They follow our basic philosophy emphasizing the importance of giving by demonstrating the importance of meeting human needs and finding solutions to difficult social problems. In short, they are essential to the maintenance of democracy.

The author Victor Hugo once said that "as a purse is emptied the heart is filled." The vast majority of people who contribute to worthy causes do it because they want to and they feel good about helping other people. They don't do it for self-aggrandizement.

This spirit of generosity insures the continued existence of charitable institutions and organizations. Yet, if present trends continue, this generosity may well end because there will be little incentive to contribute.

Today, because our reforms have been aimed at simplification, more and more people are taking the standard tax deduction. Fewer and fewer are itemizing and taking advantage of the deductions for charitable contributions.

I want to encourage people to contribute to charities and nonprofit organizations, and I believe Congress has a perfect opportunity to do so. Today, I am announcing my support for legislation to amend the Internal Revenue Code to allow taxpayers to take deductions for these contributions, regardless of whether or not they itemize their other deductions. By introducing a bill identical to H.R. 11183, I am adding my name to the growing list of people who believe this step is in order now.

The importance of this concept cannot be overstated. At this time, contributions to charitable organizations are declining, but operational costs are increasing. Many groups have had to cut back on their services or go out of business altogether.

Congress included deductions for charitable contributions for two reasons. First, there was a need to sustain voluntary giving despite increases in taxes due to our World War I effort. Second, it was generally accepted that income given to charities should not be taxed because it does not enrich the donor. The latter point is just as valid today, and I want every American—not just those who itemize—to be able to continue to contribute.

Admittedly, this proposal will mean a loss of about $3.2 billion in treasury revenues. However, neglecting to take this step will mean even bigger losses to charities. These groups maintain that just the increase in the standard deduction for 1977 resulted in a loss of $1.4 billion in charitable giving. In the last 8 years, these same organizations estimate that they've lost $5 billion as a result of tax "reforms."

If President Carter's reforms are adopted, only 17 percent of our taxpayers will continue to itemize their deductions meaning fewer people will have incentives to contribute and the contributions may well be smaller.

Certainly none of us who are responsible for these changes wanted to penalize charities, but that is just what we have done. And if we continue this trend, some institutions will suffer more than others.

I am concerned particularly about the organizations that depend heavily upon support from middle and lower income groups. Churches, the United Fund, Scout groups and other youth activities are popular charities among these groups, while orchestras, museums and cultural organizations tend to be more heavily supported by those with higher incomes. All of these groups need public support and they need it from all levels of society. Therefore, we should not take the risk of losing those which are supported by the lower income groups.

I fear the alternative is to do away with all tax breaks for charitable giving and turn these same funds over to the Government for distribution and administration. That way everyone can get the good feeling that goes with giving, because everyone will have participated through the tax system. Quite frankly, I am appalled by the prospect of Government management of the Boy Scouts, university endowments, and other organizations.

The Government is remote and clumsy. But voluntary groups bring about a freedom to experiment, a freedom to make choices, and the personal touch of one person caring for another. No government can compete with that.

The United States has always been a pluralistic society. Therefore, I think Congress should cause the Government to nuture the pluralism that continuing Government interference tends to diminish. However, if we rely on the State to pour more money into welfare and social insurance programs—and this will surely happen as charitable contributions decline—the taxpayers will lose more than money. They will also lose their freedom to decide where their money is to be applied.

One of my constituents recently wrote that, "if the charitable contribution becomes available to all, a greater number of people will have an added incentive to make gifts to qualified charities."

I believe this tax deduction proposal offers that incentive, and I urge my colleagues—especially those on the Ways and Means Committee where the proposal has been debated—to reaffirm this commitment to voluntary giving. There is no doubt that it is in the best interests of the country.●

HOUSE OF REPRESENTATIVES—*Friday, May 12, 1978*

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

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

God is not far from every one of us, for in Him we live and move and have our being.—Acts 17: 27, 28.

O God, our Father, we thank Thee for every awakening of mind that comes to us, for the call of truth which summons us to be truthful, for the challenge of goodness which summons us to be good, and for the appeal of beauty which summons us to be beautiful in mind and heart. Responding, may we learn the lessons whereby we grew in body, in mind, and in spirit.

Give to us a vision of life not bounded by our own selfish desires. Lift us up to that realm where we shall take our places as builders of that which is good and true and beautiful. May we gain the power to live unselfishly, to be concerned about others, the needy, the poor, the sick, the oppressed, and to learn to love all classes and all races of people looking to the day of dawning brotherhood. May our work not be in vain and may our lives be strong in Thee. In the spirit of the Master we pray. Amen.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. MOAKLEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 306]

Addabbo	Crane	Hannaford
Alexander	Cunningham	Harsha
Allen	D'Amours	Heckler
Anderson, Ill.	Daniel, Dan	Hillis
Andrews, N.C.	Danielson	Holland
Applegate	Davis	Holt
Armstrong	Dent	Horton
Ashley	Derwinski	Huckaby
Aspin	Dodd	Ireland
AuCoin	Eckhardt	Jeffords
Bellenson	Edgar	Jones, Tenn.
Biaggi	Edwards, Calif.	Kasten
Bonker	Edwards, Okla.	Kastenmeier
Bowen	Eilberg	Kazen
Breckinridge	Evans, Colo.	Ketchum
Brodhead	Fithian	Krueger
Brown, Calif.	Flood	Leggett
Burke, Calif.	Ford, Mich.	Lent
Carney	Ford, Tenn.	Long, La.
Carter	Fraser	Lujan
Cavanaugh	Frey	McCloskey
Chisholm	Fuqua	McDade
Clay	Gammage	McHugh
Cochran	Garcia	McKinney
Cohen	Giaimo	Madigan
Conyers	Gibbons	Mahon
Corman	Glickman	Mann
Cotter	Gradison	Martin

Statements or insertions which are not spoken by the Member on the floor will be identified by the use of a "bullet" symbol, i.e., ●

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mazzoli	Railsback	Stark
Metcalfe	Rangel	Stokes
Mikva	Reuss	Teague
Milford	Rhodes	Thornton
Mottl	Richmond	Traxler
Murphy, Ill.	Risenhoover	Tucker
Murphy, Pa.	Rodino	Udall
Myers, Michael	Rogers	Van Deerlin
Nichols	Roncalio	Walker
Nix	Rosenthal	Watkins
Nolan	Roybal	Waxman
Oakar	Runnels	Whitley
Patterson	Ryan	Whitten
Pattison	Santini	Wiggins
Pepper	Sarasin	Wilson, C. H.
Poage	Sawyer	Wirth
Pressler	Scheuer	Wolff
Preyer	Shipley	Wright
Pritchard	Sikes	Wydler
Pursell	Sisk	Young, Tex.
Quayle	Skubitz	
Quie	Snyder	

The SPEAKER. On this rollcall 286 members have recorded their presence by electronic device, a quorum.

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

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2802. An act to amend the Truth in Lending Act to facilitate compliance by simplifying the requirements imposed under that Act, to facilitate administrative enforcement of that Act, and for other purposes; and

S. 3040. An act to amend the Rail Passenger Service Act to extend the authorizations of appropriations for an additional fiscal year, to provide for public consideration and implementation of a rail passenger service study, and for other purposes.

The message also announced that the President pro tempore, pursuant to Public Law 95–216, appointed Russell W. Laxson, of Minnesota, from private life, to be a member of the National Commission on Social Security.

APPOINTMENT OF CONFEREES ON H.R. 11504, AGRICULTURAL CREDIT ACT OF 1978

Mr. FOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11504) Agricultural Credit Act of 1978, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Washington? The Chair hears none, and appoints the following conferees: Messrs. FOLEY, JONES of Tennessee, POAGE, DE LA GARZA, RICHMOND, BALDUS, BEDELL, ENGLISH, PANETTA, HARKIN, FITHIAN, GLICKMAN, BROWN, WAMPLER, MADIGAN, JEFFORDS, KELLY, COLEMAN, and MARLENEE.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO HAVE UNTIL MIDNIGHT, MONDAY, MAY 15, 1978, TO FILE REPORTS ON S. 2370, H.R. 11777, H.R. 11778, H.R. 11779, AND H.R. 10285

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the House Committee on Agriculture may have until midnight, Monday, May 15, 1978, to file reports on S. 2370, to remove the limitation on the amount authorized to be appropriated under the volunteers in the National Forests Act of 1972; H.R. 11777, the Cooperative Forestry Assistance Act of 1978; H.R. 11778, the Forest and Rangeland Renewable Resources Research Act of 1978; H.R. 11779, the Renewable Resources Extension Act of 1978; and H.R. 10285, to extend the Commodity Exchange Act, and for other purposes.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, there are a substantial number of bills listed by the gentleman. Can the gentleman explain why it is necessary to get unanimous consent for all of these bills?

Mr. FOLEY. If the gentleman will yield, as the gentleman knows, the Budget Act requires that legislation creating authorizations be reported by committees of authorizing jurisdiction by May 15.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, I am very well aware of that deadline requirement. That is why I am raising the question.

Mr. FOLEY. If the gentleman will yield further, the committee has acted on all of these bills. They have all been ordered reported by the committee. Our committee follows scrupulously the rule permitting a full 3 days for comments by members in the report, which it is required to do under the House rules, and members have been requested and have agreed to submit comments by noon Monday.

Mr. ROUSSELOT. Mr. Speaker, have members on the gentleman's committee from the minority side been consulted, and are they aware of this action by the chairman today?

Mr. FOLEY. They are aware that this unanimous consent request would be made.

Mr. ROUSSELOT. That does not mean they are in agreement with the bills?

Mr. FOLEY. That does not mean they are in agreement with all aspects of the bills.

Mr. ROUSSELOT. Can the gentleman tell us the total price of all of those bills?

Mr. FOLEY. The Congressional Budget Office has provided the committee with cost estimates on all of these bills except H.R. 10285 and we have a tentative estimate on it.

Two of the bills, H.R. 11777, and H.R. 11778 are expected to result in no significant cost. A third bill, S. 2370 is estimated to cost $150,000 per year. H.R. 11779 is estimated to result in outlays of $5 million in fiscal year 1979, $10 million in fiscal year 1980, and $15 million in the following years. The last bill, H.R. 10285, which extends the Commodity Exchange Act is estimated on a preliminary basis to cost $15 million per year, the approximate cost of the present Commodity Exchange Act.

Mr. ROUSSELOT. Further reserving the right to object, Mr. Speaker, is the gentleman convinced that that is within the framework of the budget resolution which we just passed this week by the House?

Mr. FOLEY. Yes, the budget estimates of each of these bills is clearly within the scope of the budget function ceilings recently adopted by the House.

Mr. ROUSSELOT. I appreciate the gentleman's explanation, Mr. Speaker, and I withdraw my reservation of objection.

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

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORTS ON OLDER AMERICANS ACT AND VOCATIONAL REHABILITATION ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tomorrow, Saturday, May 13, 1978, to file a report on both the Older Americans Act and the Vocational Rehabilitation Act.

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

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT TODAY AND MONDAY, MAY 15, 1978, DURING 5-MINUTE RULE

Mr. ROE. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may be permitted to sit today, Friday, May 12, 1978, and on Monday, May 15, 1978, while the House is meeting under the 5-minute rule for the purpose of marking up H.R. 11733, the Surface Transportation Assistance Act; H.R. 12611, the Air Service Improvement Act of 1978; H.R. 11207, the Union Station Improvement Act of 1978; and H.R. 1609, the Coal Pipeline Act.

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

Mr. ROUSSELOT. Reserving the right to object, Mr. Speaker, can the gentleman assure us that the minority members of this subcommittee are aware of this request?

Mr. ROE. If the gentleman will yield, Mr. Speaker, yes. The gentleman from Ohio (Mr. HARSHA) and the gentleman from Colorado (Mr. JOHNSON) are both asking for this permission to sit.

Mr. ROUSSELOT. Then, there are no major problems for members of this subcommittee because they will not be able to be present on the House floor for these 2 legislative days?

Mr. ROE. There is none whatsoever.

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

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

There was no objection.

COMMENTARY ON THE CAPUTO AMENDMENT TO HOUSE CONCURRENT RESOLUTION 559, THE BUDGET FOR THE U.S. GOVERNMENT FOR FISCAL YEAR 1979

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

Mr. SEIBERLING. Mr. Speaker, the press is interpreting the vote of the House on the so-called Caputo amendment to the budget resolution as a vote not to invoke any sanctions against South Korea if its Government refuses to cooperate in the investigation by the Committee on Standards of Official Conduct.

For myself, Mr. Speaker, I would say that I am quite prepared to vote for such sanctions at an appropriate time and when the appropriate committee or the leadership or a representative group of Members presents a proposal to us for such sanctions. However, I am not prepared to vote for it when a single Member, for reasons of his own, proposes it by amendment to the budget resolution, particularly when it can have no actual legislative effect.

Moreover, I suspect that the views I have expressed are shared by a great many of those who voted against the amendment, either because they did not think the budget resolution, or the manner in which the amendemnt was presented, was appropriate for the consideration of this issue.

RESCISSION AND DEFERRALS IN BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95-335)

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

To the Congress of the United States:

In accordance with the Impoundment Control Act of 1974, I herewith report one proposal to rescind $30.0 million in budget authority previously provided by the Congress. In addition, I am reporting four new deferrals of budget authority totalling $55.1 million and two revisions to previously transmitted deferrals increasing the amount deferred by $0.7 million in budget authority.

The rescission proposal affects the Department of Agriculture's drought and flood assistance program. The new deferrals and revisions to existing deferrals involve programs in the Departments of Commerce, Energy, and the Interior, the Corps of Engineers, and the International Communication Agency.

The details of the rescission proposal and the deferrals are contained in the attached reports.

JIMMY CARTER.

THE WHITE HOUSE, *May 12, 1978.*

INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1978

Mr. ZABLOCKI. 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. 12222) to amend the Foreign Assistance Act of 1961 to authorize development and economic assistance programs for fiscal year 1979, to make certain changes in the authorities of that act and the Agricultural Trade Development and Assistance Act of 1954, to improve the coordination and administration of United States development-related policies and programs, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Wisconsin (Mr. ZABLOCKI).

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

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

The SPEAKER. 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 300, nays 6, not voting 128, as follows:

[Roll No. 307]

YEAS—300

Abdnor	Bingham	Chappell
Akaka	Blanchard	Clausen, Don H.
Allen	Blouin	Clawson, Del
Ambro	Boggs	Cleveland
Ammerman	Boland	Coleman
Anderson, Calif.	Bolling	Collins, Ill.
Andrews, N.C.	Brademas	Collins, Tex.
Andrews, N. Dak.	Breaux	Conable
Annunzio	Brinkley	Conte
Archer	Brooks	Corcoran
Ashbrook	Broomfield	Cornell
Ashley	Brown, Mich.	Cornwell
Badham	Brown, Ohio	Coughlin
Bafalis	Broyhill	Daniel, Dan
Baldus	Buchanan	Daniel, R. W.
Barnard	Burgener	de la Garza
Baucus	Burke, Fla.	Delaney
Bauman	Burke, Mass.	Dellums
Beard, R.I.	Burleson, Tex.	Derrick
Beard, Tenn.	Burlison, Mo.	Derwinski
Bedell	Burton, John	Devine
Beilenson	Burton, Phillip	Dickinson
Benjamin	Butler	Dicks
Bennett	Byron	Diggs
Bevill	Caputo	Dingell
Blaggi	Carr	Dornan
Bonior	Cederberg	Downey
Bonker	Chisholm	Drinan
Bowen	Clay	Duncan, Oreg.
Breckinridge	Cochran	Duncan, Tenn.
Brodhead	Cohen	Early
Brown, Calif.	Conyers	Edwards, Ala.
Burke, Calif.	Corman	Emery
Carney	Cotter	English
Carter	Crane	Erlenborn
Cavanaugh	Cunningham	Evans, Del.
Chisholm	D'Amours	Evans, Ind.
Clay	Danielson	Fary
Cochran	Davis	Fascell
Cohen	Dent	Fenwick
Conyers	Dodd	Findley
Corman	Eckhardt	Fish
Cotter	Edgar	Fisher
Crane	Edwards, Calif.	Flippo
Cunningham	Edwards, Okla.	Flowers
D'Amours	Eilberg	Flynt
Danielson	Evans, Colo.	Foley
Davis	Fithian	Forsythe
Dent	Flood	Fountain
Dodd	Florio	Fowler
Eckhardt	Ford, Mich.	Frenzel
Edgar	Ford, Tenn.	Gaydos
Edwards, Calif.	Fraser	Gephardt
Edwards, Okla.	Frey	Gilman
Eilberg	Fuqua	Ginn
Evans, Colo.	Gammage	Goldwater
Fithian	Garcia	Gonzalez
Flood	Giaimo	Goodling
Florio	Gibbons	Gore
Ford, Mich.	Glickman	Grassley
Ford, Tenn.	Gradison	Green
Fraser	Hannaford	Gudger
Frey	Hillis	Guyer
Fuqua	Holland	Hagedorn
Gammage	Holt	Hall
Garcia	Horton	Hamilton
Giaimo	Huckaby	Hammer-schmidt
Gibbons	Ireland	Hanley
Glickman	Jeffords	Hansen
Gradison	Kasten	Harkin
Hannaford	Kastenmeier	Harrington
Hillis	Kazen	Harris
Holland	Ketchum	Harsha
Holt	Krueger	Hawkins
Horton	Leggett	Heckler
Huckaby	Lent	Hefner
Ireland	Long, La.	Heftel
Jeffords	Lujan	Hightower
Kasten	McCloskey	Hollenbeck
Kastenmeier	McDade	Holtzman
Kazen	McHugh	Howard
Ketchum	Krebs	Hubbard
Krueger	LaFalce	Hughes
Leggett	Lagomarsino	Hyde
Lent	Latta	Ichord
Long, La.	Leach	Jacobs
Lujan	Lederer	Jenkins
McCloskey	Le Fante	Jenrette
McDade	Lehman	Johnson, Calif.
McHugh	Levitas	Johnson, Colo.
Krebs	Livingston	Jones, N.C.
LaFalce	Lloyd, Tenn.	Jones, Okla.
Lagomarsino	Long, Md.	Jones, Tenn.
Latta	Lott	Jordan
Leach	Luken	Kelly
Lederer	Lundine	Kemp
Le Fante	McClory	Keys
Lehman	McCormack	Kildee
Levitas	McDonald	Kindness
Livingston	McEwen	Kostmayer
Lloyd, Tenn.	McFall	Railsback
Long, Md.	McKay	Regula
Lott	McKinney	Rinaldo
Luken	Madigan	Roberts
Lundine	Maguire	Robinson
McClory	Mann	Roe
McCormack	Markey	Rooney
McDonald	Marks	Rose
McEwen	Marlenee	Rostenkowski
McFall	Marriott	Rousselot
McKay	Martin	Roybal
McKinney	Mathis	Rudd
Madigan	Mattox	Ruppe
Maguire	Meeds	Russo
Mann	Meyner	Satterfield
Markey	Michel	Scheuer
Marks	Milford	Schroeder
Marlenee	Miller, Calif.	Schulze
Marriott	Miller, Ohio	Sebelius
Martin	Mineta	Seiberling
Mathis	Minish	Sharp
Mattox	Mitchell, N.Y.	Shuster
Meeds	Moakley	Simon
Meyner	Moffett	Skelton
Michel	Mollohan	Slack
Milford	Moore	Smith, Iowa
Miller, Calif.	Moorhead, Calif.	Smith, Nebr.
Miller, Ohio	Moorhead, Pa.	Solarz
Mineta	Moss	Spellman
Minish	Murphy, N.Y.	Spence
Mitchell, N.Y.	Murtha	St Germain
Moakley	Myers, Gary	Staggers
Moffett	Myers, John	Stangeland
Mollohan	Natcher	Stanton
Moore	Neal	Stark
Moorhead, Calif.	Nedzi	Steed
Moorhead, Pa.	Nolan	Steers
Moss	Nowak	Steiger
Murphy, N.Y.	Oberstar	Stockman
Murtha	Obey	Stratton
Myers, Gary	O'Brien	Studds
Myers, John	Ottinger	Stump
Natcher	Panetta	Symms
Neal	Patten	Taylor
Nedzi	Pattison	Thompson
Nolan	Pease	Thone
Nowak	Perkins	Treen
Oberstar	Pettis	Trible
Obey	Pickle	Tsongas
O'Brien	Pike	Udall
Ottinger	Price	Ullman
Panetta	Pritchard	Vander Jagt
Patten	Quie	Vanik
Pattison	Quillen	Vento
Pease	Rahall	Volkmer
Perkins	Regula	Waggonner
Pettis	Rinaldo	Walsh
Pickle	Roberts	Wampler
Pike	Robinson	Weaver
Price	Roe	Weiss
Pritchard	Rooney	Whalen
Quie	Rose	White
Quillen	Rostenkowski	Whitehurst
Rahall	Rousselot	Wilson, Tex.
Regula	Roybal	Winn
Rinaldo	Rudd	Wolff
Roberts	Ruppe	Wylie
Robinson	Russo	Yates
Roe	Satterfield	Yatron
Rooney	Scheuer	Young, Alaska
Rose	Schroeder	Young, Fla.
Rostenkowski	Schulze	Young, Mo.
Rousselot	Sebelius	Zablocki
Roybal	Seiberling	Zeferetti
Rudd	Sharp	
Ruppe	Shuster	
Russo	Simon	
Satterfield	Skelton	
Scheuer	Slack	
Schroeder	Smith, Iowa	
Schulze	Smith, Nebr.	
Sebelius	Solarz	
Seiberling	Spellman	
Sharp	Spence	
Shuster	St Germain	
Simon	Staggers	
Skelton	Stangeland	
Slack	Stanton	
Smith, Iowa	Stark	
Smith, Nebr.	Steed	
Solarz	Steers	
Spellman	Steiger	
Spence	Stockman	
St Germain	Stratton	
Staggers	Studds	
Stangeland	Stump	
Stanton	Symms	
Stark	Taylor	
Steed	Thompson	
Steers	Thone	
Steiger	Treen	
Stockman	Trible	
Stratton	Tsongas	
Studds	Udall	
Stump	Ullman	
Symms	Vander Jagt	
Taylor	Vanik	
Thompson	Vento	
Thone	Volkmer	
Treen	Waggonner	
Trible	Walsh	
Tsongas	Wampler	
Udall	Weaver	
Ullman	Weiss	
Vander Jagt	Whalen	
Vanik	White	
Vento	Whitehurst	
Volkmer	Wilson, Tex.	
Waggonner	Winn	
Walsh	Wolff	
Wampler	Wylie	
Weaver	Yates	
Weiss	Yatron	
Whalen	Young, Alaska	
White	Young, Fla.	
Whitehurst	Young, Mo.	
Wilson, Tex.	Zablocki	
Winn	Zeferetti	
Wolff		
Wylie		
Yates		
Yatron		
Young, Alaska		
Young, Fla.		
Young, Mo.		
Zablocki		
Zeferetti		

NAYS—6

Ertel	Lloyd, Calif.	Mitchell, Md.
Evans, Ga.	Mikulski	Wilson, Bob

NOT VOTING—128

Addabbo	Cotter	Giaimo
Alexander	Crane	Gibbons
Anderson, Ill.	Cunningham	Glickman
Applegate	D'Amours	Gradison
Armstrong	Danielson	Hannaford
Aspin	Davis	Hillis
AuCoin	Dent	Holland
Biaggi	Dodd	Holt
Bonior	Eckhardt	Horton
Bonker	Edgar	Huckaby
Bowen	Edwards, Calif.	Ireland
Breckinridge	Edwards, Okla.	Jeffords
Brodhead	Eilberg	Kasten
Brown, Calif.	Evans, Colo.	Kastenmeier
Burke, Calif.	Fithian	Kazen
Carney	Flood	Ketchum
Carter	Florio	Krueger
Cavanaugh	Ford, Mich.	Leggett
Chisholm	Ford, Tenn.	Lent
Clay	Fraser	Long, La.
Cochran	Frey	Lujan
Cohen	Fuqua	McCloskey
Conyers	Gammage	McDade
Corman	Garcia	McHugh

Mahon	Rangel	Stokes
Mazzoli	Reuss	Teague
Metcalfe	Rhodes	Thornton
Mikva	Richmond	Traxler
Montgomery	Risenhoover	Tucker
Mottl	Rodino	Van Deerlin
Murphy, Ill.	Rogers	Walgren
Murphy, Pa.	Roncalio	Walker
Myers, Michael	Rosenthal	Watkins
Nichols	Runnels	Waxman
Nix	Ryan	Whitley
Oakar	Santini	Whitten
Patterson	Sarasin	Wiggins
Pepper	Sawyer	Wilson, C. H.
Poage	Shipley	Wirth
Pressler	Sikes	Wright
Preyer	Sisk	Wydler
Pursell	Skubitz	Young, Tex.
Quayle	Snyder	

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. 12222, with Mr. LEVITAS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, May 11, 1978, all time for general debate had expired. Title II had been considered as having been read and open to amendment at any point, and pending was an amendment offered by the gentleman from Colorado (Mr. JOHNSON).

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Colorado. The inclusion of tobacco in the Food for Peace program is unjustifiable. Indeed, the distribution of tobacco corrupts the essential purpose of the Food for Peace program. When Congress enacted Food for Peace, its purpose was to improve the health and well-being of the people of less developed nations by providing them with nutritional food from our own surplus. The inclusion of tobacco in Food for Peace can only serve to endanger the health of these people by exposing them to a significantly greater risk of cancer, heart disease, and other illnesses.

The $11.3 million authorized for the purchase of tobacco in Food for Peace may appear to be a small sum, but its impact is significant in three important respects. First, the United States is placed in the indefensible position of providing people with tobacco as part of a program designed to improve their health by alleviating the effects of hunger, malnutrition, and a poor diet; second, the United States is, in effect, diverting $11.3 million which could be spent for much-needed additional food to the purchase of a product which is a proven health hazard; and third, this $11.3 million constitutes a subsidy to the tobacco growers, who already benefit from a large Federal subsidy program.

The amendment offered by the gentleman from Colorado would simply remove the hypocrisy and inconsistency from one of our Nation's most successful foreign aid programs by deleting the funds for the purchase of tobacco. There is no legal place for tobacco, which is not a food and which is a serious health hazard, in a program which is designed to improve the health of poor people by providing them with food. It is not only illogical, it is counterproductive.

Mr. Chairman, it is time to eliminate the anomaly of tobacco from Food for Peace. It is time to stand up to the tobacco lobby. It is time to stop wasting millions of dollars on a product which has no place in any effort to aid the people of other nations. It is time to adopt the amendment offered by the gentleman from Colorado.

Mr. JONES of North Carolina. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado (Mr. JOHNSON). This will be the third time the same matter has been debated in approximately 14 months. I think it is important to bring to our attention just what Public Law 480 is and how it operates. There is section 1 and section 2. Title I provides that in surplus agricultural commodities that we sell, not give, but sell commodities to nations in which those nations participate in surplus agricultural commodities, and tobacco is included.

Title II is where this country gives surplus food and nutritional products to needy nations.

Let me make it emphatically clear that under the present law, as amended last year by this body by a vote of 206 to 151, we inserted language under title I that food and fiber should take preference and precedent all the way, nothing less. It is a fact, tobacco must be requested by the nation with whom we are doing business.

The amendment of the gentleman from Colorado purely and simply does nothing more or less than make it illegal for us to sell our tobacco products under title I of Public Law 480. That is what we have before us today.

This is not a health issue. It is an economic issue. Surely the figure mentioned by the preceding speaker is minute, but it is important to those 500,000 or 600,000 small, middle, and large farmers who are depending on a sound and viable program.

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

Mr. JONES of North Carolina. I will yield briefly to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, I thank my colleague, the gentleman from North Carolina, for yielding.

I could not agree more with his statement. It is a funny thing to some people perhaps that these nations throughout the world have a say in deciding what they do want and what they do not want.

As I recall, last year one of the dictators said his country did not want Coca-Cola in his country. That is their right. We do not have a right to export Coca-Cola to them if they do not want it.

Other nations in the world certainly have some rights, and they know what they want to import better than we do.

As far as the inconsistencies are concerned, I could not pass up this chance to make a somewhat facetious comment. Mr. Califano has put up "no smoking" signs all over HEW. Based on our debate of Tuesday and Wednesday, I think we would all be better off if Mr. Califano were to put up signs with the legend: "No fraud, abuse, or mismanagement in this area." The taxpayers would certainly be better off if he did that. We should defeat this amendment.

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

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

Mr. JONES of North Carolina. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, let me thank the distinguished gentleman from North Carolina (Mr. JONES), the chairman of the subcommittee, for yielding.

The gentleman has correctly pointed out that tobacco is not forced upon any nation. Food in the food-for-peace program clearly has priority under the law presently, and as far as tobacco is concerned, if for any reason we were to prohibit these sales—not gifts, but sales—under Public Law 480, these underdeveloped nations and other nations involved would purchase their tobacco from someone else. All we would be doing would be hurting hundreds of thousands of small farmers in this country who make their living from growing tobacco. They have made their living in this way ever since the colony of Jamestown was settled in 1607. We have bartered and traded in tobacco with other nations ever since this country was formed.

Under Public Law 480, these are sales made after the countries have already elected to receive food under the Food for Peace program. They get their food and fiber first, and then if they want to make an election for tobacco, we extend credit to them under a sales arrangement.

Mr. Chairman, I see where the gentleman's amendment, if adopted, is just going to do nothing but to hurt the tobacco farmer in this country. It is not going to serve any useful purpose because those foreign nations will get their tobacco from other foreign countries, and it will hurt the economy of this country.

The CHAIRMAN. The time of the gentleman from North Carolina (Mr. JONES) has expired.

(On request of Mr. PERKINS, and by unanimous consent, Mr. JONES of North Carolina was allowed to proceed for 2 additional minutes.)

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, I would like to ask the gentleman from North Carolina (Mr. JONES) if I understood him correctly. Did the gentleman say that food and fiber comes first, and that no tobacco is given away to any underdeveloped countries; it is sold as a commodity, and if that country makes the request, then they get the tobacco? Am I correct in my assessment of the gentleman's statement?

Mr. JONES of North Carolina. Mr. Chairman, the exact language that this House adopted on July 26, 1977, by a vote of 261 to 151, is as follows:

> In allocation of funds made available under this subchapter, priority shall be given to finance the sale of food and fiber commodities.

That language was approved by this House.

Mr. PERKINS. Mr. Chairman, I think we ought to make it perfectly clear that tobacco sales are not forced upon any nation under Public Law 480, and that those nations make their choice after they have exhausted their own priorities for food and fiber. Then, if they do not purchase it from us, they could purchase it from someone else; is that correct?

Mr. JONES of North Carolina. Yes. Mr. Chairman, I thank the gentleman very much.

Mr. PERKINS. But this amendment simply prohibits the sale of tobacco to any foreign nation?

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

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

Mr. DAN DANIEL. Mr. Chairman, will the gentleman yield?

Mr. WAMPLER. I yield to my distinguished colleague, the gentleman from Virginia.

Mr. DAN DANIEL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado.

Aside from the fact that this amendment is another attack on the tobacco industry, it is more than that. To adopt this proposal would not be in the self-interest of the United States, insofar as our trade relations is concerned. In the last calendar year, under this program, this country shipped $53.5 million worth of tobacco. Had the present amendment been law, our balance of payments would have suffered accordingly.

The fact is that the amendment approved last year has already worked to the economic disadvantage of this country. It has diminished the amount of tobacco shipped and as a result, we have had to tell nations that want American leaf that national policy limits participation. Nations that participate in this program benefit financially themselves and seek such arrangements.

The history of this program has clearly demonstrated that trade contacts made with many nations have had their beginning in agreements on tobacco shipments. We have made friends and these friendly relations have blossomed into wider trade arrangements affecting other products. To eliminate this tool of trade is to cut off our nose to spite our face—and I am opposed to it.

Mr. WAMPLER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado.

As you know, one of the purposes of the Public Law 480 program is to encourage economic development in developing countries. The exportation of tobacco under title I of the Public Law 480 program is economically beneficial to those countries participating in the program because is provides them with a commodity that generates revenues. If you look at the tobacco industry in our own country, with $16.4 billion in consumer expenditures and $6.2 billion collected in excises taxes in 1976, and compare that on a smaller scale for the countries that participated in the program, you can readily see that these financed sales can prove advantageous in the economic development of lesser developed countries.

Section 1205 of Public Law 95–113, the Food and Agriculture Act of 1977, states that in determining the allocation of funds for title I of Public Law 480, priority shall be given to financing the sale of food and fiber commodities. Simply stated, this means priority shall be given to financing the sales of all other agricultural commodities over the sales of tobacco. Statistics show that in 1977, $55.4 million was allocated for Public Law 480 tobacco sales to six countries, while in 1978, only $11.5 million will be used for sales to four countries. These are not enormous sums of money. I would rather view them as investments in potential export markets for our tobacco products, a market that contributed over $1 billion toward our balance of trade in 1976.

I also would like to bring to the attention of the Committee that the gentleman from Colorado (Mr. JOHNSON) has introduced legislation to prohibit nearly all Government assistance to tobacco growers. That legislation is pending and will, I am sure, be considered in due course. Thus, it would seem premature to totally ban Public Law 480 shipments of tobacco before we even hear all the facts and arguments on the gentleman's legislative proposal.

Mr. Chairman, I, therefore, urge my colleagues to vote against this amendment. It is essential that we maintain viable export markets for all agricultural commodities. It is also essential that we search out and develop future foreign markets for our products. I think this $11.5 million program is a worthwhile expenditure aiding in keeping exports up and urge that this program be maintained.

Mr. JOHNSON of Colorado. Mr. Chairman, will the gentleman yield?

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

Mr. JOHNSON of Colorado. I thank the gentleman for yielding.

Mr. Chairman, the gentleman made a statement about the legislation that is pending, and I know it was an honest mistake in fact but I thought the record should be clear. It is true, last year I had introduced legislation to try to eliminate the tobacco subsidy program, but as a result of the arguments that were made by the gentleman, and others, I have introduced subsequent legislation. Hopefully, we will have hearings on it, and the chairman of the Subcommittee on Tobacco has promised that we would have hearings on it. That would be legislation that would require a study of what the actual economic effect would be if we would cut off the existing subsidy program. There were all kinds of arguments made about what would happen in the event we cut those out. Nobody really knows. The legislation is a very innocuous bill, calling for a study that would actually tell us what the economic consequences to the tobacco grower would be in the event we stopped the existing subsidy program.

Mr. Chairman, I just wanted the record to be clear on that point.

Mr. WAMPLER. I thank the gentleman for correcting the record at this point, but I hope the gentleman would agree with me that the present amendment is not the proper way to address the present concern the gentleman has, and I would hope that this amendment will be rejected. Then, so far as I am concerned, I am perfectly willing to address the question the gentleman has raised, in the appropriate form.

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

Mr. Chairman, for several years now the distinguished gentleman from Colorado (Mr. JOHNSON) has offered amendments pertaining to tobacco, all of which indicate that he is very much against this program.

I recall that last year, Mr. Chairman, we had a sugar bill before us. We do not produce any sugar in Kentucky. We do not produce any sugar beets or sugarcane; but Mr. Chairman, the people in the Commonwealth of Kentucky were just as much concerned about sugar beets as was the gentleman from Colorado (Mr. JOHNSON). They produce a lot of sugar beets in Colorado.

Mr. Chairman, the Members will recall that the gentleman from Colorado was very much concerned at that time as to the domestic producer being protected in this country.

Mr. Chairman, if any Member will check the record, he will find that in the 16 States producing tobacco in this country, the Members from those States joined with the gentleman from Colorado to help his people.

Mr. Chairman, that is the kind of country we live in. We have 50 States in this country and when one section is in trouble and needs help certainly we do not turn our backs.

However, when a Member comes in here year after year and offers amendments against tobacco when not one stalk of tobacco is produced in the State of Colorado or in his district, we can clearly see, Mr. Chairman, how the gentleman from Colorado feels. He is a member of the Committee on Agriculture. He knows that not 1 pound of tobacco goes into the Food for Peace program unless the participating nation asks for the tobacco. Food must be requested first, and no tobacco is shipped unless that country asks for the tobacco.

As a member of the Committee on Agriculture, the gentleman from Colorado knows that tobacco is a $10 billion industry. He knows, Mr. Chairman, that over 11 billion pounds of tobacco are produced around the world. In this country about 2 billion pounds of tobacco are produced.

My friend, the gentleman from Colorado (Mr. JOHNSON), further knows, Mr. Chairman, that we ship commercially about $1.7 billion worth of tobacco a year. He knows what deficit of balance of payments means to this country. He knows exactly what tobacco has done down through the years as far as this deficit is concerned.

Mr. Chairman, he also knows that in this country there are 700,000 farm families which produce tobacco. They receive a little over $2.3 billion for their commodity. He further knows, Mr. Chairman, that tobacco pays into the Federal, State, and county tax treasuries a little over $6 billion a year in taxes—about $6.3 billion.

Mr. Chairman, I am very fond of the gentleman from Colorado (Mr. JOHNSON). I think he is a fine Member of the Congress.

I recall last year when there was a television program that appeared late one Saturday afternoon which was divided into three parts. One part pertained to the Johnstown flood and the millions of dollars of damage done along with deaths, a serious matter, and a serious disaster. That was part 1 of the program. Part 2 of the program pertained to Colorado and to the thousands of cattle dying throughout the State and to the drought, the worst one, probably, in the history of the State.

Then the third part of that program pertained to tobacco. They had the State of North Carolina appearing, and tobacco crops were shown on the screen. Then our friend, the gentleman from Colorado (Mr. JOHNSON), appeared on this part of the program on television against tobacco. Mr. Chairman, at the time when thousands of cattle were dying in Colorado and at a time when they had the worst drought in the history of the State.

Mr. Chairman, let me say to the gentleman that he knows what happened when they brought the matter of the disaster funding to the Committee on Appropriations. We appropriated every dollar necessary and every dollar requested for the disaster programs. We were concerned about what was happening in Colorado. Every member of our committee was, and I know this applied to everyone within the sound of my voice.

Again, Mr. Chairman, that is the kind of country we live in. The people were suffering and were in trouble in Colorado. We were concerned about them.

Mr. Chairman, if the gentleman from Colorado is faced with another serious disaster or serious problems with his sugar beets then I intend to join with him and help his State and his people.

Mr. Chairman, this amendment should be defeated.

Mr. GARY A. MYERS. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong support of the amendment.

Mr. Chairman, I believe that even a casual reader of health statistics must be concerned about the impact of tobacco; not only tobacco, Mr. Chairman; there are other commodities which are abused by the American public. Alcohol could be mentioned as one.

I do not think the gentleman from Colorado or the gentleman from Pennsylvania is interested in targeting only one product that might be harmful, but I do not think we can fail to recognize that there are serious questions, overpowering medical and scientific statistics, to indicate that the abusive use of tobacco is a health problem for our country. I think it is inappropriate for us to use government programs to export that same problem to other countries, even poor countries.

I am aware of the fact that just this week, I believe in England, there was a new report published in which even more pessimistic projections were set forth for those people who use tobacco, as the report indicates they can expect their health problems to grow. We are aware of the fact that even those who cannot fend for themselves, those in the stage of fetal development, are affected by the consumption of tobacco. It has been indicated that perhaps the consumption of tobacco does cause birth defects.

I think it is unfortunate that we in this Congress attempt to persuade Members not to be an advocate in behalf of those people who are concerned about the use of tobacco in our society. I have said for some time that we have come to this House floor—and I did have a short colloquy this week on the budget resolution about tobacco—but we come to this floor and we debate social programs and speak glorious terms of how we are going to help people with cancer research, with increased medical benefits, and so forth. It seems to me that the American public has within its own grasp the opportunity to do more to reduce health care costs in this country than any single thing we can do in the construction of social programs. I think the combination of avoiding the abusive use of tobacco and alcohol, and reducing speed on the highways coupled with consistent use of seat belts would probably reduce health delivery costs across this country more than anything we could do.

I raise the question to the gentleman from Colorado with respect to the reference to selling tobacco: Could the gentleman from Colorado tell me whether section 203 of this bill would permit countries to defray the repayment to the United States for sales under the public law 480 moneys if, in fact, they planted tobacco and developed the infrastructure for future sales of tobacco within their own country? Certainly, it applies to food. I am wondering if it also applies to tobacco, since we as the implementing country regard tobacco as a food substance.

Mr. JOHNSON of Colorado. Mr. Chairman, will the gentleman yield?

Mr. GARY A. MYERS. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. Mr. Chairman, I would suggest that the question be more properly directed to the chairman of the full committee, but it seems to me that tobacco is treated as any other item under the act, and that would apply.

Mr. GARY A. MYERS. If I could ask the chairman of the committee with reference to section 203 of this bill, in which we are attempting to encourage development of the infrastructure of receiving countries, delay of repayment can be accorded even to countries which are developing an infrastructure to plant their own tobacco and develop the infrastructure with respect to the internal distribution of tobacco? Does that also qualify for delay of payments?

It seems to me that if they do qualify the argument that we are only selling other products becomes weaker and weaker at that point.

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

Mr. GARY A. MYERS. I yield to the chairman of the committee.

Mr. ZABLOCKI. Section 203 deals with the food for development program.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. MYERS) has expired.

(By unanimous consent, Mr. GARY A. MYERS was allowed to proceed for 3 additional minutes.)

Mr. ZABLOCKI. Mr. Chairman, if the gentleman will yield further, responding to the gentleman, section 203 deals only with debt repayment and not with commodities. The Public Law 480 title III program concerns, as I have said, food for development. It is targeted on increasing food production in the recipient countries and there is no program existing or proposed to my knowledge that has anything to do with tobacco.

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

Mr. GARY A. MYERS. I yield to the gentleman from North Carolina.

Mr. NEAL. Mr. Chairman, I would like to point out to the gentleman that we do not force any country to buy tobacco. I think the gentleman is confusing two different issues. We are not talking about the health issue here at all. If any country wants to buy tobacco, it will buy tobacco somewhere. Our tobacco is very much in demand around the world because of its high quality but other countries sell tobacco also and the question is whether a country will buy from South Africa or Red China or Brazil or some other country which sells tobacco or, buy our tobacco.

At a time when we are running a trade deficit of about $31 billion a year, it simply does not make sense to reduce our exports, it seems to me, and most especially when countries can buy the product somewhere else.

Mr. GARY A. MYERS. Mr. Chairman, if I could ask the gentleman, is alcoholic beverage qualified to be sold under this program?

Mr. NEAL. It does not qualify under this program. We are not suggesting we put alcoholic beverages under this bill.

Mr. GARY A. MYERS. So already the Congress has chosen not to encourage other countries to buy certain products under this.

In reference to the statement "we don't force them to buy tobacco," actually we cannot force countries to accept our grants for food. If they want to have them, they can have them. But at least this gives tacit approval of our Government for the consumption of tobacco.

Mr. NEAL. Precisely. Ours is a free country, if the gentleman will yield fur-

ther, and clearly we do "tacitly" approve the sale of tobacco in our country and always have.

Mr. GARY A. MYERS. But those people who object to its approval, whether it is 42 percent or 50 percent or 60 percent, ought to be able to have representation on this floor. The question is not whether the gentleman from Colorado needs a water project and is willing to trade off for the sale of tobacco. That is a highly questionable suggestion. But it is a question of allowing the gentleman to have representation on this floor for his point of view. On the one side there are those people who believe there are serious health questions with respect to the consumption of the product of tobacco and they ought to be able to be represented.

Mr. NEAL. But sugar is used in alcoholic beverage production and wheat from our country is used in the manufacture of beer and other alcoholic beverages, I imagine, somewhere around the world.

Mr. Chairman, the gentleman from Colorado has pleaded that he does not want to hurt the small tobacco farmers of the Nation, of which there are some 600,000, by his amendment to exclude tobacco from title I of Public Law 480 commodity sales. His protestations have a hollow ring, however, when we take a full look at the gentleman's overall efforts in this area, including his attempts to destroy the tobacco program in its entirety. He also has pleaded innocence on other occasions, when, in fact, he has suggested that the small farmers deprived of making an honest living growing tobacco could, once the earth has been rid of tobacco, be given Federal assistance which would amount to welfare.

So, I think we have to view the gentleman's effort for exactly what I believe it to be; that is, if he cannot destroy the tobacco program with one blow of his righteous ax, he would chip away at it until it is gone.

Mr. Chairman, this is not the time and place to discuss the merits of the smoking and health issue. I believe, however, that if I were to concede to the gentleman that there is a link between smoking and certain diseases, the gentleman should, on the basis of equally valid evidence, concede to me that refined sugar in the diet is a major cause of tooth decay and obesity, and is absolutely dangerous to the diabetic. So, if we are going to start banning potentially harmful farm commodities, we might as well take a look at sugar, too, and maybe at all those delectable foods which produce the "killer" cholesterol.

We are not called upon, in our consideration of H.R. 12222, to settle the tobacco-health issue. Title I of Public Law 480, as I understand it, pertains only to the sale—not gift—of surplus agricultural commodities. Only alcohol is excluded from the title, meaning that we may sell any other food or fiber. The gentleman is correct in stating that we amended Public Law 480 last year to give tobacco the lowest priority under title I. But the gentleman continues to try to lump title I which pertains to commodity sales only, with title II, which is assistance in the form of commodities. The gentleman ought to know that tobacco already is excluded from title II.

What we are talking about, then, is whether the United States should sell, not give, tobacco to other nations under Public Law 480. We do not force them to buy any of the commodities, including tobacco. Their purchases are based upon their need, or at the very least their desire, to buy. If this demand for tobacco exists in these countries, they are going to buy the tobacco elsewhere if they cannot buy it from us. The gentleman from Colorado, in spite of his intimations that the Congress someday will do away with tobacco in this country, will not be able to impose his moral preferences on foreign nations.

So what we find is a demand and a market for American tobacco—albeit a small market—under Public Law 480. If we do not fill the orders, somebody else will. Should we, because the gentleman may be offended by the aroma of tobacco, forgo these sales? I think prudence bids us say no.

