. Amends the Internal Revenue Code to exclude from gross income all proceeds on series E United States savings bonds where the bond's purchasing power at redemption is less than the price paid for the bond.

H.R. 2751. January 31, 1977. Judiciary. Prohibits the use of appropriated funds or funds made available to a wholly owned Government corporation to pay for any communication to influence any member of any State electorate to favor or oppose, by vote or otherwise, any legislation or legislative issue in the ballot in such State unless expressly authorized by Congress.

H.R. 2752. January 31, 1977. Public Works and Transportation. Amends the Federal Water Pollution Control Act to extend until September 30, 1978, the period of time during which funds allotted to States for the construction of treatment works shall remain available.

H.R. 2753. January 31, 1977. Judiciary. Amends the Immigration and Nationality Act to remove specified aliens from the class of aliens whose status may be adjusted to that of an alien lawfully admitted for permanent residence.

Makes it unlawful to knowingly hire an alien not lawfully admitted into the United States Requires that employees of the Department of Health, Education, and Welfare disclose the names of illegal aliens who are receiving assistance under the Social Security Act.

Makes punishable by a fine or imprisonment the making of false border crossing cards, alien registration receipt cards, and other documents used for entry into the United States.

H.R 2754. January 31, 1977. Judiciary. Amends provisions imposing additional penalties upon persons committing Federal felonies with the use of, or while illegally carrying, a firearm to increase sentences thereunder and to prohibit a suspended or probationary sentence with respect to a first conviction.

H.R. 2755. January 31, 1977. Judiciary. Directs the Secretary of Labor to consider any claim filed by a certain individual for personal injuries suffered in the course of employment during 1944.

H.R. 2756. January 31, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2757. January 31, 1977. Judiciary. Provides that a certain individual may retain certain rights and privileges notwithstanding his conviction of firearms offenses.

H.R. 2758. January 31, 1977. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 2759. January 31, 1977. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 2760. January 31, 1977. Judiciary. Declares a certain individual eligible for naturalization under the Immigration and Nationality Act.

H.R. 2761. January 31, 1977. Judiciary. Authorizes classification of a certain individual as a natural born alien son of certain U.S. citizens for purposes of the Immigration and Nationality Act.

H.R. 2762. January 31, 1977. Judiciary. Relieves a certain individual of all liability to the United States for payment of charges arising from treating his mother in United States Air Force hospitals.

H.R. 2763. January 31, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2764. January 31, 1977. Judiciary. Directs the Foreign Claims Settlement Commission to reopen and redetermine the claims of a certain individual against the Government of Poland.

H.R. 2765. January 31, 1977. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 2766. February 1, 1977. Judiciary. Amends the provision of the Gun Control Act of 1968 imposing additional sentences on persons committing Federal felonies while carrying, or with the use of, a firearm to (1) increase the penalties thereunder, (2) encompass State crimes and (3) prohibit a suspended, probationary or concurrent sentence with respect to a first conviction.

H.R. 2767. February 1, 1977. Veterans' Affairs. Requires the Administrator of Veterans' Affairs to pay (in addition to any pension already paid) a monthly pension of $150 to each veteran of World War I who meets specified service requirements, or to the surviving spouse of each such veteran, or when there is no surviving spouse, to the child or children of each such veteran.

H.R. 2768. February 1, 1977. Rules. Terminates budget authority for all Federal programs. Requires Congress to consider whether any such programs merit continuation on the same, a greater, or a lesser level, or termination.

Requires the Comptroller General to identify inactive or inefficient programs.

H.R. 2769. February 1, 1977. Rules. Terminates budget authority for all Federal programs. Requires Congress to consider whether any such programs merit continuation on the same, a greater, or a lesser level, or termination.

Requires the Comptroller General to identify inactive or inefficient programs.

H.R. 2770. February 1, 1977. Judiciary. Permits the furnishing of accommodations to judges of the courts of appeals, upon approval by the appropriate judicial council, at any place where Federal facilities are available regardless of whether court terms are authorized to be held at such locations.

H.R. 2771. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to allow as a refundable credit against the income tax a limited amount of specified higher education expenses, including tuition, fees, books and supplies, incurred by the taxpayer for himself and any dependents.