Mr. Chairman, it is well known that I am a staunch supporter of the tobacco program because it is the backbone of the economy in my State and district. Beyond that, however, I have a deep concern about the Nation's current position in the world economy, and its staggering deficit in the balance of trade. That deficit is now running about $30 billion a year, jeopardizing the dollar abroad and contributing to inflation here at home. We can lessen this deficit in only two ways: by reducing imports, or by increasing exports. Because of our heavy dependence on foreign oil, it does not seem likely that we can correct the situation by reducing imports alone. We simply have to become more competitive in the export market. Farm commodities in general, and tobacco in particular, are among our best hopes of increasing our exports substantially.

Perhaps $11 million seems like a paltry sum to the gentleman, but I would remind him that would be a $1,100 market for 10,000 small farmers—as much appreciated by tobacco farmers as it would be by sugar beet growers.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. GARY A. MYERS) has again expired.

(By unanimous consent, Mr. GARY A. MYERS was allowed to proceed for 1 additional minute).

Mr. GARY A. MYERS. Mr. Chairman, I know of no product, if one abuses the use of it, that will not create some harmful effects as a result of its consumption. I agree with the gentleman if people smoke one or two cigarettes a day, I probably would not be here speaking today. And if the tobacco industry is somehow able to come up with a product that is consumed in the normol way at that level, I do not think we will have a problem. But the pattern is for the tobacco industry to entice people into a pattern of consumption of the abusive use of the tobacco.

Mr. NEAL. Only one further comment on this subject. We run a grave danger when we try to determine whether a country or an individual may or may not use tobacco. It is legal in our country. If people want to smoke, they will smoke. Do not let "Big Brother" Government tell them they cannot.

Mr. GARY A. MYERS. I think it is within our prerogative to set those limits here.

Mr. NEAL. Mr. Chairman, I ask permission to revise and extend my remarks.

Mr. ZABLOCKI. Mr. Chairman, I wonder if we can ascertain how many more Members desire to speak on this amendment. We have been on this amendment for almost an hour. How many Members wish to speak on this?

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto end at 12:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin (Mr. ZABLOCKI)?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. HUBBARD).

(By unanimous consent, Mr. NATCHER yielded his time to Mr. HUBBARD.)

Mr. HUBBARD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado (Mr. JOHNSON). Naturally, being from the State of Kentucky and from the western part of Kentucky, I represent thousands of tobacco farmers. I know that they are very anxious that this amendment be defeated.

I would remind my colleagues that there are more than $6 billion in taxes that come from tobacco products that go to the State, Federal, and local governments.

Further, Mr. Chairman, I would remind our colleagues that at present tobacco is the fifth largest cash crop coming behind corn, soybeans, wheat, and cotton. This amendment has an adverse effect on the State of Kentucky and on many other States and the amendment ought to be defeated.

I would also remind my colleagues that the People's Republic of China produces more tobacco than we do in the United States and that other countries like India, Russia, Turkey, and Brazil also produce tobacco and those countries looking to us for tobacco can also look elsewhere for it.

I urge my colleagues again to vote no on the amendment offered by the gentleman from Colorado (Mr. JOHNSON).

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina (Mr. JENRETTE).

(By unanimous consent, Mr. WOLFF yielded his time to Mr. JENRETTE).

Mr. JENRETTE. Mr. Chairman and my colleagues, we went through the

farm movement legislation last year, and it received the support of many varied groups; we tried to work together as I hope that we can do today for the American tobacco farmer.

Mr. Chairman, Public Law 480, as one of its side effects, helps lift the morale of the individuals in these foreign countries and, even though you visit some foreign countries you may see signs saying "Yankees Go Home," at the same time you will see them using and even smuggling American cigarettes because they like them and they are the best. I think it is very important we remember that in the matter that has been under discussion regarding exporting tobacco to these foreign countries; at the same time we are also doing extensive research on tobacco here in the United States. Tobacco is very high in protein and hopefully it will soon be used in these various underdeveloped countries to feed stock and to help lower food costs in these underdeveloped countries. We must remember that these underdeveloped countries hopefully will be paying customers of U.S. agriculture in the future. If we lose the market to some other countries that produce tobacco because of restrictions such as this amendment would cause—chances are we would not be able to regain the market when the countries begin paying their way.

Also I think this would be a very bad precedent to set by picking out any one commodity. If we do it regarding tobacco then the next thing you know it will be grapes, then the next thing may be sugar, and maybe even things such as big apples that perhaps some bureaucrat at EPA or the Food and Drug Administration suddenly says that they have found something wrong with them and then some Congressman will say that because of this finding we cannot export that certain commodity under Public Law 480 because of that finding—and he would have the precedent here by this amendment.

So, Mr. Chairman, I think it is very important that we do not set a precedent that could be carried on to other commodities. The committees who handle these matters, they know what they are doing, they realize that tobacco brings us back millions of dollars. This present law clearly sets out the priorities and has reduced the amount of tobacco that may be exported and I think passage sets a bad precedent, a precedent that is wrong for tobacco or any other commodity and I urge a vote against the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. PRITCHARD).

Mr. PRITCHARD. Mr. Chairman, I believe we ought to keep this discussion in proper perspective. May I say that I appreciate the emotions and the feelings of those Members from tobacco producing States. However, we are not talking about cutting out the exporting of tobacco. We export $1.7 billion worth of tobacco every year and this only cuts out $11 million.

But, Mr. Chairman, there are many people around this country who do not understand how tobacco can be supported in the Food for Peace program.

All we are asking is to cut out about $11 million of that.

Let me also state that my friend the gentleman from Colorado (Mr. JOHNSON) did not offer an amendment last year to cut out subsidies for tobacco, all he did was request a study be made.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. ROSE).

(By unanimous consent, Mr. DIGGS yielded his time to Mr. ROSE.)

Mr. ROSE. Mr. Chairman, I appreciate the comment that was just made about the $1.7 billion in tobacco exports that we had last year. Maybe we ought to change the name of this program to the "Food and Tobacco for Peace Program." But tobacco is a recognized commodity in this country, and I believe that we should have the freedom of choice among these countries who, after food purchases, request that we sell it to them.

The basic thing that permeates all of these discussions is the question of health. I would remind my friends as they examine this attempt to hurt the tobacco industry—and other attempts will be made to kill the tobacco price support program—that it is these programs such as the price support program, such as this exporting of tobacco, that keeps the price of tobacco high in this country. If it is not to be cheap, conversely, possible cheaper cigarettes will be the result.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Minnesota (Mr. HAGEDORN).

Mr. HAGEDORN. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Colorado (Mr. JOHNSON) who has become not only the defender of the American taxpayer but the defender of the health of the people throughout the world.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Chairman, I rise in opposition to the amendment. Tobacco was an extremely vital export at the very beginning of our country's history, and it is an extremely vital export today in 1978.

Consequently, this amendment to strike tobacco from the Public Law 480 program is just not in the best economic interest of our country. And I sincerely hope my colleagues will join with me in opposing it.

I might remind the House that this is a warmed-over issue, which came up last year, but which after calm and careful consideration of national interests was eliminated from the bill, even though we later established food as the priority, with tobacco sales available only after food sales are made. Taking a close look at the issue was convincing to an overwhelming majority of both bodies. They felt that tobacco should remain a part of the Public Law 480 program, and I am confident the Congress will again reach the same responsible decision.

When the International Relations Committee took up this question last year, it quickly decided not to eliminate tobacco from Public Law 480. This year in committee as we considered this bill, the question was not even considered worthy enough to raise. Clearly, the committee feels that tobacco should be in Public Law 480. It makes good economic sense.

There are a host of benefits, both to our own people and to the citizens of foreign lands which enter into Public Law 480 agreements with us. Let us take a look at them.

To begin with, tobacco exports are a vital economic asset to our country. We export about $1.7 billion a year of tobacco products, mostly unmanufactured leaf—in 1977, 628.6 million pounds, valued at $1.1 billion. Almost one-third of our tobacco is exported and for dollars—desperately needed here.

Agricultural exports of all kinds are important to America—$24 billion worth last year—and tobacco is an extremely important part of the whole. We may not be able to compete on world markets with color TV sets or ships or Christmas tree lights, but we sure can compete with agricultural products, including tobacco. Our tobacco is the best in the world.

The Public Law 480 program helps to create new markets for U.S. agricultural commodities. Many, many countries which bought tobacco under the Public Law 480 program in the past are now regular customers of ours, contributing substantially to our $1.7 billion a year-plus export sales of tobacco and helping to reduce our balance-of-payments deficit.

Recently, we have built strong commercial relationships with Thailand in the tobacco trade, in part because of Public Law 480. The same sort of thing is now taking place with Egypt, Syria, Zaire, the Philippines, Portugal, and Sierra Leone.

The Public Law 480 tobacco program is modest; only 2 percent of total Public Law 480 exports in the last calendar year were tobacco. But, the sum is still important to our economy, amounting to $53.5 million in calendar year 1977.

The tobacco amount in dollars varies from year to year. In calendar year 1976, it was $25.1, and in 1975—$25 million. From 1970 to 1974, the tobacco figure varied from about $20 to $37 million a year. Always, let me emphasize, a very small percentage. Again, last year, it was only 2 percent of the whole.

Consequently, it seems to me that what we ought to be doing is promoting to-

bacco sales abroad, not making emotional, unwise attacks against a legitimate agricultural product.

If we do not sell our tobacco abroad, then rest assured that plenty of other countries will step in to fill the gap. As a matter of fact, they already are constantly trying to take our tobacco markets away from us.

Now we are not talking about the smoking issue here today—the Public Law 480 program has nothing to do with that issue. The only question is, will foreign lands buy tobacco from us or from some other country? They are going to buy tobacco from somebody else. You can bet your bottom dollar on that.

And believe it or not we are not the biggest producer of tobacco in the world. The Peoples' Republic of China has edged us out. They produced 2.16 billion pounds in the most recent reporting year, while the United States produced 2.11 billion pounds in that same year.

And there are a host of other countries which are major producers of tobacco:

[Millions of pounds]

India	837
Russia	639
Turkey	573
Brazil	557
Japan	364
Bulgaria	319
Greece	279
Italy	239
South Korea	238
Poland	220

Tobacco can be and is grown in a lot of places. For example, Rhodesia in Africa produces a lot of competition for us.

Whether or not they still grow much in Switzerland, I do not know, but I do recall that they even grew a lot of tobacco there during World War II—in one of the most mountainous countries of the world. Unfortunately, Switzerland again became a good customer of ours after the war was over and international trade channels were reopened.

I have talked about markets and poundage and our competition for the tobacco trade of the world. But who benefits from all this here at home? The whole country benefits ultimately, but at the very outset our farm families living in no less than 16 States are direct, immediate beneficiaries.

Tobacco is the major source of farm income to over 600,000 farm families in the United States of which an overwhelming majority are family-size producers. Tobacco is the fifth largest cash crop produced in the United States. Tobacco is a major crop in 16 States, which are as follows: North Carolina, Kentucky, Virginia, South Carolina, Georgia, Tennessee, Florida, Maryland, Connecticut, Indiana, Ohio, Pennsylvania, Wisconsin, Massachusetts, Missouri, and West Virginia.

In addition, tobacco is also produced to a lesser extent in Alabama, Arkansas, Illinois, Kansas, Louisiana, Minnesota, and New York.

What will happen to these farm families if tobacco exports decline as a result of doing away with the inexpensive, but extremely useful Public Law 480 tobacco promotion program? Remember, tobacco exports will decrease by tens of millions of pounds this year, if this amendment were to be enacted into law.

As I have pointed out, our people—our whole economy—benefits from inclusion of tobacco in Public Law 480. But, the foreign countries benefit greatly, too.

For them, the tobacco provides jobs and tax revenue, keeps costly imports down, and aids in general economic development.

The funds generated by selling the tobacco they buy under Public Law 480 aids in their economic development. A country usually requests unmanufactured tobacco because it wants to process it domestically in local plants.

These plants provide local jobs, provide tobacco products for the government to tax, and supply the local market without having to import more expensive foreign manufactured tobacco products.

As part of the Public Law 480 agreement, the country promises to consume the tobacco within the country and not to export its processed products to other nations.

Through Public Law 480, tobacco sales help development in more general ways. As part of the title I agreement, the country commits itself to "self-help" development measures. This means that the funds which the government receives from reselling the unmanufactured tobacco to the processing plant, or selling the tobacco to the processing plant, or selling the tobacco products, are used to finance national economic development.

The local development projects vary from country to country. They may include such things as expanding agricultural extension services in rural areas, developing a system of cooperatives, improving the quality of livestock, supplying rural credit facilities, eliminating destructive pests, and developing more nutritious foods. Funds from tobacco sales help finance such worthwhile projects.

The time has long since come for the United States of America to begin looking out for its own national interests—economic and otherwise.

Clearly, it is in our national economic interest to sell our tobacco abroad, and we must keep this program which helps.

Our country is no longer self-sufficient. We cannot retreat to Fortress America and still have all of the blessings of life—the high standard of living—we have become accustomed to.

We now have to constantly compete for business in the world market place, and that means we have to produce legitimate products that the world needs and wants.

Tobacco is such a product.

I urge the defeat of the amendment and the retention of tobacco in the Public Law 480 program. Six hundred thousand farm families, and millions of other Americans from the tobacco farmers of my district to shipworkers and dockworkers on the west coast, will be grateful for your vote against this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. SCHULZE).

(By unanimous consent, Mr. SCHULZE yielded his time to Mr. JOHNSON of Colorado).

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. HEFNER).

Mr. HEFNER. Mr. Chairman, the gentleman from Washington (Mr. PRITCHARD), said "only $11 million," but $11 million here and $11 million there amounts up to a lot of money. This is a frivolous amendment. People have spoken on it because of the health aspect. This does not cut one person from smoking cigarettes in this country or any other country.

I am sure my friend, the gentleman from Colorado, would not want to join Secretary Califano in being one of the two most unpopular people right now in North Carolina. I hope he would want to enjoy the friendship of the good people of my State.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. GARY A. MYERS).

Mr. GARY A. MYERS. Mr. Chairman, it has often been said that the people who will get hurt by this amendment, are the small tobacco farmers. I have already been on record as stating I would heartily endorse a program which would subsidize the transfer from the production of tobacco to some other useful product for those people who would experience that problem. I do not have a bias against those farmers, and I think that particular type of problem can be worked out. This is not a frivolous amendment. The overall attitude of this Congress with respect to where we are going as to encouraging or discouraging the use of tobacco will have a long-lasting, serious impact on the production of tobacco in this country. I think we do have to recognize that we do have that opportunity, and the longer we delay, the longer people will be coping with serious health problems that could have been avoided.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. MATHIS).

Mr. MATHIS. Mr. Chairman, I oppose the amendment.

(By unanimous consent, Mr. MATHIS yielded the balance of his time to Mr. ZABLOCKI.)

The CHAIRMAN. The Chair recognizes the gentleman from Colorado (Mr. JOHNSON).

Mr. JOHNSON of Colorado. Mr. Chairman, it is unfortunate that we cannot talk about this issue or others, I guess, as we run into the same problem, without having to change the subject matter into personalities, popularity contests and all.

The CHAIRMAN. The Chair will advise the gentleman from Colorado that

under the unanimous consent request and the restrictions imposed, all time has expired and further proceedings may not proceed in the absence of unanimous consent.

Mr. GARY A. MYERS. Mr. Chairman, I ask unanimous consent that all Members previously designated under the allotted time be allowed to proceed and that then we end all debate.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado (Mr. JOHNSON).

Mr. JOHNSON of Colorado. Mr. Chairman, it is hard for me to understand how this debate can be so distorted. The economic arguments that are made on the part of the tobacco industry simply do not hold water. We are talking about a subsidy program, which is title I of the Food for Peace program. The initial payments on most of those contracts that were called for last year called for a 5-percent down payment, no payment for the next 2 years, and then a 2- or 3-percent interest payment that would be made over the balance of the 19 payments, 20 years of contracts of payments that are subsidized under title I of the Food for Peace program.

Now, how in the world can we say that if we cut out $11.3 million of the Food for Peace program that goes for tobacco this year, after being cut from $55 million, that we are really going to do serious damage to the small tobacco farmer?

As stated again and again on the floor of the House and that is always ignored, that there is not any need for us to damage the small tobacco farmer. Nobody wants to damage the small tobacco farmer, but we are always accused and made some kind of pariah that we are trying to do harm to the people of North and South Carolina. It gets pretty tiresome. We cannot ever deal with the issue. We sell $1.7 billion of tobacco abroad and we sell billions of dollars at home and to cut this small amount from the Food for Peace program is not going to be harmful in anyway to the tobacco industry.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. BROOMFIELD).

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

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, I speak merely in summary, because others have already spoken so eloquently in urging the defeat of this amendment.

As has already been stated, tobacco is presently banned from Public Law 480, title II support, that is, under the grant programs which are conducted for humanitarian purposes.

Small amounts of tobacco are included in Public 480, title I sales. Public Law 480, title I has, among its various purposes, the objective of promoting U.S. farm exports, as well as helping the countries which receive Public Law 480 aid. Tobacco exports are a major foreign exchanger earner for the United States and are an important source of income for American farmers who grow tobacco, as has been repeatedly testified to in the debate.

Last year we added to Public Law 480, section 402, a requirement that priority under Public Law 480, title I, sales be given to food and fiber commodities. This is being done.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. JOHNSON).

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

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

The CHAIRMAN. The Chair will count.

Mr. JOHNSON of Colorado. Mr. Chairman, I withdraw my point of order of no quorum.

The CHAIRMAN. The gentleman from Colorado (Mr. JOHNSON) withdraws his point of order that a quorum is not present.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 189, not voting 119, as follows:

[Roll No. 308]

AYES—126

Ammerman	Evans, Del.	McKinney
Anderson, Calif.	Fenwick	Maguire
Archer	Fish	Markey
Badham	Fisher	Marriott
Bafalis	Florio	Mineta
Bedell	Forsythe	Minish
Bennett	Fraser	Moakley
Blanchard	Frenzel	Moffett
Blouin	Gilman	Moore
Bonior	Goodling	Moorhead, Calif.
Brademas	Grassley	Moss
Brown, Ohio	Hagedorn	Myers, Gary
Buchanan	Hansen	Nedzi
Burgener	Harrington	Ottinger
Burke, Fla.	Harris	Panetta
Byron	Heckler	Pease
Caputo	Holtzman	Pettis
Carr	Hughes	Pike
Cederberg	Hyde	Pritchard
Clausen, Don H.	Jacobs	Quie
Clawson, Del	Johnson, Colo.	Regula
Cleveland	Kastenmeier	Rinaldo
Collins, Tex.	Kelly	Roe
Conable	Kemp	Roncalio
Conte	Keys	Ruppe
Corcoran	Kildee	Russo
Cornell	Kostmayer	Scheuer
Coughlin	Krebs	Schroeder
Delaney	Lagomarsino	Sharp
Derrick	Latta	Shuster
Devine	Leach	Simon
Dornan	Lehman	Smith, Nebr.
Drinan	Long, Md.	Stanton
Early	Lott	Steers
Edwards, Calif.	Luken	Stockman
Emery	McClory	Stratton
Erlenborn	McCormack	Studds
Ertel	McDonald	Symms
Tsongas	McEwen	Thone
Udall	McKay	Whalen
Vanik	Maguire	Wilson, Bob
	Markey	Wylie
	Marriott	Yates
	Mineta	Yatron
	Minish	Young, Fla.

NOES—189

Abdnor	Garcia	Myers, John
Akaka	Gaydos	Natcher
Allen	Gephardt	Neal
Ambro	Giaimo	Nolan
Andrews, N.C.	Ginn	Nowak
Andrews, N. Dak.	Goldwater	O'Brien
	Gonzalez	Oberstar
Annunzio	Gore	Obey
Ashbrook	Green	Patten
Ashley	Gudger	Pattison
Baldus	Guyer	Perkins
Barnard	Hall	Pickle
Baucus	Hamilton	Price
Bauman	Hammer-schmidt	Quillen
Beard, R.I.		Rahall
Beard, Tenn.	Hanley	Railsback
Bellenson	Harkin	Roberts
Benjamin	Harsha	Robinson
Bevill	Hawkins	Rooney
Bingham	Hefner	Rose
Boggs	Heftel	Rosenthal
Boland	Hightower	Rostenkowski
Bolling	Hollenbeck	Rousselot
Breaux	Howard	Rudd
Brinkley	Hubbard	Satterfield
Brooks	Ichord	Schulze
Broomfield	Jenkins	Sebelius
Brown, Mich.	Jenrette	Seiberling
Broyhill	Johnson, Calif.	Skelton
Burke, Mass.	Jones, N.C.	Slack
Burleson, Tex.	Jones, Okla.	Smith, Iowa
Burlison, Mo.	Jones, Tenn.	Solarz
Burton, John	Jordan	Spellman
Burton, Phillip	Kindness	Spence
Butler	LaFalce	St Germain
Chappell	Le Fante	Staggers
Coleman	Lederer	Stangeland
Collins, Ill.	Levitas	Stark
Cornwell	Lloyd, Calif.	Steed
Daniel, Dan	Lloyd, Tenn.	Steiger
Daniel, R. W.	Lundine	Stump
de la Garza	McFall	Taylor
Dellums	McHugh	Thompson
Derwinski	Madigan	Treen
Dickinson	Mahon	Trible
Dicks	Mann	Ullman
Diggs	Marks	Vento
Dingell	Marlenee	Volkmer
Downey	Martin	Waggonner
Duncan, Oreg.	Mathis	Walsh
Duncan, Tenn.	Mattox	Wampler
Edwards, Ala.	Meeds	Weaver
English	Meyner	Weiss
Evans, Ga.	Michel	White
Evans, Ind.	Mikulski	Whitehurst
Fary	Milford	Wilson, Tex.
Fascell	Miller, Calif.	Winn
Findley	Miller, Ohio	Wolff
Flippo	Mitchell, Md.	Young, Alaska
Flowers	Mitchell, N.Y.	Young, Mo.
Flynt	Mollohan	Young, Tex.
Foley	Moorhead, Pa.	Zablocki
Fountain	Murphy, N.Y.	Zeferetti
Fowler	Murtha	

NOT VOTING—119

Addabbo	Dodd	Livingston
Alexander	Eckhardt	Long, La.
Anderson, Ill.	Edgar	Lujan
Applegate	Edwards, Okla.	McCloskey
Armstrong	Eilberg	McDade
Aspin	Evans, Colo.	Mazzoli
AuCoin	Fithian	Metcalfe
Biaggi	Flood	Mikva
Bonker	Ford, Mich.	Montgomery
Bowen	Ford, Tenn.	Mottl
Breckinridge	Frey	Murphy, Ill.
Brodhead	Fuqua	Murphy, Pa.
Brown, Calif.	Gammage	Myers, Michael
Burke, Calif.	Gibbons	Nichols
Carney	Glickman	Nix
Carter	Gradison	Oakar
Cavanaugh	Hannaford	Patterson
Chisholm	Hillis	Pepper
Clay	Holland	Poage
Cochran	Holt	Pressler
Cohen	Horton	Preyer
Conyers	Huckaby	Pursell
Corman	Ireland	Quayle
Cotter	Jeffords	Rangel
Crane	Kasten	Reuss
Cunningham	Kazen	Rhodes
D'Amours	Ketchum	Richmond
Danielson	Krueger	Risenhoover
Davis	Leggett	Rodino
Dent	Lent	Rogers

Roybal	Snyder	Watkins
Runnels	Stokes	Waxman
Ryan	Teague	Whitley
Santini	Thornton	Whitten
Sarasin	Traxler	Wiggins
Sawyer	Tucker	Wilson, C. H.
Shipley	Van Deerlin	Wirth
Sikes	Vander Jagt	Wright
Sisk	Walgren	Wydler
Skubitz	Walker	

The Clerk announced the following pairs:

On this vote:

Mr. Rogers for, with Mr. Breckinridge against.

Mr. AuCoin for, with Mr. Addabbo against.

Mr. Waxman for, with Mr. Davis against.

Mr. Mottl for, with Mr. Fuqua against.

Mr. Wirth for, with Mr. Nichols against.

Mr. Gammage for, with Mr. Sikes against.

Mr. Ryan for, with Mr. Whitley against.

Mr. Frey for, with Mr. Flood against.

Mr. Jeffords for, with Mr. Risenhoover against.

Mr. Walker for, with Mr. Rangel against.

Mr. AMBRO changed his vote from "aye' 'to "no."

Mr. HANSEN and Mr. BROWN of Ohio changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III—ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

SEC. 301. (a) Part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new chapter:

"CHAPTER 11—ECONOMIC SUPPORT FUND

"SEC. 498. AUTHORITY.—(a)(1) The Congress recognizes that under special economic, political, or security conditions the national interests of the United States may require economic support for countries or in amounts which could not be justified solely under chapter 1 of this part. In such cases, the President is authorized to furnish assistance to countries and organizations, on such terms and conditions as he may determine, in order to promote economic or political stability. In planning assistance intended for economic development under this chapter, the President shall take into account, to the maximum extent feasible, the policy directions of section 102.

"(2) The Secretary of State shall be responsible for policy decisions and justifications for economic support programs under this chapter, including determinations of whether there will be an economic support program for a country and the amount of the program for each country. The Secretary shall exercise this responsibility in cooperation with the Administrator of the agency primarily responsible for administering this part.

"(b)(1) There is authorized to be appropriated to the President to carry out the purposes of this chapter for the fiscal year 1979 $1,845,000,000.

"(2) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1979, not less than $5,000,000 shall be available only for Cyprus.

"(3) Amounts appropriated to carry out this chapter are authorized to remain available until expended.

"(c) Amounts appropriated to carry out this chapter shall be available for economic programs only and may not be used for military or paramilitary purposes.

"SEC. 499. MIDDLE EAST POLICY STATEMENT AND PROGRAM.—(a) The Congress recognizes that a peaceful and lasting resolution of the divisive issues that have contributed to tension and conflict between countries in the Middle East is essential to the security of the United States and the cause of world peace. The Congress declares and finds that the United States can and should play a constructive role in securing a just and durable peace in the Middle East by facilitating increased understanding between the Arab countries and Israel and by assisting the nations in the region in their efforts to achieve economic progress and political stability, which are the essential foundations for peace. It is the sense of the Congress that the United States assistance programs in the Middle East should be designed to promote mutual respect and security among the countries in the area and to foster a climate conducive to increased economic development, thereby contributing to a community of free, secure, and prospering countries in the Middle East.

"(b)(1) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1979, not less than the following amounts shall be available for the following countries and purposes:

"Israel	$785,000,000
"Egypt	750,000,000
"Jordan	93,000,000
"Syria	90,000,000
"Maqarin Dam regional project	50,000,000
"Private voluntary agency develop projects	3,000,000

"(2)(A) Not less than two-thirds of the assistance furnished to Israel, and not less than two-thirds of the assistance furnished to Egypt, for the fiscal year 1979 under this chapter shall be provided on a grant basis.

"(B) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1979 which is available for Israel, not less than $560,000,000 shall be available only for foreign exchange support, except that the President may waive this requirement if he determines that it would have an adverse impact on the level of exports from the United States to Israel.

"(3)(A) Of the amounts made available under this chapter for the fiscal year 1979, $3,000,000 shall be available only for promotion of regional cooperation and regional development.

"(B) In order to identify regional projects in the Middle East which would be appropriate for assistance under this chapter, the President shall submit to the Congress not later than February 1, 1979, a report prepared by the Agency for International Development which discusses feasible regional projects in the Middle East, in the context of peace between Israel and its Arab neighbors, which would stress agricultural, scientific, technological, or other forms of cooperation.

"(4)(A) Funds appropriated to carry out this chapter for fiscal year 1979 may not be expended for construction of the proposed potash production facility in Jordan until the President has determined (and has reported his determination to the Congress) that Jordan has obtained firm commitments from other sources for the financing which will be required for that project in addition to the proposed United States contribution.

"(B) Funds appropriated to carry out this chapter for fiscal year 1979 may not be expended for construction of the proposed Maqarin Dam and Jordan Valley Irrigation System until the President has determined (and has reported his determination to the Congress) that Jordan has obtained firm commitments from other sources for the financing which will be required for that project in addition to the proposed United States contribution.

"SEC. 500. SOUTHERN AFRICA PROGRAM.—Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1979, $65,000,000 shall be available only for the countries of southern Africa to address the problems caused by the economic dislocation resulting from the conflict in that region and for education and job training assistance for Africans from Namibia and Zimbabwe. Such funds may be used to provide assistance to African refugees and persons displaced by war and internal strife in southern Africa, to improve transportation links interrupted or jeopardized by regional political conflicts, and to provide trade credits for the purchase of United States products to those countries in the region adversely affected by blocked outlets for their exports and by the overall strains of the world economy.".

(b)(1) Chapter 4 of part II and part VI of the Foreign Assistance Act of 1961 are repealed.

(2) Section 115 of such Act is repealed.

(3) Section 502B(d)(2)(A) of such Act is amended—

(A) by striking out "or chapter 4 (security supporting assistance)"; and

(B) by striking out "part VI (assistance to the Middle East)" and inserting in lieu thereof "under chapter 11 (economic support fund) of part I".

(6) Section 614(b) of such Act is amended in the text preceding paragraph (1) by striking out "chapter 4" and inserting in lieu thereof "chapter 11".

(5) The second sentence of section 610(b) of such Act is repealed.

(6) Section 614(b) of such Act is amended by striking out "chapter 4" and inserting in lieu thereof "chapter 11".

(7) Section 620B of such Act is amended in paragraph (1) by striking out "2, 4," and inserting in lieu thereof "11 of part I or chapter 2".

(8) Section 653(b) of such Act is amended by striking out "security supporting assistance" each of the three places it appears and inserting in lieu thereof "assistance under chapter 11 of part I of this Act".

(9) Sections 669(a) and 670(a) of such Act are each amended by inserting "(including economic support fund assistance)" immediately after "economic assistance" and by striking out "or security supporting".

(10) Section 406(a) of the International Security Assistance and Arms Export Control Act of 1976 is amended by striking out "security supporting" and inserting in lieu thereof "economic support fund".

(11) After September 30, 1978, any reference in any law to security supporting assistance or to assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 shall be deemed to be a reference to assistance under chapter 11 of part I of that Act.

Mr. ZABLOCKI (during the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, printed in the RECORD and open to amendment at any point.

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

Mr. BAUMAN. Mr. Chairman, reserving the right to object, I do so only for the information of the Committee. It appears that there are a number of controversial amendments remaining. It is almost 1 o'clock at this time. Is it still the intention of the Chairman to try to finish this legislation today?

Mr. ZABLOCKI. Will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. It is the Chairman's understanding that there is one controversial amendment pending. It would be

the hope of the Chairman to complete the legislation today.

Mr. BAUMAN. I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

AMENDMENT OFFERED BY MR. WOLFF

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

The Clerk read as follows:

Amendment offered by Mr. WOLFF: Page 39, immediately after line 12, insert the following new paragraph:

"(5) Funds made available under this chapter for any fiscal year for countries or projects in the Middle East may not be used to provide any assistance to the Palestine Liberation Organization.

Mr. WOLFF. Mr. Chairman, the bullet-riddled body of former Italian Premier Aldo Moro which was found Tuesday served as a shocking and grisly reminder that the world remains hostage to senseless terror and vicious crimes committed in the name of a political cause by hoodlums bent on the destruction of world order and civil rights.

At first blush, the bill we consider here today, H.R. 12222, the International Development and Food Assistance Act of 1978, which renews America's commitment to assist people in developing countries to eliminate hunger, poverty, illness, and ignorance, seems quite apart from the brutal attack on a prominent world statesman. But I caution my colleagues to closely examine the bill now before us.

Section 499 of this bill describes the role of U.S. development aid to this region to facilitate, and I quote:

Increased understanding between the Arab countries and Israel by assisting the nations in the region in their efforts to achieve economic progress and political stability * * *

In keeping with the spirit of this section, I now offer this amendment which would prohibit any U.S. assistance from aiding the Palestine Liberation Organization (PLO) directly or indirectly.

Because funds for specific development projects are not earmarked under this section, as now constituted, there is a blank check with respect to the types of projects permissible under this section. My amendment will serve as an endorsement by the Congress that no funds under this act shall be spent in support of PLO activities.

My amendment demonstrates our unwillingness to accept the use of terror employed by the PLO. It also sends a symbolic message to other terrorist groups, whether Italian, or Japanese, or Irish, or German, or even American that terrorism—either from the left or right—must not be condoned.

As a terrorist group, the PLO has used every means available to threaten Israel's civilian population and to otherwise destabilize the region. In fact, the PLO has as its goal the destruction of the only democracy in the Middle East—Israel.

PLO activities are clearly counterproductive to an increased understanding between Israel and the Arab countries. In light of the tenuous situation that has evolved in the Middle East peace negotiations we must now move so as to remove further doubts as to our firm commitment to preserve and protect peace.

To quote from the committee's report accompanying the bill:

In an interdependent world, the U.S. interest lies in a community of nations that respect individual civil and economic rights and freedoms . . .

Clearly, this Congress must reject the PLO as an agent of terror and must act to assure that our aid neither directly nor indirectly supports the activities of the bloody PLO.

All peoples of the world, including this Congress, must now express universal and unqualified condemnation of terrorism. We must avoid the bitterest of ironies—that this aid intended for so many peaceful purposes might benefit those committed to the destruction of the peace. The time is upon us to act decisively to combat terrorism. My colleagues can now go on record as endorsing the concept of prohibition of funds to the PLO for its murderous activities.

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

Mr. WOLFF. I yield to the gentleman from Wisconsin.

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

We have had an opportunity to examine the gentleman's amendment. As the gentleman well knows, there is no intention to give any assistance under this chapter to the Palestinian Liberation Organization. Therefore we accept the gentleman's amendment.

Mr. WOLFF. I thank the chairman.

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

Mr. WOLFF. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, the minority join the gentleman from Wisconsin in accepting the amendment offered by the gentleman from New York.

Mr. WOLFF. I thank the gentleman from Michigan.

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

Mr. WOLFF. I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I commend the distinguished gentleman from New York (Mr. WOLFF) for bringing this amendment to the floor. I think it is extremely important that we recognize the fact that all terrorist organizations, be they the PLO, the Red Brigade, or other fanatical groups must be fought at all levels of government.

Mr. Chairman, we all recall the PLO's brutal and vicious attack upon unarmed, innocent men, women, and children in Israel on March 11, 1978.

In urging, on the House floor, passage of a resolution I had cosponsored denouncing this abominable terrorist attack, I pointed out that while PLO leader, Yassir Arafat, asserted on January 5, 1978 that the PLO does not engage in terrorism, "definitely not," shortly after the March terrorist raid into Israel, the PLO blatantly claimed responsibility for the act.

I urge my colleagues to fully support this amendment offered by my good friend and colleague, the gentleman from New York (Mr. WOLFF) in order to assure that no funds authorized under this act for assistance projects in the Middle East find their way into the coffers of the self-admitted terrorists, the PLO.

Yesterday, the House passed a resolution, of which I was a cosponsor, condemning the abduction of and the murder by the hated Red Brigade of Aldo Moro, former Prime Minister of Italy and head of the Christian Democratic Party in Italy.

We must, as stridently as possible, condemn terrorist acts everywhere. Yet, we must do more that condemn terrorism, we must enlist the energies of all responsible parties, individuals and nations to prevent terrorism, and to root out this infestation which seeks to destroy the very foundations upon which international civilized society rest.

I have introduced legislation directed at cutting off U.S. assistance to countries aiding terroists, and aimed also at securing multilateral conventions to protect individuals from terrorist groups such as the PLO which declare that its terrorism knows no "innocents." I am hopeful that the House can soon act on that legislation.

In the interim, we must be resolute in evincing our support for measures such as the amendment now under consideration which seeks to combat terrorism and the hated PLO.

Accordingly, I urge my colleagues to support the amendment offered by the gentleman from New York (Mr. WOLFF) and register their condemnation of PLO terrorism.

Mr. Chairman, I strongly support this amendment.

Mr. WOLFF. I thank the gentleman from New York (Mr. GILMAN).

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

Mr. WOLFF. I yield to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, I support the gentleman's amendment. I think this does represent the very strong feeling of the House, and I trust our Ambassador to the U.N. would take special note of the action and start the long overdue efforts at the U.N. to have that body take a strong stand against all acts of terrorism.

Mr. WOLFF. I thank the gentleman from Illinois.

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

I will use less than 5 minutes, Mr. Chairman, in order to earn the good will of my colleagues.

It was my intention at this point in the bill to offer an amendment that would strike $90 million which is intended for Syria. I offered this amendment in committee. I served notice I would offer it on the floor.

In my judgment, one cannot rationalize support for such spending in light

of the adverse effect on our efforts for a comprehensive Middle East peace settlement occasioned by Syria's vehement attacks on the Sadat peace initiative and by the serious buildup of Soviet-supplied arms to Syria. Those circumstances have, if anything, contributed to the continuing need for very large amounts of aid to Israel to help keep the Middle East situation in at least a tenuous balance. These contradictions are not likely to reassure the average American that AID is efficient and effective.

As an example of the statesmanlike conduct of the Syrian regime, a Syrian official went so far as to say that Sadat "should be hung a thousand times."

The Soviet Union is pouring over $1 billion a year in military equipment into Syria. In the military sense, this makes Syria a client-state of the U.S.S.R.

AID has long practiced knee-jerk dollar diplomacy. By what stretch of the imagination can this 90 million American dollars neutralize over a billion dollars in Soviet military equipment?

I have been contacted by a number of Members who have advised me that there are special elements in our relationship with Syria that deserve special consideration. Therefore, I have asked for a special briefing on these elements, some of which presumably are not as yet in public record.

I reserve the right to offer this amendment when the appropriation bill is brought to the floor in a month or two. So, with the understanding, that I will not be accused of not having offered the amendment at the proper time to the proper bill. If the State Department convinces me my amendment is unneeded I will acknowledge it. But if I am not convinced I will offer this amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUCHANAN

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

The Clerk read as follows:

Amendment offered by Mr. BUCHANAN: On page 36, line 13, strike "$1,845,000,000" and insert in lieu thereof "$1,855,000,000"; and in line 16, strike "$5,000,000" and insert in lieu thereof "$15,000,000".

Mr. BUCHANAN. Mr. Chairman, all of us are aware that the people on Cyprus have been victims of a terrible tragedy, because of a situation that is, as yet, unresolved, and a situation that must be resolved. My amendment simply would raise the amount of the refugee assistance available to Cypriot citizens who are refugees, because of the conflict on Cyprus and the continuing occupation of a large portion of that island by Turkish forces.

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

Mr. BUCHANAN. I am happy to yield to the chairman, the distingiushed gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, I thank the gentleman from Alabama (Mr. BUCHANAN) for yielding to me. Let me say that since the committee marked up the bill circumstances have occurred in Cyprus that were not realized while marking up the bill and, therefore, we commend the gentleman from Alabama (Mr. BUCHANAN) for offering an amendment increasing the amount for Cyprus by $5 million. The committee will accept the amendment.

Mr. BUCHANAN. I thank the gentleman.

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

Mr. BUCHANAN. I am happy to yield to the gentleman from New York (Mr. SOLARZ).

Mr. SOLARZ. Mr. Chairman, I want to compliment the gentleman from Alabama (Mr. BUCHANAN) upon his humanitarian concern and for his initiative in offering this much-needed amendment.

I recently returned, as the gentleman knows, from a visit to the eastern Mediterranean. While I was there I had the opportunity to spend some time in the Greek Cypriot sector of Cyprus and I saw for myself the desperate circumstances under which many of the refugees have to live and the squalid surroundings in which they are housed. I believe, particularly since the conflict on Cyprus has not yet been resolved, that we do owe an obligation to make sure that these unfortunate refugees, who were driven from their homes at the time of the invasion of Cyprus, are given an opportunity, pending the resolution of the conflict, to live in decent surroundings.

I strongly support this amendment as an expression of American concern over the situation on Cyprus and as an indication of our determination to do everything we can to make it possible for these refugees to lead a better life in the future.

Mr. BUCHANAN. Mr. Chairman, I think that my friend, the gentleman from New York (Mr. SOLARZ) has summed up my own feeling on this matter.

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

Mr. BUCHANAN. I yield to the gentleman from Michigan (Mr. BROOMFIELD).

Mr. BROOMFIELD. Mr. Chairman, I am very happy to join the gentleman from Wisconsin (Mr. ZABLOCKI) as well as the gentleman from New York ("Ambassador" SOLARZ) in accepting this amendment. I think it is a step in the right direction. Certainly all of us want to do whatever we can to assist the refugees on Cyprus.

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

Mr. BUCHANAN. I yield to the gentleman from New York (Mr. WEISS).

Mr. WEISS. Mr. Chairman, I would like to commend the gentleman from Alabama (Mr. BUCHANAN) for offering his amendment. I also want to associate myself fully with the remarks of my distinguished colleague, the gentleman from New York (Mr. SOLARZ).

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

Mr. Chairman, I too support the amendment offered by the gentleman from Alabama (Mr. BUCHANAN) and I commend the other Members who have risen in support. I think this is a practical and meritorious step we are taking. But Members should know that this same committee, the Committee on International Relations, is working on a bill that will be brought before the House in a month which will repeal the arms embargo with Turkey which we have kept for the last 3½ years. So it would seem to me that if certain Members are so concerned over the plight of these Cypriot refugees, that they see to it that a permanent alleviation of the refugee problem is found. Permanent alleviation may not come as long as an occupation of a third of the island of Cyprus continues.

So I would hope that we do not find ourselves in a position of having to, year after year, or for generations to come, make this kind of humanitarian investment when we should be using our diplomatic offices and pressure, to bring about an end to the occupation of one-third of the island of Cyprus. Presumably, in a month, we are going to treat this subject to a very full debate.

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

The amendment was agreed to.

Mr. ZABLOCKI. Mr. Chairman, it was the understanding of the gentleman from Wisconsin that the gentleman from Maryland (Mr. BAUMAN) wished to offer an amendment to page 39.

I wonder if the gentleman wishes to introduce that amendment now?

AMENDMENT OFFERED BY MR. BAUMAN

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

The Clerk read as follows:

Amendment offered by Mr. BAUMAN: On page 40, line 3, strike out the quotation marks and period and insert the following new sentence:

"No assistance may be furnished under this section to Mozambique, Angola, Tanzania, or Zambia, except that the President may waive this prohibition with respect to any such country if he determines (and so reports to the Congress) that furnishing such assistance to that country would further the foreign policy interests of the United States.".

Mr. BAUMAN. Mr. Chairman, this is simply a reinstatement of existing law governing the special southern African funding in this bill. The committee deleted this language in amending the act and reorganizing the AID program. This language was agreed to by both the other body and this House last year as a means to place some limitation and accountability regarding U.S. funds that would be dispersed in a very volatile area of the world.

Frankly, Mr. Chairman, I would prefer a complete prohibition against any aid to these four nations, a position the House has sustained before. Unfortunately the conference last year softened

this language and allowed the Presidential waiver. Nevertheless this amendment does require that the President notify the Congress in writing of any aid to be given to these countries and to justify the need for such aid. I am hopeful that the House conferees will insist upon its inclusion again this year.

Mr. Chairman, each of these nations now harbors groups of terrorists and guerrillas which have been attacking and killing the people of Rhodesia and the South-West African territory. In addition, thousands of Cuban troops and civilian advisers are also in these nations, along with Russians and Russian-supplied weapons. Central Intelligence Agency estimates say that there are more than 24,000 Cuban soldiers and civilians in Angola, staging raids against the South-West African territory, supporting the SWAPO organization as well as keeping in power the Marxist government which is their client.

In Mozambique more than 1,000 Cubans are present with a major buildup of troops occurring in recent days. It is here that the anti-Rhodesian guerrillas are based, slaughtering thousands of blacks inside Rhodesia, including women and children. The guerrillas leaders have made plain that they will not rest until a Communist government is imposed in Rhodesia and that democracy has no meaning to them.

Incredibly, Mr. Chairman, the Carter administration supports these terrorists and, working with the Government of Great Britain, refuses to recognize and assist the multiracial government now in control in Salisbury. Despite pleas by moderate blacks in Rhodesia for acceptance of this government, despite major concessions by Prime Minister Ian Smith, the architects of our southern Africa policy, led by Ambassador Andrew Young, have sided with the butchers and the Marxists.

Is it any wonder that we must at the very least require public justification if indeed any funds from the United States are to be granted to these countries who harbor and assist such guerrillas?

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

Mr. BAUMAN. I am pleased to yield to the chairman of the committee, the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman for yielding.

As I have advised the gentleman, when we had introduced the legislation and marked up the bill, patterned to some extent on the so-called Humphrey bill, this section was deleted, and this version. The Subcommittee on Africa in making its recommendations did not include this section to be retained, and, therefore, the committee acted and this section, indeed, has been deleted.

Upon consultation, as I said earlier, Mr. Chairman, with the gentleman from Maryland, on this side as chairman I am prepared to accept the gentleman's amendment.

Mr. BAUMAN. I thank the gentleman. I trust the gentleman will uphold this amendment when the bill goes to conference.

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

Mr. BAUMAN. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

This is merely a Presidential waiver, and I join the chairman in accepting the amendment.

Mr. BAUMAN. I thank the gentleman.

May I ask the gentleman from Wisconsin, am I correct that in the last fiscal year the only time the existing waiver was used was for a $30 million food loan for Zambia, and no other notices were sent to the committee regarding any expenditure of this fund?

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

Mr. BAUMAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Did the gentleman mention Zambia? Zambia?

Mr. BAUMAN. Yes.

Mr. ZABLOCKI. Yes, there is that amount.

Mr. BAUMAN. I thank the gentleman and yield back the remainder of my time.

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

Mr. Chairman, the chairman of our committee has accepted the amendment, and far be it for me to disagree with my distinguished friend, the gentleman from Wisconsin, but I do think it would be unfortunate if this amendment were adopted by the House without at least a word or two being said about the prevailing realities in southern Africa today.

Whatever some of the Members may think about some of the countries which are on the list of proscribed nations in this amendment, the fact is that President Nyerere of Tanzania, President Kuanda of Zambia, and President Michel of Mozambique have been enormously helpful in assisting us in our effort, together with the British, to bring about a negotiated settlement to the conflict which is now raging in Rhodesia. It may not, in the final analysis, be possible to bring together the Salisbury Four, who have agreed upon the so-called internal settlement, and the leaders of the Patriotic Front, who are opposing it, within the framework of the so-called Anglo-American proposal, but I think there can be little doubt that if we could get a broader agreement, which held forth the promise of bringing the war in Rhodesia to an end, and getting an agreed upon mechanism for the holding of elections under the auspices of the United Nations, it would be a consummation devoutly to be wished.

I think it is fair to say that to the extent there is any possibility of getting that kind of agreement, it depends in the initial instance on the willingness of the presidents of the front line states to continue playing the kind of cooperative role they have to date.

I think it is important for us to take note of the fact that each of these gentlemen, the Presidents of Tanzania, Zambia, and Mozambique, have used their not inconsiderable influence with the leaders of the Patriotic Front in order to get them to agree to the Anglo-American proposals with which our own country is so strongly and significantly identified.

So while this amendment will be adopted, I think it was at least important to state on the floor of the House that there are Members of Congress who recognize the constructive role which these three countries have played in an effort to bring the war in Rhodesia to an end in the hope they will continue to do so, the adoption of this amendment notwithstanding, in the future.

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

Mr. Chairman, since I understand the amendment will be adopted and we are speaking for the record, I would like the record to show that some of us are not quite as impressed with the Patriotic Front as others are. Frankly, they are a bunch of Marxist murderers and I think it is about time in all the debate on Africa to show a little concern for the poor black who is murdered by the Marxist guerrillas. With all the suffering that is going on in Africa, the abuse that is overlooked is the abuse of black against black. In the case of the Patriotic Front, there are probably more atrocities committed against innocent black civilians by them than anything committed by colonial rules of the past. That also applies to SWAPO in Namibia. These people are not noble revolutionaries. They are murderers and if they ever get control of Rhodesia, no one will have any rights.

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

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

Mr. ASHBROOK. Mr. Chairman, this strong statement by the gentleman from Illinois impresses me. I am just convinced that my colleague will take the same position later when we deal with the people who have taken control in Cuba, Cambodia, and Laos.

Mr. DERWINSKI. Mr. Chairman, we have a slight difference of opinion on that, but my view will be strong anyway.

Mr. ICHORD. Mr. Chairman, I move to strike the requsite number of words.

Mr. Chairman, I agree with the gentleman from Illinois (Mr. DERWINSKI), there is no doubt about the accuracy of the gentleman's characterization of the people who the Patriotic Front are supporting, trying to impose an external settlement in Rhodesia.

I agree, as the members of this committee well know, with what Lieutenant General Graham stated:

> The essence of the situation in Rhodesia today is this: A coalition of black Rhodesian moderates and the white Rhodesian minority are confronting a coalition of Marxist black terrorists supported by the Soviet Union and incredible as it may seem—the United States and Great Britain!

Mr. Chairman, I also agree with the editorial writers of the Washington Star. Fortunately, more and more people in the country are coming around to my point of view. I quote the editorial from the Star:

> In bitter truth, the Anglo-American policy on Rhodesia seems to be influenced not only by dubious strategic calculations, but also by

an uncharacteristically petty-minded British resentment that Rhodesia has made a success of unauthorized independence. Against all odds and predictions, Rhodesia has become a country in being. It needs only the support of the outside world to make reasonable democratic terms with the black majority.

The new arrangement between Prime Minister Smith and the black moderates of Rhodesia demands at least open-mindedness on our part. If that arrangement proves fair and workable, if it is sustained by fair elections, the U.S. will have no choice consistent with our own political values but to endorse, welcome and assist it. If the Russians and Chinese and Cubans conspire to try to overthrow the new regime, we should see that the Rhodesian army has the means to defend the country.

Obviously the amendment offered by the gentleman from Maryland (Mr. BAUMAN) will be adopted, but I would like to ask the chairman of the subcommittee, the gentleman from Michigan (Mr. DIGGS), a few questions, because I had intended to offer a substitute which would strike the entire Special African Requirements Fund. My first question to the gentleman from Michigan is this:

Under section 500 would funds be made available to assist the Zimbabwe Government in the return and resettlement of Zimbabwe citizens who are currently refugees residing in other countries?

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

Mr. ICHORD. I yield to the gentleman from Michigan.

Mr. DIGGS. Mr. Chairman, as my friend, the gentleman from Missouri (Mr ICHORD), knows we have not recognized nor do we have relations with the government to which the gentleman has referred, and therefore, such funds would not be made available until such a government is established, a government with which we have diplomatic relations and which we have recognized.

Mr. ICHORD. Prime Minister Ian Smith, Bishop Muzorewa, Reverend Sithole and Chief Chirau, who have formed the transitional government in Rhodesia, have announced an amnesty program. Does the gentleman mean to tell me that we would refuse aid and not help refugees, even though they have this amnesty program, to get back into their home country?

Mr. DIGGS. Mr. Chairman, if the gentleman will yield further, under the terms of this section they would not be eligible, but as the gentleman may know, refugees who are in that area and who may be from other countries are subject to the provisions of relevant sections of the refugee requirements provisions, and, therefore, they are covered.

Mr. ICHORD. Let me be more specific, then, and ask this question:

Would funds be available to assist the Zimbabwe Government in its implementation of an amnesty policy for citizens currently fighting as guerrillas for ZANU or ZAPU?

I am talking about Rhodesian citizens, black Rhodesian citizens in all probability, who are with ZANU or ZAPU, and who are in Mozambique or Zambia and want to come back to their own country?

The CHAIRMAN. The time of the gentleman from Missouri (Mr. ICHORD) has expired.

(By unanimous consent, Mr. ICHORD was allowed to proceed for 3 additional minutes.)

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

Mr. ICHORD. I yield to the gentleman from Michigan.

Mr. DIGGS. Mr. Chairman, in answer to the gentleman's question, there are no provisions to my knowledge, to cover the gentleman's point.

Mr. ICHORD. Mr. Chairman, with reference to this $65 million that we are setting aside, would funds be available to the Zimbabwe Government to improve transportation links that have been disrupted by guerrilla actions, which the gentleman from Illinois (Mr. DERWINSKI) has characterized as actions by "Marxist guerrillas"?

Mr. DIGGS. Not to the Zimbabwean Government or any other government in that area that is not recognized or with which our country does not have diplomatic relations.

Mr. ICHORD. What are the countries that would be eligible for assistance under section 500?

Mr. DIGGS. Well, they would be Botswana, Lesotho, Swaziland, Malawi, Mozambique, and Zambia.

In addition, now, with the acceptance by the subcommittee of the amendment offered by the gentleman from Maryland (Mr. BAUMAN), those countries that are covered by the Bauman amendment; namely, Mozambique, Tanzania, and Zambia would require a Presidential waiver before they would be eligible for any of the benefits under the provisions of this section.

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

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

Mr. SOLARZ. Mr Chairman, if I may, I will direct a question to the distinguished chairman of the Subcommittee on Africa.

Would it be fair to assume that if there is a legitimate transfer of power in Rhodesia and there is the establishment of a majority rule government in Zimbabwe which is recognized by our Government, at that point some of the funds from the Southern African Special Requirement Fund would potentially be available to help that government?

Mr. DIGGS. The gentleman is correct. And that was implicit in my response to the gentleman from Missouri; namely, that once a government there is in place, which is recognized by our Government, regardless of which faction this might be, I might say to the gentleman, then they would be eligible for any of the assistance under the provisions of this act.

Mr. ICHORD. Mr. Chairman, I would like to ask the gentleman from Michigan for his help in the answer to this question:

I am trying to find out how the money, the $105 million, which we authorized and appropriated last year, was spent. I can identify very little money that was spent for refugees in Botswana or Lesotho or Swaziland or Zambia.

For example, there was a $30 million commodity loan in Zambia. How does that aid refugees?

The CHAIRMAN. The time of the gentlemen from Missouri (Mr. ICHORD) has expired.

(By unanimous consent, Mr. ICHORD was allowed to proceed for 1 additonal minute.)

Mr. ICHORD. Mr. Chairman, how does that $30 million commodity loan help the refugees from Zambia or Rhodesia?

Mr. DIGGS. Mr. Chairman, as the gentleman knows, the resolution of political conflicts in that area alone is not going to maintain stability. There are certain economic dislocations that have been generated by all of these considerations. It has impacted upon the single-commodity country of Zambia, with its copper industry, more than any other.

Mr. ICHORD. It is really help to Zambian citizens then, not help for refugees from Namibia or Zimbabwe?

Mr. DIGGS. There is collateral assistance that flows out of economic assistance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. BAUMAN).

The amendment was agreed to.

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

Mr. Chairman, at this point during the consideration of the bill by the Committee on International Relations, I offered an amendment, which I will not offer at this point, but, nevertheless, I feel that it is prudent to call attention to the members of this committee what I deem to be a very serious flaw in title III of this bill. That flaw is the earmarking of every sum for each of the countries in the Middle East. Each country that is to be a beneficiary of economic assistance has a specified sum below which the President may not go. The effect of this total earmarking by country is to weaken the President in using the resources of this bill to advance the cause of peace. It would be far better to de-earmark them all and let the President adjust the sums as he deems fit and useful to accelerate the pursuit of peace. But I found no sentiment to advance this amendment in the other committee, and I feel the same way at this point. I do hope members of this committee will consider this weakness in the time to come.

Second, I want to say a word about the amendment offered by the gentleman from New York (Mr. WOLFF), which relates to the PLO. The amendment itself carries no specified criticism of the PLO or the role of the PLO in the problems of the Middle East, and for that reason I voiced no opposition. But I would hate to have the record stand and leave the misapprehension on the part of readers of the CONGRESSIONAL RECORD that there is no one in this body who recognizes that a Palestinian problem exists and that the Palestinian people have a legitimate interest to be served. In fact, for several years now I have been convinced that it is highly desirable that the PLO, which is recognized and the legitimate representative of the Palestinian cause, be brought somehow into the discussion of issues that are involved

in the Middle East. And I hope the day will soon come when the PLO, or its successor, whatever organization is the legitimate voice of the Palestinian cause, will be brought into the process of negotiation with the other parties of the Middle East and the United States.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: On page 41, immediately after line 15, add the following new title and number the other titles, accordingly:

"SEC. 401. Notwithstanding any other provision of law or of this Act, none of the funds authorized to be 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 the Socialist Republic of Vietnam, Cambodia, or Cuba."

Mr. ASHBROOK. Mr. Chairman, I had a brief try at being very liberal earlier this week, and it did not work. Therefore, I will try it once more.

Mr. Chairman, the Members may have received my letter of May 9, in which I indicated I would offer this amendment and that it would include the Socialist Republic of Vietnam, Laos, Cambodia, or Cuba.

After listening to my colleague and my friends who have worked so hard on the MIA problem, on one side, the gentleman from Mississippi (Mr. MONTGOMERY), the gentleman from New York (Mr. GILMAN), and the gentleman from Ohio (Mr. GUYER), and after listening to my friends on the other side, the gentleman from California (Mr. MCCLOSKEY) and the gentleman from Minnesota (Mr. FRASER) who are interested in food going to the children in Laos, in the spirit of my increased, accelerated liberalism, I decided to drop Laos from the amendment and make it just apply to the Republic of Vietnam, Cambodia, or Cuba.

That will at least explain it to those Members who received my letter and might think we are including Laos in that amendment. We are not. I struck Laos from the amendment. Only those three countries I mentioned are included.

Mr. Chairman, the purpose of the amendment is very clear and very simple. It would prohibit any money authorized in the bill from being used to aid those three countries either directly or indirectly.

Let me emphasize the word "indirectly" because almost everybody might stand up and say, "I do not want any money to go directly to Cuba; I do not want any money to go directly to Vietnam; and I do not want any money to go directly to Cambodia." But then they will do something that is not exactly in keeping with high principles in this House. They will say, "Let somebody else shuffle the taxpayers' money to the same country by sending the taxpayers' money to a third party, a conduit in the form of a multilateral agency. Let it go to Vietnam, Cuba, or Cambodia."

Mr. Chairman, if that is what we want, let us vote and do it; but let us make sure that we are not under any misapprehension that anything else will be done.

Mr. Chairman, let us not put ourselves in the position my fellow Ohioan, the attorney general from Ohio, referred to during the Watergate era. In looking at the Watergate crew, he said, "They remind me a little bit of the man who played the piano 20 years in a bordello and never knew what was going on upstairs."

Mr. Chairman, if we do nothing else today, let us make sure—and we are going to get a vote later on it—that when we knock out the words "or indirectly," we know what we will be doing. Precisely what will be accomplished by the Derwinski amendment is to allow American taxpayers' money to go indirectly for something which we do not want to happen directly. In that event, we are going to allow taxpayers' money to go indirectly to the Socialist Republic of Vietnam, Cambodia, or Cuba.

As for my amendment I offered a similar one on several occasions last year and received overwhelming support from the Members of this body. Unfortunately the administration has in large measure circumvented what we were trying to accomplish. Once it succeeded in having the word "indirectly" deleted, it has gone through the back door to get what could not be obtained through the front door.

Although direct aid is prohibited by law, nevertheless U.S. tax dollars are still indirectly going to Vietnam. This is being accomplished through the United Nations and other international agencies. U.S. dollars go to these agencies which then do indirectly what cannot be done directly.

Last year, for example, the United Nations General Assembly passed a resolution "to authorize the Secretary General to rehabilitate Vietnam both socially and economically." This motion was sponsored by the Soviet Union, a nation which over the years has contributed a little over $8 million to the United Nations Development Program, while the United States is slated by this bill to contribute $133 million in 1 year alone.

And what did our representative to the U.N., Andy Young, do about this outrageous resolution? He failed to vote against it or even ask for a recorded vote. Incredible.

Other international agencies such as the World Bank—to which the United States is a major contributor—will also provide aid. World Bank President Robert McNamara has indicated that U.S. tax dollars will be used to subsidize these same Communist countries.

I am including a UPI story dated October 1, 1977, that shows the type of chicanery going on here. The story quotes the director of Vietnam's Central Bank that he expects the United States to continue to contribute money into the International Development Association and then the Vietnamese will draw on these funds as a fulfillment of what they consider the U.S. commitment to provide aid. Following is that story:

Tran Duong, director of Vietnam's Central Bank, says he believes the U.S. eventually will pay $4.75 billion former President Nixon promised in 1973 as a condition to end the war.

It is, of course, necessary for the U.S. to keep its commitment—the Paris Agreement. The U.S. will fulfill the commitment to heal the wounds of war. Duong said in an interview at an economic conference that ended Friday....

In order to normalize the relations between the U.S. and Vietnam, the U.S. has to fulfill the Paris Agreements, Duong said.

In the process, the United States will put money into the IDA—and these commitments would be fulfilled to Vietnam.

Similar to this is a story in the Far Eastern Economic Review of September 9, 1977. It discusses the visit of Leonard Woodcock to Hanoi and states he "was believed to have told the Vietnamese that President Carter suggested providing aid through noncontroversial multilateral aid agencies." Further—

The Review has learned that during the second round of United States-Vietnam talks in Paris, in May, Assistant Secretary of State for East Asia and the Pacific, Richard Holbrooke, also mentioned the possibility of U.S. assistance through U.N. and other international agencies.

What we have here is a clear pattern of efforts by the administration to launder U.S. tax dollars through the U.N. and various international agencies to Communist Vietnam.

This is in spite of the fact that on July 21 of last year I was assured on the House floor by the able chairman of the House International Relations Committee that under the conference report no funds, not even indirectly, could be used for aid or assistance to Vietnam, Cambodia or Cuba.

This is in spite of the fact that the President assured us—in a letter to the Congress designed to break up the logjam caused by my amendment and other restrictive amendments—that he would "instruct" our representatives to oppose such use of taxpayers' money. Yet a few days later the United Nations General Assembly was passing a resolution—unopposed by our U.N. representative Andy Young—to provide funds to socially and economically rehabilitate Vietnam.

U.S. taxpayer dollars should not go either directly or indirectly to Vietnam, Cambodia, or Cuba. I urge your support for my amendment.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA TO THE AMENDMENT OFFERED BY MR. ASHBROOK

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida to the amendment offered by Mr. ASHBROOK: Between the words "Cambodia" and "or Cuba", add the following: ", Uganda".

Mr. YOUNG of Florida. Mr. Chairman, the figures that I brought to the committee yesterday about Vietnam are almost equaled as they relate to Uganda. We are not going to send any funds directly to Uganda; we all know why. We all know about Idi Amin and about the violations of human rights, the murders, the assassinations, the put down of religion. We

know all about that. We know all about the tremendous increase in the cost of Ugandan coffee to the American consumer, but I wonder how many of us know how American dollars are, in fact, reaching Uganda through another institution, such as the United Nations, for example.

The U.N. development program has a scheduled program, a 5-year program for Uganda, that will cost $30 million—and, of course, again we are the largest contributor to that fund. UNICEF during the last calendar year spent $339,000 in Uganda. The International Atomic Energy Agency has already approved an atomic energy project for Uganda for this year, 1978. The World Bank is currently considering a loan to the East African Community.

This stirs people up when I talk about this because they say there is no longer an East African Community. Technically that is so, but what they do since we could no longer accept the East African Community is, they have created the East African Development Bank. It does the same thing. So, then the East African Development Bank, there is scheduled $22.5 million worth of loans to Uganda, Kenya, and Tanzania.

Mr. Chairman, I do not think it is necessary to use any more time to convince our colleagues as to why Uganda should be included in this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG) to the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

The amendment to the amendment was agreed to.

AMENDMENT OFFERED BY MR. DERWINSKI AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ASHBROOK, AS AMENDED

Mr. DERWINSKI. Mr. Chairman, I offer an amendment as a substitute for the amendment, as amended.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI as a substitute for the amendment offered by Mr. ASHBROOK, as amended: Page 41, immediately after line 15, insert the following new title IV and redesignate subsequent titles and sections of the bill accordingly:

TITLE IV—PROHIBITION ON ASSISTANCE TO VIETNAM, CAMBODIA, UGANDA, AND CUBA PROHIBITION

SEC. 401. Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act shall be used for any form of assistance or trade, either by monetary payment or by the sale or transfer of any goods of any nature, directly to the Socialist Republic of Vietnam, Cambodia, Ugana, or Cuba.

Mr. DERWINSKI. Mr. Chairman, the "indirect" prohibition will seriously hurt United States effectiveness in the U.N. agencies.

The United States has always strongly opposed politicizing technical U.N. programs in this fashion. Others have sought to restrict such programs; for example, by denying funds to Israel. We have succeeded in beating back these efforts.

By politicizing the technical organs of the U.N. we will destroy their effectiveness as developmental organizations.

U.N. organizations such as the U.N. development program (UNDP), UNICEF, and others are universal development agencies which provide technical and humanitarian assistance to 140 countries on an impartial basis.

Restriction on U.S. funding in U.N. agencies is not an effective and appropriate way to meet human rights problems. In many cases it is only through these very U.N. programs that the United States is able to assist the people who are the victims of human rights violations.

There is no practical way to insure that U.S. funds do not go to specific countries. Funds are comingled and decisions are made by consensus among governments.

Multilateral, humanitarian, and technical assistance does not involve large amounts of money or political influence in recipient countries. Thus, such assistance provides little or no effective leverage on the internal political policies of recipient countries.

The administration strongly supports my amendment.

May I say, Mr. Chairman, that the debate has been conducted on a high level, and that the gentleman from Ohio and I have a great respect for each other.

I have a great respect for my friend, the gentleman from Ohio. In fact when he was first running for office, I appeared in his district and campaigned for him, endorsed him, and helped him. That was 18 years ago and I had no idea then that he would be giving me these ulcers and headaches.

Mr. ASHBROOK. Mr. Chairman, if the gentleman will yield, that was before the gentleman from Illinois started working closely with the administration.

Mr. DERWINSKI. The point here, and what we must keep in mind, and what we are dealing with in my amendment, which removes from the Ashbrook amendment the prohibition against indirect aid, is that in indirect aid we are speaking primarily of funds channeled through the United Nations. These funds are channeled basically to the U.N.'s voluntary programs. If we go down this road of specifically earmarking what we will not do, we establish a precedent that will hurt more than it will help us, since it will be abused by other nations.

We have been very effective at the U.N. in stopping the kinds of precise instructions that we would provide under the Ashbrook amendment. For example, it is perfectly possible under U.N. programs for funds contributed by the Government of the Soviet Union to wind up in Chile. I do not suppose this makes the propaganda spokesmen in the Kremlin happy, but that could be the practical result.

The logical victim, though, of any kind of instruction of this nature would be Israel. This would take place in the annual U.N. sessions, when the anti-Israeli bloc is organized by certain Arab States, when there would be all sorts of instructions not to invest funds of the UNDP and other programs in Israel. Any country that happens to be out of favor with the majority at that given time could be affected. It could be a small country, it could be a poor country, or it could be an underdeveloped country which was suffering from a natural disaster could have this procedure used against it.

In the long run this would not be practical for the role we play as a responsible member of the United Nations.

I concur with what the gentleman from Ohio said when he insisted we do not provide direct funds for governments such as now exist in Cambodia, Uganda, or Vietnam. That is not the issue.

The issue is that the funds which flow from the U.N. are not that large. They are primarily for educational and humanitarian programs. Our contribution to those programs varies. There is not anything mandatory about it.

If we as one of the truly responsible countries at the U.N. go down the road giving instructions of this kind, we will have more countries following the same procedure. In the long run we will ruin the very programs which we would at the U.N. hope to support.

May I suggest to the gentleman that if there is a good quality to the U.N., a positive quality these days it is in their administration of these voluntary programs. Basically the politics that have dominated the General Assembly sessions do not rear their ugly heads in the administration of these special programs. A number of these programs have special U.S. support, because they came from U.S. initiatives.

I would suggest that the gentleman from Ohio is serving the cause of our taxpayers, is serving the cause of our foreign policy, by limiting his amendment to direct funds and I am actually helping him by eliminating the prohibition against indirect aid.

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

Mr. DERWINSKI. I yield to this distinguished statesman from the State of Maryland.

Mr. BAUMAN. I thank the gentleman for yielding and for his kind characterization of me.

It is my understanding the amendment of the gentleman from Ohio does not prohibit any member of the U.N. from participating or contributing to these programs. It only prohibits U.S. funds from being used. But a majority of the nations in the U.N. General Assembly already have excluded other nations from participating in these programs. Has not this been done already to South Africa and Israel? Why should the Congress not have the right to express the same kind of limitations to particular nations?

Mr. DERWINSKI. It has been done under limited conditions.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. DERWINSKI was allowed to proceed for 1 additional minute.)

Mr. DERWINSKI. That is a very valid point. It has been done in a few specific instances. But what we would be doing if we took that step would be justifying the kind of abuses and misdirection that we ourselves have fought against. I think the acceptance by the Congress of this

kind of an amendment without my substitute would actually undermine our position in trying to save the U.N. from its own weaknesses. The one area that Ambassador Young has been effective in is in quieting some of these more erratic nations, to calm their rhetoric and improve their behavior a little better and to have them act more responsibly within the U.N. system. Thus it would greatly handicap our efforts to sober up the U.N. if we ourselves would be participating in political moves.

Mr. WOLFF. Mr. Chairman, if the gentleman will yield, although I am very much in favor of the idea of keeping the instructions in that relate to indirect aid, I have found that you cannot segregate the funds.

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

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

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

Mr. DERWINSKI. Of course I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding.

I wonder if the gentleman would be willing to relate to the House what direct funds to Vietnam, Cambodia, Cuba, or Uganda are authorized by this bill?

Mr. DERWINSKI. None.

Mr. YOUNG of Florida. That is exactly right. So, without the language "indirect" we have not done a thing here except to emphasize our vocal chords.

Mr. DERWINSKI. No, you have done a lot, you have stated the clear intent of the Congress to the aid agencies not to implement any bilateral programs to governments we do not respect. But the gentleman would agree with me that our contribution to voluntary programs of the U.N. are not bilateral, they are multilateral in their administration, and therein lies the distinction.

Mr. YOUNG of Florida. If the gentleman will yield further, U.S. dollars ending up in Vietnam or Uganda are U.S. dollars to Vietnam and Uganda whether they go directly or whether they go through the U.N. or the World Bank, they are exactly the same, regardless of the conduit.

Mr. PEASE. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment offered as a substitute by the gentleman from Illinois (Mr. DERWINSKI) to the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

Mr. Chairman, I speak as a person who has been extremely active during the last 8 months in trying to curb the murderous regime of Idi Amin. I think it is entirely proper for us to do that through our own bilateral relations with other nations, and we do not provide any bilateral aid to Uganda. I do think, however, that there is an important principle involved concerning international organizations in general and the U.N. in particular. There is a principle of universality in the U.N. where everyone is expected to put in his fair share and to be able to participate in the benefits. That principle, as the gentleman from Illinois (Mr. DERWINSKI) has said, is one that we have fought hard to maintain to try to keep the U.N. from being excessively politicized. It would be a mistake, in my view, for us to contribute to politicization of the U.N. Therefore I urge support of the Derwinski substitute.

Mr. ASHBROOK. Mr. Chairman, I rise in opposition to the amendment offered as a substitute by the gentleman from Illinois (Mr. DERWINSKI).

Mr. Chairman, the debate is getting right where we thought it would be, it is between those who are serious in their efforts to keep the taxpayers' money from going to those countries because we all agree we do not want our money to go to them directly, and those who may be halfhearted, who can stand up and talk about Idi Amin, and talk about Uganda but when the time comes to really plug the holes they do not want to plug them. That is what it comes down to. I mean if we are going to be halfhearted about it, let us go ahead and be halfhearted. If we have some resolve, then let us vote down this amendment.

But the fiction has been created, that I cannot help but comment on, that we do not want the United Nations politicized. Think about that for a while. We do not want the United Nations politicized. They bring in Red China; they kick out Taiwan. The subcommittee passes an amendment in effect saying Puerto Rico is a colonial holding and they want to investigate it. There is issue after issue. It has been politicized.

My colleague should point out that a few months ago, a year or so ago, many of my colleagues from New York were standing up criticizing the U.N., UNESCO, and UNICEF because they voted to exclude Israel from archeological pursuits, from some UNESCO coverage. It has been politicized.

What are we legislating in? Do we not read the papers? Do we not know what is going on? The U.N. is a political area. It is run by the Third World, for the most part. There is strong anti-Israel sentiment at the United Nations. I could go on and on and on. We could fill the record with many of the past speeches that many of my colleagues from New York made particularly about their sharpshooting Israel.

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

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

Mr. DERWINSKI. I thank the gentleman for yielding.

I would just like to make a point. We all concur the General Assembly has been politicized, but the U.N. special programs, the voluntary programs to which we contribute, due to our effectiveness have by and large been kept nonpolitical.

Mr. ASHBROOK. Let us talk about that effectiveness. When we had the conference report last year on this very same subject—and I can show the gentleman his vote; as a matter of fact I will show him a little later what he said—we had the President's famous letter. What happened? Five days later the United Nations General Assembly passed a resolution to provide funds to socially and economically rehabilitate Vietnam. And that great sentinel we have there, that great sentinel at the gate, Andrew Young, did not even say a word to make sure there was no vote, or at least cooperate to make sure there was no vote.

Let us not kid ourselves. We know what we are doing. We know we are just shuffling off to someone else the taxpayers' money.

I would like my colleague, the gentleman from Illinois (Mr. DERWINSKI) to answer a question. The fundamental issue is, Does the gentleman believe taxpayers' money, his Illinois taxpayers' money, should go to Vietnam, Cuba, and Cambodia?

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

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

Mr. DERWINSKI. I thank the gentleman for yielding.

No; I do not believe Ohio taxpayers' money should go either.

Mr. ASHBROOK. That is great. I certainly do not believe it. I think my colleague, the gentleman from Ohio (Mr. PEASE), who just spoke also believes that. Is the gentleman saying it is all right if somebody else takes the taxpayers' money, but he would not want President Carter to send the taxpayers' money there?

Mr. DERWINSKI. No. What I am saying is that when we contribute as we do to the humanitarian special programs at the U.N., there is not any way we can claim how our U. S. money has to go. For example, U.S. money to UNDP we cannot claim has gone to Bangladesh, Pakistan, or India.

Mr. ASHBROOK. Then a more precise and exact answer to my question would be the gentleman does not want taxpayers' money to go to Vietnam, Cuba, and Cambodia except in certain circumstances.

Mr. DERWINSKI. I point out to the gentleman that we control it, just as we intend to, by prohibiting direct aid.

Mr. ASHBROOK. The gentleman does not think we can control it when we stand up and say it can or cannot go to the United Nations?

Mr. DERWINSKI. No. When there are 40 countries involved in contributions of 100 countries where the programs are being administered, if we try to deny it to one or two countries, we are punishing and denying support that we wish to give to 80 or 90 others. The administrative procedures do not come up to the luxury of the preciseness we are trying to reach.

Mr. ASHBROOK. But they give us the luxury of deciding where our own money goes, to whom, under what conditions, and when and where.

Mr. DERWINSKI. We do that in any direct aid program. That is what we want to control, the bilateral aid.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. ASHBROOK was allowed to proceed for 2 additional minutes.)

Mr. ASHBROOK. Mr. Chairman, I simply want the RECORD to state, let me go back to page 14492 of last year's CONGRESSIONAL RECORD, on that page my colleague from Illinois says the following:

Mr. Speaker, last week when we voted on the amendment the gentleman referred to. I spoke against it and voted against it at that time. I felt it was the wrong vehicle; however, I believe this bill—

What is this? This is H.R. 6714, the International Food and Development Assistance Act. I think that sounds familiar.

However, I believe this bill is the proper vehicle for such an amendment. In view of certain statements made in the other body—

We know what the statements were. Those were statements made by several Senators, who say what—that the reparations were owed, that we owed money to several of these countries, on down the line.

In view of certain statements made in the other body, I think it is most practical for the House to adopt the gentleman's motion to recommit.

The debate at that time indicated, and we later covered the hole, that this covered direct and indirect aid. It was kind of a triple play. You were for it, against it, and for it again.

What happened last year? Has the rhetoric been dropped by the Senate?

Mr. DERWINSKI. Mr. Chairman, if the gentleman will yield, no. The Senate has adopted an improvement, let us say, in the discipline exercised over the misuse, the political misuse of funds in the U.N. and the gentleman's amendment at that time would have handicapped Ambassador Young and others who would have restored order, sense, and practicality to this program.

Mr. ASHBROOK. All right, we will close on that note.

Those who think this represents that much progress should vote with the gentleman from Illinois.

Those who do not want the money to go to the countries named should vote for that amendment and for my amendment.

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

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield so that I may make a request to close debate?

Mr. DELLUMS. I will yield if it is not taken out of my turn.

Mr. ZABLOCKI. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 2 o'clock.

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

There was no objection.

The CHAIRMAN. Members standing at the time the unanimous-consent request was made will be recognized for about 30 seconds each.

Mr. DELLUMS. Mr. Chairman, I rise in opposition to the Ashbrook amendment. Perhaps it is, because I hear the sound of a different drummer. I would like to make a few comments. My distinguished colleague, the gentleman from Ohio (Mr. ASHBROOK) has stated on a number of occasions in this well with respect to the amendment that the gentleman has placed before this body, stating over and over again that we must be concerned about our taxpayers. It is my hope that the gentleman from Ohio would be listening to my comments. I would like the gentleman from Ohio to hear my comments.

Mr. Chairman, perhaps I am wrong, but I do not believe that I am here in this Congress singularly representing taxpayers, nor do I believe I am here in the House of Representatives singularly representing voters. I represent, as do all of us, 465,000 people. Many of them are not taxpayers. Many of them are not voters. Many of them are children who have a right to inherit their future. It would seem to me that those Members whose myopic view of their responsibility and their archaic view of the world, exercising all that respect for taxpayers, are not doing their entire job. We are representing 465,000 people. The children that we represent, who do not pay taxes, who are not voters, have a right to inherit this world. It is my hope that they inherit a world not insane with the polarization of the good guys and bad guys, the white hats and black hats, the Communists and non-Communists.

We have to learn as a nation of people to live in this world with everyone, irrespective of their ideological differences with our view of life.

As I have stated on a number of occasions, we have a profound obligation to take a picture of the world with the cameras of our minds, and against the backdrop of that picture we are expected to come here and make intelligent decisions for or against the many propositions that come before us.

But many of the Members took a picture of the world in 1950 and evidently threw away the camera. This is 1978. The world cannot be defined in such simplistic terms as we defined it then, 20, 25, or 30 years ago.

We are responsible for the future of our children. Why do we offer amendments that would handicap our Government in attempting to work its way through a world full of dangers and full of insecurity?

I want the children to inherit a world of peace, love, cooperation, and understanding. That cannot be achieved by accepting this myopic type of amendment on which we rant and rave on our ideological points of view.

Our responsibility is not just to the taxpayers, our responsibility is to all the people we represent. What about all the young people who have a right tomorrow to live in a world that is not so insane, in a world that is not so warlike, and in a world that is not so insecure? Let us not cripple the administration's ability to attempt to work with other nations irrespective of their ideological governments.

That, Mr. Chairman, it seems to me, is the highest principle and the highest responsibility that we have.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Chairman, I do agree that the world has changed since the 1950's, and I think the gentleman from Ohio (Mr. ASHBROOK) clearly realizes that in offering his amendment.

Unlike the 1950's two-thirds of the world is now under the domination of communism and other forms of brutal dictatorships, including the nations covered by this amendment. If it is insane to love liberty, then this country was founded by a great many madmen. The gentleman's amendment seeks to advance liberty in four countries where it is now denied.

Mr. Chairman, that is really what is at stake in this issue. We all want peace, but not the peace of the grave, and that is what communism offers those who would appease and those who will not fight for freedom. I hope the amendment is adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. WHALEN).

Mr. WHALEN. Mr. Chairman, I would like to pose the fundamental question, and that is that we either belong to an international organization or we do not.

The United States helped found the United Nations and its related organizations because we felt it would contribute to our own best interests. There is nothing in the United Nation charter that says the United States will get its own way in that body. It seems to me that it is the height of arrogance when we say to other member nations that "you either do it my way or you do not get the money."

Mr. Chairman, that is like the kid who picks up his ball and goes home, because he does not get his way.

(By unanimous consent, Mr. BROOMFIELD yielded his time to Mr. YOUNG of Florida.)

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from Michigan (Mr. BROOMFIELD) for yielding me the additional time.

Mr. Chairman, the discussion about whether we ought to do this or whether we are going to be politicizing the United Nations does not hold a lot of water. We are not saying that we should give this money to the United Nations; we are saying they cannot pass it on to the four countries mentioned.

This is nothing new. We have done it before. The Congress in 1970 did just exactly that in Public Law 91-914 when we prohibited U.S. funds going to the United Nations to be used in Cuba. And what did the United Nations do then? They took our money, but they set up a

separate account. It was a bookkeeping juggle, but U.S. funds did not go to Cuba.

Under some of the intensive lobbying that went on on the part of the State Department, they tried to frighten us with another idea. They said we should make sure somebody does not come along and withhold money from the United Nations for Israel.

But the biggest program the United Nations has is UNDP, and guess who does not get money from UNDP! The answer is: Israel.

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

Mr. ASHBROOK. Mr. Chairman, I have only 30 seconds to speak, and I could not possibly answer all the questions that have been raised in that time, and I am certainly not competent to do that.

I can at least answer one, however, and let me address this idea of saying that other nations do not do this.

Let us go back a few years to Katanga. Let us go back to the U.S. peacekeeping forces. We can look at the record and find details on the peacekeeping forces and about countries, Russia being one of them, that did not vote for the peacekeeping efforts of the U.N. Nevertheless the peacekeeping efforts went on.

Mr. Chairman, let us not say this is going to collapse just because this amendment is agreed to.

The CHAIRMAN. The gentleman from Wisconsin (Mr. ZABLOCKI) is recognized to close debate.

Mr. ZABLOCKI. Mr. Chairman, I note that the hour of 2 o'clock has arrived, and am going to say merely that I do support the Derwinski substitute, and I hope it prevails.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. DERWINSKI) as a substitute for the amendment offered by the gentleman from Ohio (Mr. ASHBROOK), as amended.

The question was taken; and on a division (demanded by Mr. ASHBROOK) there were—ayes 34, noes 15.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 148, noes 155, not voting 131, as follows:

[Roll No. 309]

AYES—148

Akaka	Burlison, Mo.	Edwards, Calif.
Allen	Burton, John	Erlenborn
Ambro	Burton, Phillip	Fary
Ammerman	Carr	Fascell
Annunzio	Collins, Ill.	Fenwick
Baldus	Conable	Findley
Baucus	Conte	Fish
Beard, R.I.	Cornell	Fisher
Beilenson	Delaney	Florio
Benjamin	Dellums	Foley
Bingham	Derwinski	Forsythe
Blanchard	Dicks	Fowler
Blouin	Diggs	Fraser
Boggs	Dingell	Garcia
Bonior	Downey	Gephardt
Brademas	Drinan	Giaimo
Burke, Mass.	Duncan, Oreg.	Gonzalez
Green	Meeds	Roybal
Gudger	Meyner	Scheuer
Hamilton	Mikulski	Schroeder
Hanley	Miller, Calif.	Seiberling
Harkin	Mineta	Sharp
Harrington	Mitchell, Md.	Simon
Harris	Moakley	Solarz
Hawkins	Moffett	Spellman
Heftel	Moorhead, Pa.	Staggers
Holtzman	Moss	Stanton
Howard	Murphy, N.Y.	Stark
Hughes	Natcher	Steed
Jacobs	Neal	Steers
Jenrette	Nedzi	Steiger
Johnson, Calif.	Nolan	Studds
Jordan	Nowak	Thompson
Kastenmeier	Oberstar	Tsongas
Keys	Obey	Udall
Kildee	O'Brien	Ullman
Kostmayer	Ottinger	Vanik
LaFalce	Patten	Vento
Leach	Pattison	Weaver
Lehman	Pease	Weiss
Lloyd, Calif.	Perkins	Whalen
Lundine	Pettis	Wilson, Bob
McClory	Price	Wilson, Tex.
McCormack	Pritchard	Wolff
McFall	Reuss	Yates
McHugh	Roncalio	Young, Mo.
McKay	Rooney	Young, Tex.
McKinney	Rose	Zablocki
Maguire	Rosenthal	
Markey	Rostenkowski	

NOES—155

Abdnor	Evans, Ga.	Michel
Anderson, Calif.	Evans, Ind.	Milford
Andrews, N.C.	Flippo	Miller, Ohio
Andrews, N. Dak.	Flynt	Minish
Archer	Fountain	Mitchell, N.Y.
Ashbrook	Frenzel	Mollohan
Ashley	Gaydos	Moore
Badham	Gilman	Moorhead, Calif.
Bafalis	Ginn	Murtha
Barnard	Goldwater	Myers, Gary
Bauman	Goodling	Myers, John
Beard, Tenn.	Gore	Panetta
Bennett	Grassley	Pickle
Bevill	Guyer	Pike
Brinkley	Hagedorn	Quie
Brooks	Hall	Rahall
Broomfield	Hammer-schmidt	Regula
Brown, Mich.	Hansen	Rinaldo
Brown, Ohio	Harsha	Roberts
Broyhill	Heckler	Robinson
Buchanan	Hefner	Roe
Burgener	Hightower	Rousselot
Burke, Fla.	Hollenbeck	Rudd
Burleson, Tex.	Hubbard	Ruppe
Butler	Hyde	Russo
Byron	Jenkins	Satterfield
Caputo	Johnson, Colo.	Schulze
Cederberg	Jones, N.C.	Shuster
Chappell	Jones, Okla.	Skelton
Clausen, Don H.	Jones, Tenn.	Slack
Clawson, Del	Kelly	Smith, Iowa
Cleveland	Kemp	Smith, Nebr.
Coleman	Kindness	Spence
Collins, Tex.	Krebs	Stangeland
Corcoran	Lagomarsino	Stratton
Cornwell	Latta	Stump
Coughlin	Lederer	Symms
Daniel, Dan	Le Fante	Taylor
Daniel, R. W.	Levitas	Thone
de la Garza	Lloyd, Tenn.	Treen
Derrick	Long, Md.	Trible
Devine	Lott	Volkmer
Dickinson	Luken	Waggonner
Dornan	McDonald	Walsh
Duncan, Tenn.	Madigan	White
Early	Mahon	Whitehurst
Edwards, Ala.	Mann	Winn
Emery	Marks	Wylie
English	Marlenee	Yatron
Ertel	Marriott	Young, Fla.
Evans, Del.	Martin	Zeferetti
	Mathis	
	Mattox	

NOT VOTING—131

Addabbo	Brodhead	D'Amours
Alexander	Brown, Calif.	Danielson
Anderson, Ill.	Burke, Calif.	Davis
Applegate	Carney	Dent
Armstrong	Carter	Dodd
Aspin	Cavanaugh	Eckhardt
AuCoin	Chisholm	Edgar
Bedell	Clay	Edwards, Okla.
Biaggi	Cochran	Eilberg
Boland	Cohen	Evans, Colo.
Bolling	Conyers	Fithian
Bonker	Corman	Flood
Bowen	Cotter	Flowers
Breaux	Crane	Ford, Mich.
Breckinridge	Cunningham	Ford, Tenn.
Frey	Mikva	Sebelius
Fuqua	Montgomery	Shipley
Gammage	Mottl	Sikes
Gibbons	Murphy, Ill.	Sisk
Glickman	Murphy, Pa.	Skubitz
Gradison	Myers, Michael	Snyder
Hannaford	Nichols	St Germain
Hillis	Nix	Stockman
Holland	Oakar	Stokes
Holt	Patterson	Teague
Horton	Pepper	Thornton
Huckaby	Poage	Traxler
Ichord	Pressler	Tucker
Ireland	Preyer	Van Deerlin
Jeffords	Pursell	Vander Jagt
Kasten	Quayle	Walgren
Kazen	Quillen	Walker
Ketchum	Railsback	Wampler
Krueger	Rangel	Watkins
Leggett	Rhodes	Waxman
Lent	Richmond	Whitley
Livingston	Risenhoover	Whitten
Long, La.	Rodino	Wiggins
Lujan	Rogers	Wilson, C. H.
McCloskey	Runnels	Wirth
McDade	Ryan	Wright
McEwen	Santini	Wydler
Mazzoli	Sarasin	Young, Alaska
Metcalfe	Sawyer	

The Clerk announced the following pairs:

On this vote:

Mr. Rogers for, with Mr. Nichols against.

Mr. Alexander for, with Mr. Santini against.

Mr. Addabbo for, with Mr. Flood against.

Mr. Risenhoover for, with Mr. Sikes against.

Mr. Rangel for, with Mr. Teague against.

Mr. Waxman for, with Mr. Dent against.

Mr. Conyers for, with Mr. Huckaby against.

Mr. Walgren for, with Mr. Quillen against.

Mr. Hannaford for, with Mr. Crane against.

Messrs. BROOKS, WHITE, ROE, PICKLE, KEMP, ANDREWS of North Carolina, MAHON, and BROWN of Michigan changed their vote from "aye" to "no."

Messrs. OBERSTAR, BURLISON of Missouri, and MOORHEAD of Pennsylvania changed their vote from "no" to "aye."

So the substitute amendment for the amendment, as amended, was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. ASHBROOK) as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. ALLEN

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

The Clerk read as follows:

Amendment offered by Mr. ALLEN: At the end of line 15, on page 41, insert a new title IV with the following language, to wit:

"TITLE IV—REDUCTIONS

"SEC. 401. The total authorized expenditures, heretofore set forth, are hereby reduced by $73,000,000, and each specific authorization contained in the foregoing titles and sections are hereby reduced by the same percentage which $73,000,000 bears to the total amount of authorized expenditures in this bill."

And renumber succeeding titles and sections beginning on line 16, page 41, to be appropriate.

Mr. ZABLOCKI. Mr. Chairman, inasmuch as I was unable to hear the first portion of the amendment as it was read by the Clerk, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin (Mr. ZABLOCKI) reserves a point of order on the amendment.

Mr. ALLEN. Mr. Chairman, I would state that there are extra copies of the amendment at the Clerk's desk and if

one of the pages could supply copies to the chairman, the gentleman from Wisconsin (Mr. ZABLOCKI), I would appreciate it.

Mr. Chairman, what this amendment would do is simply this: It would reduce the total authorization by $73 million. That is the amount by which it has been increased by the committee over and above what the President requested. And it would reduce each specific authorization by the same percentage which $73 million bears to the total amount of authorized expenditures in the bill. In other words, it would be an across-the-board $73 million cut.

Mr. Chairman, there is not a Member of this body, nor is there any informed American, who does not know that President Carter has pledged himself to try to work toward a balanced budget in fiscal year 1981. Yet it seems that every single time he sends a program down here to the Congress, the Congress—and especially the House—winds up by appropriating more money than the President has requested. Certainly that is not in the direction of fiscal responsibility or a balanced budget.

I believe the President with his foreign policy advisers knows or should know how much money they need in this foreign aid bill. What I want to do by this amendment is simply reduce it by the amount that it is in excess of what the President and his administration and the State Department have requested. That is all it would do. It would be evenly distributed in each specific authorization.

I think we are all aware that the American people probably regard the whole subject of foreign aid by the United States as absolutely the biggest boondoggle that comes out of Congress. When the President asks for a high amount such as he has asked here, and the distinguished members of the Committee on Foreign Relations, with all due respect to them, increase it by $73 million, I, quite frankly, find myself in a position where I simply will have to vote against the bill if it is not cut back to what the President requested. I cannot vote for a bill that is $73 million more, that carries that much more in foreign aid, than the President says is needed to meet what he thinks are the problems in the country. Here we are in this Nation facing many domestic problems, continually confronted with the proposition that we cannot meet those problems because we do not have the money, and here we are getting ready to spend and fritter away to the four corners of the Earth $73 million more than the President himself has recommended in his foreign aid request. I ask those who wish to support the efforts of the President to bring the Federal budget into balance to support this amendment.