H.R. 2772. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to allow a deduction for a percentage of the amounts paid by the taxpayer in acquiring recycled solid waste materials. Provides an amortization deduction with respect to the amortizable base of any solid waste recycling facility based on a 60-month period.

H.R. 2773. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to allow a deduction for depreciation on capital expenditures incurred in connecting a sewage line from the taxpayer's residence to a municipal sewage system.

H.R. 2774. February 1, 1977. Judiciary. Directs the President to appoint, by and with the advice and consent of the Senate, a specified number of additional district judges to the United States District Court for the Southern District of Florida.

H.R. 2775. February 1, 1977. Ways and Means. Amends Title II (Old-Age, Survivors, and Disability Insurance) of the Social Security Act by removing the limitation upon the amount of outside income which an individual may earn while receiving benefits.

H.R. 2776. February 1, 1977. Agriculture. Authorizes the Secretary of Agriculture to distribute, upon request and without cost, up to three packages of seeds per household for use in home gardening to produce food for the personal consumption of the household.

H.R. 2777. February 1, 1977. Banking, Finance, and Urban Affairs. Creates the National Consumer Cooperative Bank, the Self-help Development Fund, and the Cooperative

Bank and Assistance Administration to assist the formation and growth of consumer and other types of self-help cooperatives.

H.R. 2778. February 1, 1977. Ways and Means; Interstate and Foreign Commerce. Amends Title XVIII (Medicare) of the Social Security Act to provide payment for the services of optometrists related to the treatment of aphakia under the supplemental medical insurance program.

H.R. 2779. February 1, 1977. Judiciary. Establishes criteria for the imposition of the death penalty for specified explosive related offenses.

H.R. 2780. February 1, 1977. Banking, Finance, and Urban Affairs. Prescribes procedures and standards governing the disclosure of customer records by financial institutions to Federal agencies.

H.R. 2781. February 1, 1977. Judiciary. Establishes a Crime Victims Compensation Commission to make grants to qualified State programs for the compensation of victims of crime.

H.R. 2782. February 1, 1977. Judiciary. Sets forth penalties for the robbery or attempted robbery of any narcotic drug from any pharmacy.

H.R. 2783. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to establish the Internal Revenue Commission to administer the internal revenue laws. Transfers all functions relating to the administration and enforcement of the Internal Revenue Code from the Secretary of the Treasury or his delegate, to the Internal Revenue Commission.

H.R. 2784. February 1, 1977. Ways and Means. Declares all income tax returns to be confidential and prohibits the disclosure or inspection of such returns unless specifically authorized by this Act.

Increases the criminal penalties for unauthorized disclosure of the information contained in tax returns.

Makes it a felony to knowingly receive any such information or material which is criminally disclosed.

H.R. 2785. February 1, 1977. Ways and Means. Interstate and Foreign Commerce. Amends the Internal Revenue Code to provide a refundable tax credit for expenses incurred in providing health insurance for the taxpayer, his spouse and dependents. Extends the income tax deduction for medical care to include all expenses greater than $500. Amends Title XIX (Medicaid) of the Social Security Act to allow States to furnish private health insurance plans approved by the Secretary of Health, Education, and Welfare. Directs the Congressional Budget Office to make, and submit to Congress before October, 1980, a report concerning the feasibility of the credit allowed under this Act as a replacement for other Federal health assistance programs.

H.R. 2786. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to limit the application of the Tax Reform Act's elimination of the sick pay exclusion for persons who have not retired on total disability, to taxable years beginning after December 31, 1976.

H.R. 2787. February 1, 1977. Interstate and Foreign Commerce. Amends the National Gas Act to terminate Federal Power Commission authority to regulate the sale or delivery of natural gas by producers of new natural gas.

H.R. 2788. February 1, 1977. Interstate and Foreign Commerce. Amends the Federal Energy Administration Act of 1974 to direct the Federal Energy Administrator to require disclosure of possible conflicts of interest or unfair competitive advantages resulting from contracts entered into pursuant to such Act. Prohibits the Administrator from entering into such contracts unless such conflict has been avoided or mitigated.

Creates the position of Inspector General in the Federal Energy Administration to conduct audits and investigations of the programs and operations of the Administration.

H.R. 2789. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to exclude long-term care facilities from the excise taxes on private foundations' investment income and undistributed income.