The CHAIRMAN. Does the gentleman from Wisconsin insist on his point of order?

Mr. ZABLOCKI. Mr. Chairman, I withdraw my point of order.

Mr. SOLARZ. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment. And I will be very brief.

We had a very similar amendment yesterday which attempted to cut this bill with a scalpel and it was rejected. What we have before us now is an amendment which attempts to cut the bill with a meat axe and it ought to be rejected as well.

I would point out to my colleagues on the committee that this amendment would require an across-the-board cut in literally every program contained in the foreign aid bill. In case anybody might not be aware of it, that would mean that we would be reducing the foreign aid program for Israel, for example, by $15 million. We would be cutting the refugee relief assistance program by a substantial amount of money. All of the worthwhile parts of this bill would be cut.

I would suggest to my colleagues in the committee that if there are programs in the bill which they think do not make sense, let us get amendments directed to those parts of the bill; but this amendment requires every program to be cut, the good as well as the bad. The amendment is designed to cut the increase in the bill above and beyond what the President requested; but if the amendment is adopted, even those parts of the bill which were not increased above and beyond what the President requested would be cut as well. I cannot think of a worse time, given the delicate negotiations which are now underway in the Middle East, for this Congress to send a signal to Israel and to the other countries of that region that we are going to cut the amounts of aid in this legislation for them.

Mr. Chairman, I urge the rejection of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. ALLEN).

The question was taken; and on a division (demanded by Mr. ALLEN) there were—ayes 26, noes 43.

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

A recorded vote was refused.

So the amendment was rejected.

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

Mr. Chairman, section 222A of the Foreign Assistance Act authorizes the Productive Credit Guaranty Program, under which AID issues guaranties to private lending institutions for loans made to groups and individuals for self-help community development projects.

Colombia is one of the five Latin American countries in which the program is operating. In fact, Colombia is so enthusiastic over the program that it is contributing a $1 million guaranty fund to the program. However, the Government of Colombia wants to include in the program four banks which technically are government banks. Although these banks were established by the government, more than 80 percent of their funds are private and they operate just like the private banks.

As the intent of the congressional directive that the guarantees go to private lenders was based on a desire to avoid bureaucratic redtape and to avoid unnecessary guarantying government funds, it is AID's conclusion that including these four banks in the program does not violate the intent of the legislation. I agree.

Furthermore, as these four banks account for 37 percent of the financial resources of the banking system and have some 1,500 branches and agencies throughout the country, it would be a major deficiency of the program not to include these banks in the effort to encourage the banking system to extend small amounts of credit to individuals and groups that traditionally have not had access to commercial credit.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this bill, H.R. 12222, International Development and Food Assistance Act of 1978, which underscores our commitment to economic and social development among the world's poor.

Bilateral and multilateral development aid are, and will remain for some time, essential components of the relationship between the United States and the Third World. Although in an ideal world, dependency relationships will have given way to interdependence, the world is still a long way from an equitable distribution of essential resources. The prices of the manufactured products that we export in ever-increasing quantities to the countries of the developing world continue to exceed the prices for the raw materials we import from these same countries. Only the oil exporting countries have managed, through cartelization, to reverse the terms of trade with the industrial world, and this in a way that hardly does justice to the ideal of interdependence.

If we are to avoid a repetition of the oil crisis in our relations with exporters of other scarce resources, we must learn to pursue policies that make it unnecessary for developing countries to resort to monopolistic practices in order to develop and valorize their material and human resources. Our development assistance programs must, therefore, be targeted toward those countries and sectors where the need for such support is greatest, and where the best possible use will be put to our contribution.

The bill before us today represents a synthesis of the administration's budgetary requests for fiscal year 1979 and congressional initiatives, including some of the major elements of the legislation proposed by the late and distinguished Senator Hubert Humphrey just before his death. In this spirit it affirms and reemphasizes the new directions mandate to concentrate on the needs of the poorest majorities in the developing world and to promote self-sustaining economic growth with equitable income distribution. To this end, agriculture, rural development and nutrition activities will receive over 50 percent of the $1,282,000,000 to be allocated to bilateral development assistance, with the balance to be devoted to population planning, health, education, and technical assistance.

In addition, the bill transfers from security to economic aid legislation "eco-

nomic support funds" (formerly called security supporting assistance) authorized to promote economic, political and security interests of the United States. By so doing, it is intended that these funds will be used more effectively for economic development. In this connection, I wish to comment on the levels of economic support funds to be provided to the countries of southern Africa under this bill. Last year I strongly supported the establishment of a special requirements fund for the purpose of helping the countries of southern Africa to address the economic and social problems resulting from the struggles for majority rule in Zimbabwe, Namibia, and South Africa. Considering the fact that the conflicts in these countries have not been resolved, but have, if anything, grown more intense, increasing the strains on the economies and societies of the majority-ruled states. I was disappointed to note that the administration's request for economic support funds for southern Africa for fiscal year 1979 was less than half of the amount appropriated by the Congress for this purpose in fiscal year 1978. This hardly seems consistent with the administration's continuing efforts to help negotiate peaceful solutions to these conflicts and particularly with its principled decision to not embrace the so-called internal solutions propounded by the architects of white minority rule in Rhodesia and Namibia.

For this reason I strongly support the decision of the Subcommittee on Africa to increase the economic support fund from the $45 million requested by the administration to a level of $65 million and to authorize an additional $15 million under this bill for the relief and rehabilitation of refugees located throughout Africa. The latter provision will apply not only to refugees in southern Africa, but to those displaced from their homes as a result of tragic conflicts elsewhere in Africa, including the Horn and western Sahara.

I also wish to record my support for the policy language directing the President to strengthen the coordination of all U.S. economic policies affecting the developing countries including trade, commodity agreements, investment, and debts, along with bilateral and mutilateral economic assistance. It is only through such comprehensive planning that our Government will be able to coordinate its development efforts within the broader context of the global economy.

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

Mr. Chairman, I take this time to ask the gentleman from Wisconsin (Mr. ZABLOCKI) the same question I asked about 2 hours ago, and that is whether or not it is the gentleman's intention that we conclude the consideration of amendments to this bill and vote on final passage today.

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

Mr. BAUMAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, I am pleased to advise the gentleman that I know of just a few noncontroversial amendments, and if I were sure those were the only amendments pending, we could conclude the consideration of the bill today.

However, if there were to be other controversial amendments offered, I think we would move that the committee rise, because there are Members who want to leave. In that event, I believe it would be the better part of wisdom to take up just one or two more amendments. We would then rise and bring the bill up for consideration on Monday and vote on final passage at that time.

Mr. BAUMAN. Mr. Chairman, I thank the gentleman for his response.

I would only say that I suspect we will have a good many more amendments offered if we hold this bill over until next week.

I would think the Members who have had to be here on Friday considering a bill on which we will have come to no resolution should have a right to get the chance to finish the bill today. We have been on the consideration of this legislation for 2 days now.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV—ADMINISTRATIVE PROVISIONS

USE OF COMPETITIVE SELECTION PROCEDURES

SEC. 401. Section 601 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection at the end thereof:

"(e)(1) The Congress finds that significantly greater effort must be made in carrying out programs under part I of this Act to award contracts on the basis of competitive selection procedures. All such contracts should be let on the basis of competitive selection procedures except in those limited cases in which the procurement regulations governing the agency primarily responsible for administering part I of this Act allow noncompetitive procedures to be used.

"(2) In order to provide the Congress with information to assist it in assessing the efforts of the agency primarily responsible for administering part I of this Act to make the maximum possible use of competitive selection procedures, the Administrator of that agency—

"(A) when submitting the congressional presentation materials for development assistance for fiscal year 1980, shall also submit to the Congress a report identifying and describing each contract in an amount in excess of $100,000 which the agency entered into without competitive selection procedures during the period April 1, 1978, to September 30, 1978, and explaining why each such contract was not the subject of competitive selection procedures; and

"(B) when submitting the congressional presentation materials for development assistance for fiscal year 1981, shall also submit to the Congress a report identifying and describing each contract in an amount in excess of $100,000 which the agency entered into without competitive selection procedures during the fiscal year 1979 and explaining why each such contract was not the subject of competitive selection procedures.".

REPORTING REQUIREMENT

SEC 402. (a) Chapter 2 of part III of the Foreign Assistance Act of 1961 is amended—

(1) by striking out "(c)" in section 634(c) and inserting in lieu thereof "SEC. 633A. FURNISHING INFORMATION.—" and by inserting such redesignated section immediately after section 633; and

(2) by striking out the remaining provisions of section 634 and inserting in lieu thereof the following:

"SEC. 634. ANNUAL REPORT.—(a) In order that the Congress and the American people may be better and more currently informed regarding United States development policy, including the amounts and effectiveness of assistance provided by the United States Government to developing countries and international organizations, the Chairman of the Development Coordination Committee shall transmit to the Congress not later than February 1 of each year a report on foreign assistance for the fiscal year ending the previous September 30. The report shall include—

"(1)(A) a comprehensive and coordinated review of all United States policies and programs having a major impact on the development of developing countries, including but not limited to bilateral and multilateral assistance, trade, debt, employment, food, energy, technology, population, oceans, environment, human settlements, natural resources, and participation in international agencies concerned with development;

"(B) an assessment of the impact of such policies and programs on the well-being of the poor majority in developing countries in accordance with the policy objectives of chapter 1 of part I, including the progress developing countries are making toward achieving those objectives which are indicative of improved well-being of the poor majority, which objectives shall include but not be limited to increasing life expectancy and literacy, lowering infant mortality and birth rates, and increasing foor production and employment; and

"(C) an assessment of the impact of such policies and programs on economic conditions in the United States, including but not limited to employment, wages, and working conditions;

"(2) the dollar value of all foreign assistance and guaranties by category and by country provided or made by the United States Government by any means to all foreign countries and international organizations—

"(A) from 1946 to the fiscal year immediately preceding the fiscal year for which the report is required;

"(B) as presented to Congress for the immediate preceding fiscal year;

"(C) as obligated during the immediately preceding fiscal year;

"(D) as planned for the fiscal year in which the report is presented; and

"(E) as proposed for the fiscal year following the year in which the report is presented;

"(3) a summary of repayments, by country, to the United States from previous assistance loans;

"(4) the status of each loan and each contract of guaranty or insurance theretofore made under this Act, predecessor Acts, or any Act authorizing international security assistance, with respect to which there remains outstanding any unpaid obligation or potential liability; the status of each extension of credit for the procurement of defense articles or defense services, and of each contract of guarantee in connection with any such procurement, theretofore made under the Arms Export Control Act with respect to which there remains outstanding any unpaid obligation or potential liability; the status of each sale of agricultural commodities on credit terms, theretofore made under the Agricultural Trade Development and Assistance Act of 1954, with respect to which there remains outstanding any unpaid obligation

or potential liability; and the status of each transaction to which a loan, contract or guarantee of insurance, or extension of credit (or participation therein) was theretofore made under the Export-Import Bank Act of 1945 with respect to which there remains outstanding any unpaid obligation or potential liability; except that such report shall include individually only any loan, contract, sale, extension of credit, or other transaction listed in this paragraph which is in excess of $1,000,000;

"(5)(A) the status of the debt servicing capacity of each country receiving assistance under this Act;

"(B) all forms of debt relief granted by the United States with respect to such countries, together with a detailed statement of the specific debt relief granted with respect to each such country and the purpose for which it was granted; and

"(C) a summary of the net aid flow from the United States to such countries, taking into consideration the debt relief granted by the United States;

"(6)(A) the status of internationally recognized human rights, within the meaning of section 116(a), in countries that receive assistance provided by the United States Government under part I; and

"(B) any steps that have been taken to alter assistance provided by the United States Government under part I because of human rights considerations; and

"(7) such other matters relating to foreign assistance provided by the United States Government under part I as the Chairman of the Development Coordination Committee considers appropriate.

"(b) For purposes of this section—

"(1) 'foreign assistance' means any tangible or intangible item provided by the United States Government to a foreign country or international organization under this or any other Act, including but not limited to any training, service, or technical advice, any item of real, personal, or mixed property, any agricultural commodity, United States dollars, and any currencies of any foreign country which are owned by the United States Government; and

"(2) 'provided by the United States Government' includes, but is not limited to, foreign assistance provided be means of gift, loan, sale, credit, or guaranty.".

(b) Part III of the Foreign Assistance Act of 1961 is amended by redesignating section 671 as section 634A and by inserting such redesignated section immediately after section 634.

(c) Part III of such Act, as amended by subsection (b) of this section, is further amended by adding the following new section immediately after new section 634A:

"SEC. 634B. CLASSIFICATION OF REPORTS.—All information contained in any report transmitted under this Act shall be public information. However, in the case of any item of information to be included in any such report that the President, on an extraordinary basis, determines is clearly detrimental to the security of the United States, he shall explain in a supplemental report why publication of each specific item would be detrimental to the security of the United States. A supplemental report shall be transmitted to the Congress at the time the report is transmitted.".

(d)(1) Title XI of chapter 2 of part I and sections 116(d), 119(b), 120(d), 222A(j), 495C(e) 620(w), 621A(c), 640B(d), and 657 of the Foreign Assistance Act of 1961 are repealed.

(2) Section 640B(g) of such Act is amended by striking out "subsection (d), the President" and inserting in lieu thereof "section 634, the Chairman of the Committee".

REIMBURSABLE TECHNICAL ASSISTANCE

SEC. 403. Section 607 of the Foreign Assistance Act of 1961 is amended by redesignating subsection (b) as subsection (c) and by inserting the following new subsection (b) immediately after subsection (a):

"(b) When any agency of the United States Government provides services on an advance-of-funds or reimbursable basis under this section, such agency may contract with individuals for personal service abroad or in the United States to perform such services or to replace officers or employees of the United States Government who are assigned by the agency to provide such services. Such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Civil Service Commission.".

MOTOR VEHICLES

SEC. 404. Section 636(a)(5) of the Foreign Assistance Act of 1961 is amended by striking "$3,500" and inserting in lieu thereof "the current market price in the United States of a mid-sized sedan or station wagon meeting the requirements established by the General Services Administration for a Class III vehicle of United States manufacture (or, if the replacement vehicle is a right-hand drive vehicle, 120 percent of that price)".

OPERATING EXPENSES

SEC. 405. Section 667(a) of the Foreign Assistance Act of 1961 is amended—

(1) in the text preceding paragraph (1) by striking out "1978" and inserting in lieu thereof "1979"; and

(2) in paragraph (1) by striking out "$220,200,000" and inserting in lieu thereof "$261,000,000".

REPEALS

SEC. 406. Sections 302(d), 302(e), 302(f), 302(g), 302(h), 304, 494A, 495A, 618, 619, 637(a), 649, 655, 656, 658, and 665, and chapters 6 and 7 of part I, of the Foreign Assistance Act of 1961 are repealed.

EFFECTIVE DATE

SEC. 407. The amendments made by this Act shall take effect on October 1, 1978.

Mr. ZABLOCKI (during the reading). Mr. Chairman, I ask unanimous consent that title IV of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

TECHNICAL AMENDMENT OFFERED BY MR. ZABLOCKI

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

The Clerk read as follows:

Technical amendment offered by Mr. ZABLOCKI: On page 46, at the end of line 17, insert "and".

On page 46, strike out lines 18 through 24.

On page 46, line 25, strike out "7" and insert in lieu thereof "6".

On page 48, line 10, strike out "116(d),".

Mr. ZABLOCKI. Mr. Chairman, I shall be very brief. This amendment is of a technical nature.

The amendment deals with the annual human rights report and is necessitated because of the new consolidated reporting provision contained in this bill. The consolidated reporting requirement in the bill, under the revised section 634, includes the annual human rights report among those to be submitted by the chairman of the Development Coordination Committee. This amendment provides that the Secretary of State will continue to be responsible for the human rights report, as he is now.

Mr. Chairman, the amendment only involves procedure. It makes no substantive change in law, and I ask the amendment be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. ZABLOCKI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MILLER OF OHIO

Mr. MILLER of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Ohio: On page 49 immediately after line 14 insert the following new section 405 and redesignate subsequent sections in Title IV accordingly:

EXCHANGES OF CERTAIN MATERIALS

SEC. 405. Section 663 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection at the end thereof:

"(d) The President shall report to the Congress not later than February 1 of each year on the steps he has taken to implement this section.".

Mr. MILLER of Ohio. Mr. Chairman, I am sure that we can move this amendment along very fast. It is an amendment to require the President to report to the Congress on action taken concernin the barter amendment.

On December 11, 1974, I offered, and the Congress accepted, the "barter" amendment to the Foreign Assistance Act to require the President, when he determined it in the national interest, to extend economic and military assistance to an aid recipient country when that country agrees to exchange necessary and strategic raw materials such as oil, metals, and minerals it controls. Such raw materials would be those in short supply in this country and upon receipt would be stockpiled or sold with proceeds of any disposal credited to the U.S. Treasury.

This barter amendment was agreed to overwhelmingly by a recorded vote 244 to 136 in the House. The language was retained in conference and now is section 663 of the Foreign Assistance Act.

By approving acquisition of materials through such barter arrangements, Congress said the taxpayers should have an opportunity to get something of real tangible value in return for the billions of their dollars flowing overseas through the foreign aid program. The Congress also recognized the barter amendment afforded a mechanism to facilitate the acquisition of basic raw materials to run the Nation's industrial economy. By bartering with foreign aid recipients, the United States can gain access to abundant yet undeveloped rich natural resources in the world. In doing so we build our strategic stockpiles at less cost and better assure that our vulnerability to future world market disruptions in flow of raw materials is minimized.

To date, section 663 has not been utilized; in fact it has been totally ignored. That is why I offered this simple amendment to section 663 to require the President to report to the Congress no later than February 1 each year on the steps he has taken to implement barter agreements. Bartering can work within the context of the foreign aid program, if given a chance. My amendment simply requires the administration to examine the mechanism on an ongoing basis with the intent to implement it whenever and wherever practicable.

It seems a little bit too basic for this to actually work, but I am sure, Mr. Chairman, it can work within the context of the foreign assistance bill.

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

Mr. MILLER of Ohio. I yield to the gentleman from Wisconsin.

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

It is the understanding of the gentleman from Wisconsin that this does not change at all the basis which prevails for barter as stated in the law; the gentleman's amendment merely requires the President to report the progress on these matters?

Mr. MILLER of Ohio. That is correct. It has been ignored in the past.

Mr. ZABLOCKI. Mr. Chairman, if that is the thrust of the amendment, we are ready to accept the amendment.

Mr. BROOMFIELD. Mr. Chairman, we also accept the amendment on the minority side.

Mr. MILLER of Ohio. Mr. Chairman, I thank the gentleman from Wisconsin and I thank the gentleman from Michigan, and I will quit while I am ahead.

The question is on the amendment offered by the gentleman from Ohio (Mr. MILLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MITCHELL OF MARYLAND

Mr. MITCHELL of Maryland. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MITCHELL of Maryland: Page 42, insert the following new section after line 25 and redesignate the succeeding sections accordingly:

MINORITY BUSINESS ENTERPRISE

SEC. 402. (a) Chapter 1 of part III of the Foreign Assistance Act is amended by inserting after section 602 the following new section:

"SEC. 602A. MINORITY BUSINESS ENTERPRISE.—(a) In order to increase the participation of minority business enterprises in activities funded by the agency primarily responsible for administering part I of this Act, the Administrator of such agency shall, within 90 days after the effective date of this section, establish a Minority Resource Center (hereafter in this section referred to as the 'Center').

"(b) The Center shall—

"(1) establish and maintain, and disseminate information from, an international information clearinghouse for minority business enterprises, for purposes of furnishing to such businesses information with respect to business opportunities involving the implementation of the general policy set forth in section 101 of this Act;

"(2) assist minority business enterprises in obtaining investment capital and debt financing by utilizing such financial vehicles as minority enterprise small business investment companies, minority banks, and minority trade associations;

"(3) conduct market research, planning, economic and business analyses, and feasibility studies to identify business opportunities referred to in paragraph (1);

"(4) design and conduct programs to encourage, promote, and assist minority business enterprises to secure direct contracts, host country contracts, operation expatriate contracts, indefinite quantity contracts, subcontracts, projects, grants, and research related to the implementation of the general policy set forth in section 101 of this Act;

"(5) enter into such contracts (to such extent or in such amounts as are provided in appropriation Acts), cooperative agreements, or other transactions as may be necessary in the conduct of its functions and duties;

"(6) develop support mechanisms which will enable minority business enterprises to take advantage of business opportunities related to the implementation of the general policy set forth in section 101 of this Act; and

"(7) participate in and cooperate with all Federal programs and other programs designed to provide financial, management, and other forms of support and assistance to minority business enterprises.

"(c) The Administrator and the Secretary of State shall provide the Center with such relevant information, including procurement schedules, bids, and specifications with respect to the implementation of the general policy set forth in section 101 of this Act as may be requested by the Center in connection with the performance of its functions.

"(d) For purposes of this section—

"(1) the term 'minority business enterprise' means a business—

"(A) at least 51 per centum of which is owned by minority group members or, in the case of a publicly owned business, at least 51 per centum the stock of which is owned by minority group members; and

"(B) the management and daily business operations of which are controlled by such persons; and

"(2) the term 'minority group members' includes—

"(A) American Indians or Alaskan Natives, that is, persons having origins in any of the original peoples of North America;

"(B) Asians or Pacific Islanders, that is, persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands;

"(C) Blacks, that is, persons having origins in any of the black groups of Africa; and

"(D) Hispanics, that is, persons of Spanish culture with origins in Mexico, South or Central America, or the Caribbean Islands.

"(e) Not later than seven months after the effective date of this section, and not later than the end of every six-month period thereafter, the Administrator shall submit to each House of the Congress a report concerning the activities of the Center.

"(f) There are authorized to be appropriated to the President to carry out the purposes of this section, in addition to funds otherwise available for such purposes, $654,000 for fiscal year 1979. Amounts appropriated under this section are authorized to remain available until expended.".

(b) Section 133 of the International Development and Food Assistance Act of 1977 is repealed.

Mr. MITCHELL of Maryland (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ASHBROOK. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. ASHBROOK) reserves a point of order against the amendment.

Mr. MITCHELL of Maryland. Mr. Chairman, all that this amendment does is to set up a minority business resource center in this agency. It does not mandate any quotas. It does not mandate any set-aside. The original amendment that I submitted yesterday contained a provision for $5 million to go into MESBIC, to be used as leverage fund for various minority businesses.

In this amendment, the $5 million has been deleted, and all that we ask is for the funds required to set up an effective minority business resource center.

The reasons for making this request are obvious. First of all, during the fiscal years 1975 through 1977, the agency averaged less than 2 percent of all direct contracts awarded to minority businesses. What we seek to do in this amendment is to explore alternatives to the set-aside program and thereby decrease reliance on that particular provision of the law. It is very, very clear to me that, as we move to constrain the growth of the human resources program, it becomes increasingly necessary to move to establish a viable minority business community. If we take away on the one hand, we have to give on the other; and the giving, in this case, is to assist us to provide for a growth of a viable minority business enterprise in our communities.

I know of no major problems with this bill. A little bit more of the history is that our colleague in the other body, Senator BROOKE, in August last year, made a request to the agency that it report back to the Congress within 90 days on the progress it would have made in establishing such a minority business center. There has never been a report submitted. There was an interim reply given to our colleague in the other body, but the interim reply was woefully inadequate, in terms of meeting the earlier request that was made. That request called for a detailed plan within 30 days, not 90 days.

However, there has been no compliance by the agency, in my opinion; and I hope the gentleman shares my thought that it is necessary to do this. I think this is a natural, normal outcome based on the action initiated by my colleague in the other body.

Mr. GARY A. MYERS. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentleman from Pennsylvania.

Mr. GARY A. MYERS. Mr. Chairman, it is my understanding that whatever information is generated by this effort would not only be available to minority business enterprises, but to anyone; and it would be public information which could be used. However, there might be

some stress on assisting minority businesses; is that correct?

Mr. MITCHELL of Maryland. That is correct. It would be available public information, obviously. We are talking about small business with a specific emphasis, of course, on a minority business resource center in that small business activity.

Mr. GARY A. MYERS. Mr. Chairman, I thank the gentleman. I endorse his amendment.

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

Mr. MITCHELL of Maryland. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, the gentleman does eliminate the money that was in the original amendment, does he not?

Mr. MITCHELL of Maryland. As I indicated, there was some question with regard to the $5 million that I had in the original amendment. The intent of that was to give seed money to MESBIC. There were some questions about the workability of that, and I have eliminated that $5 million portion from the original amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Ohio (Mr. ASHBROOK) insist on his point of order?

Mr. ASHBROOK. Yes, Mr. Chairman, I do.

The CHAIRMAN. Does the gentleman from Ohio desire to be heard on the point of order?

Mr. ASHBROOK. I do, Mr. Chairman.

Title IV, as presented to us on page 41 of this bill, goes to current procurement methods. The amendment of the gentleman from Maryland would create a new office in the United States ostensibly for the purpose of boosting minority sales and business participation.

Mr. Chairman, I believe that title IV would not be a proper vehicle by which to do that. This amendment goes beyond the scope of the title of the bill and is not germane.

The CHAIRMAN. Does the gentleman from Maryland (Mr. MITCHELL) desire to be heard?

Mr. MITCHELL of Maryland. Yes, I do, Mr. Chairman.

The amendment is clearly within the scope of the bill. Throughout the bill there are references to facilitating our relationships with the various countries that receive assistance under this bill; and certainly the establishment of minority businesses helps to facilitate those relationships.

What is the gentleman's second problem with it?

Mr. ASHBROOK. If the gentleman will yield, Mr. Chairman, my point of order is that the gentleman is creating an entire new office, that title IV only relates to administrative provisions and goes to current procurement methods, and that using this bill as a vehicle to create an entire new office and an entire new section goes far beyond the scope of title IV.

Mr. Chairman, for that reason, the point of order should be sustained.

Mr. MITCHELL of Maryland. Mr. Chairman, if I may reply to that objection, I think we have established precedent in this House for the kind of action I am taking today.

If the Members will recall, last year we added onto the Department of Transportation bill a whole new section establishing a minority business resource service. If I may continue for just a moment, that section was added on under the general title of "Administrative Provisions of DOT," so that a precedent has been established.

Mr. ASHBROOK. If the gentleman will yield further, of course, the same thing was done with EPA at that time.

The CHAIRMAN. The Chair will advise the gentlemen that the Chair controls the time during the discussion of points of order.

Does the gentleman from Ohio (Mr. ASHBROOK) wish to be heard further?

Mr. ASHBROOK. No, Mr. Chairman. For the reasons stated, I think the amendment should be held as nongermane.

The CHAIRMAN. Does the gentleman from Maryland (Mr. MITCHELL) wish to be heard further?

Mr. MITCHELL of Maryland. No, I do not, Mr. Chairman.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Ohio makes the point of order that the amendment offered by the gentleman from Maryland is not germane to title IV or to the bill.

The bill under consideration relates to development and economic aid programs for the assistance of foreign countries. The amendment would direct the Administrator of the Agency for International Development to establish a minority resources center and would authorize that center to perform a variety of functions to assist minority business enterprises. Although such assistance is required under some of the designated functions of the center to bear a relationship to the general policy of the International Development and Food Assistance Act of 1977, the amendment does not specifically limit such assistance and participation to foreign aid programs.

For example, in subsection (a) of the amendment, there is provision that in order to increase the participation of minority business enterprises in activities funded by the agency primarily responsible for administering part I of this act, the administrator of such agency shall, within 90 days from the effective date of this section, establish a minority resource center.

That appears to the Chair to be within the general scope of the act itself, and would not of itself render this amendment nongermane.

However, several of the designated functions which follow in subsection (b) go beyond this, and appear to be entirely domestic in character. For example, paragraph (b)(4) of the amendment would allow the use of domestic investment companies, banks, and trade associations.

Paragraph (b)(7) requires the center to participate in all Federal programs, domestic and otherwise, designed to provide support and assistance to minority enterprises.

It, therefore, appears to the Chair that the amendment, as it is presently drafted, is far broader in scope than the bill, and in part beyond the jurisdiction of the reporting committee. For the reasons stated, the Chair sustains the point of order.

AMENDMENT OFFERED BY MR. MICHEL

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 48, immediately after line 15, insert the following new subsection:

"(e) Section 116(d)(1) of such Act is amended by inserting immediately before the semicolon "and in all other foreign countries (except those countries with respect to which a report is transmitted pursuant to section 502B(b))"."

Mr. ZABLOCKI. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. MICHEL. Mr. Chairman, I am wondering if the Chairman would care to make his point of order at this juncture, because I do not want to be foreclosed in the event the point of order is sustained. I would have a second amendment to offer.

If there are going to be valid arguments against the amendment, of course, then I would concede the point of order, but, Mr. Chairman, I would like to say that I feel my amendment is germane to the matter before us and is not in violation of clause 7 of rule XVI. It does not go beyond the scope of the bill or that section to which it adds a new subsection.

I would like to cite section 2909 of volume 8 of "Cannon's Precedents" in this regard. That section states:

The rule of germaneness applies to the relation between a proposed amendment and the pending bill to which offered and not to the relation between such amendment and an existing law of which the pending bill is amendatory.

That would be the point I would make now to any point of order that might be made against the amendment.

The CHAIRMAN. Does the gentleman from Wisconsin insist on his point of order?

Mr. ZABLOCKI. Mr. Chairman, I may press the point of order. Prior to making the point of order, I would like to inquire of the gentleman whether he is, indeed, offering the shorter or the longer version.

Mr. MICHEL. It is the shorter version, and, of course, if the gentleman insists on his point of order, I would concede it in the interests of time.

Mr. Chairman, in the interest of time I will concede the point of order and will offer another amendment.

The CHAIRMAN. The point of order is conceded and sustained.

AMENDMENT OFFERED BY MR. MICHEL

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 48, immediately after line 15, insert the following new subsection:

"(e) Section 116(d)(1) of such Act is amended by inserting immediately before the semicolon "and in those countries that are currently eligible or may become eligible, including those countries that would become eligible if the requirements for eligibility were modified to involve such countries, to receive assistance under this part (except those countries with respect to which a report is transmitted pursuant to section 502B(b))"."

Mr. MICHEL. Mr. Chairman, very briefly, I regret that there was a point of order made to the first amendment simply because it had so many fewer words, and in order to obviate the problems or to make sure a point of order did not lie, we had to go to the extensive language in this amendment.

Mr. Chairman, my amendment was prompted by reading the report of the International Relations Committee entitled "Country Reports on Human Rights Practices."

The amendment requires the Secretary of State to include all foreign countries in his annual report to the Congress on the status of human rights around the world. The most recent report sent to all of us in early February by the distinguished chairman of the committee, Mr. ZABLOCKI, does not mention the status of human rights in the Soviet Union, Red China, the Eastern European bloc or South Africa among others, and this amendment would guarantee that the Congress has access to adequate and balanced information on human rights problems in all foreign countries.

Given the increasing interest in human rights practices around the world, there can be no doubt that these reports are valuable for Members of Congress to use in formulating legislative positions pertaining to human rights and U.S. foreign policy. The difficulty, however, is summed up in the introduction of the State Department report which says:

This is not a worldwide survey and does not include reports on numerous countries with serious human rights problems.

My amendment addresses itself to that problem and would include many of the countries most prominent in current U.S. foreign relations which are excluded from the reports.

I wholeheartedly support the evaluation of human rights in the formation of U.S. foreign policy, but only when such considerations are taken into account across the board. It makes no sense to exclude major countries if we are to maintain a balanced and informed approach to foreign policy decisionmaking. I understand the chairman and ranking member of the committee are favorably disposed to my amendment and urge its adoption.

I am going to include with these remarks a recent article on the subject appearing in the Wall Street Journal.

UNEVEN JUSTICE?—U.S. OFFICIALS WORRY OVER INCONSISTENCIES IN HUMAN RIGHTS PLAN

(By Karen Elliott House)

WASHINGTON.—President Carter's human-rights crusade has become a nasty headache for his administration.

That's handly what the President envisioned a year ago when he promised a foreign policy that reflected his "deep and unchanging commitment to basic human rights." But translating that noble thought into practice has proved complex or downright contradictory. A big bureaucracy has sprung up to do the job, yet problems abound.

For one thing, the President hasn't any leverage over some of the world's most repressive regimes, like those in North Korea and Cambodia. In countries where the U.S. does have influence, as in South Korea and the Philippines, human-rights concerns have often been subordinated to this government's military or economic goals. So the brunt of the Carter policy has fallen on those nations, notably in Latin America, that are still poor and friendly enough to qualify for U.S. aid yet neither economically nor strategically important to this country.

As a result, inconsistency has become a hallmark of the human-rights policy. Although the President often boasts that human rights are the cornerstone of his foreign policy, confusion grows here and abroad about their priority amid other goals.

THE MONDALE DILEMMA

And little wonder. Witness the difficulty of setting the priorities in one touchy case. Top administration officials recently spent hours debating whether Vice President Walter Mondale should go ahead with his planned visit to the Philippines so soon after the violence and fraud that surrounded national elections there. The visit could be seen as an endorsement of President Ferdinand Marcos's repressive policies, the officials feared. Yet the U.S. was eager to talk with Mr. Marcos about keeping two strategically important military bases there. The strategic concern prevailed, and Mr. Mondale went.

"We've gotten ourselves in a bad fix," one administration official says. "We either appear to be reneging on human rights or ignoring other important interests."

Other problems loom. Administration officials worry that any day now the Russians may decide to try Anatoly Shcharansky, a 30-year-old computer specialist charged with spying for the U.S. (Washington denies that he was an American agent.) A major spy trial in Moscow would leave the President the unpleasant choice of reneging on his human-rights campaign or speaking out at the risk of offending the Russians when he is urgently trying to conclude a treaty to limit nuclear arms. Already, Mr. Carter has soft-pedaled human-rights talk to avoid offending the Kremlin.

THE POLICY'S SUCCESS

These problems don't mean that the President's human-rights policy is a failure, even its critics say. Unquestionably Mr. Carter's constant talk about human rights is largely responsible for some relaxation of oppressive policies in Iran. The Shah has even put rugs in Iranian jails, U.S. officials say. And the President can take some credit for the release of 10,000 prisoners in Indonesia, as well as less dramatic changes in other countries. (The blessings can be mixed, however. See story on page 27.)

"The major accomplishment of the policy," says Deputy Secretary of State Warren Christopher, "is that we've helped to create a concern all around the world for basic human rights."

But the inconsistencies showing up in the pursuit of human-rights goals bother a growing number of U.S. officials, including human-rights advocates in the State Department. They are also concerned that the zeal with which some in the administration are trying to impose American ideals of justice and personal freedom on countries with different cultural traditions will eventually lead to contempt and cynicism toward the U.S.

MORALISTIC INSTEAD OF MORAL?

"We are engaging in an evangelical phase to advertise our moral concerns to the rest of the world," one official says. "Yet the inconsistent way we apply our policy means we look hypocritical and moralistic, not moral. Eventually, the rest of the world gets tired of our holier-than-thou approach."

Increasingly, critical officials say, there is a holier-than-thou air to the administration's human-rights apparatus. An entire bureaucracy has been set up to probe in minute detail the human-rights conditions of other countries and decide whether a particular government is good enough to deserve U.S. support either in the form of direct economic or military aid or in American backing for loans from international lending institutions such as the World Bank. At the heart of this bureaucracy are Patricia Derian assistant secretary of state for human rights, and a powerful committee that includes top officials of the State, Treasury, Defense and Agriculture departments and a representative of the National Security Council.

Every two or three weeks the committee meets to decide who's good and who's bad and what rewards or punishments to mete out. For instance, a recent agenda included a discussion of how the U.S. representative at the World Bank should vote on a proposed $105 million loan for grain silos in Argentina.

Typically, the discussion was detailed: Would the stored grain reach hungry Argentineans or be exported, thereby enriching some exporter? Was Argentina's recent decision to release names of 3,600 political prisoners and free a few hundred of them sufficient improvement to merit U.S. acknowledgement? If so, should the U.S. vote yes but make a public statement criticizing Argentina's repressive policies? Or perhaps it would be better to vote no and issue a statement approving the freeing of the prisoners. In the end, the committee decided the U.S. representative should abstain. (The loan was approved anyway.)

Such calculated decisions are intended to signal U.S. pleasure or displeasure with human-rights developments in a given country. Because this country had voted no on previous World Bank loans for Argentina, the decision to abstain was meant as faint U.S. praise. "The idea is to give a country a clear picture of where it stands," Mr. Christopher says.

A number of State Department officials argue that the administration would accomplish more by rewarding human-rights improvements than by punishing shortcoming. But Mrs. Derian disagrees.

"We aren't the tooth-fairy handing out sugar plums to kids who put their teeth under the pillow," says the former Mississippi civil-rights activist. "Why should we pass out a treat to nations that treat their citizens as they should?"

If some governments object to the meddlesome nature of the human-rights bureaucracy, they are more disgruntled about the inconsistent way the administration applies its human-rights policy. Special treatment for some repressive regimes is seen as U.S. hypocrisy.

"Your policy is so selectively applied that we have to assume you care about human rights only where you have no other interests," one Latin American diplomat says.

Indeed, Washington stopped military aid to Nicaragua, a country of no strategic or other importance to the U.S., after the gov-

ernment there had imposed a state of siege. Yet U.S. aid to South Korea, where dissent often means imprisonment, continues because that nation is a strategically important American ally. And, despite repressive practices in oil-rich Iran, President Carter warmly toasted the Shah during a New Year's visit, declaring, "The cause of human rights is one that is shared deeply by our people and by the leaders of our two nations."

Similarly, the administration is silent about political repression in black Africa. That's because the U.S. believes it must have the cooperation of Zambia, Tanzania and Mozambique if it is to avoid a bloody civil war in neighboring Rhodesia. "Our No. 1 human-rights concern in Africa is a peaceful settlement in Rhodesia," a top administration official says.

All this means that Latin America, where the U.S. has limited economic and strategic interests, has borne the brunt of the human-rights pressure. So far, five South and Central American countries have rejected U.S. military aid because Washington criticized their oppressive policies. When Terence Todman, assistant secretary of state for Latin America, complained that the region was being singled out, he was reassigned as ambassador to Spain.

U.S. officials acknowledge the inconsistencies, saying that sometimes other considerations must take precedence over human rights. "We aren't ever going to be perfectly consistent," Mrs. Derian says. "But our objective is consistent: to improve the observation of human rights everywhere."

PERSONAL FREEDOM VS. COLLECTIVE GOOD

One obstacle to this goal is that not all nations agree with the U.S. definition of human rights. Because of the long democratic tradition in this country, personal freedoms are paramount to Americans. But in many other cultures, particularly in developing nations, economic and social rights come first.

"There is a cultural imperialism in our insistence that everyone enjoy freedom of speech, press and assembly," one State Department official says. "The rest of the world thinks the collective good is more important than the individual. We, not they, are the aberration."

For instance: With North Korea so close and so belligerent, U.S. officials say, most South Koreans are content to give their government added powers to quell dissidents in the hope of increasing national security. A South Korean diplomat here adds, "Our security concern is very different from the human-right policy your government is pursuing. The human-rights standard varies from culture to culture, but your administration is trying to impose a unilateral standard."

For some governments, economic rights clearly take priority over political rights. China, one of the world's most repressive and regimented societies, has unquestionably improved the standard of living for most Chinese. Similarly, while arrest and detention without charges are common in Tanzania, President Julius K. Nyerere is considered a model in his efforts to improve the economic lot of his citizens.

"The danger in our policy is that we tend to set values against each other," says Richard Moose, assistant secretary of state for African affairs. "Clearly the No. 1 human-rights problem in Zaire is the wretched economic conditions." Yet the U.S. last year slowed food aid to Zaire after President Mobutu Sese Seko had thrown a leading critic in jail.

AN EYE ON CONGRESS

Adding to all these problems is the fact that the administration must pursue its policy with one eye on Congress. Much of the human-rights bureaucracy and its nitpicking approach are required by law. Believing previous Presidents too willing to deal with amoral dictators, Congress in recent years has insisted on restricting U.S. aid to human-rights violators unless the money goes to meet basic needs of the poor. And lawmakers threaten more restrictive measures unless they are convinced the administration is committed to human rights.

Among the thorns irritating administration officials is a congressional requirement that the State Department publish each year a book detailing human-rights conditions in all countries that receive U.S. aid. Like previous administrations, this one would like to have more opportunity for quiet diplomacy. One top official worries, "We can't seem to convince Congress we're really committed to human rights even if they're not pushing."

Because the President doesn't want to embarrass dictators by taking credit for any human-rights improvements, he is forced to prove his commitment by pointing to repressive regimes he has punished. "All our trophies tend to be aid programs we've cut," a top administration official says, "because to reward a bit of progress when repression remains is to risk charges that we're winking at abuses."

Despite all the problems, difficulties and doubts surrounding the human-rights policy. President Carter isn't about to abandon it. Polls show the goal remains politically popular in this country. And even critics of the policy acknowledge some gains have been made.

"On the whole, our human-rights talk has created a greater world sensitivity to the issue, and that's good," one critic says. "But unless we are more humble and less judgmental, that could backfire."

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

Mr. MICHEL. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, after studying the longer version, which I think is much better, I wish to advise the gentleman from Illinois that I am prepared on this side to accept his amendment.

Mr. MICHEL. The gentleman from Illinois has always had a very warm affection and regard for his friend, the gentleman from Wisconsin. I guess on many things we would be on the same wavelength. I want to commend him for accepting the amendment of the gentleman from Illinois on this occasion.

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

Mr. MICHEL. I yield to the gentleman from Illinois (Mr. BROOMFIELD).

Mr. BROOMFIELD. Mr. Chairman, I rise in support of the amendment offered by my good friend, the gentleman from Illinois.

Probably no other aspect of U.S. foreign policy has a more widespread reputation, both at home and abroad, for inconsistency than the implementation of our human rights policy. Its application is viewed by many people as hypocritically selective.

In cases where virtually any other foreign policy consideration is involved or where relations with a country do not include a classical, bilateral foreign aid program, the administration "soft pedals" human rights concerns. A classic case in point is the administration's nearly total silence on human rights conditions in the Soviet Union in recent months. In fact, U.S. expressions of concern and efforts to encourage greater respect for human rights are increasingly low key with respect to some of the worst human rights violators. In this regard, Cuba, Vietnam, and Uganda immediately leap to mind.

On the other hand, when it comes to Latin American countries, for example, which have traditionally been friendly to the United States. but whose strategic and economic importance is small, the administration's rights enforcers descend on an accused country with an air of moral indignation that would warm the heart of the most rigid puritan.

This amendment may help the administration and the Congress to better evaluate and increase the consistency and fairness of the application of our human rights policy. The gentleman's amendment will provide us with a more comprehensive and useful information base to compare and evaluate the status of human rights in a given country against similar information on the rest of the world community. After all, our fundamental policy goal is to promote increased adherence to internationally recognized standards of human rights. The amendment will insure that we have information necessary for making fairer determinations. I urge its adoption.

Mr. MICHEL. Mr. Chairman, it goes without saying that the same accolade I have given the gentleman from Wisconsin (Mr. ZABLOCKI) applies also to the gentleman from Michigan (Mr. BROOMFIELD).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. MICHEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HAGEDORN

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

The Clerk read as follows:

Amendment offered by Mr. HAGEDORN: Page 46, line 17, strike "and";

Page 47, in line 3 strike the period after "appropriate", and insert in lieu thereof "; and";

Page 47, immediately after line 3 insert the following new paragraph:

"(7) a description of governmental policies of each country receiving assistance which are disincentives to increasing such country's agricultural production and a description and evaluation of each country's efforts toward eliminating such governmental policies."

Mr. HAGEDORN. Mr. Chairman, I presented the major arguments ir behalf of this amendment yesterday when I offered an amendment to prohibit continued economic assistance to countries which failed to make "reasonable progress" toward eliminating domestic agricultural production disincentives.

The immediate amendment would focus attention on this same problem but would simply require that the annual report filed by the chairman of the Development Coordination Committee contain some discussion of the efforts being made by recipient countries to eliminate production disincentives.

I would again like to stress that the sort of self-help contemplated by this amendment are those measures which would work toward establishing a legal and economic environment conducive to domestic agricultural production. While

there has been commendable progress in recent years in helping recipient countries to improve their technical capabilities, as well as in checking population growth, the fact remains that these will be of limited value until these countries adopt major economic and legal reforms.

Among the disincentives that have been identified by the Foreign Agriculture Service and the General Accounting Office are:

Credit policies which encourage farmers to substitute capital for labor to a greater extent than warranted by their relative scarcity;

Restrictions on internal food movements between surlpus and deficit areas within a single country;

Price controls on commodities, either through directly imposed price ceilings, or through limitations on potential commodity purchasers;

Expropriation policies which discourage farmers from adopting more efficient farming practices for fear of losing portions of their land;

Import subsidization policies, including exchange rate controls, which artificially promote competition to domestically produced commodities; and

Assorted tax policies, procurement policies, and land tenure policies.

The only long-term humanitarian approach to the tragedy of hunger in foreign nations is to place some pressure on these nations to reassess policies which serve as disincentives to food production. We not only owe this to our own taxpayers, but we owe it to those who are starving and malnourished abroad. As observed in a report by the GAO on this matter:

To insist that governments deal with these problems and to provide a proper environment for financial and technical assistance to be used most effectively to increase food production requires courage and political will by the external donors.

Adoption of this amendment would represent the first small step in that direction.

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

Mr. HAGEDORN. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, we on this side accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. HAGEDORN).

The amendment was agreed to.

The CHAIRMAN. There being no further amendments to this title, the Clerk will read.

The Clerk read as follows:

TITLE V—COORDINATION AND ADMINISTRATION OF THE DEVELOPMENT-RELATED PROGRAMS AND POLICIES OF THE UNITED STATES

DECLARATION OF OBJECTIVES

SEC. 501. The Congress declares that the United States Government should place higher priority, in the formulation and implementation of governmental policies, on efforts to help meet the legitimate needs of poor countries for improving the quality of the lives of their populations. The Congress also declares that greater effectiveness and efficiency of United States assistance to such countries can be achieved through improved coordination and administrative consolidation.

IMPLEMENTATION OF OBJECTIVES

SEC. 502. In furtherance of the objectives set forth in section 501, the Congress directs the President—

(1) to institute a strengthened system of coordination of all United States economic policies which impact on the developing nations of the world, including but not limited to policies concerning international trade, commodity agreements, investment, debt, international financial institutions, international and multilateral development agencies and programs, and concessicnal and grant food assistance, in addition to policies concerning United States bilateral economic development assistance; and

(2) to establish an International Development Cooperation Administration, superseding the Agency for International Development, which will have, subject to the foreign policy guidance of the Secretary of State, primary responsibility within the United States Government for coordination of international development-related activities and which will have within its organizational framework the maximum possible range of United States Government agencies and programs related to international development.

REPORT

SEC. 503. The President shall report to the Congress not later than February 1, 1979, on the steps he has taken to implement this title and on any further legislation which may be needed to achieve the objectives of this title.

Mr. ZABLOCKI (during the reading). Mr. Chairman, I ask unanimous consent that title V be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 51, immediately after line 22, insert the following new title:

TITLE IV—UNIFIED PERSONNEL SYSTEM

ESTABLISHMENT OF A UNIFIED PERSONNEL SYSTEM

SEC. 601. (a) Not later than February 1, 1979, the President shall submit to the Congress, and publish in the Federal Register, regulations establishing a unified personnel system for all employees of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961. In preparing such regulations, the President shall keep the appropriate committees of the Congress fully and currently informed, and shall consult with them on a regular basis, concerning the nature of the unified personnel system to be established.

(b) The regulations submitted to the Congress pursuant to subsection (a) may not become effective until after the end of the 30-day period beginning on the date of such submission in order to provide the appropriate committees of the Congress an opportunity to review them; and such regulations may not become effective then if, during such 30 day period, either House of Congress adopts a resolution stating in substance, that it disapproves the personnel system proposed to be established by the regulations.

(c) Regulations which take effect pursuant to this section, and any subsequently issued regulations amending or otherwise modifying or supplementing those regulations, shall have the force and effect of law and shall apply with respect to the personnel of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, notwithstanding any inconsistent provision of law unless that provision of law specifically states that it supersedes regulations issued under this section.

Mr. OBEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin (Mr. OBEY)?

There was no objection.

Mr. OBEY. Mr. Chairman, all this amendment does is to expand on the committee suggestion that AID unsnarl its personnel system and it orders AID to develop a plan to do just that and to submit it to the appropriation committees of Congress.

I understand it is acceptable on both sides.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman from Wisconsin (Mr. OBEY) yield?

Mr. OBEY. Certainly I yield to my colleague, the gentleman from Wisconsin (Mr. ZABLOCKI).

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

We have had an opportunity to study the gentleman's amendment, and I wish to commend the gentleman for proposing the amendment. The amendment is to encourage AID to take steps to establish a unified personnel system. I would point out to the gentleman that the House Committee on International Relations report on the bill before us, H.R. 12222, on page 14 thereof, states a similar purpose. AID has been working on a unified personnel system but has not completed its review. Therefore, I am sure this amendment will be a very helpful amendment and we are prepared to accept it.

Mr. OBEY. I thank the gentleman.

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

Mr. OBEY. I am happy to yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, we are also willing to accept the amendment.

Mr. OBEY. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The amendment was agreed to.

● Mr. LEGGETT. Mr. Chairman, I would like to commend the distinguished chairman for the fine work of his committee in bringing us H.R. 12222, the International Development and Food Assistance Act of 1978.

There has been a tendency, when foreign aid legislation comes before us, to flip-flop between primarily emphasizing U.S. bilateral aid to developing countries and emphasizing a multilateral approach. In the last several years, as is the case with the legislation before us this afternoon, the tendency seems to be toward the multilateral approach. This is to be applauded.

Increasing recognition has been given

in recent years to the concept of interdependence. Our concern for alleviating the cruel effects of poverty is accompanied by the knowledge that we share the repercussions of rapid population growth, an increasing demand for food and mineral resources, pressures on the environment, and the international political instability precipitated by these pressures. If present trends continue unabated, world population by the end of this century will exceed 8 billion—nearly twice the current number—crowded together on our tiny planet. Current global problems such as the depletion of natural resources will be magnified.

The U.S. economic assistance program, we must remember, is not premised solely on larger economic and political considerations. Since we approved the New Directions mandate in 1973, our foreign assistance has been increasingly directed to the poorest countries and to the poor majority of people within those countries to help them acquire the resources and knowledge essential to assure their survival and ultimate stability.

Mr. Speaker, the legislation before us today maintains and strengthens our policy of directing aid toward the poor majority in a manner that will enable them to increase their standard of living and economic vitality.

The International Development and Food Assistance Act represents a synthesis of the basic authorizing legislation proposed by the President for fiscal year 1979 and the major elements of legislation introduced by the late Senator Hubert H. Humphrey. It preserves the momentum of our international effort to attain food self-sufficiency in the underdeveloped nations. It strengthens and improves the ability of the executive branch to make the most effective use of the funds available for the development and humanitarian assistance programs abroad.

This bill will authorize $3.7 billion for our bilateral and multilateral economic assistance for fiscal year 1979. This is $73.3 million above the President's request, but $46.5 million less than was authorized for the same purpose last year.

I would like to call to the attention of my colleagues to the significant effort made by the committee to incorporate the New Directions mandate into our aid program. A close look at the functional categories to which funds have been allocated reveals the kinds of projects receiving emphasis. Agriculture, rural development, and nutrition activities receive the largest share of our bilateral assistance funds, just over 50 percent of the proposed fiscal year 1979 development assistance budget.

The opportunity is before us to make significant progress in revitalizing the 17-year-old Foreign Assistance Act enacted in 1961. The most important revisions being the replacement of the present Agency for International Development (AID) with a new "International Development Cooperation Administration" (ICDA) whose administrator would report directly to the President but would receive policy guidance from the Secretary of State, it also gives the President authority to strengthen the coordination of all U.S. economic policies affecting the developing countries including trade, commodity agreements, investment, debt, international financial institutions, international and multilateral development agencies and programs and grant food assistance (Public Law 480).

The need to clarify our role concerning infrastructure development in Third World countries has been recognized. The bill clearly outlines the importance of basic infrastructure, such as water management systems, rural utilities, and transportation to the development process allowing ICDA to participate more effectively abroad.

In many respects this bill is a memorial to the late Senate Hubert H. Humphrey. For many years Humphrey was a strong advocate of American assistance to the poor and developing nations. He recognized that it was in both the economic and security interest of the United States to do so. This is most evident in the developing countries of the Sahel in Africa, an area not long from beneath the thumb of colonialism where there exists a constant struggle for economic self-sufficiency.

United States economic assistance, as encompassed in this bill, will be a major instrument for promoting U.S. foreign policy objectives. This kind of assistance helps to reduce the danger of international conflict and will help improve our relationships with the Third World.

I ask my colleagues to join with me today in support of this important legislation and the new direction in foreign assistance which it carries forward.●

Mr. BRECKINRIDGE. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Colorado, and respectfully urge the Members of the House to consider what is actually at issue here.

I need not remind this body that tobacco is a major agricultural commodity that over 625,000 farm families depend on for most or a significant part of their cash flow. Although tobacco uses only 0.3 percent of the Nation's cropland, it is usually the fourth or fifth most valuable crop and accounts for about 4 percent of cash receipts from all U.S. crops. A $16.1 billion industry, tobacco farmers received over $2.3 billion from tobacco sales during the 1977 year.

An estimated 1,500,000 U.S. businesses share in the tobacco trade by supplying equipment, transportation, advertising, and other services. During 1977 U.S. consumers spent an estimated $17 billion on tobacco products of which over $6 billion were received by Federal, State, and local governments as excise tax revenues.

In addition, the United States leads the world in both tobacco production and exports. During the 1977 fiscal year U.S. exports of unmanufactured tobacco were valued at $1,065 million and exports of manufactured tobacco products during the same period was valued at $641 million. The obvious relationship between our balance of payments and tobacco exports defy argument.

This economic record for tobacco has an equally great an impact on the economy of my home State of Kentucky. Tobacco is Kentucky's chief cash crop. About 100,000 Kentucky farms enjoy income from tobacco and provide employment for a work force of over 136,000 family and hired workers whose 1977 crop brought growers about $572 million. Measured by employment, tobacco farming in terms of full-time jobs and manufacturing account for about 4 percent of Kentucky's 1.3 million workers. In addition, Kentucky received about $22 million in tobacco taxes this past year or about 1.2 percent of gross State tax revenues.

In light of this record of the economic contribution of tobacco to this Nation and my home State of Kentucky, it is self-evident that the success of this amendment would primarily affect the tobacco grower, the person who earns his livelihood from the production of their tobacco crops. We must defeat this amendment to save the economic well-being of a vast segment of rural and urban America from bankruptcy, and economic collapse; 625,000 farm families, of a dwindling family farm population of 2,700,000, constitute an important segment of our society meriting support rather than governmentally imposed bankruptcy.

● Mr. AKAKA. Mr. Chairman, I rise in opposition to the Lott amendment.

Population research, information and education programs are crucial to the very survival of the world community. The present amount of funding recommended in this bill is itself a small-than-needed sum. It does not even fully account the factor of inflation. At best it is an adequate sum. To cut it any further would be disastrous.

We must realize that population growth, with its present and future consequences, is a very real and serious concern.

Let me give you what I found to be a startlingly illuminating illustration of the dimensions of this problem.

The population magazine Intercom began a series of articles this past January about a fictitious continent called Populandia. Its inhabitants are all the newborn children of the world. By March 31, Populandia was the 33d largest country on Earth, with a citizenry totaling 18,060,930, none of them more than 3 months old.

New arrivals to Populandia are brought in by wide-bodied jets, which land full every 2 minutes. In order to meet the constant need for more space, the equivalent of a new Massachusetts General Hospital (1,084 beds) must be constructed every 7 minutes.

Gentleman, the country may be imaginary but the predicament is not.

If anything, we need more money for these hard-pressed programs, not less.

I would ask that the amendment be defeated.●

Mr. ZABLOCKI. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LEVITAS, Chairman of the Committee

of the Whole House on the State of the Union, reported that the committee, having had under consideration the bill (H.R. 12222) to amend the Foreign Assistance Act of 1961 to authorize development and economic assistance programs for fiscal year 1979, to make certain changes in the authorities of that act and the Agricultural Trade Development and Assistance Act of 1954, to improve the coordination and administration of U.S. development-related policies and programs, and for other purposes, had come to no resolution thereon.

POINT OF ORDER

Mr. BAUMAN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BAUMAN. Mr. Speaker, the gentleman from Maryland is under the impression that the chairman of the Committee on International Relations had moved that the Committee rise after all amendments had been offered and that the bill had been concluded. He made no recommendation.

The SPEAKER. The Chair will state that the Committee rose on a straight motion to rise, and did not rise under the rule.

Mr. BAUMAN. Then further amendments will be in order when the bill is considered the next time?

The SPEAKER. The Chair will state that appropriate amendments at the end of the bill could be considered when the Committee resumes on Monday.

Mr. BAUMAN. I thank the Speaker.

GENERAL LEAVE

Mr. ZABLOCKI. 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. 12222, which was under consideration today.

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

There was no objection.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORTS ON H.R. 12557 and H.R. 12602

Mr. NEDZI. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight, May 12, 1978, to file reports on the bills H.R. 12557 and H.R. 12602.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 12050 TO AMEND THE INTERNAL REVENUE CODE OF 1954 TO PROVIDE A FEDERAL INCOME TAX CREDIT FOR TUITION

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 95–1142) on the resolution (H. Res. 1178) providing for consideration of the bill (H.R. 12050) to amend the Internal Revenue Code of 1954 to provide a Federal income tax credit for tuition, which was referred to the House Calendar and ordered to be printed.

PERMISSION TO FILE CONFERENCE REPORT ON SENATE CONCURRENT RESOLUTION 80, FIRST CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1979

Mr. MITCHELL of Maryland. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, Friday, May 12, 1978, to file a conference report on the Senate Concurrent Resolution (S. Con. Res. 80), the first concurrent resolution on the budget for fiscal year 1979.

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

There was no objection.

MAKING IN ORDER ON MONDAY, MAY 15, 1978, OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON SENATE CONCURRENT RESOLUTION 80, FIRST CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1979

Mr. MITCHELL of Maryland. Mr. Speaker, I ask unanimous consent that it may be in order on Monday, May 15, 1978, or any day thereafter, to consider the conference report on the Senate Concurrent Resolution (S. Con. Res. 80), the first concurrent resolution on the budget for fiscal year 1979, and any amendments in disagreement.

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

There was no objection.

URGENT SUPPLEMENTAL APPROPRIATION FOR SBA DISASTER LOAN PROGRAM, 1978

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 873), making an urgent supplemental appropriation for the disaster loan program of the Small Business Administration for the fiscal year ending September 30, 1978, and for other purposes, with Senate amendments thereto, and concur in the amendments of the Senate.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out "sum is" and insert "sums are".

Page 1, after line 12, insert:

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

EMPLOYMENT AND TRAINING ASSISTANCE

For an additional amount for "Employment and Training Assistance," $63,000,000 to remain available until September 30, 1979.

Page 1, after line 12, insert:

SENATE

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Norma C. McClellan, widow of John L. McClellan, late a Senator from the State of Arkansas, $57,500.

For payment to Donna H. Metcalf, widow of Lee Metcalf, late a Senator from the State of Montana, $57,500.

For payment to Muriel Humphrey, widow of Hubert H. Humphrey, late the Deputy President Pro Tempore of the Senate and a Senator from the State of Minnesota, $65,000.

Amend the title so as to read: "Joint resolution making an urgent supplement appropriation for the disaster loan program of the Small Business Administration 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?

Mr. MICHEL. Mr. Speaker, reserving the right to object and, Mr. Speaker, I will not object, but I want to make the record clear that as I understand this bill provides for $758 million for the small business disaster loans, and that the bill passed the House by an overwhelming vote of 346 to 23.

Then the other body added to the bill $63 million for the summer youth jobs to pay the increased minimum wage from $2.30 to $2.65. I personally would much prefer that those public service jobs for students during the summer be paid at a rate of 85 percent of the minimum, as apparently we can do for students. But I am practical enough to know that if we went to conference, the views held by the gentleman from Illinois would not prevail in the conference and there would be no cutting of that amount that comes back to us from the other body. It does, however, set the summer job level, as I understand it, at 1,070,000 jobs, and that will be 70,000 over last year. Maybe the only other question I would ask is that at a time when unemployment is declining whether or not we really feel it is all that necessary to have that increased number of public service jobs during the summer.

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

Mr. MICHEL. I would be happy to yield to my distinguished chairman, the gentleman from Texas.

Mr. MAHON. I thank the gentleman for yielding.

There is merit in the statement just made by the gentleman from Illinois but the number of jobs that were to be available was 1,165,000.

Mr. MICHEL. I thank the chairman for correcting me, because if we did not provide the additional money as provided in the other body, then that level that I alluded to earlier of 1,070,000 would be the correct figure.

Mr. MAHON. Will the gentleman yield further?

Mr. MICHEL. Yes, I yield to the gentleman.

Mr. MAHON. The objective of the other body is to permit the full number of jobs to be utilized in that event that that number can be made available.

Mr. MICHEL. Yes.

Mr. MAHON. I have my doubts that all the funds will be required, but the purpose here is to enable the summer

youth program to proceed at the number of jobs authorized by the Congress.

With respect to the minimum wage matter, I think there is much merit in what the gentleman has said. But that is not a matter that is before us at this time.

Mr. MICHEL. That is right. I have one further point. Frankly, it takes $100 million to provide for this increase in the minimum wage, but there is a carryover of some $37 million, and that is why the figure in the other body was agreed to, $63 million in the supplemental appropriation.

Mr. MAHON. Yes. It appears that accepting the action by the Senate is the only practical approach for the House to take at this time.

Mr. MICHEL. I would agree with the gentleman that there is no practical effect of going to conference, because the results would be exactly the same, and in the interests of time, since they have been waiting on the SBA loan money for 2 weeks, as I understand it, I would withdraw my reservation of objection.

Mr. MAHON. Will the gentleman yield further?

Mr. MICHEL. Yes.

Mr. MAHON. I would urge the administration to proceed as efficiently and effectively as possible in managing this program, and I would hope that the jobs that are provided would be of real benefit both to the youth and the communities involved.

Mr. MICHEL. Of course, the gentleman speaks very well for the gentleman from Illinois in that regard.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority whip, the gentleman from Indiana (Mr. BRADEMAS), as to the program for next week.

Mr. BRADEMAS. Mr. Speaker, will my distinguished colleague, the minority whip, yield?

Mr. MICHEL. I will be happy to yield to the gentleman.

Mr. BRADEMAS. I thank the gentleman for yielding.

The program for the House of Representatives for the week of May 15, 1978, is as follows:

On Monday, the House meets at noon for the Consent Calendar and one bill under suspension, which is:

H.R. 11209, maritime satellite telecommunications services, followed by H.R. 12222, to complete consideration of the International Development and Food Assistance Act of 1978.

Then there is a conference report on Senate Concurrent Resolution 80, the budget for the U. S. Government for fiscal year 1979.

Then there is H.R. 12641, temporary debt limit increase, under a modified open rule, with 1 hour of debate.

On Tuesday, the House meets at noon for the Private Calendar and seven bills which will be considered under suspension. Votes on suspensions will be postponed until the end of all suspensions. We will consider:

H.R. 4030, holdings of private foundations in public utilities;

H.R. 5551, duty suspension on 2-methyl, 4-chlorophenol;

H.R. 11005, international trade commission authorization;

H.R. 1337, Constructive sale price for excise tax on trucks, buses, and so forth;

S. 2093, Exchange Stabilization Fund provisions; and

H.R. 12467, Rehabilitation Act amendments.

H.R. 12255, Older Americans Act amendments.

Following these suspensions, we shall consider H.R. 10392, to establish a Hubert H. Humphrey Fellowship at Woodrow Wilson Center, under an open rule, with 1 hour of debate.

We then have a conference report on H.R. 9005, District of Columbia appropriations, fiscal year 1978, and H.R. 11686, the Department of Energy National Security authorizations, fiscal year 1979, under an open rule, with 1 hour of debate.

On Wednesday, the House will meet at 10 o'clock in the morning on H.R. 39, the Alaska National Interest Lands Conservation Act, subject to a rule being granted.

On Thursday, the House will meet at 10 o'clock a.m. to consider H.R. 10929, Department of Defense Authorization Act, fiscal year 1979, subject to a rule being granted, and H.R. 7814, flexible and compressed work schedules for Federal employees, under an open rule, with 1 hour of debate.

On Friday, the House will meet at 10 o'clock a.m. to consider the following bills: H.R. 8099, Water Rights for Ak-Chin Indians, subject to a rule being granted.

H.R. 10729, Commerce Department authorizations, fiscal year 1979, subject to a rule being granted; and

H.R. 11291, Fire Prevention and Control Act, under an open rule, with 1 hour of debate.

The House will adjourn by 3 p.m. on Fridays and by 5:30 p.m. on all other days except Wednesday. Conference reports may be brought up at any time, and any further program will be announced later.

Mr. Speaker, might I ask the distinguished gentleman a question with respect to Wednesday? The bill, H.R. 39, is highly controversial. I understand the Committee on Rules probably will not meet until Tuesday. In the event there is no rule on that piece of legislation, and that is the only one scheduled for that day, is there any conjecture on what might take its place.

Mr. BRADEMUS. Mr. Speaker, if the gentleman will yield further, I would not want to speak with complete authority on that. Other legislation is available and will be rescheduled and announced to the Members in the event the Alaska bill does not come up.

Mr. MICHEL. Now once we have passed May 15 and the 3 o'clock p.m. convening time for Wednesdays is over, I note we will be coming in at 10 o'clock a.m. on Wednesdays, Thursdays, and Fridays. Does that suggest there would be some limitation on when we would adjourn on Wednesdays, so far as time is concerned?

Mr. BRADEMAS. Mr. Speaker, if the gentleman will yield further, a reasonable hour is the answer to the question. Did the gentleman ask about a reasonable adjournment on Wednesday?

Mr. MICHEL. Is it 6 p.m. on Wednesday or does it run to midnight?

Mr. BRADEMAS. I think the gentleman would want to be reasonable with respect to assigning what is a reasonable hour.

PERMISSION TO FILE CONFERENCE REPORT ON SENATE CONCURRENT RESOLUTION 80, FIRST CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1979

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that the managers may have until midnight Saturday, May 13, 1978, to file a conference report on the Senate concurrent resolution (S. Con. Res. 80), the first concurrent resolution on the budget for fiscal year 1979.

The SPEAKER pro tempore (Mr. KILDEE). Is there objection to the request of the gentleman from Connecticut.

There was no objection.

ADJOURNMENT TO MONDAY, MAY 15, 1978

Mr. WEISS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next at 12 o'clock noon.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. WEISS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday of next week.

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

There was no objection.

GRANITE CITY STEEL CO. CELEBRATES 100 YEARS OF GROWTH

(Mr. PRICE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

● Mr. PRICE. Mr. Speaker, this year the residents of my congressional district are celebrating a very special event: The 100th anniversary of the founding of Granite City Steel Co.

This company has developed in these 100 years from a small sheet metal shop located near the riverfront in St. Louis, Mo., to a fully integrated mill which is a division of the National Steel Corp., one of our Nation's largest steel companies.

But the people of the 23d district are celebrating not only the founding of a major industry, but also the spirit of growth and achievement which this industry exemplifies in our area. The Niedringhaus family which began the mills furnished our area with employment opportunities which were badly needed 100 years ago. Additionally, and equally as important, in the 1890's the family founded Granite City, Ill., as the site for its new mills. From this rather humble beginning has sprung the thriving Granite City which has become one of the most vital communities in southern Illinois, and a city which I am proud to represent.

Thousand of lines have been written and spoken dealing with so-called company towns and the problems found in these localities. Granite City exemplifies the other side of this story: A city which benefited from the industry from which it grew. When the Niedringhauses purchased the land in 1892 they planted 14,000 trees on the land and added sidewalks, streets and a water system. Part of the land was set aside for a park and special sites were preserved for schools and churches. More importantly, 100 brick houses were put up, and to help protect the area from flooding, a perennial problem for flat land bordering the Mississippi River, a million-dollar cross levee was built between the city and the river. In the words of Hayward Niedringhaus:

> Even in an industrial town, where the wealth of industry might be necessary for the initial financing of the building of homes, stores, theaters, churches and schools, laying streets, installing sewers and utilities, even in such a city men should be able to own their own homes, to go into business for themselves, to elect the men who were to govern and police them, to run for office and get elected, to buy where they pleased, and to move away without obligation to the company for which they worked. There should be—there must be—a business, a social, a political, a personal, an educational life which belongs to the masses of the people themselves.

With this type of philosophy, it is no wonder that Granite City took root in the area and flourished. Today Granite City Steel is a major employer of residents of Granite City and the neighboring towns and is responsible for much of the growth experienced throughout Madison County. This year the company looks back to its simple beginnings and celebrates a proud past. I join all the people of my district in wishing the company and its employees a happy birthday and look forward to watching its continued progress in the future.●

FEDERAL RESERVE MEMBERSHIP ACT OF 1978 REINTRODUCED

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

Mr. STANTON. Mr. Speaker, Today I am reintroducing, with cosponsors, the Federal Reserve Membership Act of 1978. This legislation reflects our continued concern about the current decline in Federal Reserve membership, and its implication for the vitality of the Fed and the Nation's monetary policy.

This legislation is designed to stop the current outflow of Fed membership by a combination of pricing and interest payments on reserves. In this way it could be assured that the benefits of Fed membership outweigh the costs. Thus, the two major provisions of the bill are: First, the explicit pricing of Federal Reserve payment services; and second, the payment of interest on required membership reserves.

Since I originally introduced this bill, the Chairman of the Fed has publicly indicated that he favors taking steps to establish pricing for services, to enact interest payment on reserves, and to assure there is not a great outflow in Treasury revenues as a result of these measures.

It is my opinion that the Congress would be well advised to consider this issue. Cosponsors of this legislation are not bound by the specific language in the legislation, but join me in order to indicate their grave concern over the loss of Federal Reserve members in recent years. I personally feel that the Congress should act immediately to remedy this situation. If Congress fails to act, then I applaud the initiative of the Chairman of the Federal Reserve Board in his attempt to accomplish this goal immediately. Time is of the essence.

SECTION-BY-SECTION ON FED MEMBERSHIP BILL

Title: Federal Reserve Membership Act of 1978.

Section 2—Pricing of Services: Amends section 11 of the Federal Reserve Act to direct the Fed to establish a schedule of fees for payment services by July 1, 1979, and to put that schedule into effect by July 1, 1980. Subsection (c) establishes three pricing principles to be followed in setting the schedule of fees. The three principles are as follows:

(1) payment services priced explicitly;

(2) services priced competitively within private institutions; and

(3) payment services shall be made available to all depository institutions.

Section 3—Interest on Reserves: Amends section 19 of the Fed Act to pay interest on required reserves. The interest rate shall not exceed the 3 month Treasury bill rate during the preceding quarter.

Subsection (2) directs the Fed to submit, by July 1, 1981, to the Congress a study on the feasibility of member banks investing a portion of their required reserves in Treasury securities.

Subsection (3) directs the Fed to provide a full account to the impact of this Act in its annual report.

Section 4—Definitions: Definitions and technical amendments to the Fed Act.

PUBLIC PENSION PLANS—GETTING OUT OF HAND

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

● Mr. GOLDWATER. Mr. Speaker, we hear a lot of talk these days about bringing inflation under control, but it seems that little is actually being done about it. One critical area which deserves the attention of the Congress is that of public pension reform. Like our social security sytsem, which is a glaring example of a lack of intelligent foresight, our public pension funding capabilities are, by far, insufficient to meet the anticipated needs of retiring Government workers.

Let us look at the simple arithmetic. On the Federal level alone, public service employees such as postal workers, forest rangers, lawyers for the bureaucracy, even we Congressmen, contributed under $3 billion to our retirement systems last year. How much did the Government, or should I say the taxpayer, pay out for retirement benefits last year? The amount of $9.3 billion. "General revenues," that ambiguous source of money buried in the Federal budget, financed the difference.

Projections over the next 7 years indicate that the gap between contributions to the Federal retirement system and pension pay-out obligations will widen from the present $6.3 billion to $13.7 bilion. And this is based on an unrealisticaly low estimate of a 4-percent inflation rate. A doubling of this figure would seem to me to be closer to the mark.

It is ironic, as this issue is discussed, that last February, a contest to see who could race the fastest up the steps of the Empire State Building was won by a 37-year-old retired fireman collecting a $12,000 annual disability pension. This story is enough to convince me that Congress should look into the pension programs which cover the 6 million public employees who are presently receiving benefits, and the 15 million who are covered for the future.

The employee in the public sector receives retirement benefits which, by and large, far exceed those in private industry. An employee of the Forest Service of my home State of California can retire with 75 percent of his salary. Public safety employees in Los Angeles can retire with a pension after only 20 years of service. Some, by the time they are in their mid-forties, can keep their pension, and begin a whole new career; some go on to third and fourth jobs.

Undoubtedly, the clout of public employees associations has been effective in securing these generous retirement benefits. The public sector has also grown rapidly—too rapidly. So when talk of reforming our pension systems is raised in Congress, or in the California State Legislature or anywhere else, the first thing that happens is the cry of alarm by these unions who use scare tactics on both their own members and the public: Fires burning out of control since there are not enough firemen to respond to the

call. Accident victims lie unattended because the ambulance personnel are not available. When all this demagoguery is communicated to the voter, the unions hope that any politician who does not stand with them will assume his job is in jeopardy on election day.

No wonder the Government has been so responsive to its own employees. Why the Federal worker can qualify for social security benefits after just 5 years of working, and his counterpart in the private sector must work twice that long to qualify. Maybe it explains why a non-Government worker must work to the age of 62 just to get reduced retirement benefits; the Federal employee can retire with the whole bag of goodies at age 55. Certainly, it explains why no one in the legislative branch of Government is about to face up to the fact that public sector retirement plans are on a direct course with fiscal disaster unless responsible action is taken.

As I mentioned earlier, dealing with this problem is virtually identical to solving the plight of our social security system. I have been a proponent of reform in that area on both a long-range and short-range basis. There is no question that the public pension problem will have to be approached in the same way. One measure to be considered in this effort is reforming the system so that pension benefits could not take effect until a designated pensionable age is attained, unless, of course, retirement is forced by a valid disability.

In Los Angeles, as in the rest of California, property taxes have risen so high and so fast, the property tax collection mechanism there is now the subject of a major taxpayer revolt. Half of property taxes collected in California go to pay for public employee pensions. This is outrageous. And the taxpayer in my State knows it, as does all of Sacramento. The citizens are very close to placing a constitutional limit on taxation for such unsound retirement programs. I have publicly supported this campaign to place legal restraints on the power of the legislature to tax. It can be done without any compromise in providing essential and effective public services.

Inaction for too long a time will only postpone our dealing successfully with the inevitable. True, those who face retirement within the next 20 years or so can be reasonably assured of receiving their pensions. But if I were just starting a job in the public sector, with retirement a thought far into the future, I would be worried about the solvency of my retirement fund.

Mr. Speaker, one of the great incentives for the workingman is the promise of a financially secure retirement. I am proud that Government is able to provide this for its employees. But I am shamefully infuriated that retirement programs in the public sector have lost sight of fundamental actuarial principles. I desperately hope that it would not take the collapse of our public pension system before Congress and the States realize the importance of financial stability.●

AMERICA MUST NOT ABANDON FREE CHINA

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

● Mr. KEMP. Mr. Speaker, many Members of Congress with important congressional responsibility for foreign relations and national defense are increasingly concerned with the direction of the administration's policy toward the Republic of China. The United States has a longstanding mutual defense alliance with the Republic of China that has contributed to the tranquillity of east Asia for more than two decades. There has been increasing concern over the possible outcome of the forthcoming visit to Communist China by the President's adviser for national security affairs, Dr. Zbigniew Brzezinski.

This concern has recently been expressed in a letter to President Carter by 28 Members of the House from both political parties and every region of the Nation. The signers express their grave concern about the potential consequences of statements made in the wake of the Peking visit which may tend to create an impression that the United States may run out on its commitments to the defense alliance between the Republic of China and the United States, an impression which is reinforced by the unfortunate timing of the Brzezinski visit which coincides with the inauguration of President Chiang Ching-Kuo.

I have included the text of the letter for publication in the RECORD at the conclusion of my remarks and only hope that President Carter will reconsider the timing of this trip to Peking and instead send Vice President MONDALE to the ROC's inauguration ceremonies on behalf of freedom loving people in the United States.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 10, 1978.

President JIMMY CARTER,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are deeply concerned about the possibility that American policy in East Asia may be dangerously misconstrued as a consequence of the nature and timing of the forthcoming visit of the Assistant to the President for National Security Affairs Zbigniew Brzezinski to Peking. As you know, the date of Dr. Brzezinski's visit coincides with the date of the inauguration of the President of the Republic of China, Chiang Ching-Kuo.

The unfortunate coincidence of these two events is compounded by reports of the content of such important planning documents as Presidential Review Memorandum 24 which imply a substantial change in this government's attitude toward the Republic of China. Any statements which could be construed as either downgrading our diplomatic posture with Taipei, or suggesting Administration interest in abrogating the Mutual Defense Treaty of 1954 would have adverse consequences in the Congress. Moreover we are persuaded that such a destabilizing policy change on the part of the United States would have repercussions with allied nations far beyond the region.

The Republic of China is one of the most successful non-Communist nations in the world today. The economic model it provides to the Third World is worthy of emulation elsewhere. The enormous success we have witnessed has been possible because of the diligence of the Chinese people, and the stable security environment provided by the Mutual Defense Treaty. The economic growth of the Republic of China and the U.S. security guarantee has been responsible for nearly three decades of tranquility in the region. We are concerned that the Brzezinski mission may be cause for questioning the U.S. commitment, and hence, destabilize rather than stabilize the area.

We urge you to reaffirm the U.S. commitment to the Mutual Defense Treaty with the Republic of China, so that continued peace in Asia may be assured, and to rethink the timing of the trip by Dr. Brzezinski in that context. In conclusion, I would hope that Vice President Mondale could represent you at the inauguration.

Sincerely,

Sam Stratton, Robin Beard, Edward Derwinski, Bob Bauman, Mickey Edwards, Henson Moore, Henry Hyde, John Murphy, Bill Young, Skip Bafalis, Bill Frenzel, Bill Wampler, James Abdnor, Bill Armstrong.

Jack F. Kemp, ——— ———, Bill Chappell, Phil Crane, Jim Broyhill, Paul Trible, Clarence Brown, Dave Satterfield, Bill Ketchum, Bob Walker, ——— ———, J. K. Robinson, Steve Symms, Dan Quayle.●

THE CAMBODIAN HOLOCAUST

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

● Mr. DORNAN. Mr. Speaker, I am sure that every Member of this House is horrified by the unspeakable atrocities currently taking place in the little country of Cambodia. No one yet knows for sure how many human beings have been brutally and systematically murdered by the execution squads since the Communists came to power in 1975. The most conservative estimates of the Cambodian death toll range in the hundreds of thousands. Last year, Le Monde, the prestigious Parisian daily, estimated a total of 800,000. But the distinguished author of the most authoritative account of the Cambodian holocaust, "Murder of a Gentle Land," Mr. John Barron, believes the death toll to be as high as 1.2 million. And with the various reports seeping out from under the new Bamboo Curtain, even this astonishing figure may be too conservative. I am inclined to agree with veteran reporter Jack Anderson of the Washington Post, who recently remarked that even Adolf Hitler at his worst was not as oppressive as the Communist rulers of tiny Cambodia.

The Cambodian story is the tale of another holocaust, as terrible and as brutal as that carried out by the Nazi barbarians during World War II. We in the United States are stunned with speechless horror at the methods of execution, the gruesome tales of terror and desperation related by fleeing refugees, and the sadism of the Cambodian leadership. The brutalization of the helpless, the sick, the infirm, and the aged fills us with disgust. Who can fail to be moved by the cruel murders of small children

in the presence of their parents, their brothers, and sisters.

In his amply documented book, Mr. Barron graphically describes one such episode: the systematic executions of whole families, with fathers and mothers weeping and pleading for their lives and the lives of their children and infants. I will not read those passages to Members of this House. For there is nothing to be gained by mulling over these lurid descriptions of the Cambodian Holocaust. Those who wish to examine the details of these atrocities can turn to Mr. Barron's book.

But I do ask the Members of this House to consider the larger question of their own responsibilities to the basic principles of humanity and justice, which are being tread under the boots of these dictatorial monsters in Cambodia. What man can stand idly by and turn his head? Who could live with his conscience if he failed to speak out strongly and forcefully against this brutality? Who could fail to take pity on these millions of unfortunates now reliving the unforgettable horrors of Auschwitz, Chelmo, Belsen, and Treblinka?

Mr. Speaker, St. Augustine once observed that evil is the lot of fallen man. It is something to be expected in the natural order of human life. It is elemental to the human condition. But we need not surrender to our lower impulses.

Mr. Speaker, we can still learn from the past. The trials of the 20th century should have taught us something. The experiences of Hitler's Germany and Stalin's Russia ought to shame us into recognizing our moral obligations to speak out strongly and forcefully, on subject, not simply as individuals, but as a nation. How many people will have to suffer and die before the Great Republic of the West, the United States of America, musters all the moral force at its command and exercises its providential prerogatives as the leader of the Free World?

Mr. Speaker, the President of the United States has made human rights the cornerstone of his foreign policy. Nothing could be more fitting or appropriate. With a Nation whose children are reared to reverence Jefferson and Lincoln, a Nation that has become a haven for the oppressed of the world, the central role of human rights and human dignity in the conduct of our foreign relations is something that one ought to expect. We are simply reflecting our proud tradition, our historical experience.

Certain diplomatic measures could be undertaken now by the administration to alleviate the situation in Cambodia. It is well known that the Cambodian Communists have been inspired by the example and the philosophy of the Chinese Communists. In a speech in Peking last October, Cambodian leader Pol Pot openly acknowledged his inspiration from the late chairman of the Chinese Communist Party, Mao Tse-tung. Pot declared:

In the concrete revolutionary struggle of our country, we creatively and successfully applied Mao Tse-tung's thought * * * Chairman Mao always personally supported and encouraged us, for which we wish to express our most profound respect for him—China's great staunch and heroic Communist fighter, great understanding proletarian internationalist fighter, great Marxist-Leninist teacher of the present era and the greatest comrade in arms of the Kampuchean people.

Since the Cambodians have openly acknowledged the "unconditional" assistance and friendship of the Chinese Communists, can we not instruct our representative in Peking to intercede with the Cambodian leadership? Is it too much to ask, as an act of good faith, of the Chinese leaders to consider a disinterested humanitarian gesture? Would it not help the cause of our bilateral relations with China to make such an overture, and to lend us a hand in putting a stop to this mad policy of bloody genocide?

Mr. Speaker, the same holds true in our relations with the United Nations. The United Nations is financially dependent upon the United States. Is it too much to ask that the organization abide by the principles of its own charter? There are many who believe that the United Nations, through its unwarranted condemnations of Israel and its ostrich-like approach to the violation of human rights in Third World countries, has lost all redeeming social value. Instead of becoming a force for world peace, too often the United Nations has become an apologist for the implacable forces of Communist aggression and Third World militancy.

Perhaps the wells of regeneration are not deep enough at the U.N. Perhaps that body will never enter into a Periclean Age. But while we grace the assembly with our presence, we, even if alone, ought to present it with the moral challenges it so sorely deserves. It is a crying shame Pat Moynihan is not there today, ripping off the pious facade of many Third World charlatans. Cambodia would surely not have been passed over in silence.

That is not the case now. Our U.N. Ambassador, who is rarely at a loss for an inappropriate comment, has yet to address the U.N. General Assembly on the violence and brutality taking place in Cambodia.

If Andrew Young and President Carter are not prepared to act on their own, perhaps it is necessary for this Congress to inspire them. To this end, Mr. Speaker, I am today introducing a resolution calling on the President of the United States to authorize a full investigation into the atrocities in Cambodia. I am asking him to disseminate the results of that investigation through regular Government information. The resolution would also authorize Ambassador Andrew Young to introduce a resolution into the United Nations General Assembly condemning these atrocities. I include the text of the resolution to be inserted into the RECORD at this time:

RESOLUTION

Whereas the United States of America was founded on an appeal to natural human rights, against which the actions of governments were to be judged, as embodied in the Declaration of Independence, and;

Whereas, the widespread, systematic violence and repression, including mass executions, levelled against the Cambodian people constitutes the most severe violation of human rights today, and;

Whereas, this wholesale slaughter of innocent people is unprecedented since the Holocaust unleashed by Nazi Germany against the Jewish people; Now therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested: to instruct the United States State Department to make a full report to the Congress on the violation of human rights in Cambodia; to instruct the U.S. International Communications Administration to make the substantive contents of that report available to its representatives around the world and to disseminate such information through all regular channels; to instruct Ambassador to the United Nations, Mr. Andrew Young, to introduce a resolution into the United Nations General Assembly condemning the recent and continuing atrocities of the Communist regime in Cambodia.●

FINANCE MEDICARE FROM GENERAL REVENUES?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 10 minutes.

● Mr. ROSTENKOWSKI. Mr. Speaker, I have never been an alarmist but I want to go on record here and now as warning the American people that the Ways and Means Committee's tentative decision to finance medicare from general revenues—if approved by the Congress—will have disastrous consequences for all our aged citizens and for our society as a whole. I would remind everyone of the enormous dangers of reneging on commitments—the lessons of our recent history should have made that clear. We cannot withdraw from our responsibilities without producing pain, anguish, and suffering for those millions of aged and disabled citizens who depend upon us and are entitled to our support.

The committee, in voting to cut back the social security taxes that were adopted last year, did all the cutting in the taxes that support medicare, and said that general revenues would be used in their place. Let us not deceive ourselves or the American people about the consequences of this decision. For the aged, it means moving backward to the pitiful and degrading system of forcing people to reduce themselves to poverty, and to prove it, before they can qualify for protection against health costs. For those who remember the desperation of millions during the long, dark days of the depression and the bitter struggle of the sixties to create a social insurance system for health care that preserves dignity and self-respect in old age, this is a bitter pill to swallow—and one we are likely to choke on in the process.

I say that the committee's decision is the first step down this road. And, I assure you, once started in this direction, we shall be inevitably lured into further compromises with our obligations. For once we agree that protection against health care costs in old age is not something to be provided as an earned right, we agree to surrender our hard-earned

principles. Make no mistake: If we lack the courage now—and I mean those of us who have the obigation to assure the well-being and security of our parents and relatives in old age—to pay the needed taxes, we in the Congress will be even less courageous in the years to come to face up to this responsibility. And I would note further for those who thought that our country would soon wake up to its responsibility for the millions of younger people in desperate need of better health insurance protection, they had better rouse themselves from the blissful delusion that such protection could be provided without paying any price.

I am particularly concerned that some—such as the AFL–CIO, who have traditionally supported the concept of medicare and who have struggled with many of us to develop a health care system for our elderly which preserves their dignity and independence—would abandon that concept as a matter of political expediency. For what a small majority of the Ways and Means Committee has done is far more than a 2-year stopgap tax rollback. The majority has gone on record as singling out medicare as the program to be dismantled and divorced from our social insurance system. Those who voted with my colleague from Florida (Mr. GIBBONS) to make sure whatever general deficit funds we choose to place into social security all go to medicare, are only taking the first step toward a goal publicly announced by several of them, which is to totally get medicare out of social security. I doubt that America's elderly understand or fully appreciate the implications of such a goal.

Yesterday's vote has something for all to be concerned about in this country. For those concerned about Congress' increasing inability to balance the budget, the Ways and Means Committee's decision is, indeed, perturbing. As I stated, the majority has billed its action as temporary in nature; but let us not fool ourselves. If we are acting in 1978 to preclude a tax increase of 1.3 percent from the present rate, will more courage be found when, in 1980, we now will be facing a tax increase 10 times what the committee was unwilling to confront today? It is unfortunate that failure to have the courage to maintain a 1979 increase in taxes of $8 a year for a worker making $10,000 a year could set the pecedent that will cost that worker his right to health insurance upon retirement.

The answer—say some—are new sources of revenue, new sources of revenue which would forestall the use of the general fund—the general deficit. But there are no new sources of revenue.

The alternative is more of what happened yesterday—general revenues in medicare. In fact for some of my colleagues, such as Mr. MIKVA of Illinois, yesterday's vote was the first step toward full enactment of his bill, H.R. 10754, which would completely finance medicare out of general revenues and make it a full welfare program. The same amount of political courage on social security taxes in 1980 will help to make it a reality. For those who wish to see the end of the medicare program for the elderly as we now know it, this might well be acceptable. But we must remember that general revenues do not grow on trees. The cost of this little policy change in how we finance health care for the elderly would result, for example 10 years from now, in an increase in the Federal deficit of $71.7 billion a year. For comparison's sake, let us remember that this is more than the entire deficit that was just approved by the Congress for the upcoming fiscal year.

For those less concerned about the deficit, the Ways and Means Committee's tentative vote of yesterday has other implications. Most analysts agree that if the Congress is unwilling to any longer properly support a structure for health insurance for the elderly, where and how are we ever going to even seriously discuss the health needs of others in this country? I also share the deep concern of those who are worried about the policy implications of the Government's backtracking on its first commitment to provide health care with dignity to a segment of our people.

I have taken the time to make this statement today for I believe the issues to be considered by the Ways and Means Committee's action go far beyond the political question of whether we want to go back on our social security financing decision of a year ago. They are questions which should be considered seriously by the committee and by the Congress. They involve our commitment to the elderly and to those concerned about how they could possibly buy health insurance when they retire. But they also involve our fiscal commitment to try to lower our deficit. Enactment of the bill agreed to yesterday by the committee, which will be inevitably followed by similarly expedient action the next time we are faced with the prospect of a payroll tax increase, could well eliminate the possibility of a balanced budget not only in this administration but in this generation.●

WON PAT RECEIVES HONORARY DOCTORATE

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

● Mr. AKAKA. Mr. Speaker, last night, on Guam, our colleague TONY WON PAT received an honorary doctorate of law degree from the University of Guam. As Congressman WON PAT noted in his opening remarks on the occasion, the last time that he received any sort of degree from an educational institution was in 1925 when he completed the eighth grade on Guam. At that time TONY's aspirations were to become a medical doctor, but in those years on Guam the eighth grade was the end of the road.

We here are well aware that that was not the end of the road for TONY WON PAT. After many years of teaching and as a principal in Guam's schools prior to World War II, TONY was elected to the Guam Congress and went on to serve as speaker for 6 years of the first seven Guam Legislatures. In 1965 the people of Guam sent TONY to Washington as their Washington representative and since 1972 TONY has been one of us as Guam's nonvoting Delegate to the U.S. Congress.

In his acceptance speech last evening, TONY not only reminisced about his own career but he also made some significant statements about his visions for the future of Guam and the implications of that future for the Western Pacific. I am sure that TONY WON PAT's views on this area are of interest to his colleagues in Congress. I would like to take this opportunity to insert his remarks of last evening into the RECORD.

The remarks follow:

BIOGRAPHY OF ANTONIO BORJA WON PAT

Congressman A. B. Won Pat is the first to represent Guam in the U.S. House of Representatives, the first to speak for the island on a full time basis in Washington, D.C., the first to serve as Speaker of the local legislature, and together with another islander, he is the father of the Guam Organic Act which brought civil government and American citizenship to the residents of Guam.

Prior to assuming his political career Congressman Won Pat served as a teacher and principal in island schools before World War II.