H.R. 2790. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to exempt nonprofit volunteer firefighting or rescue organizations from the excise tax on sales of special fuels, automotive parts, petroleum products, and communication services.

H.R. 2791. February 1, 1977. Ways and Means. Amends the Internal Revenue Code to remove the one and three percent floors for the medical care tax deductions in the case of persons age 65 or more.

H.R. 2792. February 1, 1977. Banking, Finance and Urban Affairs. Directs the Secretary of Housing and Urban Development to require any lease or rental agreement entered into or renewed by a person aged 62 or over with respect to a dwelling unit assisted by a Federal housing program shall contain provisions entitling such person to terminate, without penalty, the lease or rental agreement if such person or his or her spouse dies or incurs any mental or physical disability during the period of the lease or rental agreement.

H.R. 2793. February 1, 1977. Education and Labor. Amends the Older Americans Act by establishing in any State real property tax relief programs by the Secretary of Health, Education, and Welfare for qualifying persons age 65 or older.

H.R. 2794. February 1, 1977. Education and Labor. Amends the Higher Education Act of 1965 to establish within the Office of Education a National Student Financial Assistance Data Bank to identify sources of financial assistance for students seeking higher education.

Directs the Commissioner of Education to collect all available information with respect to financial assistance for attendance at institutions of higher education and to provide, free of charge, to any applicant a list of all financial assistance for which such applicant is eligible.

H.R. 2795. February 1, 1977. Interstate and Foreign Commerce. Amends the Public Health Service Act to train veterans with paramedical experience to serve as medical assistants in long-term health care facilities.

H.R. 2796. February 1, 1977. Interstate and Foreign Commerce. Amends Title XIX (Medicaid) of the Social Security Act to require any nursing home, which provides services under State plans approved under such Title, to fully disclose to the State licensing agency the identity of each person who has any ownership interest in such home or is the owner (in whole or in part) of any mortgage, deed of trust, note, or other obligation secured (in whole or in part) by such home.

H.R. 2797. February 1, 1977. Interstate and Foreign Commerce. Amends the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare to make grants and enter into contracts with public or nonprofit colleges and universities for the purpose of developing graduate programs for nurses in geriatrics and gerontology.

H.R. 2798. February 1, 1977. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to establish a National Diabetes Advisory Board to insure the implementation of a long range plan to combat diabetes. Authorizes the Secretary to make grants to scientists who have shown productivity in diabetes research for the purpose of continuing such research. Authorizes, under the Public Health Service Act, the appropriation of specified sums for the purposes of making grants to centers for research and training in diabetic related disorders.

H.R. 2799. February 1, 1977. Interstate and Foreign Commerce. Amends the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare to make grants to colleges and universities to assist them in the establishment and operation of programs training nurse practitioners to provide primary health care in nursing homes.

H.R. 2800. February 1, 1977. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to prohibit the Secretary of Health, Education, and Welfare from imposing maximum potency limits on vitamins or minerals and from classifying a vitamin or mineral as a drug on the basis of potency.

Creates certain exceptions from these prohibitions.

Imposes certain labeling requirements on foods for special dietary use and subjects such foods to the prohibition and penalties imposed for the misbranding of food subject to specific exceptions.

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# SENATE—*Thursday, June 30, 1977*

*(Legislative day of Wednesday, May 18, 1977)*

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by Hon. DICK CLARK, a Senator from the State of Iowa.

## PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let us pray.

Almighty God, make ready the hearts and minds of all the people for a sacred celebration of the birth of the Nation, that the noble event be not corrupted, debased, or abused. We give Thee thanks for the work of philosophers and prophets, of patriots and fighters, who purchased by blood and sweat and toil and tears our precious freedom. As they labored and struggled to establish the Republic so make us worthy of the inheritance.

As at the beginning a summons to prayer united the diverse people, so when comes the new week may we be bound together mind to mind, heart to heart, soul to soul as a nation at prayer, that justice and peace and brotherhood may be the way of our daily lives. As we commemorate political independence give us grace to renew our dependence upon Thee.

W. P. Merrill, 1911: "Standing in the living present, memory and hope between, Lord, we would with deep thanksgiving, praise Thee most for things unseen."

Amen.