He was first elected to the Guam Congress in 1936 and reelected in 1948 and became Speaker of the Assembly. It was while in this position that he participated in spearheading and drafting the Organic Act of Guam. Mr. Won Pat served as Speaker of the First, Second, Fourth, Fifth, Sixth and Seventh Guam Legislatures and as Minority Leader in the Third and Eighth Legislatures. On March 15, 1965, Mr. Won Pat was elected Guam's first Washington Representative and was re-elected to a second term in 1968.

In 1972, Public Law 92–271 authorized the public election of a nonvoting Delegate from Guam to the U.S. Congress. Mr. Won Pat won that election by a plurality of 58% of the total votes cast. He won re-election to the 94th Congress on November 5, 1974, and to the 95th Congress on November 2, 1976.

He is a member of the House Armed Services Committee, where he serves on the Subcommittees on Military Compensation, Military Installations and Facilities, and Military Personnel; and a member of the House Interior and Insular Affairs Committee, where he serves on the Subcommittees on Indian Affairs and Public Lands, National Parks and Insular Affairs, and Water and Power Resources.

Mr. Won Pat is married to the former Ana Salas Perez. They have eight children. Two of their daughters are in the Armed Services, Jacqueline, a Lt. Colonel in the Army, and Marilyn, a major in the Air Force Nurse Corps.

UNIVERSITY OF GUAM COMMENCEMENT ADDRESS, MAY 12, 1978

(By Antonio B. Won Pat, Member of Congress)

It certainly is an honor and a pleasure to be here as a speaker for your commencement exercises. This is the second time I am afforded such a distinct honor of addressing a graduating class of this institution. But on this occasion, however, I am doubly honored by being one of the recipients of a degree.

It has been a long time since I received any sort of certificate or degree from a formal education institution. To be precise, it was in 1925 when I completed the eighth grade in Agana. At that time, that is as far as one could go on Guam. It wasn't until somewhat later that Guam had its own high school, and those few of us who were able to receive

eight full years of schooling felt very fortunate indeed.

There were not any caps, gowns, nor pomp in those years, but there were, of course, circumstances, and those circumstances helped shape my life and are a central part of the remarks that I would like to share with you today.

In 1925 Guam was still under military control, just as it had been since the Treaty of Paris had passed Guam from Spanish to American hands in 1898. Not much had happened to Guam in those 27 years. As for myself, I felt then that in many respects I had reached the end of the line: my formal educational opportunities had come to an end and I was prepared to settle down—to get a job, get married, and have children.

America was booming in the 20's but Guam was not. There was little to do and there wasn't much to dream about. A trip to Agana was a big deal in those days. From Inarajan, where I taught and was school principal, the trip to Agana was generally an all-day affair and we did not undertake the venture very often. If someone had told me then that I would someday travel over 100,000 miles in a single year, I wouldn't have even listened; I would have known he was crazy.

Yet, this past year I have done just that. In order to participate in conferences and hearings connected with my responsibilities in the United States House of Representatives, I have traveled to seven states and a dozen different nations in such distant locations as Germany, Turkey, Korea, India, Russia, Geneva, and even Great Britain. These, combined with my regular trips to Guam, represent approximately one hundred and fifty thousand miles traveled in the last twelve months alone. That's a lot of miles for someone who used to consider Agana as the other side of the world.

My own graduation was some fifty years ago. Do we even dare to look ahead fifty years—to the year 2028? I take great care of my health and hope to live to be 100, but even on my most optimistic days I don't give much thought to being around in the year 2028. God willing, I am hopeful that most of you will be. Could it be that in 2028 someone might look back on my comments today and say—"Hey, here's a guy who thought that 150,000 miles traveled in one year was a big deal!"? Who knows? Maybe in the year 2028 Guam's representative to the House (and perhaps the Senate) might be travelling to the moon on legislative business—a trip of over five hundred thousand miles round trip according to my Senate colleague, Harrison Schmitt, who has already been there!

What will Guam be like in the year 2028? With the rapid development of technology and rate of change that the world is experiencing, I doubt that there is anyone here who would even want to try to guess the answer to that question. What will anything be like in the year 2028?—or, on a more somber note, will there be anything left in the year 2028?

As young graduates in the year 1925 we didn't even think to pose such questions. Oh, we knew there would be changes. But I do doubt that any of us were far-sighted enough at that time to imagine that it might someday be possible to go around the world in one day or less.

The point I am trying to make is that our lives were fairly well defined and fairly predictable in those years. Most young men and women did just what their fathers and mothers did: they planted, raised pigs and chickens, and they had kids and taught them how to plant and fish. Some of us were lucky (or so we thought) and we became teachers, clerks, or something similar. There wasn't much else to do and consequently "Preparing for the future" was not the uncertain and foreboding task that it is today. But we can no longer take the future lightly.

We must look ahead at what the year 2028 will bring, and how we can prepare for it and determine the "skills and understanding" that will be needed for survival and success in the Guam of the future. These are questions that confront each of us in this present day and age, whether we be parent, teacher, or politician.

When I was a teacher at George Washington Senior High School in the late 1930's and the late Agueda Johnston was my principal, we didn't trouble ourselves too much over such questions. There had been a few changes on our island in the preceding ten years but not too many and we had little reason to believe that there would be many more changes in the next ten years. Now, of course, we know better. The changes that have occurred on Guam during the past decade have probably been greater and more consequential than all the changes of the preceding 100 years. These changes have produced new jobs, new lifestyles, and new attitudes. In some ways life is easier. In many other ways life is more complex. I would never have believed ten years ago that we would have some eight hundred heroin addicts on Guam and that the United States Congress would feel compelled to hold hearings on the drug abuse problems on this island! To what extent does this current drug abuse problem reflect the difficulty that we are having in preparing our young people to live in this rapidly changing society of ours?

But what about the role of our schools and this university? How are they helping us prepare for the future?

In my opinion, the task before our schools and this university has never been greater nor more difficult. For those of you here today who are going on to become teachers—you have the most serious responsibility of all. I will go on to talk about grander political designs and configurations later. But, these will mean little if our next generation does not acquire those skills and understandings that they will need to maintain their usefulness and stability and to be productive members of our emerging society.

My hope, from the political perspective, is that future generations on Guam will truly be first class citizens of the United States. It is is my hope and belief that Guam will become a state of the union of the United States. If we should choose something other than statehood as our objective, I would hope that it would be an autonomous state associated with the U.S.

I believe that the time is fast approaching when we must be prepared to go either first class or to go it alone—our pride and self-esteem as a people require nothing less. With that choice, of course, goes responsibility: Either as full partners in statehood, or on our own as an independent entity—we must be prepared to pay our own way. If we are to put our hands out, it should be to grip the shovel. The days of the free ride will be over and we will be a better and prouder people once again because of it.

I am not going to discuss the independence option here because I neither favor it nor think it practical and I believe that the vast majority of the people of Guam would agree with me on those points.

Then what about statehood? What does it require to become a state of the Union? How realistic an objective is this for the people of Guam? If this is indeed to be our objective, how should we proceed?

First: Do we want statehood? I believe we do. We have in fact been moving in that direction—not without interruption—for eighty years now. I certainly hope that it will not take another eighty years to complete the journey. I don't think that it will. Like the rate of social change on Guam, the rate of political change is picking up momentum. It took fifty-two years for Guam to register its first significant political advance under United States rule with the passage of the Organic Act in 1950. Since then, in increasingly rapid succession, we have won the authority to elect our own governor, to elect a member to the United States Congress, and this year we can expect to see the ratification of Guam's first Constitution.

I predict that the next few years will also witness a host of major developments in Congress that will give us the economic tools we need to attain this goal. Our political development will also continue as we gain support for the right to participate in Presidential elections and hopefully win a vote on the House floor. Again, the key to our success here is the conviction in Washington that such action will strengthen all Americans by the elimination of discrimination against a few. But what is the next logical step?

I urge those of you present—Micronesians, Guamanians, and people of the Northern Marianas not to be satisfied with improving only our status in the American system of government. That would be ignoring another key facet of our potential for the future. I am totally convinced that we have a major role to play in the Pacific. But we have yet to begin shaping the necessary ingredients to make this one a pivotal power in the Western Pacific.

Guam can be proud of its progress to date. We have an excellent standard of living and we enjoy a strong economy. We have excellent educational and health facilities. There is no reason why we cannot share these blessings as well as our burdens. What we do not have now, is the spirit to take hold of our basic strengths and use them to accelerate our collective natural position of strength in the Pacific basin.

I ask for fellow-Guamanians to initiate a partnership with our brothers in the nearby Pacific in the formation of a solid political and economic block which can provide the basis for improving this entire region. We must begin now with a program of intense political and economic collaboration with other islands. It is imperative that we no longer stand alone or be divided as others have traditionally forced us to be.

In my opinion, the next logical step in the political evolution of this area is the reunification of the Marianas Islands. The reintegration of the Marianas was almost accomplished several years ago when referendums were held on this issue. Unfortunately, the reintegration proposal lost at the polls on Guam while winning in the Northern Marianas. I believe that the defeat on Guam can be traced to a lack of understanding among the general public as to how such a move would benefit Guam.

How would it benefit Guam? Well, for one thing, the combined size and populations of our territories would make our aspirations for higher political status that much more plausible. Congress, which of course has the ultimate say in such matters, has been notoriously reluctant to relinquish or dilute its power. You must remember that we are not alone within the American community in not having a vote on the floor of the House. The three million residents of Puerto Rico also do not have a vote on the floor of the House nor, for that matter, do the residents of our Nation's Capital, Washington, D.C. This might soon change as the House of Representatives recently passed legislation which would give D.C. full voting representation in both the House and Senate. But this bill must still be passed by the Senate, and if successful there, must then be ratified by three-fourths of the states before this change could become law. In the case of Puerto Rico, their own ambivalence about their political direction has been the

major factor in their current status situation.

I do not believe that Guam is ambivalent about its ultimate political status. We recognize that there are stages through which we must pass, and this recognition was reaffirmed on the political status referendum two years ago when the majority on Guam voted to improve our relationship with the United States.

It is not too early for us to begin looking beyond the stage of improving our relationship to that of achieving full and equal partnership as a state of the union and, I believe, that if it is the desire of the people of the Northern Marianas, we should begin to explore these next steps together with them and with whomever else among our neighbors might want to join with us.

Can we look to our other neighbors in Micronesia and ask them to join us in this great venture? I believe that we can and should.

Last year the Palau Political Status Commission drew up a declaration of intent in which they proposed, among other things, the establishment of an administrative union or common services area which would include Guam and the Northern Marianas Islands along with Palau. I, for one, welcome this initiative and will strive to see such a concept promoted into reality. The Palau proposal calls for consolidation of services between our islands in the areas of transportation, communication, finance, procurement and supply, and for the sharing of resources in the fields of health and education.

They propose this in the cause of efficiency and towards the ends of promoting, and I quote: "A more natural, practical and permanent association . . . with the United States."

There is no doubt in my mind that the United States needs to have a strong position in the Pacific for generations to come. The strategic importance of Guam and Micronesia to the overall defense posture of the United States is well established. We are proud of the role that we have played to date and we look forward to playing an expanded role in this area in the future. However, we are also well aware that we must look beyond the military sector and continue to develop every other sector of our economy.

I hope to see a day when Guam is the center of commercial, educational, and political activity in our part of the globe. A time when this university is regarded by all Micronesians as their own place to come to for an education that will not only provide the basic academic tools they want, but also the education they must have to help their islands achieve success.

In that regard, I would like to propose today the establishment of a federally supported Pacific Center here on the campus of this university. I am prepared to seek full support for such a center in Congress. I envision this center as an autonomous unit which could play a major role in supporting the overall development of the Western Pacific Region. Such a center could: coordinate and support the education of students throughout Micronesia at the University of Guam; conduct and coordinate seminars and training programs for leaders and technicians in the fields of government, health, education, business, and all other facets of development from Guam and Micronesia; and coordinate and support expanded research and technical assistance efforts throughout this area.

Such a center would belong to all of the people of Guam and Micronesia but by housing it here at the University of Guam we would be able to draw upon the already fine resources that this university has to offer and at the same time we would be attracting new resources which the University could also draw upon thus mutually enriching each other in the process.

I see then, a major role for this university in the overall development of this region. A role not without its difficulties. As communities and as people we will continue to have our differences—differences which will at times divide us. But I also feel that in the long run we will learn to overcome these differences and that an honest, working partnership will eventually evolve. I not only believe that this can be done, but, that for our own common good, it must be done.

It is an exciting dream indeed. I have enjoyed the journey thus far and I have derived great satisfaction from being an active participant in each step of the process to date. I don't know if I will be around when the journey is completed—but if I am you can be sure that I'll be standing up at the signing.

Now, before I relinquish the podium, allow me to express my gratitude for your cordial invitation and greetings. In all humility, let me say with all sincerity that in more than forty years of public service, no success, no reward, no recognition has surpassed this rare honor that you have bestowed upon me here today. I accept it not as a purely personal compliment but as an expression of good will which the Board of Regents and the faculty of this great institution feel for the services that I have shared with many of my fellow citizens in behalf of our territory. Again, with all my heart, I thank you.●

ADDRESS BY THE HONORABLE THOMAS P. O'NEILL, JR., HOUSE SPEAKER, AT IRELAND FUND DINNER

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

Mr. FOLEY. Mr. Speaker, one of the most remarkable speeches delivered in the United States recently was the speech delivered by the distinguished Speaker of the House, the Honorable THOMAS P. O'NEILL, JR., at the Ireland Fund dinner at the Waldorf-Hilton Hotel in New York City on May 10, 1978.

Speaker O'NEILL addressed the problems facing the Irish Republic of Northern Ireland with a rare combination of eloquence, compassion, concern, and courage. I believe his remarks should be read by all Americans and particularly by Americans who are proud of their Irish ancestry, of whatever religious community or background.

I particularly would commend the Speaker's remarks to my colleagues in the House, and accordingly I submit the text of his speech for the earnest consideration of the Members, as follows:

ADDRESS BY THE HONORABLE THOMAS P. O'NEILL, JR.

Tonight we celebrate our Irish heritage and our American good fortune. The Irish in America demonstrate one of the great success stories of history: A great tribute to our forefather's heritage as well as their courage, wisdom and good luck in immigrating to a land of such great promise and opportunity.

But as Americans whose forefathers came from Ireland, we should be particularly concerned about the country they left behind. Most of us here tonight, in common with millions of Irish Americans and Irish men and women, inherited from our families a deep devotion to Irish nationalism—a sincere hope that Ireland will be united. But like most problems of life, there are no easy and quick solutions. As Irish Prime Minister Jack Lynch has said, the mere withdrawal of Great Britain is not the solution. The problem is far more complex. It is a question of finding ways of getting Irishmen of conflicting traditions and aspirations to live together and to look to the future together. Irish unity is not a question of uniting the two different physical pieces of an island: It is a problem of reconciling the minds and hearts of two communities which are now bitterly opposed.

As Americans, we owe a great historic debt to Irish Protestants as well as to Irish Catholics. We know that both communities played an outstanding role in our war of independence. When Sir Henry Clinton, the British commander, wrote from New York in the fall of 1778 that "immigrants from Ireland are in general to be looked upon as our most serious antagonist," he was speaking of both Catholics and Protestants from Ireland without discrimination. When Major General Roberts testified in the same year that half the rebel army were from Ireland, he was not differentiating between the orange and the green. Protestant immigrants in the United States from northern Ireland supplied many of our presidents and contributed massively to the establishment of our political and legal systems. I fully agree with those elected Irish leaders who say that the Protestants in Northern Ireland today have every right to be regarded as Irishmen. After all, if that were not the case, my family would not be entitled to call themselves Americans—for we have been in this country a far shorter time than those Protestants have been in northern Ireland.

So let me say this to the Protestants of Northern Ireland. . . . the Irish in America are grateful to your kith and kin for their outstanding contribution to the United States. Your forefathers helped to build up a system in America where all races—Irish Catholics and Irish Protestants—English—Germans—Latins—Chinese—and Africans—could participate as full citizens. Those ideals that motivated your immigrant ancestors in the 17th and 18th centuries are relevant today in Ireland—as they were and have since been in the United States. Diversity, participation and human rights were the three features of the system to which the Protestants from Ireland made a particularly important contribution. Those three ideals should be rigorously applied in northern Ireland today and deserve the support of Protestants as well as Catholics.

And may I say a word to the Catholics—both in northern Ireland and in the rest of Ireland—I share your hope that the people of Ireland will someday be united. I share your hope that the troubles and persecutions which afflict ordinary people in Ireland will end soon. I know the frustration of all the people of Ireland at the repeated failure of politicians to resolve the problem of northern Ireland. I would urge you, nevertheless, to keep your faith in politicians and the political process. It is the only hope this side of chaos. It is men like Gerry Fitt and John Hume in northern Ireland, and Jack Lynch and Garret Fitzgerald in the Republic of Ireland who have earned my admiration and my respect. It would have been easier for them to appeal to the emotions of their followers but they have placed the lives of ordinary people above ambition and popularity.

I would like as well to congratulate Mr. Tony Hederman, the Attorney General of Ireland, and his government on the extent to which the constitution and the laws of the republic have taken account of the values of the Protestants, Jews and the minorities in Irish Society. I am proud of my Irish Catholic heritage. But, I recognize as an American politican in the most diverse

society on earth, that one's own religious beliefs and values should not be imposed by legislation on others. The same is true for Ireland, and the constitutional model of the Republic of Ireland serves as a good guide to the protection of minorities upon which a diverse society could flourish.

But nothing can flourish, however, without evidence of progress. So I would appeal to the British Government to re-examine seriously its own role in Northern Ireland. The problem of Northern Ireland will not be solved if it is permitted to become a football in British politics. Nor will it be solved if the British Government gives to one side or the other in the political conflict a basis to assume that concessions are not necessary. I must say that the evidence of the past few years would suggest the problem of Northern Ireland has sometimes become a pawn in British political calculations. At other times it has been forgotten when British political priorities were assessed. Nearly two thousand people have been killed in the political violence of recent years in Northern Ireland and I can think of no British problem as devastating as that. It seems obvious to me that the Northern Ireland crisis should be treated by all British parties without a view to party advantage. As an absolute minimum, it must not be subjected to extraneous political considerations.

And may I say this to my fellow Americans. It is easy to be emotional about the Northern Ireland problem. It is difficult at a distance of three thousand miles to picture the anguish of ordinary people who have had to live with the two thousand deaths, with the twenty thousand injured, with the bombings, the bank robberies, the random assassinations, the daily fear of mothers that they will not see their husbands or their children return from work or from school in the evening. It would be easy for us to indulge our emotions at the expense of death and destruction in Ireland. But I do not believe we have the right to do so.

On a personal note, I would like to say to those who tell me that if I do not support those who support violence I will come under political pressure: I do not want the votes of those who support the killing of innocent Irish men, women and children. And if the democratically elected Prime Minister of Ireland, who has much more to lose than I have on this issue, tells me that there are organizations in the United States which are linked to those who are doing the killing, I will listen to him and I hope that my political colleagues and opponents and all my fellow Americans will do the same thing.

Peace. Culture. Charity. These are the ideals of the Ireland fund. These are the ideals that we celebrate tonight. They are the same ideals that motivated our Irish American forefathers—those millions of forgotten immigrants who built the schools we attended—who founded our labor unions —who tended our sick—who trudged the wards of our cities—and who brought the masses of our people into our political system. I commend them to you again tonight. Ladies and gentlemen. I would ask you to stand and raise your glasses in a toast to peace, culture, charity—and Ireland!

ICC IS BECOMING AN AGGRESSIVE AND RESPONSIVE AGENCY IN DEALING WITH NATION'S TRANSPORTATION PROBLEMS

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

● Mr. DICKS. Mr. Speaker, I would like to share with my colleagues two newspaper articles, one taken from the April 9 New York Times, the other from the April 9 Los Angeles Times. The articles focus on the progress of the Interstate Commerce Commission under its new Chairman Daniel O'Neal.

As the oldest regulatory agency, the ICC is rightfully expected to serve as an example of how independent regulatory agencies should work. For that reason I am pleased that the ICC is in the process of becoming the aggressive, responsive agency it must be to deal with this Nation's transportation problems.

There is a strong public outcry against the operation of many of our regulatory agencies and the unnecessary burdens they have placed on individuals. All too often this outcry has been more than justified. The ICC is beginning to show that regulation does not necessitate excessive redtape.

While changes in procedure will help agencies' performance, strong leadership is just as important. I firmly believe that Chairman O'Neal embodies the type of concern and energy that is so necessary to effective regulation. Much of the progress that has been made recently at the ICC is directly attributable to his leadership. Dan O'Neal's actions serve as an example to others charged with regulatory responsibility, and frankly I wish we had more like him.

I include the articles from the New York Times and the Los Angeles Times in the RECORD.

[From the Los Angeles Times, Apr. 9, 1978]

THE CHAIRMAN OF ICC IS TRAVELING OWN WAY—AND MOVING SLOWLY

(By Penny Girard)

WASHINGTON.—On the tennis court, some of his friends kiddingly refer to him as the "slasher" because of his powerful serve. But out of his tennis shoes and into his polished oxfords, Dan O'Neal, 42, prefers a moderate, change-the-system-from-within approach to his job as one of the youngest chairmen of the nation's oldest regulatory agency, the Interstate Commerce Commission.

Thus, as he winds up his first year as chairman, O'Neal finds himself in a potentially difficult position; while his careful approach apparently has laid the groundwork for some significant internal reforms at the commission, he is at odds with President Carter and others who believe the time has come for the federal government to sharply reduce its regulation of business.

While a strong political tide appears to be running against the concept of government regulation, O'Neal says he is not prepared to yield much of his agency's almost life-and-death control over such basic industries as trucking and railroads. Where Carter and others favor "deregulation" as the answer to businessmens' complaints that they are choking in red tape and unnecessary regulations, O'Neal believes the best approach at his agency is to retain its regulatory power but to streamline the way it works.

Critics and supporters of the Interstate Commerce Commission agree that the agency long has been mired in its own red-tape, inertia, incompetence, a ballooning backlog of cases and such operating problems as a rotating chairmanship. Initially set up as a model for other regulatory agencies, the commission is now widely regarded as a symbol of ineffective federal regulation.

As one former ICC official put it, "The commission has been one of the most Byzantine, antiquated agencies in Washington for more years than most people can remember."

O'Neal, interviewed recently in his spacious office, is convinced that improvements are in the offing, however.

"We're a changing agency," he said. "I think we're becoming more attuned to the world we affect with our regulations."

George Chandler, who heads the new policy review office which O'Neal instituted, says much of the impetus for change at the commission is coming from O'Neal.

"The commission is for the first time in the hands of someone who really wants to manage it and change its direction," he said.

Established in 1887 to regulate the railroad industry, the commission had its authority broadened by Congress in 1935—at the railroads' urging—to include the trucking industry. Its other responsibilities include buses, barges, and until the recent creation of the new Department of Energy, pipelines.

O'Neal came to the commission in 1973—former President Richard M. Nixon's appointee to fill a vacant Democratic slot—from the Senate Commerce Committee where he had been the transportation counsel.

As counsel, he had authored the original study there on the problems leading to the bankruptcy of the Penn Central Railroad.

At the commission during proceedings to reorganize the nation's rail system, O'Neal frequently dissented from decisions he believed would reduce the commission's power in favor of other agencies such as the Department of Transportation.

A former top staff aide to Sen. Warren G. Magnuson (D-Wash.), once chairman of the Senate Commerce Committee and now head of the Senate Appropriations Committee, O'Neal was named as commission chairman in April 1977 by President Carter.

Philosophically, O'Neal favors changing existing regulations and making internal procedural changes while simultaneously protecting the jurisdiction of the commission.

Industry spokesmen, lobbyists and Capitol Hill committee members generally view O'Neal as a bright, aggressive man, with keen political instincts.

"He's not going to buck Congress and industry to force change, but he's sensitive politically to recommendations from Capitol Hill and to the change coming from within business," a business attorney said.

"He won't move before there is an acceptance and desire on the part of industries the ICC regulates to change the way they do business," said another industry representative.

Rep. Norman D. Dicks (D-Wash.) who previously worked with O'Neal on Magnuson's staff, said that O'Neal is making progress in getting the agency to respond to such problems as regulatory lag and delay in handling cases.

"I think he feels like I do that total deregulation won't work, and he's trying to clear up the abuses of the system that already exist," Dicks said.

Some industries, like the regulated truckers, are still somewhat leery of O'Neal. Nelson Cooney, general counsel for the American Trucking Assns. Inc., said: "Our industry has grave cautions about him because it is such a time of change for us as far as regulation is concerned."

The Commission currently is studying changes in a number of areas involving motor carriers including reducing the barriers new truckers face, reviewing the way rate bureaus set freight rates and other areas such as "backhaul," where trucks return empty from their deliveries.

M. Harrison Boyd, executive director of the Minority Truckers Development Corp., said that the opening of a Small Business Assistance office has indicated that the commis-

sion is taking a critical look "at the rules and regulations of the industry in an effort to release the stranglehold that nonminorities have had for years."

But O'Neal's approach stops short of the high priority the Carter Administration has stamped on trucking deregulation. The White House is considering several options drawn up by the Department of Transportation and the Office of Management and Budget, including major legislation to restructure the commission and reduce its power over the motor carrier industry.

Harrison Wellford, OMB's executive associate director for reorganization and management, said in an interview that the White House and O'Neal share many of the same basic goals, but have a different legislative approach.

O'Neal wants to complete studies the ICC is making of its role and procedures before considering any major legislative package proposed by the White House.

At present, O'Neal says his inclination is to support changes in current commission policies in a way that would open up the trucking industry to more competition, but to keep the industry within the regulatory power of the commission.

In his first year, O'Neal has emphasized several programs to streamline agency management and to make the administration of the agency more central. In addition to the Small Business Assistance office, the policy review office was set up to assess and coordinate key decisions and actions. In other areas, the commission has reduced its three working divisions to two broader working groups, and has called frequent conferences on pending issues.

O'Neal said he expects many of the internal changes to be in place by next January, without any serious disruption of the commission's ability to keep up with its workload.

On Capitol Hill, O'Neal is seen as making some headway in setting a new tone at the lagging agency. Said a staff member of the Senate Commerce Committee, where O'Neal once worked: "He's energetic and new enough that he can get a lot done. I can't say he's tackled all of the problems, but at least the commission is on the road to making progress."

[From the New York Times, Apr. 9, 1978]

UNDER O'NEAL, THE ICC HAS STARTED ROLLING

(By Ernest Holsendolph)

WASHINGTON.—For years, the Interstate Commerce Commission has been regarded as one of the worst of the regulatory agencies. Notorious for ignoring consumer needs while being overly cozy with the industries it supposedly regulates, it nonetheless stood by as one of its baronial clients, the railroads, hit the skids. Truckers charged that they were being neglected and the bus lines wondered why the I.C.C. ignored their sagging profits.

In this kind of atmosphere, T. Daniel O'Neal Jr., first appointed to a Democratic seat on the commission in 1973, was named a year ago by President Carter the I.C.C.'s new chairman. (The oldest of the regulatory agencies, established in 1887, the commission has traditionally been responsible for all surface transportation, including rail, truck, intercoastal barge, bus and coal slurry, and oil pipeline traffic. Oil pipeline regulation has recently been shifted to the newly created Energy Department.) "I think Dan O'Neal realized one thing long before his fellow commissioners." says one close observer. "If the I.C.C. did not get busy and make itself look relevant, it was going the way of the Penn Central."

Dan O'Neal was no ordinary chairman, even in prospect. He was a member of the Seattle Mafia—the transplanted band of northwesterners which has come to have considerable clout in setting national transportation policy, a group that includes Transportation Secretary Brock Adams; Urban Mass Transit Administrator Richard Page; Mary Shuman, chief White House transportation adviser, and Donald C. Cole, President of the United States Railway Association. Before his appointment to the commission, Mr. O'Neal was transportation counsel to the Senate Commerce Committee, and previously was a legislative aide to Senator Warren Magnuson, the Washington Democrat.

Quite sensibly, Mr. O'Neal immediately ordered a broad study of the commission and its bureaucracy. "It was clear to me that we needed a better way to review policy, a way to step back from day-to-day proceedings," he recalls. What emerged was a plan to set up for the first time an office of policy review, headed by a director responsible for monitoring the impact of I.C.C. policies and a decision to name a commission staff director. One thought that struck a sympathetic note in the cost-conscious Carter Administration was that the commission did not really need its full complement of 11 members, each seeking some public exposure but none apparently responsible for much of anything. So under an agreement with the White House, the commission has been operating—much more effectively, it is generally agreed—since last year with just seven members. "I can remember when Dan O'Neal was one of those 11," says Richard Briggs, Vice President of the Association of American Railroads. "Like the others, he would file those wordy dissents that sometimes had little to do with the real issues. Now, he's different—he's concerned about the long-term ramifications for the industries and the commission."

For a long time (for most of its 90-odd years, some say), the commission has been a casual place where a transportation industry magnate could chat informally with commissioners and staff, keeping track of what was going on, even supposedly confidential developments. Last year, two cases of insider dealings between commission staff members and certain trucking companies resulted in Federal criminal proceedings. Things are changing; the commission has tightened up its ethical guidelines. "The other day a Congressman invited me up to the Hill, and he mentioned that he wanted to know about the chances of an important rail rate case," says Mr. O'Neal, who is not at all shy about reviewing his accomplishments. "He was surprised to hear me say, 'Sorry, but we just can't talk about the merits of that case.'" Mr. O'Neal confesses, however, that his instincts failed him recently when he agreed to meet behind closed doors with members of a shippers association, a move that was greeted by many protests from truckers, who said they could obtain no such privilege. "I'll never do that again," he says.

The commission is gaining a reputation as a place where other regulations are being relaxed, making it easier, for example, for small operators to get started in the trucking business, "I like the new atmosphere down there," says Representative Millicent Fenwick, a New Jersey Republican, who has taken up the cause of small truckers seeking operating authority or greater rights to make money under lease arrangements with big trucking companies. "I'm not satisfied that adequate regulatory reform has occurred yet, but under O'Neal they are moving in that direction." Senator Edward Kennedy's antitrust subcommittee is looking into abusive rate fixing by the trucking industry, and the White House is trying to frame appropriate legislation to open the industry to competition. In the meantime, under Mr. O'Neal, the commission is trying to provide speedier rulings and easier entry for new truckers.

"I have spent 30 years dealing with this industry and the way well-heeled trucking companies are given privileges," says Leamon McCoy, a black trucking executive in Newark. "But only now can I say that minorities and other small companies are getting attention, thanks to the small business office that Dan O'Neal has set up." Said Mr. McCoy: "The commission has always been able to find 50,000 reasons to aid established truckers, and then come up with 450,000 reasons why they can't get new competition."

The commission has for the first time given some attention to the concerns of consumers, especially the abuses of the moving industry, including such crude practices as "weight bumping" (when the mover loads his van with bricks to increase its weight—and the cost of the move). Seventy-five commission offices around the country have been told to step up their investigations of such complaints.

The regulated trucking establishment is wary of the commission's aggressive new stance. "The trucking industry applauds the efforts to identify areas where regulation may further improve and make service more responsive to public need," says Bennet C. Whitlock Jr., President of the American Trucking Associations. "But we hope the caution and prudence will be exercised." Mr. O'Neal's response: "I just flat disagree that we're moving too fast. We have got to keep moving, or others will come in and do the moving for us."

(NOTE.—Ernest Holsendolph is a reporter in the Washington bureau of The New York Times.) ●

ISRAEL AND THE NATIONAL INTEREST

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

● Mr. SOLARZ. Mr. Speaker, in the current debate over the proposed sale of combat planes to the Middle East, we have been furnished with a most disturbing argument in favor of the sales. This argument maintains that the sales to Egypt and Saudi Arabia should be considered in terms of the U.S. national interest. Proponents of this view declare that although the United States certainly regards the Israelis as trusted allies, our underlying foreign policy considerations cannot primarily be composed of "international altruism."

Aside from abrogating a fundamental responsibility to the freedom and survival of the Israelis, those who would advocate such a U.S. strategy fail to recognize the vital role which Israel plays in the U.S.-U.S.S.R. strategic balance of power. This observation is brought forth by the editors of Foreign Policy Perspectives, in an advertisement published in the New York Times on April 23, 1978. The editors write:

Perhaps their predilections prevent oil and other business interests which profit from the flow of petrodollars from seeing Israel as it truly is: A matchless strategic asset for the West (indeed, for the few genuinely moderate forces in the region) against threats emanating from extremist Arab and non-Arab elements and against direct or surrogate military intervention by the U.S.S.R.—and at no cost to U.S. manpower and at a military supply expenditure amounting to less than 1% of the U.S. defense budget.

As the editors make clear in the article, this alliance is further strengthened by the values common to Israelis and

Americans. Far from a burden, the Israeli-U.S. alliance is one which strengthens the United States. In addition, because the values of freedom and justice are so deeply ingrained in the Israeli character, ours is a relationship which will not be victim to the exigencies of international economics or politics.

Because any weakening of the Israeli state weakens our own country, the administration must not make arms sales to foreign countries when these sales could jeopardize Israel's security. I respectfully submit the article published in Foreign Policy Perspectives, elucidating these, and other important concerns involving U.S. Mideast policy.

The article follows:

THE ADMINISTRATION'S CREDIBILITY AND THE NATIONAL INTEREST

THE PROMISE

In the course of his presidential campaign and after assuming office, President Carter repeatedly promised the American people that in order to restore credibility to the U.S. as a constructive force in world affairs, our foreign policy would be publicly debated and arrived at openly with the full understanding and support of the Congress and the American people.

It is disturbing, therefore, to observe this Administration manipulating the news, distorting issues of grave concern and suppressing vital information.

These tendencies become evident in a wide range of issues, such as: the misleading representations concerning the Panama Canal Treaties (which some of us favored), the selective "leaks" concerning Salt II, the flipflops on Ethiopia-Somalia, the double standard on Human Rights, the Bert Lance Connections and the Marston Affair, and so forth. However, the threat to America's credibility is most critical in the Administration's posturing on the Middle East, violating its promise both in substance and style.

WHOSE "INTEREST"?

The terms of reference under which U.S. interests in the Middle East currently are assessed by Administration Spokesmen must be viewed as misleading. Increasingly, U.S.-Israeli relations are being portrayed as reflecting an alleged conflict between an undefined American "national interest" and a so-called "pro-Israel lobby", supposedly representing mere parochial interests. Israel's place in U.S. policy considerations is characterized, at best, in purely sentimental terms, while our concrete "interests" are presented as focusing upon Arab oil and money.

Even those mesmerized by petrodollars must have twinges of awareness that it is self-defeating to behave as if America's real adversary were not Moscow's neo-imperialist forces, armed to the teeth, but rather a small, devotedly pro-Western State—namely, Israel, which happens also to offer the only secure logistical link between our other allies in Western Europe and the East.

Perhaps their predilections prevent oil and other business interests which profit from the flow of petrodollars from seeing Israel as it truly is: A matchless strategic asset for the West (indeed, for the few genuinely moderate forces in the region) against threats emanating from extremist Arab and non-Arab elements and against direct or surrogate military intervention by the U.S.S.R.—and at no cost to U.S. manpower and at a military supply expenditure amounting to less than 1% of the U.S. defense budget.

STRATEGIC BARGAIN

No combination of Arab regimes can match the strategic bargain that a strong Israel offers the West. Indeed, a recent interagency U.S. Government study on the world military balance concludes (New York Times, Jan. 6, 1978) that, in the event of a non-nuclear super-power conflict in the Middle East, Israel, by itself, "might deter Soviet combat forces intervention or prevent the completion of such deployment." The implication of the study is that, in case of such a crisis, no Arab regime could be relied upon to mobilize potent military ground and air units, or to make available secure access points. If our present self-defeating policy continues, the danger is that we might no longer have a strategically viable Israel to factor into the equation.

Thus, any weakening of Israel is, in effect, a weakening of the United States. Israeli strategic vulnerability would be an invitation to Soviet adventurism. In our own security interests, we should be doing all in our power to strengthen the only state in the region which can help deter direct Soviet intervention. The arms we provide, the air fields and naval stations we help to support, will be available for our use in any global or regional crisis. More importantly, the Israelis themselves are prepared to fight and risk their lives in defense of our common cause. Unfortunately, it is not realistic to make the same assumption about our present Arab associates and aid-recipients (from the one-man government of Egypt, which is the single laregst annual recipient of U.S. economic assistance, totaling $4 billion since 1973, to the feudal monarchy of Saudi Arabia, not to mention the military dictatorship of Syria, which forms part of Moscow's forward base in the Middle East).

In short, the most authoritative strategic analyses available make clear that it is Israel, and not any of the Arab regimes, which has demonstrated repeatedly the national will, the democratic societal cohesion, and the scientific and technological talent to perform as a reliable and effective ally in time of crisis.

In the face of these facts, some Administration sources, along with oil and other special interest spokesmen, persist in portraying Israel as a "burden" and are doing their utmost to convert her from a major strategic asset to a liability. This Administration's propensity to surrender to oil blackmail (even in the face of an oil glut) and sacrifice its allies is noted in Moscow and elsewhere.

THE GROMYKO-VANCE DECLARATION

On October 1, 1977, after nine months of claiming that it had "ousted" the Russians from the region, the Administration underwrote Moscow's prescription for the Middle East in the so-called Gromyko-Vance Declaration. This joint statement violated solemn U.S. moral and legal commitments to Israel to "consult fully and seek to concert its position and strategy at the Geneva Peace Conference," set down in the September 1975 Memorandum of Agreement that accompanied the Interim Agreement (Sinai II).

The Gromyko-Vance text reinstated Moscow as a major party in the Middle East political process and the U.S. recognized "the legitimate rights of the Palestinian people"—the Soviet/Arab code word for the creation of an Arafatist state dedicated to Israel's destruction.

By joining in that declaration, the Administration took a giant step toward imposing a pro-Arab settlement: it undermined free, direct Israel-Arab negotiations, rewrote Resolution 242 (which made no reference to "Palestinians"), resuscitated the prestige of the PLO terrorist organization, hardened the Arab negotiating posture and encouraged those Arabs who say negotiations are unnecessary because the U.S. eventually will "deliver" Israel.

WHY SADAT WENT TO JERUSALEM

The joint declaration threatened to give extremist Arab elements effective control of the region's future. Sadat undertook direct contact with Israel in order to regain some control of the negotiating process.

Sadat's dramatic arrival in Jerusalem temporarily obscured these consequences of the Gromyko-Vance statement. It concealed the fact that Sadat's own negotiating options had been eroded; he could not demand less than the U.S., Israel's friend, had already offered. Consequently, he demanded Israel's acceptance of all his (and the U.S.S.R.'s) ultimative demands, including a Palestinian "entity" and total Israeli retreat to the indefensible lines of June 4, 1967—the very terms every Israeli government had rejected for a decade.

Israel responded to the Sadat visit with unprecedented concessions to Egypt, including: Egyptian sovereignty over all of Sinai, full Palestinian Arab civil autonomy in the West Bank and Gaza for the first time in history, and participation of Palestinian Arabs in the negotiating process—all granted unilaterally in advance of actual negotiations.

But once Sadat rejected Israel's opening offer, the White House proceeded in short order to attack and undermine Israel's negotiating position. Politically, the same Carter Administration which had, in effect, rewritten Resolution 242 in the Gromyko-Vance declaration, castigated Israel for maintaining its own interpretation of that Resolution and aligned itself entirely with Egypt on the substance of a settlement. Militarily, the Administration agreed to transfer America's most sophisticated war planes to Egypt and Saudi Arabia—almost as if to reward Sadat's sudden and capricious suspension of the Jerusalem talks.

Now, more than ever, it is clear that any real progress toward peace in the Middle East will come in spite of rather than because of this administration's impatient, one-sided intrusion.

COMMITMENTS, OBLIGATIONS, PROMISES

President Carter cancelled the U.S. commitment for the balance of the CBU–72, the only weapon effective against hardened military sites in which Arab attack planes are housed. He denied Israel permission to export the Kfir fighter jet on the pretext that it contains an American engine. He reneged on promised co-production licenses for weapons and communications systems. He excluded Israel from most-favored-nation access to sophisticated weapons in Presidential Review Memorandum 12.

In contrast, Maverick, Sidewinder and TOW missiles have been delivered to Saudi Arabia, and the U.S. has sold to Egypt (still officially at war with Israel) 20 C–130 transports, 12 Firebee aerial reconnaissance drones, 6 longrange photo reconnaissance camera systems and military vehicles worth approximately $350 million. In September 1977 the Administration agreed to refurbish with new engines, 200 Egyptian MiG–21 jets.

The current White House proposal to sell 60 F–15's to Saudi Arabia and 50 F–5E's to Egypt linked to the sale of 15 F–15's and 75 F–16's to Israel is the latest move in the deepening erosion of the military balance. This has been presented as a package deal, to make delivery of previously promised aircraft to Israel contingent upon delivery of war planes for Egypt and Saudi Arabia.

We must recall that under intense American pressure in 1975, Israel agreed to withdraw from strategic mountain passes in Sinai and the Abu Rodeis oil fields without comparable Egyptian concessions. In return, the U.S. undertook an obligation in the U.S.-Israel Memorandum of Agreement to maintain Israel's defense strength including, among other items, the modernization of the Israel Air Force on a one-for-one replacement basis.

In that document, Israel received a commitment for purchase of 50 F–15's, 25 of which were approved last year. Israel has

been seeking to purchase the remaining 25; the Administration now proposes that Israel receive only an additional 15 of these aircraft. On the basis of the Memorandum of Agreement Israel originally expected to receive 250 F–16's but now is being offered only 75.

There was no mention in the 1975 Agreement that the planes to Israel would be approved only if Egypt and Saudi Arabia received similar aircraft. At a time when the Carter Administration is asking Israel to take additional risks for peace, it is backing away from yet another commitment to Israel. It is remarkable that the Administration expects Israel to trust future U.S. assurances when past ones are so easily repudiated.

STRAINED AND DECEPTIVE ARGUMENTS

The Administration's arguments for the sale of highly sophisticated war planes to Saudi Arabia are strained and deceptive. Officials argue that the transfer of 60 F–15's to Saudi Arabia is necessary to defend her oil wells against hypothetical attacks from Iraq.

If a threat to Saudi Arabia indeed emanates from Iraq, why are the Saudis, with U.S. assistance, building a major base for the F–15 at Tabuq, more than 1200 kilometers from Iraq, but only 6 minutes flying time from Israel?

Moreover, the Administration omits mention of the formidable Saudi force of 110 F–5E fighter-bombers. Combined with Arabia's mobile Hawk batteries, these aircraft are more than adequate for the defense of the oil fields and shipping lanes of the Persian Gulf.

In military intelligence circles, it is common knowledge that the Saudis are financing installation of a communications system for the joint command of Syrian, Jordanian, Iraqi and Saudi forces. While any Saudi move toward genuine moderation should be encouraged, it must be noted that contrary to Administration assertions, Saudi Arabia actively participated in the 1967 war, to a greater extent in the 1973 war, has openly committed its military resources to any new war against Israel and continues to finance terror operations of the PLO.

UNDERMINING THE CAUSE OF PEACE

The rationale for the F–5E sale to Egypt is no less tenuous. Dubious arguments are advanced that (1) Egypt's search for peace requires reward of arms, (2) the Soviet arms supply line has been cut and (3) the F–5E is needed to counter Soviet expansion into Ethiopia.

(1) With regard to the first argument, if the peace talks succeed, the need for arms would diminish; if they fail, then Washington would be fueling and escalating the weapons race between two recipients of U.S. arms. In addition, Washington was instrumental in: clearing the Suez Canal, inducing Israel's withdrawal from the Sinai passes, restoring Egyptian control to the Abu Rodeis oil fields and establishing an early warning system in the Giddi Pass. It is Egypt, not the U.S. that should offer the proof of friendship.

(2) Repetition of the myth of a supposed Soviet arms embargo against Egypt does not turn it into fact. U.S., NATO and Israel published intelligence reports have confirmed that Egypt continued to receive extensive resupplies of Soviet weapons at least through 1977. Egyptian ground forces have already surpassed 1973 levels, and her inventory now contains more T–62 tanks, night vision equipment, missiles and missile-bearing helicopters. The Egyptian air force has been strengthened qualitatively by receipt of such sophisticated aircraft as improved MiG 21's, MiG 23's, Sukhoi 17's and Sukhoi 20's.

Moreover, France and Great Britain have joined the Soviet Union as major sources of advanced military equipment. President Carter now proposes to add American technology to the Egyptian war machine.

(3) The final argument that F–5E's are needed to counter the growing Soviet and Cuban involvement in the Horn of Africa is untenable. The vast Sudan separates Egypt from the nearest point in Ethopia—800 miles away. Unlike Ethiopia, however, Israeli targets are well within the combat radius of these F–5E aircraft.

In short, all the arguments so far advanced by the Carter Administration to support these arms sales are demonstrably false or misleading.

Moreover, by initiating an offensive arms supply relationship with Egypt and by encouraging deeper Saudi involvement in the event of renewed hostilities, this radical move by the Administration may increase Arab confidence in the utility of the war option and undermines their incentive for mutual compromise. It undermines the cause of peace.

The Administration's arguments for the package deal of arms sales are so feeble, in fact, that it is hard to believe that Administration spokesmen take them seriously. Consequently, one is driven to the conclusion that this extraordinary departure simply reflects the dominant influence on current American policy of defeatist elements in the Administration and those few but influential sectors within the U.S. business and financial community which profit from their "special relationship" with Arab regimes. They advocate a Mideast "settlement" on Soviet/Arab terms despite the cost to U.S. national interests. In fact, of course, it is by maintaining the strategic balance in the Middle East, by meeting our commitment to Israel, that the broadest economic and political interests of the U.S. and the Western world are served.

FOR THE SURVIVAL OF FREEDOM

The pursuit of real peace in the Middle East poses difficult, complex and debatable issues. No longer debatable, however, is the Carter Administration's calculated effort to manipulate public opinion in support of its campaign to impose a settlement agreeable to uncompromising, hardline Arab demands. In its orchestration of pressure against Israel, this Administration seems bent on obscuring the factual and analytical ground for legitimate public debate.

Our concern encompasses far more than the fate of Israel—however important that may be for America's own sense of itself and for its commitment to democratic ideals. At stake in the Middle East, as elsewhere in the world, is our ability to rally from a pervasive politics of defeat, to honor our national commitments, and to face the real challenges to the survival of freedom and human decency in those limited parts of the globe where they still prevail. It is ultimately our own survival as a free and democratic people that is in question.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER (at the request of Mr. WRIGHT), for today, on account of attending the funeral of Steve Regets, his staff member on the Committee on Rules who was killed last Sunday in a plane crash.

Mr. CORMAN (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. RANGEL (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. RODINO (at the request of Mr. WRIGHT), for today, on account of illness in the family.

Mr. JEFFORDS (at the request of Mr. MICHEL), for today, on account of official business.

Mr. CUNNINGHAM (at the request of Mr. MICHEL), for today, on account of official business to attend hearings conducted by the Subcommittee on Environment, Energy, and Natural Resources of the Committee on Government Operations.

Mr. SNYDER (at the request of Mr. MICHEL), 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 Mrs. PETTIS) to revise and extend their remarks and include extraneous material:)

Mr. GOLDWATER, for 5 minutes, today.
Mr. KEMP, for 10 minutes, today.
Mr. DORNAN, for 5 minutes, today.

(The following Members (at the request of Mr. WEISS) and to revise and extend their remarks and include extraneous matter:)

Mr. ROSTENKOWSKI, for 10 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. STUDDS, for 5 minutes, today.
Mr. AKAKA, for 10 minutes, today.
Mr. FOLEY, for 5 minutes, today.
Mr. DICKS, for 5 minutes, today.
Mr. NEAL, for 5 minutes, today.
Mr. VANIK, for 5 minutes, today.
Mr. SOLARZ, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICHEL, to include extraneous material with his remarks in the Committee of the Whole during consideration of the International Development and Food Assistance Act of 1978.

(The following Members (at the request of Mrs. PETTIS) and to include extraneous matter:)

Mr. LIVINGSTON.
Mr. MCKINNEY.
Mr. KEMP in five instances.
Mr. GREEN in two instances.
Mr. BOB WILSON.
Mr. FISH.
Mr. RUDD.
Mr. SYMMS.
Mr. FINDLEY.
Mr. YOUNG of Alaska.
Mr. RUPPE.
Mr. KINDNESS.
Mr. DORNAN in three instances.
Mr. BURKE of Florida.
Mr. COLLINS of Texas.
Mr. DICKINSON.

(The following Members (at the request of Mr. WEISS) and to include extraneous matter:)

Mr. ANDERSON of California in three instances.
Mr. GONZALEZ in three instances.
Mr. CONYERS in two instances.
Mr. MAZZOLI.
Mr. STUDDS.

Mr. NOLAN.
Mr. SIMON.
Mr. FORD of Michigan.
Mr. MINISH in two instances.
Mr. VENTO in two instances.
Mr. DELLUMS.
Mr. SMITH of Iowa.
Mr. EDWARDS of California.
Mr. WALGREN.

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. 2802. An act to amend the Truth in Lending Act to facilitate compliance by simplifying the requirements imposed under that act, to facilitate administrative enforcement of that act, and for other purposes; to the Committee on Banking, Finance, and Urban Affairs; and

S. 3040. An act to amend the Rail Passenger Service Act to extend the authorizations of appropriations for an additional fiscal year, to provide for public consideration and implementation of a rail passenger service study, and for other purposes; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8331. An act to amend the Securities Investor Protection Act of 1970; and

H.J. Res. 859. Joint resolution making supplemental appropriations for the U.S. Railway Association for the fiscal year ending September 30, 1978, and for other purposes.

ADJOURNMENT

Mr. WEISS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 21 minutes p.m.) under its previous order, the House adjourned until Monday, May 15, 1978, 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:

4153. A letter from the Secretary of the Treasury, transmitting the sixth annual and final report of the Emergency Loan Guarantee Board, covering the period October 1, 1976, through January 31, 1978, pursuant to section 12 of Public Law 92–70; to the Committee on Banking, Finance and Urban Affairs.

4154. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to revise and extend provisions of law concerned with health services and health research; to the Committee on Interstate and Foreign Commerce.

4155. A letter from the Comptroller General of the United States, transmitting a report on the proposed secondary waste water treatment works in the St. Louis, Mo., area (CED–78–76, May 12, 1978); jointly, to the Committees on Government Operations, and Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDWARDS of California: Committee on the Judiciary. H.R. 12432. A bill to extend the Commission on Civil Rights for 5 years, to authorize appropriations for the Commission, to effect certain technical changes to comply with changes in the law, and for other purposes; with amendment (Rept. No. 95–1140). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on International Relations. H.R. 12514. A bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to authorize international security assistance programs for fiscal year 1979, and for other purposes (Rept. No. 95–1141). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 1178. Resolution providing for the consideration of H.R. 12050. A bill to amend the Internal Revenue Code of 1954 to provide a Federal income tax credit for tuition (Rept. No. 95–1142). Referred to the House Calendar.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 11827. A bill to amend the Surface Mining Control and Reclamation Act of 1977 (Public Law 95–87) to raise certain authorized funding levels contained therein, and for other purposes; with amendment (Rept. No. 95–1143). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. H.R. 12642. A bill to improve debt management (Rept. No. 95–1144). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE: Committee on Science and Technology. H.R. 10661. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such Act for fiscal years 1979 and 1980; with amendment (Rept. No. 95–1145, Pt. I). Ordered to be printed.

Mr. BENNETT: Committee on Armed Services. H.R. 12557. A bill to authorize appropriations for fiscal year 1979 for the Department of Energy for conservation, development, and use of naval petroleum and oil shale reserves, and for other purposes (Rept. No. 95–1146). Referred to the Committee of the Whole House on the State of the Union.

Mr. NEDZI: Committee on Armed Services. H.R. 12602. A bill to authorize certain construction at military installations for fiscal year 1979, and for other purposes (Rept. No. 95–1147). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 12005. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice, and for other purposes (Rept. No. 95–1148, Pt. I). Reported with an amendment, referred to the Permanent Select Committee on Intelligence for a period ending no later than May 26, 1978, for consideration of such provisions of the bill and amendment as fall within the judisdiction of that committee under clause 2, rule XLVIII, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California (for himself and Mr. HANNAFORD):

H.R. 12698. A bill to amend title 28 of the United States Code to provide that the U.S. District Court for the Central District of California may be held at Long Beach; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. ROE, Mr. HILLIS, Mr. FRENZEL, Mr. BEDELL, Mr. COHEN, Mr. VENTO, Mr. STANGELAND, and Mr. HAGEDORN):

H.R. 12699. A bill to postpone for 1 year (until January 1, 1979) the effective date of the recently enacted provision which eliminates the monthly earnings test under section 203 of the Social Security Act; to the Committee on Ways and Means.

By Mr. HAMMERSCHMIDT (for himself, Mr. KELLY, and Mr. BEDELL):

H.R. 12700. A bill to amend the Communications Act of 1934 in order to prohibit the television broadcasting of programs portraying nudity, obscenity, or explicit sexual activity which is offensive to the public taste and morals; to the Committee on Interstate and Foreign Commerce.

By Ms. KEYS:

H.R. 12701. A bill to amend title XVI of the Social Security Act to remove certain work disincentives for the disabled under the supplemental security income benefits program; to the Committee on Ways and Means.

By Mr. KINDNESS (for himself and Mr. GOLDWATER):

H.R. 12702. A bill to amend section 6(d)(1) of the Food Stamp Act of 1977, and for other purposes; to the Committee on Agriculture.

By Mr. MEEDS:

H.R. 12703. A bill to designate certain lands in the State of Alaska as units of the National Park, National Forest, National Wildlife Refuge, Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

By Mr. MOLLOHAN (for himself and Mr. BAUCUS):

H.R. 12704. A bill to authorize the disposal of a certain quantity of tin from the national and supplemental stockpiles and the acquisition of a certain quantity of copper from the proceeds of such disposition; to the Committee on Armed Services.

By Mr. ROE (for himself, Mr. ROSTENKOWSKI, and Mr. MURTHA):

H.R. 12705. A bill to increase the authorization for the Local Public Works Capital Development and Investment Act of 1976; to the Committee on Public Works and Transportation.

By Mr. STANTON (for himself, Mr. ASHLEY, Mr. HANNAFORD, Mr. BARNARD, Mr. WATKINS, Mr. WYLIE, Mr. ROUSSELOT, Mr. MCKINNEY, Mr. HYDE, Mr. KELLY, Mr. STEERS, Mr. EVANS of Delaware, and Mr. GREEN):

H.R. 12706. A bill to amend the Federal Reserve Act to provide for the pricing of Federal Reserve System services and the payment of interest on reserves; to the Committee on Banking, Finance and Urban Affairs.

By Mr. STUMP:

H.R. 12707. A bill to amend the Occupational Safety and Health Act of 1970 to prohibit restrictions on work rules in locations in which there is hunting, fishing, or shoot-

ing sports, and for other purposes; to the Committee on Education and Labor.

By Mr. STUMP (for himself, Mr. McCORMACK, Mr. FLIPPO, Mr. McDONALD, Mr. MOORE, Mr. RISENHOOVER, Mr. IRELAND, Mr. BURLESON of Texas, Mr. BAFALIS, Mr. BARNARD, Mr. MATHIS, Mr. GINN, Mr. DEVINE, Mr. ROUSSELOT, and Mr. LAGOMARSINO):

H.R. 12708. A bill to remove residency requirements and acreage limitations applicable to land subject to reclamation law; to the Committee on Interior and Insular Affairs.

By Mr. SYMMS:

H.R. 12709. A bill to stabilize production and marketing of traditional sweetener products; to permit orderly growth in the marketing of new sources of sweetener products; to provide consumers with adequate supplies of sweetener products at reasonable prices; to insure that imports of sugar products do not disrupt the orderly operation of the national sweetener program; and for other purposes; jointly, to the Committees on Agriculture and Ways and Means.

By Mr. WHITEHURST (for himself and Mr. HARRINGTON):

H.R. 12710. A bill to protect predators from indiscriminate slaughter; to the Committee on Merchant Marine and Fisheries.

H.R. 12711. A bill to amend the Internal Revenue Code of 1954 to provide tax-saving incentives for savings accounts established for the purpose of purchasing a home; to the Committee on Ways and Means.

By Mr. CHAPPELL (for himself, Mr. LaFALCE, Mr. PEPPER, Mr. NOLAN, Mr. EDWARDS of California, Mr. BOLAND, Mr. MURPHY of Pennsylvania, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. JEFFORDS, Mrs. LLOYD of Tennessee, Mr. CARNEY, Mr. BONIOR, Mr. BYRON, Mr. RICHMOND, Mr. EILBERG, Mr. RANGEL, Mr. BRINKLEY, Mr. LAGOMARSINO, Mr. WAXMAN, Mr. McCORMACK, Ms. COLLINS of Illinois, Mr. RAHALL, Mr. WOLFF, and Mr. KETCHUM):

H.J. Res. 899. Joint resolution authorizing the President to proclaim September 8 of each year as "National Cancer Day"; to the Committee on Post Office and Civil Service.

By Mr. CHAPPELL (for himself, Mr. EDWARDS of Oklahoma, Mr. HORTON, Mr. DORNAN, Mr. PRICE, Mr. NICHOLS, Mr. LEDERER, Mr. BEDELL, Mr. COUGHLIN, Mr. FLOOD, Mr. HARRINGTON, Mr. CONTE, Mr. STOKES, Mr. BOWEN, Ms. KEYS, Mr. YATRON, Mr. GAMMAGE, Mr. SHARP, Mr. GOODLING, Mr. THONE, Mr. DICKS, Mr. YOUNG of Florida, Mr. GEPHARDT, Mr. AuCOIN, and Mr. ROBINSON):

H.J. Res. 900. Joint resolution authorizing the President to proclaim September 8 of each year as National Cancer Day; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H.J. Res. 901. Joint resolution authorizing the President to proclaim the month of November 1978 as "National REACT Month"; to the Committee on Post Office and Civil Service.

By Mr. SYMMS (for himself, Mr. GOLDWATER, Mr. SEBELIUS, Mr. MILLER of Ohio, Mr. BAFALIS, Mr. McDONALD, Mr. WHITLEY, Mr. NICHOLS, Mr. BURGENER, Mr. DICKINSON, Mr. WALSH, Mr. EVANS of Indiana, Mr. WHITEHURST, Mr. KINDNESS, Mr. JENKINS, Mr. SNYDER, and Mr. AMMERMAN):

H.J. Res. 902. Joint resolution disapproving proposed regulations of the Department of the Treasury requiring centralized governmental registration of firearms; jointly, to the Committees on the Judiciary and Ways and Means.

MEMORIALS

Under clause 4 of rule XXII,

401. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to grain monopolies; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GAMMAGE:

H.R. 12712. A bill for the relief of Roger Hoss, Jo Ann Hoss and Rojoho, Inc.; to the Committee on the Judiciary.

By Mr. VENTO:

H.R. 12713. A bill for the relief of Kirthi Chandher; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

465. The SPEAKER presented a petition of the Young Lawyers Division of the American Bar Association, Chicago, Ill., relative to the proposed Ethics in Government Act, which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 39

By Mr. MEEDS:

Beginning on page 1, strike out all after the enacting clause and substitute the following:

"SECTION 1. This Act, together with the following table of contents shall be cited as the "Alaska National Interest Lands Conservation Act".

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.
Sec. 2. Findings, policy, boundaries, maps.

TITLE I—NATIONAL PARK SYSTEM

Sec. 101. Establishment of new areas.
Sec. 102. Additions to existing areas.
Sec. 103. Administrative provisions.

TITLE II—NATIONAL WILDLIFE REFUGE SYSTEM

Sec. 201. Establishment of new areas.
Sec. 202. Additions to existing areas.

TITLE III—NATIONAL WILD AND SCENIC RIVERS SYSTEM

PART A—WILD AND SCENIC RIVERS WITHIN THE NATIONAL PARK SYSTEM

Sec. 301. Designation of additions to the national wild and scenic rivers system.
Sec. 302. Administrative provision.

PART B—WILD AND SCENIC RIVERS WITHIN NATIONAL WILDLIFE REFUGE SYSTEM

Sec. 303. Designation of additions.
Sec. 304. Administrative provisions.

PART C—WILD AND SCENIC RIVERS OUTSIDE NATIONAL WILDLIFE REFUGES AND PARKS

Sec. 305. Designation.
Sec. 306. Study rivers.
Sec. 307. Administrative provisions.

TITLE IV—NATIONAL FOREST SYSTEM

Sec. 401. Additions to existing areas.

TITLE V—DESIGNATION OF WILDERNESS AREAS

Sec. 501. Designation of wilderness areas.
Sec. 502. Wilderness study and administration.

TITLE VI—SUBSISTENCE; FISH AND WILDLIFE MANAGEMENT

Sec. 601. Findings
Sec. 602. Policy.
Sec. 603. Definition.
Sec. 604. State regulation.
Sec. 605. Enforcement duties of Secretary of the Interior.
Sec. 606. Cooperative arrangements.
Sec. 607. Subsistence and land-use decisions.
Sec. 608. Access.
Sec. 609. Snowmobiles and motorboats.
Sec. 610. Research.
Sec. 611. Periodic reports.
Sec. 612. Regulations.
Sec. 613. Other laws.
Sec. 614. Limitations.
Sec. 615. Reimbursement to the State.

TITLE VII—COOPERATIVE STUDY AND PLANNING COMMISSION

Sec. 701. Establishment of commission; joint planning areas.

TITLE VIII—IMPLEMENTATION OF ALASKA NATIVE CLAIMS SETTLEMENT ACT AND ALASKA STATEHOOD ACT

Sec. 801. Conveyance of care township lands and of Native reserves.
Sec. 802. Other conveyances to native corporations.
Sec. 803. Admininstrative provisions.
Sec. 804. State selections and conveyances.
Sec. 805. Alaska Native land bank.
Sec. 806. Protection of Native lands in contingency areas under timber sales.
Sec. 807. Use of protraction surveys.
Sec. 808. Action to enforce; jurisdiction.

TITLE IX—MINERAL STUDY, EXPLORATION AND EXTRACTION IN CONSERVATION SYSTEM UNITS

Sec. 901. General geologic investigations and mineral assessment programs in Alaska.
Sec. 902. Mineral exploration and extraction programs for conservation system units in Alaska.
Sec. 903. Permits for exploration and extraction.
Sec. 904. Existing mineral claims and mineral leasing rights in conservation system units.

TITLE X—TRANSPORTATION AND UTILITY SYSTEMS ON CONSERVATION SYSTEM UNITS

Sec. 1001. Purposes.
Sec. 1002. Use permits under existing authorities.
Sec. 1003. Use permits under new authority.
Sec. 1004. Coordination of right-of-way requirements.
Sec. 1005. Congressional approval procedure.
Sec. 1006. Issuance of permits.

TITLE XI—GENERAL ADMINISTRATIVE PROVISIONS

Sec. 1101. Withdrawal from mining and mineral leasing.
Sec. 1102. Certain lands.
Sec. 1103. Acquisition.
Sec. 1104. Administrative sites.
Sec. 1105. Native lands and corporation; public services.
Sec. 1106. Agency planning assistance.
Sec. 1107. Unit management plans.
Sec. 1108. Capital improvements; non-Federal lands.
Sec. 1109. State land exchanges.
Sec. 1110. Local hire.
Sec. 1111. Navigation facilities.

TITLE XII—MISCELLANEOUS PROVISIONS

Sec. 1201. Iditarod National Historic Trail.
Sec. 1202. Klondike Gold Rush National Historical Park.
Sec. 1203. Application of mining in the parks law to the National Refuge System.

Sec. 1204. Cooperative information center.
Sec. 1205. Bureau of Land Management Land Reviews.
TITLE XI—APPROPRIATIONS
Sec. 1301. Authorization.

SEC. 2. (a) In order to preserve for the benefit, use, education, and inspiration of present and future generations certain wildlands and rivers in the State of Alaska that contain nationally significant natural, scenic, historic, archeological, geological, scientific, wilderness, cultural, recreational, and wildlife values, the areas described in title I are, subject to valid existing rights, hereby declared to be units of the National Park System; the areas described in title II are, subject to valid existing rights, hereby declared to be units of the National Wildlife Refuge System; the areas described in title III are, subject to valid existing rights, hereby declared to be units of the National Wild and Scenic Rivers System; lands described in title IV are, subject to valid existing rights, added to units of the National Forest System; and lands designated in title V are, subject to valid existing rights, hereby declared to be units of the National Wilderness Preservation System.

(b) It is the intent of Congress in this Act to preserve unrivaled scenic and geological values associated with natural landscapes; to provide for the maintenance of sound populations of, and habitat for, resident and nonresident wildlife species of inestimable value to the citizens of Alaska and the Nation, including those species dependent on vast relatively undeveloped areas; to preserve in their natural state extensive unaltered arctic tundra, boreal forest, and coastal rainforest ecosystems; to protect the resources related to subsistence needs; to protect and preserve historic and archeological sites, rivers, and lands, and to preserve wilderness resource values and related recreational opportunities within large arctic and subarctic wildlands and on freeflowing rivers; and to maintain opportunities for scientific research and undisturbed ecosystems.

(c) (1) Areas established in titles I, II, and IV of this Act shall, subject to valid existing rights, comprise the lands, waters, and interests therein within the boundaries generally depicted on the maps bearing the following designations:

Title I—National Park System—
Aniakchak National Monument/Preserve, numbered ;
Bering Land Bridge National Preserve, numbered ;
Cape Krusenstern National Monument, numbered ;
Denali National Park/Preserve, numbered ;
Gates of the Arctic National Park, numbered ;
Glacier Bay National Park, numbered ;
Katmai National Park, numbered ;
Kenai Fjords National Park, numbered ;
Kobuk Valley National Park/Preserve, numbered ;
Lake Clark National Park/Preserve, numbered ;
Noatak National Ecological Preserve, numbered ;
Wrangell-St. Elias National Park/Preserve, numbered ; and
Yukon-Charley Rivers National Preserve, numbered .

Title II—National Wildlife Refuge System—
Alaska Marine Resources, numbered ;
Arctic, numbered ;
Cape Newenham, numbered ;
Innoko, numbered ;
Kanuti, numbered ;
Kenai, numbered ;
Koyukuk, numbered ;
Nowitna, numbered ;
Selawik, numbered ;
Titlin, numbered ;
Yukon Delta, numbered ;
Yukon Flats, numbered ;

The boundaries of areas added to the National Park and Wildlife Refuge Systems shall, in coastal area, not extend seaward beyond the mean high tide line to include lands owned by the State of Alaska unless the State shall have concurred in such boundary extension and such extension is accomplished under the notice and reporting requirements of this Act.

Title IV—National Forest System—
Chugach National Forest additions:
Copper River, numbered ;
Nellie Juan, numbered ;
College Fjord, numbered .
Tongass National Forest additions:
Yakutat, numbered ;
Juneau Ice Field, numbered ; and
Kates Needle, numbered .

(2) The maps described in paragraph (1), of this subsection shall be on file and available for public inspection in the office of the Secretary of the Interior (hereafter referred to as the "Secretary"), except that the maps depicting additions to the National Forest System shall be on file in the office of the Secretary of Agriculture.

(3) As soon as practicable after enactment of this Act, a map and legal description of each change in land management status effected by this Act in the four traditional national conservation systems and the National Wilderness Preservation System, shall be published in the Federal Register and filed with the Speaker of the House of Representatives and the President of the Senate, and each such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Secretary. Whenever possible, boundaries shall follow hydrographic divides or embrace other topographic features in all cases where straight line map boundaries approximate such features. Following reasonable notice in writing to the Congress of his intention to do so, the Secretary or the Secretary of Agriculture, as appropriate, may make minor adjustments in the boundaries of the areas added to or established as units of the National Park, Wildlife Refuge, Wild and Scenic Rivers, and National Forest Systems by this Act.

TITLE I—NATIONAL PARK SYSTEM

PART A—ESTABLISHMENT OF NEW AREAS

SEC. 101. (a) The following areas are hereby established as units of the National Park System and shall be administered by the Secretary under the laws governing the administration of such units and under the provisions of this Act:

(1) Gates of the Arctic National Park, containing approximately seven million nine hundred and fifty thousand acres of Federal lands, which shall be managed for the following purposes, among others: To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the environmental integrity and scenic beauty of the mountains, forestlands, rivers, lakes, and other natural features; to protect habitat for and populations of fish and wildlife, including but not limited to, caribou, grizzly bear, Dall sheep, moose, wolves, and raptorial birds; and in a manner consistent with the foregoing, to provide opportunities for water recreation on wild rivers and lakes, hiking, camping, and other outdoor recreation activities.

(2) Yukon-Charley Rivers National Preserve, containing approximately one million four hundred and ninety thousand acres of Federal lands, which shall be managed for the following purposes, among others: To maintain the environmental integrity of the entire Charley River basin, including streams, lakes and other natural features, in its undeveloped natural condition for public benefit and scientific study; to protect habitat for, and populations of, fish and wildlife, including but not limited to the peregrine falcon and other raptorial birds, waterfowl, caribou, moose, Dall sheep, grizzly bear, and wolves; to protect and interpret historical sites and events associated with the gold rush on the Yukon River and the geological and paleontological history and cultural prehistory of the area; and in a manner consistent with the foregoing, provide opportunities for water recreation on the Yukon, Charley and other rivers, hiking, camping, and other outdoor recreation activities.

(3) Kobuk Valley National Park, containing approximately 610,000 acres of Federal lands, and Kobuk Valley National Preserve, containing approximately 1,100,000 acres of Federal lands, which shall be managed for the following purposes, among others: To maintain the environmental integrity of the natural features of the Kobuk River Valley, including the Kobuk, Salmon, and other rivers, the boreal forest, and the Great Kobuk Sand Dunes, in its undeveloped state; to protect and interpret, in cooperation with Native Alaskans, archeological sites associated with Native cultures; to protect migration routes for the Arctic caribou herd; to protect habitat for and populations of, fish and wildlife including but not limited to caribou, moose, black and grizzly bear, wolves, and waterfowl; and in a manner consistent with the foregoing, to provide opportunities for hiking, camping, river recreation, and other outdoor recreation activities.

(4) Cape Krusenstern National Monument, containing approximately two hundred and twenty-six thousand acres of Federal lands and Cape Krusentern National Preserve containing approximately one hundred and ninety thousand acres of Federal lands, which shall be managed for the following purposes, among others: To protect and interpret a series of archeological sites depicting every known cultural period in arctic Alaska; to provide for scientific study of the process of human population of the area from the Asian continent; in cooperation with Native Alaskans, to preserve and interpret evidence of prehistoric and historic Native cultures; to protect and interpret a series of beach ridges and process of beach outbuilding; to protect seals and other marine mammals, birds, and other wildlife and fish resources and their habitats; and in a manner consistent with the foregoing, to provide opportunities for outdoor recreation activities.

(5) Wrangell-Saint Elias National Park, containing approximately 8,670,000 acres of Federal lands, and Wrangell-Saint Elias National Preserve, containing approximately 3,380,000 acres of Federal lands. The park and preserve shall be managed for the following purposes, among others: To maintain unimpaired the scenic beauty and quality of high mountain peaks, foothills, glacial systems, lakes and streams, waterfalls, valleys, and coastal landscapes in their natural state; to protect habitat for and populations of fish and wildlife, including but not limited to caribou, grizzly bear, Dall sheep, mountain goats, moose, wolves, trumpeter swans and other waterfowl, and marine mammals; and in a manner consistent with the foregoing, to provide opportunities for camping and hiking, river recreation, and other outdoor recreation activities.

(6) Lake Clark National Park, containing approximately 2,280,000 acres of Federal lands, and Lake Clark National Preserve, containing approximately 750,000 acres of Federal lands. The park and preserve shall be managed for the following purposes, among

others: To protect watershed values necessary for perpetuation of the salmon fishery in Bristol Bay and other fisheries; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; to protect habitat for and populations of fish and wildlife including but not limited to the Mulchatna caribou herd, Dall sheep, grizzly bear, wolves, bald eagle, peregrine falcon; and in a manner consistent with the foregoing, to provide opportunities for water recreation, nature study, sightseeing, hiking, camping, and other outdoor recreation activities.

(7) Kenai Fjords National Park, containing approximately 420,000 acres of Federal lands, which shall be managed for the following purposes, among others: To maintain unimpaired the scenic and environmental integrity of the Harding icefield and its outflowing glaciers, and coastal fjords, peninsulas and islands in their natural state; to protect seals, sea lions, other marine mammals, and marine and other birds and maintain their hauling and breeding areas in their natural state free of human activity which is disruptive to their natural processes; and in a manner consistent with the foregoing, to provide opportunities for sightseeing, nature study, touring, hiking, and other outdoor recreation activities.

(8) Aniakchak National Monument, containing approximately 340,000 acres of Federal lands, and Aniakchak National Preserve, containing approximately 160,000 acres of Federal lands. The monument and preserve shall be managed for the following purposes, among others: To maintain the caldera and its associated volcanic features and landscape, including the Aniakchak River and other lakes and streams, in their natural state; to study, interpret, and assure continuation of the natural process of ecological succession; to protect habitat for and populations of fish and wildlife, including but not limited to grizzly bear, wolves, moose, caribou, sea lions, seals, and other marine mammals, geese, swans, and other waterfowl; and in a manner consistent with the foregoing, to interpret geological and biological processes for visitors and provide opportunities for river running, hiking, and other outdoor recreation activities.

(9) Bering Land Bridge National Preserve, containing approximately 2,480,000 acres of Federal land, which shall be managed for the following purposes, among others: To protect and interpret examples of arctic plant communities, coastal barrier islands, lagoons and estuaries, volcanic lava flows, ash explosions, frost phenomena and other geological processes; to protect habitat for internationally significant populations of migratory birds; to protect the resources and provide for archeological and paleontological study, in cooperation with Native Alaskans, of the process of plant and animal migration, including man, between North America and the Asian Continent; to protect habitat for, and populations of, fish and wildlife including but not limited to marine mammals, grizzly bear, moose, and wolf; and in a manner consistent with the foregoing, to provide opportunities for outdoor recreation activities.

(10) Noatak National Ecological Preserve, containing approximately 6,080,000 acres of Federal lands, which shall be managed for the following purposes, among others: To maintain the environmental integrity of the Noatak River and adjacent uplands, streams, and lakes within the preserve in such a manner as to assure the continuation of geological and biological processes unimpaired by adverse human activity; to protect habitat for and populations of fish and wildlife, including but not limited to the Arctic caribou herd, grizzly bear, Dall sheep, moose, wolves, and for waterfowl, raptors, and other species of birds; to protect migration routes for the Arctic caribou herd; and in a manner consistent with the foregoing, to provide opportunities for scientific research, river recreation, and for hiking, camping, and other outdoor recreation activities.

PART B—ADDITIONS TO EXISTING AREAS

SEC. 102. (a) The following units of the National Park System are hereby expanded:

(1) Mount McKinley National Park by the addition of an area containing approximately 2,610,000 acres of Federal land, and establishment of Denali National Preserve containing approximately 770,000 acres of Federal land, for the purposes of containing and protecting the entire mountain massif and glacial systems, and additional scenic mountain peaks and formations; of further protecting moose, caribou, Dall sheep, wolves, grizzly bear, other wildlife and their habitat; furthermore, (A) the park is hereby redesignated as "Denali National Park", (B) that portion of the Alaska Railroad right-of-way within the park shall be subject to such laws and regulations applicable to the protection of fish and wildlife and other park values as the Secretary with the concurrence of the Secretary of Transportation, may determine, and (C) with respect to the Federal lands and any lands conveyed to the State of Alaska lying between Moose Creek and Bearpaw River and the extended boundary of Denali National Park to the east, it is the express intent of the Congress that these lands be managed in a manner generally supportive of the purposes of Denali National Park and Preserve. However, mineral exploration and development shall be allowed and conducted in accordance with the laws of the United States and the State of Alaska. Hunting and trapping on Federal lands within this area shall be prohibited except to the degree subsistence activities may be allowed on adjoining parklands.

(2) Katmai National Monument by the addition of areas containing approximately 1,130,000 acres of Federal land to further the purposes of protecting high concentrations of grizzly (brown) bear and their denning areas and habitat for other wildlife; maintenance of unimpaired water habitats for significant salmon populations; and to complete or contain areas of scenic, geological, watershed, and recreational values; furthermore, the monument is hereby redesignated as "Katmai National Park".

(3) Glacier Bay National Monument by the addition of an area containing approximately 550,000 acres of Federal land for the purposes of protecting portions of the Alsek River, animal habitat and migration routes; and portions of the Fairweather Range including the northwest slope of Mount Fairweather; furthermore, the monument is hereby redesignated as "Glacier Bay National Park".

PART C—ADMINISTRATIVE PROVISIONS

SEC. 103. (a) The Secretary shall administer the lands, waters, and interests therein added to existing areas or established by the foregoing sections of this title as new areas of the National Park System, pursuant to the provisions of law generally applicable to units of the National Park System including the Act of August 25, 1916 (39 Stat. 535), except that hunting may be permitted under the provisions of Title VI and all proclamations and Executive orders reserving lands, waters, and interests therein for the former Katmai and Glacier Bay National Monuments shall remain in full force and effect, except to the extent they may be inconsistent with the Alaska Native Claims Settlement Act or the purposes of any unit established or expanded by this Act, and in such case the provisions of this Act shall prevail. Any funds available for the purposes of such monuments are hereby made available for the purposes of Katmai National Park or Glacier Bay National Park, as appropriate. Valid Native selections or nominations of lands within the Gates of the Arctic National Park and within the Wrangell-Saint Elias National Park and Preserve are hereby recognized and shall be honored and conveyed by the Secretary in accordance with the Alaska Native Claims Settlement Act.

(b) Permits and rights-of-way shall be granted for access for transportation and utility facilities across that portion of the Gates of the Arctic National Park containing the upper Kobuk River below the upper canyon and across the Kobuk Valley National Park upon findings of need. The Secretary is authorized to issue permits for rights-of-way for such facilities in accordance with existing law, and he is further authorized to issue permits for rights-of-way for roads and pipelines with respect to those two parks in accordance with this subsection, subject to such terms and conditions as he deems desirable in furtherance of the purposes of the affected park. In determining need, the Secretary of the Interior shall consider, among other things, statewide and regional transportation plans, alternative routes, and modes of access; the feasibility of including different transportation or utility functions, or both, in the same corridor; short- and long-term social, economic, and environmental impacts; and the measures that should be instituted to ameliorate adverse impacts.

(c) In Wrangell-Saint Elias National Park, use of previously existing primitive fish camp sites and use of motorized vehicles in furtherance of local commercial fishing operations shall be permitted to continue subject to such reasonable regulations as the Secretary deems desirable to maintain the primitive character, water quality, and fish and wildlife values of the area.

TITLE II—NATIONAL WILDLIFE REFUGE SYSTEM

PART A—ESTABLISHMENT OF NEW AREAS

SEC. 201. (a) The following areas are hereby established as units of the National Wildlife Refuge System and shall be administered by the Secretary pursuant to the provisions of law governing the administration of such units and under the provisions of this Act:

(1) Selawik National Wildlife Refuge, containing approximately 1,970,000 acres of Federal land, which shall be managed for the following purposes, among others: To protect the crossroads habitats of the Asiatic and North American Flyways, with their significant populations of snow geese, ducks and swans, sandhill cranes, and shorebirds; to protect habitat for and populations of fish and wildlife, including but not limited to caribou on the lands and sheefish in the waters; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities and for continued subsistence uses.

(2) Yukon Flats National Wildlife Refuge, containing approximateiy 8,030,000 acres of Federal land, which shall be managed for the following purposes, among others: To maintain the environmental integrity of the Yukon River within the area; to protect habitat for nationally significant fall flights of ducks and geese; to protect habitat for and population of fish and wildlife, including but not limited to other birds, moose, wolves, bears, furbearers, and salmon; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to these resources, and for continued subsistence uses.

(3) Innoko National Wildlife Refuge, containing approximately 3,190,000 acres of Federal lands, which shall be managed for the following purposes, among others: To assure continued high levels of waterfowl

production, including ducks, geese, and swans; to protect habitat for and populations of fish and wildlife, including but not limited to the numerous bird species, moose, and the Beaver Mountain caribou herd, beaver, and salmon; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to permit hunting, fishing, and other activities with respect to these resources, including continued subsistence uses.

(4) Koyukuk National Wildlife Range, containing approximately 3,720,000 acres of Federal land, which shall be managed for the following purposes, among others: Maintenance of habitats to assure continued high level fall flights of ducks and geese; to protect habitat for and populations of fish and wildlife, including but not limited to moose and furbearers; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to these wildlife resources, including continued subsistence uses.

(5) Alaska Marine Resources National Wildlife Refuge, containing approximately 330,000 acres of Federal land: (i) which shall be managed for the purposes of protecting internationally significant marine birds and mammals and the land, water, and other marine resources on which they rely, perpetuating other indigenous fish and wildlife resources of the coastal marine environment, and providing for national and international research on marine resources; and (ii) which shall consist of the following specifically described units together with all other publicly owned lands of the United States consisting of islands, islets, rocks, reefs, spires, and designated capes in the coastal waters and adjacent seas of Alaska among other unnamed areas:

Chukchi Sea unit—including Cape Lisburne, Cape Thompson, and the existing Chamisso National Wildlife Refuge;

Bering Sea unit—including the existing Bering Sea and Pribilof (Walrus and Otter Islands and Sea Lion Rocks) National Wildlife Refuges, Hagemeister Island, Fairway Rock, King Island, Sledge Island, Bluff Unit, Besboro Island, Egg Island, and the Punuk Islands;

Aleutian Islands unit—including the existing Aleutian Islands and Bogoslof National Wildlife Refuges, and all other Federal lands in the Aleutian Islands;

Alaska Peninsula unit—Simeonof and Semidi National Wildlife Refuges, all other Federal islands, islets, rocks, et cetera, lying south of the Alaska Peninsula between Katmai National Monument and False Pass are encompassed within the Alaska Peninsula study area referred to in section 701(1).

Gulf of Alaska unit—including the existing Forester Island, Hazy Islands, Saint Lazaria, and Tuxedni National Wildlife Refuges, the Barren Islands, Latax Rocks, Harbor, Pye, and Chiswell Islands, and islands, islets, rocks, or spires surrounding Kodiak and Afognak Islands, and all other Federal lands in the Gulf of Alaska reserved for purposes of classification under section 17 (d) (1) of the Alaska Native Claims Settlement Act, excluding lands within the National Forest System.

(6) Kanuti National Wildlife Refuge, containing approximately 1,240,000 acres of Federal land, which shall be managed for the following purposes, among others: To perpetuate nationally significant migratory waterfowl and mammal populations and the lands and waters of the Kanuti area; to protect habitat for and populations of fish and wildlife, including but not limited to these waterfowl, other birds, moose and furbearers, and caribou; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to the wildlife resources, including continued subsistence uses.

(7) Nowitna National Wildlife Refuge, containing approximately 1,330,000 acres of Federal land, which shall be managed for the following purposes, among others: To perpetuate the nationally significant waterfowl utilizing the lands and waters of the Nowitna area; to protect habitat for and populations of fish and wildlife, including but not limited to waterfowl, other migratory birds, mammals, and migrating chum, coho, chinook, and other fish populations; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to the fish and wildlife resources, including continued subsistence uses.

(8) Tetlin National Wildlife Refuge containing approximately 700,000 acres of Federal land, which shall be managed for the following purposes, among others: To perpetuate the fall flight of ducks from this area; to assure maximum opportunities for successful nesting of canvasback ducks; to protect the habitat for and populations of fish and wildlife, including but not limited to the Fortymile and Mentasta caribou herds and the calving ground of the Chisana caribou herd, waterfowl, and other birds, large mammals, and furbearers; to provide a variety of opportunities for interpretive, educational, and scientific fish and wildlife oriented recreational uses; and in a manner consistent with the conservation and protection of such fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to fish and wildlife, including continued subsistence uses. Regardless of any requirement that a study be conducted of areas within the Tetlin National Wildlife Refuge in accordance with subsections 3 (c) and (d) of the Wilderness Act, permits and rights-of-way for pipelines and other facilities and activities that may be required pursuant to section 9 of the Alaska Natural Gas Transportation Act of 1976 are hereby authorized.

PART B—ADDITIONS TO EXISTING AREAS

SEC. 202. (a) The following units of the National Wildlife Refuge System are hereby expanded:

(1) Clarence Rhode National Wildlife Range and Hazen Bay National Wildlife Refuge by the addition of an area containing approximately 12,830,000 acres of Federal lands; furthermore, the Clarence Rhode National Wildlife Range, Hazen Bay National Wildlife Refuge, and additions are hereby redesignated as the Yukon Delta National Wildlife Refuge, which shall be managed for the following purposes, among others: To perpetuate the significant fall flights of ducks, swans, and geese, including large numbers of emperor geese, cackling geese, and large numbers of black brant; to perpetuate significant numbers of shorebirds and waterbirds, including the bristle-thighed curlew; to protect habitat for and populations of fish and wildlife, including but not limited to the internationally significant migratory bird, fish, and marine mammal resources; to maintain the environmental integrity of rivers and lakes; and in a manner consistent with the conservation and protection of the fish and wildlife and their habitat, to provide opportunities for hunting, fishing, and other activities with respect to these resources, including continued subsistence uses.

(2) Arctic National Wildlife Range by the addition of an area containing approximately 7,870,000 acres of Federal land for furthering the purposes, among others: of protecting habitat for, and internationally significant populations of, caribou and migratory birds; perpetuating other migratory and resident fish and wildlife populations; protecting representative Arctic life zones and their primitive character; and in a manner consistent with the foregoing to provide continued opportunity for wildlife and wildland oriented recreational and subsistence uses.

(3) Kenai National Moose Refuge, by the addition of areas containing appproximately 250,000 acres of Federal land to further the purposes of the existing Kenai National Moose Range (hereby redesignated as a refuge), which refuge shall be managed for the following purposes, among others: To perpetuate a nationally significant population of moose; to protect habitat for and populations of fish and wildlife, including but not limited to moose and other mammals and waterfowl; and in a manner consistent with the conservation and protection of these fish and wildlife and their habitat, to provide opportunities for wildlife oriented recreation.

(4) Cape Newenham National Wildlife Refuge by the addition of an area containing approximately 3,310,000 acres of Federal land; furthermore, the Cape Newenham National Wildlife Refuge and additions are hereby redesignated as the Togiak National Wildlife Refuge, which shall be managed for the purposes, among others, of: protecting habitat for and populations of fish and wildlife including but not limited to the large populations of waterfowl, as well as marine birds and mammals associated with the Cape Newenham area; and in a manner consistent with the conservation and protection of these fish and wildlife and habitat, to permit hunting, fishing, and other activities with respect to these resources, including continued subsistence uses.

(b) All proclamations, Executive orders, public land orders, and similar actions reserving any lands, waters, or interests therein for refuge purposes within the boundaries of the areas designated as, or added to, units of the National Wildlife Refuge System by this Act shall remain in full force and effect as to such lands, waters, and interests therein thereby reserved; where the purposes of any such action are inconsistent with the purposes of any unit established by this Act, in such case the purposes of such unit set forth in this Act shall prevail. Any funds available on the effective date of this section for the purposes of any reservation shall continue to be available for the purposes of the unit established by this Act.

TITLE III—NATIONAL WILD AND SCENIC RIVERS SYSTEM

PART A—WILD AND SCENIC RIVERS WITHIN NATIONAL PARK SYSTEM

SEC. 301. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraphs at the end thereof:

"(16) ALATNA, ALASKA.—The main stem within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(17) ANIAKCHAK, ALASKA.—That portion of the river, including its major tributaries, Hidden Creek, Mystery Creek, Albert Johnson Creek, and North Fork Aniakchak River, within the Aniakchak National Monument and National Preserve; to be administered by the Secretary of the Interior.

"(18) BREMMER, ALASKA.—The main stem, and the North, South, and Middle Forks within the Wrangell-Saint Elias National Park; to be administered by the Secretary of the Interior.

"(19) CHARLEY, ALASKA.—The entire river, including its major tributaries, Copper Creek, Bonanza Creek, Hosford Creek, Derwent Creek, Flat-Orthmer Creek, Crescent Creek, and Moraine Creek, within the Yukon-Charley Rivers National Preserve; to be administered by the Secretary of the Interior.

"(20) CHILIKADROTNA, ALASKA.—That portion of the river within the Lake Clark National Park/Preserve; to be administered by the Secretary of the Interior.

"(21) CHITINA, ALASKA.—That portion of the river within the Wrangell-St. Elias National Park/Preserve; to be administered by the Secretary of the Interior.

"(22) COPPER, ALASKA.—That portion of the river (upper reach) within the Wrangell-Saint Elias National Park/Preserve; to be administered by the Secretary of the Interior.

"(23) JOHN, ALASKA.—That portion of the river within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(24) KILLIK, ALASKA.—That portion of the river, including its major tributary, Easter Creek, within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(25) KOBUK, ALASKA.—That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(26) MULCHATNA, ALASKA.—That portion within the Lake Clark National Park/Preserve; to be administered by the Secretary of the Interior.

"(27) NOATAK, ALASKA.—The river from its source in the Gates of the Arctic National Park to its confluence with the Kelly River in the Noatak National Ecological Preserve; to be administered by the Secretary of the Interior.

"(28) NORTH FORK OF THE KOYUKUK, ALASKA.—That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(29) TINAYGUK, ALASKA.—That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(30) TLIKAKILA, ALASKA.—That portion within the Lake Clark National Park; to be administered by the Secretary of the Interior.".

ADMINISTRATIVE PROVISIONS

SEC. 302. (a) The river segments designated in section 301 of this title are hereby classified and designated, and shall be administered, as wild river areas pursuant to the Wild and Scenic Rivers Act.

(b) The provisions of subsection 3(b) and section 6 of the Wild and Scenic Rivers Act shall not apply to the river segments listed in section 301. The provisions of title VI of this Act shall supercede those of section 13(a) of the Wild and Scenic River Act, concerning fish and wildlife.

PART B—WILD AND SCENIC RIVERS WITHIN NATIONAL WILDLIFE REFUGE SYSTEM

DESIGNATION

SEC. 303. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraphs at the end thereof:

"(31) ANDREAFSKY, ALASKA.—That portion from its source, including all headwaters, and similarly the East Fork; to be administrated by the Secretary of the Interior.

"(32) IVISHAK, ALASKA.—That portion from its source including all headwaters and an unnamed tributary to Porcupine Lake, within the boundary of the Arctic National Wildlife Range; to be administered by the Secretary of the Interior.

"(33) KANEKTOK, ALASKA.—That portion from Kagati Lake to a point sixteen miles above the mouth; to be administered by the Secretary of the Interior.

"(34) KISARALIK, ALASKA.—From the headwaters to where the river leaves Federal lands in township 8 north, range 64 west; to be administered by the Secretary of the Interior.

"(35) NOWITNA, ALASKA.—The segment within the Nowitna National Wildlife Refuge downstream to its confluence with the Yukon River; to be administered by the Secretary of the Interior.

"(36) PORCUPINE, ALASKA.—The segment within the Yukon Flats National Wildlife Refuge and Arctic National Wildlife Range; to be administered by the Secretary of the Interior.

"(37) SHEENJEK, ALASKA.—The segment within the Yukon Flats National Wildlife Refuge and Arctic National Wildlife Range; to be administered by the Secretary of the Interior.

"(38) WIND, ALASKA.—That portion from its source, including all headwaters and one unnamed tributary in township 13 south, range 21 east, to the mouth; to be administered by the Secretary of the Interior.".

ADMINISTRATIVE PROVISIONS

SEC. 304. (a) The river segments designated in section 303 of this title are hereby classified and designated and shall be administered as wild river areas within National Wildlife Refuges.

(b) Notwithstanding any provisions to the countrary of the Wild and Scenic Rivers Act the boundaries of the river segments referred to in section 303 of this title may include up to one mile from the mean high water level on either side of the river segment. Notwithstanding the provisions of section 3(b) of such Act, the Secretary shall establish boundaries of the river segments referred to in section 303 of this title within three years after the date of enactment of this title.

(c) The provisions of section 6 of the Wild and Scenic Rivers Act shall not apply to the river segments referred to in section 303 of this title.

PART C—ADDITIONS TO NATIONAL WILD AND SCENIC RIVERS SYSTEM LOCATED OUTSIDE NATIONAL PARK SYSTEM UNITS AND NATIONAL WILDLIFE REFUGES

DESIGNATION

SEC. 305. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following paragraphs at the end thereof:,

"(39) ALAGNAK, ALASKA.—The portion beginning at the source and running to the west boundary of township 13 south, range 43 west; to be administered by the Secretary of the Interior.

"(40) BIRCH CREEK, ALASKA.—The segment of the main stem from the vicinity of the confluence of the North Fork downstream to its intersection with the Steese Highway; to be administered by the Secretary of the Interior.

"(41) DELTA, ALASKA.—The segment from the headwaters to Black Rapids Glacier; to be administered by the Secretary of the Interior.

"(42) FORTYMILE, ALASKA.—The main stem within the State of Alaska; O'Brien Creek; South Fork; Napoleon Creek; Franklin Creek; Uhler Creek; Walker Fork downstream from the confluence of Liberty Creek; Wade Creek; Mosquito Fork downstream from the vicinity of Kechumstuk; West Fork Dennison Fork downstream from the confluence of Logging Cabin Creek; Dennison Fork downstream from the confluence of West Fork Dennison Fork; Logging Cabin Creek; North Fork; Hutchinson Creek; Champion Creek; the Middle Fork downstream from the confluence of Joseph Creek; and Joseph Creek; to be administered by the Secretary of the Interior.

"(43) GULKANA, ALASKA.—The main stem from Paxson Lake to Sourdough and the entire West and Middle Forks; to be administered by the Secretary of the Interior.

"(44) NOWITNA, ALASKA.—The segment from the point where the river crosses the west boundary of section 6, township 17 south, range 22 east, Fairbanks Principal Meridian, downstream to the southern boundry of the Nowitna National Wildlife Refuge; to be administered by the Secretary of the Interior.

"(45) UNALAKLEET, ALASKA.—The segment of the main stem beginning at 159 degrees 21 minutes 06.156 seconds west longitude approximately six miles from the headwaters extending downstream sixty miles to 160 degrees 19 minutes 15.031 seconds west longitude in the vicinity of the confluence of the Chiroskey River; to be administered by the Secretary of the Interior.

DESIGNATION FOR STUDY

SEC. 306. Section 5(a) of the Wild and Scenic Rivers Act is amended as follows:

(a) After paragraph (58) insert the following new paragraphs:

"(59) Beaver, Alaska.

"(60) Colville, Alaska.

"(61) Copper (Iliamna), Alaska.

"(62) Copper (from Siana to mouth), Alaska.

"(63) Holitna-Hoholitna, Alaska.

"(64) Killik, Alaska (segment from Gates of the Arctic National Park to the Colville River).

"(65) Koyuk, Alaska.

"(66) Melozitna, Alaska.

"(67) Nelchina-Tazlina, Alaska.

"(68) Nuyakuk, Alaska.

"(69) Situk, Alaska.

"(70) Stikine, Alaska.

"(71) Utukok, Alaska.".

(b) The studies of the rivers in paragraphs ( ) through (71) shall be completed and reports transmitted thereon not later than five full fiscal years from date of enactment of this subsection.

ADMINISTRATIVE PROVISIONS

SEC. 307. (a) The Alagnak, Andreafsky, Birch Creek, Gulkana, Ivishak, Kanektok, Kisaralik, Nowitna, Porcupine, Sheenjek, and Unalakleet components as well as the segment of the Delta component from the lower lakes area to a point opposite milepost 212 on the Richardson Highway; the Mosquito Fork downstream from the vicinity of Kechumstuk to Ingle Creek, North Fork; Champion Creek, Middle Fork downstream from the confluence of Joseph Creek, and Joseph Creek segments of the Fortymile component, and the segment of the Copper (Wrangell) component from its source to the north boundary of the Wrangell-Saint Elias National Park/Preserve, designated in section 305 of this title, are hereby classified and designated and shall be administered as wild river areas pursuant to the Wild and Scenic Rivers Act. The Wade Creek unit of the Fortymile component is classified and designated and shall be administered as a recreational river area, pursuant to such Act. The remaining segments of the Delta and Fortymile components are classified and designated and shall be administered as scenic river areas, pursuant to such Act. The classification as wild river areas of certain segments of the Fortymile by this subsection shall not preclude such access across those river segments as the Secretary determines to be necessary to permit commercial development of asbestos deposits in the North Fork drainage.

(b) The Secretary of the Interior shall take such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act to establish detailed boundaries and formulate detailed development and management plans within one year after the date of enactment of this title with respect to the Alagnak, Birch Creek, Delta, and Gulkana components; within two years with respect to the Fortymile components; within three years with respect to the Nowitna, Porcupine and Sheenjek components; and within four years with respect to the Andreafsky, Ivishak, Kanektok, Kisaralik, and Unalakleet components. The detailed plan for each river (i) may include establishment of detailed boundaries not to exceed one mile from the mean high water level on either side of the river segments, and (ii) shall include the establishment of a corridor

based essentially on line-of-sight from the river within which the Secretary determines that minerals should continue to be withdrawn.

(c) Notwithstanding any provisions of the Wild and Scenic Rivers Act to the contrary, an area extending one mile from the mean high water level on either side of the river segments referred to in section 305 of this title is hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws, including in both cases amendments thereto, pending establishment of the detailed boundaries provided for in subsection (b).

(d) The provisions of this title specifying average maximum permissible corridors for individual components shall supersede any provisions to the contrary of the Wild and Scenic Rivers Act.

(e) Notwithstanding the provisions of section 9(a)(iii) of the Wild and Scenic Rivers Act, the minerals in all Federal lands within the line-of-sight corridor established pursuant to subsection (b) included in any component or part of a component designated by this section as a wild river area are effective upon the establishment of such corridor, withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto. The Secretary is authorized to open the remainder of the lands within the detailed boundaries of the river segment to mining and mineral leasing subject to such regulations as he may prescribe.

(f) The Secretary may seek cooperative agreements with the owners of non-Federal lands adjoining the wild and scenic rivers established by this title to assure that the purpose of such reservations are served to the greatest extent feasible.

(g) Notwithstanding any other provision of law or of this Act to the contrary, with respect to components of rivers herein designated and administered by the Secretary outside the boundaries of units of the National Park and Wild Refuge Systems, the Secretary may (i) grant access for oil and gas pipelines in accordance with the Mineral Leasing Act of 1920; (ii) permit, subject to such terms and conditions as he deems necessary, access for roads across, through, or over such river components; and (iii) permit the continued use of Federal lands, waters, and interests therein for customary and traditional transportation purposes and those required under existing international treaties.

(h) Valid Native selections or nominations of lands within the Killik or other river corridors designated as wild, scenic, recreational, or for study by this title, are hereby recognized and shall be honored and conveyed by the Secretary in accordance with the Alaska Native Claims Settlement Act.

TITLE IV—NATIONAL FOREST SYSTEM

SEC. 401. (a) So as to include entire units of local topography within the Tongass and Chugach National Forests in Alaska, there are hereby transferred to the Tongass National Forest approximately 1,444,000 acres of public lands in three units adjacent to the present boundary generally depicted on a map entitled "Potential NFS Additions in Alaska, dated ". There are hereby transferred to the Chugach National Forest approximately 1,465,000 acres of public lands in two units adjacent to the present boundary generally depicted on a map entitled "Potential NFS Additions in Alaska, dated ". Both maps shall be on file in accordance with the provisions of subsection 2(c) of this Act.

(b) There are hereby transferred to the Chugach National Forest some 900,000 acres of public lands adjacent to the present boundary extending northward along the Copper River as depicted on a map entitled "Copper River Additions to the Chugach National Forest" dated , which shall be on file in accordance with the provisions of subsection 2(c) of this Act. The Secretary of Agriculture shall manage the Copper River additions and adjacent lands in the Copper River Delta in accordance with the Forest and Rangelands Renewable Resources Planning Act of 1974, as amended, under land management plans which provide for adequate protection of significant wildlife values and utilization of other resource values which do not substantially interfere with such wildlife values. Sensitive treatment shall be given to the location and nature of any surface transportation facilities found necessary in the area with respect to wildlife, scenic, and primitive values.

TITLE V—DESIGNATION OF WILDERNESS AREAS AND WILDERNESS STUDY AREA PROVISIONS

DESIGNATION OF WILDERNESS AREAS

SEC. 501. (a) In accordance with subsection 3(c) of the Wilderness Act (78 Stat. 892), the lands, waters, and interests within the boundaries depicted as "Proposed Wilderness" on the maps referred to in this section are hereby designated as wilderness, with the nomenclature and approximate acreage as indicated below:

NATIONAL PARK SYSTEM

(1) Glacier Bay Wilderness of approximately 2.74 million acres as generally depicted on a map entitled "Glacier Bay National Park", and dated January 1978.

(2) Katmai Wilderness to approximately 3.63 million acres as generally depicted on a map entitled "Katmai National Park and Preserve", dated January 1978.

(3) Denali Wilderness of approximately 4.44 million acres as generally depicted on a map entitled "Denali National Park and Preserve", dated January 1978.

(4) Gates of the Arctic Wilderness of approximately 8.00 million acres as generally depicted on a map entitled "Gates of the Arctic National Park", January 1978.

(5) Kenai Fjords Wilderness of approximately 0.34 million acres as generally depicted on a map entitled "Kenai Fjords National Park", dated January 1978.

(6) Lake Clark Wilderness of approximately 2.60 million acres as generally depicted on a map entitled "Lake Clark National Park and Preserve", dated January 1978.

(7) Wrangell-Saint Elias Wilderness of approximately 7.74 million acres as generally depicted on a map entitled "Wrangell-Saint Elias National Park and Preserve", dated January 1978.

Use of previously existing primitive fish camp sites and use of motorized vehicles in furtherance of local commercial fishing operations shall be permitted to continue subject to such reasonable regulations as the Secretary deems desirable to maintain the primitive character, water quality, and fish and wildlife values of the area.

NATIONAL WILDLIFE REFUGE SYSTEM

(1) Kenai Wilderness of approximately 1.3 million acres; and

(2) Alaska Marine Resources Wilderness of approximately 2.47 million acres.

Aleutian Islands Wilderness, 1,300,000 acres;

Unimak Wilderness, 913,975 acres;

Semidi Wilderness, 251,860 acres.

(b) Lands designated as wilderness by this section shall be administered by the Secretary in accordance with the provisions of the Wilderness Act and as herein supplemented governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this section, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary. Nothing in this section shall be construed to expand, diminish, or modify the provisions of the Wilderness Act or the application or interpretation of such provisions with respect to lands outside of Alaska.

(c) In consideration of customary means of travel, limited transportation facilities, and the extensive areas involved in Alaska, use of snow machines, motorboats, or aircraft landings, where such use has become established, shall be permitted subject to wilderness management plans and reasonable restrictions as appropriate or subject to subsistence activities in accordance with the provisions of title VI.

(d) The Secretary is authorized to undertake directly or permit fish stocking, enhancement, rehabilitation and development activities and the development of aquaculture sites within the wilderness areas designated by this Act, in accordance with the provisions of section 502(b)(3).

(e) In accordance with the principles of sound fisheries management, the Secretary is authorized to permit commercial fisheries activities within wilderness areas designated by this Act, except within national parks.

WILDERNESS STUDY AND ADMINISTRATION

SEC. 502. (a) Within seven years from the effective date of this section, the Secretary shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the units of the National Park System and National Wildlife Refuge System, other than the units referred to in section 501 established or to which lands are added by titles II and III of this Act, for preservation as wilderness, and any designation of any such areas and wilderness shall be in accordance with the Wilderness Act. With regard to the designation of wilderness areas in the Tongass and Chugach National Forests, the Secretary of Agricultural shall recommend to the President and the President to the Congress, no later than January 30, 1979, areas for preservation as wilderness that total no less than six million five hundred thousand acres.

(b) It is the express intent of the Congress that the appropriate Secretary make diligent effort to complete his review and submit recommendations to the President as to the suitability or nonsuitability of areas for preservation as wilderness with respect to the maximum practicable acreage of land within the period of time referred to in subsection (a) of this section giving due consideration to the mineral assessment provisions of this Act. Pending the designation by the Congress of any such area as wilderness—

(1) such measures may be taken as the appropriate Secretary finds are necessary for the control of fire, insects, and diseases, subject to such conditions as he deems desirable to maintain the wilderness character of the area;

(2) customary patterns of travel, including customary use of aircraft, motorboats, and snowmobiles where such use has already become established, shall be permitted to continue in areas subject to wilderness study, subject only to such reasonable restrictions as the appropriate Secretary determines are necessary to prevent abuse, waste, or damage to terrain and to protect the continued viability of fish and wildlife resources, except—

(A) where such uses were, on January 1, 1977, prohibited by law or regulation;

(B) that use of snowmobiles for subsistence purposes may be permitted to the extent authorized by title VI; and

(C) that snowmobiles may not be used when snow cover and other weather conditions are such that there would be resulting damage to the terrain;

(3) in accordance with principles of sound fisheries management, the appropriate Sec-

retary is authorized to permit or undertake directly fish stocking, enhancement, rehabilitation and development activities and the development of aquaculture sites within areas subject to review for suitability or nonsuitability as wilderness, as he determines to be necessary and desirable to restore, augment, or sustain native fish populations. Structures for any such aquaculture site shall consist of only minimal facilities essential to the aquacultural operations; such facilities shall be constructed at such locations and in such manner as to blend into the natural character of the area. In constructing such structures no significant alteration to the natural contours of the terrain shall be permitted. Reasonable access including possible motorized access, may be permitted for necessary access in conjunction with activities undertaken pursuant to this section. In addition, such reasonable access may be provided for the evaulation of sites needed for fisheries enhancement, rehabilitation and development and for the construction, operation and maintenance of projects authorized by the appropriate Secretary;

(4) previously existing public use cabins within areas made subject to wilderness study by this Act, may be permitted to continue and may be maintained or replaced subject to such restrictions as the appropriate Secretary deems necessary to preserve the primitive character of the area;

(5) within areas made subject to wilderness study by this Act, the appropriate Secretary is authorized to construct and maintain a limited number of new cabins and shelters if such cabins and shelters are necessary for the protection of the public health and safety, for the protection and preservation of the primitive character of the area, or as may be necessary to meet requirements for the administration of the area; all such cabins or shelters shall be constructed of materials which blend and are compatible with the immediate and surrounding landscape;

(6) the appropriate Secretary may establish a reservation system and charge a reasonable fee for the use and occupancy of wilderness study area cabins or shelters in areas made subject to wilderness study;

(7) commercial services may be performed within the areas made subject to wilderness study by this Act to the extent necessary for activities which are proper for realizing the recreational or other purpose for the areas; and

(8) exploration for, and extraction of minerals, including oil and gas, may be permitted in accordance with title IX of this Act; and

(9) the appropriate Secretary is authorized to develop, on not more than 1,000 acres within each unit, facilities needed for the administration and management of each unit in accordance with a general management plan for the area and following public notification.

TITLE VI—SUBSISTENCE; FISH AND WILDLIFE MANAGEMENT

FINDINGS

SEC. 601. The Congress finds and declares that—

(1) the continuation of the opportunity for subsistence uses by Natives of Alaska on the public lands and on their Native lands is essential to their physical, economic, and cultural existence;

(2) the continuation of the opportunity for subsistence uses by some other residents of the State of Alaska on the public lands is essential to their physical, economic, and traditional existence;

(3) the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply persons dependent on subsistence uses;

(4) continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, by increased accessibility of remote areas containing subsistence resources, and by taking of fish and wildlife in a manner inconsistent with recognized principles of fish and wildlife management;

(5) in order to fulfill the policies and purposes of the Alaska Native Claims Settlement Act, and as a matter of equity, it is necessary for the Congress to invoke its constitutional authority over Native affairs and over management of the public lands to protect and provide for continued subsistence uses on public lands by Alaska Natives and other Alaska residents; and

(6) the national interest in the proper regulation, protection, and conservation of fish and wildlife on the public lands in Alaska and the continuation of the opportunity for a subsistence way of life by the inhabitants of Alaska require that an administrative structure be established for the purpose of enabling people who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses on the public lands in Alaska.

POLICY

SEC. 602. It is hereby declared to be the policy of Congress that—

(1) management policies on the public lands in Alaska are to cause the least adverse impact possible on rural people who traditionally and consistently depend upon subsistence uses of the resources of such lands; consistent with management of fish and wildlife in accordance with recognized scientific principles and the purposes for which each conservation system unit is established, designated, or expanded by or pursuant to this Act, the purpose of this title is to provide the opportunity for people engaged in a genuinely subsistence-oriented lifestyle to continue to do so if they desire and to allow such people to decide for themselves their own degree of subsistence dependency and the rate at which acculturation or adjustment to a nonsubsistence way of life may take place;

(2) nonwasteful subsistence use of wildlife and other renewable resources shall be the first priority consumptive use of all such resources on the public lands of Alaska, and where it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife resource or the continuation of subsistence uses of such resource, the taking of such resource for nonwasteful subsistence uses shall be given preference on the public lands over recreational, sport, or other consumptive uses; and

(3) except as otherwise provided by this Act or other Federal laws, Federal land managing agencies, in managing subsistence activities on the public lands and in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with adjacent landowners and land managers, including Native corporations, appropriate State and Federal agencies, and other nations.

DEFINITION

SEC. 603. As used in this Act, the term "subsistence uses" means the noncommercial (except as provided under paragraph (2)) customary and traditional utilization within the State of wild, renewable resources for—

(1) direct personal or family use for food, shelter, fuel, clothing, tools, or transportation;

(2) the making and selling of handicraft articles (including clothing), but only out of nonedible byproducts of fish and wildlife taken for such personal or family use; or

(3) customary trade, barter, or sharing among subsistence users for personal or family use.

STATE REGULATION

SEC. 604. Except as otherwise provided by this Act and other Federal laws, the State may regulate, in a manner consistent with the policies set forth in section 602, the taking of fish and wildlife on public lands for subsistence uses by developing and implementing a subsistence management program which meets the requirements set forth in subsection (b).

(b) The subsistence management program of the State shall include at least the following elements:

(1) The maintenance of the natural stability and continued productivity of fish and wildlife populations which are on public lands and which are the subject of subsistence uses.

(2) A system capable of regulating and monitoring subsistence uses and other consumptive uses of such populations to ensure that timely and appropriate State action will be taken to carry out the purposes and policies of this title.

(3) A grievance procedure whereby any local council or regional council, required to be established under paragraph (6), which determines that the State is not in compliance, in whole or in part, with the State subsistence management program can obtain timely review of such determination by, and obtain appropriate relief from, the State agency referred to in paragraph (5)(A) or any other State rulemaking authority.

(4) The establishment of not less than five management regions which, taken together, shall include all public lands where the State is exercising regulatory authority under this title. The number and boundaries of the management regions shall be sufficient to assure that regional differences in subsistence uses are adequately accommodated.

(5) State laws or regulations which—

(A) provide for the regulation by a professionally staffed agency of the taking of fish and wildlife populations on the public lands for subsistence uses, provide that such agency have an administrative structure compatible with the provisions of this section, and provide for an agency which has adequate enforcement authority;

(B) provide preference for nonwasteful subsistence uses by local residents over other consumptive uses of fish and wildlife populations on the public lands; and

(C) provide, whenever it is necessary to restrict the taking of such populations on public lands for subsistence uses in order to protect their natural stability and continued productivity, or to continue such uses, for the establishment of appropriate restrictions and limitations on, and preferences for, such uses which shall be based on—

(i) customary and direct dependence upon the populations as the mainstay of livelihood,

(ii) local residency, and

(iii) the availability of alternative resources.

(6) A system of local and regional fish and wildlife councils within each management region established pursuant to paragraph (4). Each regional council shall be composed of residents of the region concerned and shall have the following functions:

(A) The review, development, and evaluation of proposals for regulations, policies, management plans, and other matters relating to the conservation and utilization of fish and wildlife within such region.

(B) The provision of a forum for the expression of opinions and recommendations by persons interested in any phase of fish and wildlife conservation and utilization.

(C) The taking of appropriate action to

ensure local and regional participation in the decisionmaking process affecting the taking of fish and wildlife populations on public lands within the region for subsistence uses.

(D) The preparation of a recommended subsistence management plan for such region which shall be submitted to the State agency referred to in paragraph (5)(A). The plan shall be updated annually and shall contain—

(i) an identification of current and anticipated subsistence uses of fish and wildlife populations within the region;

(ii) an evaluation of current and anticipated subsistence needs for fish and wildlife populations within the region;

(iii) a recommended strategy for the management of fish and wildlife populations to accommodate such subsistence uses and needs; and

(iv) recommendations concerning policies, standards, guidelines, and regulations necessary to implement the plan.

The local councils within each management region shall provide advice to, and shall assist, the regional council with respect to carrying out the functions set forth in this paragraph.

(7) The assignment of adequate and necessary qualified staff to the regional councils and the timely distribution of all available relevant technical and scientific support data to the local councils and regional councils.

(8) A requirement that the State agency referred to in paragraph (5)(A) or any other State rulemaking authority shall be guided by the advice and recommendations of the regional councils concerning the taking of fish and wildlife populations on public lands within their respective regions for subsistence uses and shall implement such recommendations unless the agency or authority, after a public hearing, determines that any such recommendation is not supported by substantial evidence presented at the hearing, violates recognized scientific principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs.

ENFORCEMENT DUTIES OF SECRETARY OF THE INTERIOR

SEC. 605. (a) The Secretary shall monitor the State subsistence management program and the implementation of such program. If the Secretary, after notice and hearing, determines that the program or its implementation is not in compliance with this title, the Secretary shall so notify the State and shall indicate changes in the program or its implementation which he considers necessary to bring the State into compliance.

(b) If a local council or regional council required to be established under section 604(b)(6) determines that the State is not in compliance, in whole or in part, with the State subsistence management program, such council shall notify the Secretary in writing outlining the factual basis for such determination and detailing efforts which have been made to obtain timely relief through the grievance procedure referred to in section 604(b)(3). If the Secretary finds that based upon the representations of the council there is cause to believe that the State is not in compliance, in whole or in part, with the State program and that such council has failed to obtain timely relief through the State grievance procedure, he shall investigate and report publicly on the results of his investigation. If such results support the contention of the council, the Secretary shall so notify the State and shall indicate changes in its program or its implementation which he considers necessary to bring the State into compliance.

(c) If the State fails—

(1) to implement a subsistence management program within eighteen months after the date of the enactment of this Act or by such later date as the Secretary deems reasonable; or

(2) to make, after a reasonable date, the changes in the subsistence management program or its implementation as indicated by the Secretary under subsection (a) or (b);

and the Secretary determines that such failure threatens the natural stability and continued productivity of the fish and wildlife populations on public lands in the area concerned, or the ability of subsistence-dependent Alaska residents in such area to satisfy their subsistence needs, the Secretary may close the public lands in such area to all consumptive uses except subsistence uses by local residents. The Secretary shall afford the State an opportunity to appeal such closure. Within thirty days after receipt of notice of such appeal, the Secretary shall afford the State a public hearing and, within thirty days after such hearing, shall make his final decision on such appeal. Unless the Secretary affirmatively establishes that the State is not in compliance with this title or with the subsistence management program, and that the resulting threat determined under the preceding sentence exists, the Secretary shall revoke the closure. If the Secretary establishes that the State is not in such compliance, and that such resulting threat does exist, he may continue the closure, in whole or in part, until the State adopts measures complying with the Secretary's determination, or until such threat is otherwise ameliorated.

(d)(1) Notwithstanding any other provision of this Act or other law, the Secretary, after consultation with the State and adequate notice and public hearing, may temporarily close any public lands (including those within any conservation system unit), or any portion thereof, to subsistence uses if necessary for reasons of public safety, administration, or to assure the natural stability and continued productivity of one or more fish or wildlife populations on such lands which are subject to such uses. If the Secretary determines that an emergency situation exists and that extraordinary measures must be taken for public safety or to assure the natural stability and continued productivity of one or more fish and wildlife populations on such lands which are subject to such uses, the Secretary may immediately close the public lands, or any portion thereof, to subsistence uses and shall publish the reasons justifying the closure in the Federal Register. Such emergency closure shall be effective when made, shall not extend for a period exceeding sixty days, and may not subsequently be extended unless the Secretary affirmatively establishes, after adequate notice and public hearing, that such closure should be extended.

(2) If after notice to the State under subsection (a) or (b), the Secretary determines that extraordinary measures must be taken to protect public welfare, he may open public lands, or any portion thereof, to subsistence uses by local residents and publish the reasons justifying such action in the Federal Register. Such emergency action shall be effective when made, but shall not extend for a period of time greater than sixty days, or until such time as the threat to the public welfare which necessitated such action has been resolved, whichever time first occurs.

COOPERATIVE ARRANGEMENTS

SEC. 606. The Secretary may enter into cooperative agreements or otherwise cooperate with other Federal agencies, the State, Native Corporations, other appropriate persons and organizations, and, acting through the Secretary of State, other nations to effectuate the purposes and policies of this title.

SUBSISTENCE AND LAND USE DECISIONS

SEC. 607. In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands under any provision of law authorizing such actions, the head of the Federal agency having primary jurisdiction over such lands or his designee shall evaluate the effect of such use, occupancy, or disposition on the subsistence needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy, or disposition of such lands which would significantly restrict subsistence uses shall be effected until the head of such Federal agency—

(1) gives notice to the State agency referred to in section 604(b)(5) and the appropriate local councils and regional councils required to be established under section 604(b)(6) if such councils have been established,

(2) gives notice of, and holds, a hearing in the vicinity of the area involved, and

(3) determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) adequate steps will be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions.

ACCESS

SEC. 608. The Secretary shall ensure that persons engage in traditional or customary subsistence activities shall have appropriate access to subsistence resources on the public lands.

SNOWMOBILES AND MOTORBOATS

SEC. 609. Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes, subject to such regulations as are necessary to prevent abuse, waste, or damage to fish and wildlife, habitat, or other natural values.

RESEARCH

SEC. 610. The Secretary, acting through the United States Fish and Wildlife Service and in cooperation with the State and other appropriate Federal agencies, shall undertake research on fish and wildlife and subsistence activities on the public lands, seek data from, consult with and utilize the special knowledge of subsistence users; and make the results of such research available to the State, the local councils and regional councils required to be established under section 604(b)(6), subsistence users, and other appropriate persons and organizations.

PERIODIC REPORTS

SEC. 611. Within four years after the date of the enactment of this Act, and within every three-year period thereafter, the Secretary, in consultation with the Secretary of Agriculture, shall prepare and submit a report to the President of the Senate and the Speaker of the House of Representatives on the implementation of this title. The report shall include—

(1) an evaluation of the results of the monitoring undertaken by the Secretary as required by section 605(a);

(2) the status of fish and wildlife populations on public lands that are subject to subsistence uses;

(3) a description of the nature and extent of subsistence uses and other uses of fish and wildlife on the public lands;

(4) the role of subsistence uses in the economy and culture of rural Alaska;

(5) comments on the Secretary's report by the State, the local councils and regional councils required to be established under section 604(b)(6), and other appropriate persons and organizations;

(6) a description of those actions taken, or which may need to be taken in the future, to permit the continuation of activities relating to subsistence uses on the public lands; and

(7) such other recommendations the Secretary deems appropriate.

A notice of the report shall be published in the Federal Register and the report shall be made available to the public.

REGULATIONS

SEC. 612. The Secretary and the Secretary of Agriculture shall each prescribe such regulations as are necessary and appropriate to carry out their respective responsibilities under this title.

OTHER LAWS

SEC. 613. Nothing in this title shall be deemed to modify or repeal the provisions of any Federal law governing the conservation or protection of fish and wildlife.

LIMITATIONS

SEC. 614. (a) Nothing in this title shall be construed as granting any property right in any fish or wildlife or other resource of the public lands or as permitting the level of subsistence uses of fish and wildlife on such lands to be significantly expanded beyond the level of such uses occurring during the ten-year period before January 1, 1978. No privilege which may be granted by the State to any individual with respect to subsistence uses under the State subsistence management program may be assigned to any other individual.

(b) Nothing in this title shall be construed as permitting any subsistence use of the resources of any portion of the public lands (whether or not within any conservation system unit) if any such use was not permitted on the date of the enactment of this Act or as vesting elsewhere than in the Secretary any authority to manipulate habitat on any portion of the public lands.

REIMBURSEMENT TO THE STATE

SEC. 615. (a) The Secretary may reimburse the State wildlife agency, from funds appropriated to the Department of the Interior, for reasonable costs relating to the establishment and operation of the local councils and regional councils required to be established under section 604(b)(6). Such reimbursement may not exceed 50 per centum of such costs in any fiscal year. Such costs shall be verified in a statement which the Secretary determines to be adequate and accurate. Sums paid under this section shall be in addition to any grants, payments, or other sums to which the State is entitled from appropriations to the Department of the Interior. The Secretary shall ensure that such grants, payments, or other sums are expended in a manner consistent with the policies set forth in section 602.

(b) Total payments to the State under this section shall not exceed the sum of $5,000,000 in any one fiscal year.

(c) The Secretary shall periodically review the financial aspects of implementing the State program and shall advise the Congress at least once in every five years as to whether or not the maximum amount of payments specified in subsection (b) is adequate for proper implementation of the State program.

TITLE VII—COOPERATIVE STUDY AND PLANNING COMMISSION

SEC. 701. (a) There is hereby established the Alaska Cooperative Study and Planning Commission (hereinafter referred to as the "Commission"). The Commission shall consist of the directors of the Bureau of Outdoor Recreation, National Park Service, Fish and Wildlife Service, Bureau of Land Management, and the Chief of the Forest Service, and to the extent that the State of Alaska shall concur in accordance with subsection (d), five members appointed by the Governor of Alaska (hereinafter referred to as the "Governor"), together with three public members, appointed by the Secretary from recommendations submitted to him by Native Village and Regional Corporations. There shall be two cochairmen, including one as the State shall prescribe and one chosen by lot from among the Federal members, who shall serve as cochairman for one year; thereafter the Federal cochairmanship shall revolve annually in the order listed in the second sentence of this subsection.

(b) Members of the Commission who are Federal employees shall receive no additional compensation for service on the Commission. Public members of the Commission shall receive the daily equivalent of the annual rate of basic pay in effect for grade GS-15 of the General Schedule (as contained in title 5, United States Code) for each day during which they are engaged in the performance of duties for the Commission. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(c) The Commission shall have an Executive Director who shall be appointed by the Secretary with the majority consent of the Commission and who shall be compensated at a rate established by the Secretary but not in excess of that provided for level V of the Executive Schedule contained in title 5, United States Code. The Executive Director shall appoint and fix the compensation of such additional staff the Commission approves.

(d) As an express condition to participation in the work of the Commission, the State of Alaska shall agree to contribute funds equal to 35 per centum of the Commission's annual operating expenses, including funds, staff and property as may be found necessary by the Commission in carrying out its functions. The Federal agencies together shall annually contribute funds equal to 65 per centum of the Commission's annual operating expenses, including funds, staff and property as may be found necessary by the Commission in carrying out its functions.

(e) The Commission shall meet at the call of the cochairmen, but not less than once each calendar year. In addition, the Commission may, for the purpose of carrying out the provisions in this section, hold such hearings, take such testimony, receive such evidence and print or otherwise reproduce and distribute reports concerning so much of its proceedings as the Commission deems advisable. The cochairmen shall submit a report of each meeting or hearing, together with any recommendations the Commission deems appropriate, to the Secretary, the Governor of Alaska, and the head of each Native Regional Corporation.

(f) The Commission shall adopt such internal rules of procedure and organization as it deems necessary. All Commission meetings shall be open to the public and at least thirty days prior to the date when any meeting of the Commission is to take place the cochairmen shall provide public notice in the Federal Register and in newspapers of general circulation in various areas throughout Alaska; and shall be subject to the provisions of the Federal Advisory Committee Act.

(g) The function of the Commission shall be to coordinate, review, or conduct studies and advise the Secretary and the Secretary of Agriculture, other Federal agencies, the State of Alaska, and Native Corporations with respect to ongoing, planned, and proposed land and resource uses in Alaska, including transportation planning, land use designation, fish and wildlife management, tourism, agriculture development, coastal zone management, and such other matters as may be submitted for advice by the members.

(h) The Commission may, with the concurrence of the members having administrative jurisdiction over the lands and waters and fish and wildlife resources therein, recommend cooperative planning and management of lands or resources where the actions by one member materially affect the management of lands or resources by another member or members. Federal members of the Commission are hereby authorized and encouraged to enter into cooperative agreements with other Federal members and with State and Native members providing for mutual consultation, review, and coordination of resource management plans and programs within such zones.

(i) In addition to its functions as set forth above, the Commission shall study and investigate ongoing and potential uses of lands and waters within the areas generally depicted as "Alaska Peninsula Study Area", "Iliamna Lake—Wood-Tikchik—Bristol Bay Study Area", "Wrangell-Saint Elias National Preserve Study Area", and "Tetlin Study Area", on the map entitled " ", numbered , and dated , which shall be on file and available in the same manner as the maps referred to in section 2 of this Act. The designated areas shall be administered by the agency or agencies presently managing them, unless changed by the operation of this Act. The managing agency shall exercise a high degree of environmental concern in the administration of these lands pending completion of the study. Within three years from the date of approval of this Act, the Commission shall prepare and adopt a plan for the management of resources within each of the study areas depicted on the foregoing map. Each plan shall include the proposed classification of lands, waters, and resources for appropriate uses, and any recommended land exchanges which might help further national, State, and private interests. Such classification shall be binding upon the landowner or the agency having administrative jurisdiction over the land only if such owner or agency representative agrees, within the limits of applicable law and appropriations, to be bound by the classification proposed by the Commission: *Provided*, That in the absence of such agreement the land owner or agency representative have no vote on the adoption of the plan.

TITLE VIII—IMPLEMENTATION OF ALASKA NATIVE CLAIMS SETTLEMENT ACT AND ALASKA STATEHOOD

CONVEYANCE OF CORE TOWNSHIP LANDS AND OF NATIVE RESERVES

SEC. 801 (a)(1) For each Village Corporation for a Native Village which, by the date of enactment of this Act—

(A) had been determined to be eligible under the Alaska Native Claims Settlement Act hereinafter in this title referred to as the "Settlement Act" by the Secretary; and

(B) such eligibility determination is not the subject of existing litigation in a Court of competent jurisdiction; and

(C) did not elect pursuant to section 19(b) of the Settlement Act to receive fee title to a former Native Reserve:

subject to valid existing rights, there is hereby conveyed to and vested in each Village Corporation referred to in the paragraph section all of the right, title, and interest of the United States in and to the surface estate in the land and submerged under water areas within the township or townships in which all or any part of such Village is located.

(2) The conveyance under paragraph (1) shall not include such lands and waters which on December 18, 1971, were—

(A) appropriated by or reserved for defense purposes, other than Naval Petroleum Reserve No. 4 (now National Petroleum Reserve—Alaska), or that are within the National Park System; or

(B) appropriate by or reserved for the use and benefit of a Federal Agency, except the reservation for a National Wildlife Refuge or a National Forest; or

(C) embraced in a disposal entry, including but not limited to a homestead, trade and manufacturing site or mining claim, of record with the Bureau of Land Management and not relinquished or finally rejected as invalid on the date of this Act; or

(D) within two miles from the boundary of any home rule or first class city or which are within six miles from the boundary of Ketchikan, as those boundaries existed on December 18, 1971, except as provided by the Secretary's regulations at 43 CFR 2650.6(a); or

(E) reserved to or validly selected by the State of Alaska (or Territory, as appropriate) under the act of March 4, 1915 (38 Stat. 1214), as amended, the act of January 21, 1929 (45 Stat. 1091), or the act of July 28, 1956 (70 Stat. 709) and such selections or reservations were not revoked, relinquished, or determined invalid; or

(F) submerged lands under navigable waters conveyed to the State of Alaska by the Alaska Statehood Act of 1959 hereinafter in this title referred to as the "Statehood Act".

(3) No conveyance in this subsection shall consist of more than 69,120 acres, or, in the case of a Village Corporation for a Native Village listed in section 16(a) of the Settlement Act, consist of lands validly selected by the State of Alaska under the Statehood Act or exceed 23,040 acres of land, including submerged lands.

(4) Where two or more Village Corporations are entitled to the same land, including submerged lands, by virtue of the same township or townships embracing all or part of the Native Villages, the conveyance made by this subsection shall not be effective until an arbitration decision, as required by section 12(e) of the Settlement Act, or other binding agreement between or among the Corporations is filed with the Secretary in accordance with regulations promulgated by the Secretary. Within 30 days of receipt of such decision or agreement the Secretary shall publish notice of such decision or agreement in the Federal Register. Effective with such publication in the Federal Register, title to the lands, including submerged lands, conveyed by this subsection shall vest in each Village Corporation as specified in the decision or agreement.

(5) Lands excluded from conveyance by this subsection may thereafter be conveyed to the appropriate Corporation where the Secretary determines such lands are available to such Corporation under the Settlement Act; provided that such additional conveyance does not exceed the entitlement of that Corporation.

(6) Except where such lands, including submerged lands, are within Naval Petroleum Reserve No. 4 or a unit of the National Wildlife Refuge System, as a result of a conveyance of the surface estate to a Village Corporation by subsection (a), there is hereby conveyed to and vested in each Regional Corporation all of the right, title and interest of the United States in and to the subsurface estate to which the Regional Corporation would have been entitled to pursuant to section 14(f) of the Settlement Act.

(7) All conveyances made by this subsection shall be subject to the terms and conditions of sections (14)c, 14(f), 14(g), 15, 16(b), 17(b)(2), and 22(c), (d), (g), (j), (k), and (l) of the Settlement Act as if such conveyances had otherwise been made under the Settlement Act.

(8) Nothing herein shall be deemed to vest any new rights to the Corporation formed for the Native Village of Klukwan, which Corporation shall receive those rights granted to it by Public Law 94-204 (Stat.), as amended by Public Law 94-456 (90 Stat. 1334).

(b)(1) For each Village Corporation for a Native Village which, by the date of enactment of this Act:

(A) had been determined to be eligible under the Settlement Act by the Secretary; and

(B) such eligibility determination is not the subject of existing litigation in a Court of competent jurisdiction; and

(C) which, under the provisions of section 19(b) of the Settlement Act, elected to receive fee title to a former Native Reserve, subject to valid existing rights, there is hereby conveyed to and vested in each Village Corporation in this paragraph all of the right, title, and interest of the United States in and to the land, including submerged lands, in the Reserve, as such Reserve existed as of the date of enactment of the Settlement Act, in which the Village is located, except those lands that on December 18, 1971, were appropriated by or reserved for a specific Federal Installation.

(2) Conveyances made by this subsection shall be subject to the terms and conditions of sections 14(c), 14(g), 17(b)(2), 22(c), 22(d) and 22(j) of the Settlement Act as if such conveyance had otherwise been made under the Settlement Act.

(3) Nothing herein shall be deemed to vest any new rights to the Corporation formed for the Native Village of Klukwan which shall receive those rights granted to it by Public Law 94-204 (Stat.), as amended by Public Law 94-456 (90 Stat. 1934).

(c)(1) As soon as possible after the date of enactment of this Act, the Secretary shall issue to each Native corporation referred to in subsections (a) and (b) interim conveyances or patents to the estate or estates conveyed to such corporation by such subsections, but title shall be deemed to have passed on the date of enactment of this Act, except where subsection (a)(4) of this section applies, for which title shall be deemed to have passed on the date of the publication of the decision or agreement in the Federal Register, notwithstanding any delay in the issuance of the interim conveyances or patents.

(2) For a period of three years, but in no case after patent has issued, from the date of enactment of this Act, the Secretary may identify and reserve those easements, pursuant to section 17(b) of the Settlement Act, he determines are necessary to provide access between or among non-Native owned lands or points of public use, such as airports and docks, within the lands conveyed by subsections (a) and (b) and such access, transportation, and utility easements that the Secretary determines necessary between public access points within the lands conveyed by subsections (a) and (b) and publicly owned lands and resources located outside of such lands. The Secretary shall not reserve a greater number of easements or more land for a particular easement or easements than is reasonably and actually necessary.

OTHER CONVEYANCES TO NATIVE CORPORATIONS

SEC. 802. (a) In addition to lands conveyed in accordance with section 801, there are hereby granted to each Native Corporation formed pursuant to the Alaska Native Claims Settlement Act and to each Native group (as defined in section 3(d) of such Act) qualified to receive land under such Act all those other lands which they are entitled to receive under such Act, to the extent such lands have been selected as of the date of enactment of this Act.

(b) For purposes of this section, all those lands specified in the document entitled " ", which sets forth the selections of each Native Corporation or group and which was submitted under date of to the House Committee on Interior and Insular Affairs, shall be deemed to be the lands to be conveyed to such corporations to the extent of entitlement.

(c) As soon as possible after the date of enactment of this Act, the Secretary shall issue interim conveyances or patents, conforming to the requirements of the Alaska Native Claims Settlement Act, for the lands described in this section. As to any such lands for which interim conveyances or patents have not been issued within three years after the date of enactment of this Act any Native Corporation or group may thereafter apply to any appropriate Federal district court for an appropriate order confirming the conveyance of any such lands, free and clear of any reservations of easements, other than those easements required to be reserved pursuant to section 14(g) and section 17(b) of the Alaska Native Claims Settlement Act or pursuant to this Act.

ADMINISTRATIVE PROVISIONS

SEC. 803. (a) In identifying and reserving easements required pursuant to section 17(b) of the Alaska Native Claims Settlement Act, to be reserved on lands conveyed to Village and Regional Corporations, the Secretary shall be guided by the following principles:

(1) all easements shall be designed so as to minimize their impact on the compactness and integrity of Native lands; and

(2) each easement shall be specifically located and limited and shall include only such areas as are essential for the purpose or purposes for which the easement is reserved.

(b) In every case where, after conveyances have been made pursuant to this Act or to the Alaska Native Claims Settlement Act, the Secretary determines an easement not reserved at the time of conveyance is required for any lawful purpose, he is authorized to acquire such easement in accordance with any applicable provisions of law. The acquisition of such easements shall be deemed a public purpose for which the Secretary may exercise his exchange authority pursuant to section 22(f) of the Alaska Native Claims Settlement Act. In acquiring any such easement, the Secretary shall be guided by the principles set forth in this section.

(c) The National Environmental Policy Act of 1969 shall not be construed in whole or part as requiring the preparation or submission of an environmental impact statement before withdrawal or conveyance of land to Natives and Native Corporations, or a decision to reserve or not to reserve any easements thereon, under the Settlement Act or this Act.

STATE SELECTIONS AND CONVEYANCES

SEC. 804. (a) In furtherance and confirmation of the State of Alaska's entitlement to certain national forest and other public lands in Alaska for community development and expansion purposes, section 6(a) of the Alaska Statehood Act is amended by substituting "thirty-five years" for "twenty-five years".

(b) In furtherance and confirmation of the State of Alaska's entitlement to certain public lands in Alaska, section 6(b) of the Alaska Statehood Act is amended by substituting "thirty-five years" for "twenty-five years" and, as to future State land selections, by repeal of the second proviso, regarding Presidential approval of land selections north and west of the line described in section 10 of such Act.

(c)(1) In full and final settlement of any and all claims by the State of Alaska arising under the Act of March 4, 1915 (38 Stat. 1214), including claims to surveyed lands which were within Federal reservations or withdrawals at the time Alaska became a State, the State is hereby granted seventy-

five thousand acres which it shall be entitled to select until January 4, 1994, from vacant, unappropriated, and unreserved public lands in Alaska.

(2) Except as provided herein, such selections shall be made in conformance with the provisions for selections under section 6(b) of the Alaska Statehood Act. Selections made under this subsection shall be in units of whole sections as shown on the official survey plats of the Bureau of Land Management, including protraction diagrams, unless part of the section is unavailable or the land is otherwise surveyed, or unless the Secretary waives the whole section requirement.

(3) Lands selected and conveyed to the State under this subsection shall be subject to the provisions of section 6 (j) and (k) of the Alaska Statehood Act.

(d) (1) All tentative approvals of the State of Alaska land selections pursuant to the Alaska Statehood Act are hereby ratified and confirmed, subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act, and the United States hereby confirms that all right, title, and interest of the United States in and to such lands is deemed to have vested in the State of Alaska as of the date of tentative approval; except that this subsection shall not apply to tentative approvals which, prior to the date of enactment of this Act, have been relinquished by the State, or have been finally revoked by the United States under authority other than authority under section 11(a)(2), 12(a), or 12(b) of the Alaska Native Claims Settlement Act.

(2) Upon approval of a land survey by the Secretary, such lands shall be patented to the State of Alsaka.

(3) If the State elects to receive patent to any of the lands which are the subject of this subsection on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election for townships having no adverse claims on the public land records. For townships having such adverse claims of record, patent on the basis protraction surveys shall be issued as soon as practicable after such election. The State shall bear the burden of loss of acreage due to errors, if any, in any such protraction survey.

(4) Future tentative approvals of State land selections, when issued, shall have the same force and effect as those existing tentative approvals which are confirmed by this subsection and shall be processed for patent by the same administrative procedures as specified in paragraphs (2) and (3) of this subsection.

(e) (1) All existing valid State land selections made pursuant to the Alaska Statehood Act are hereby confirmed, subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act.

(2) As soon as practicable after the date of enactment of this Act, the Secretary shall issue tentative approvals to such State selections as required by the Alaska Statehood Act and pursuant to subsection (j) of this section. The sequence of issuance of such tentative approvals shall be on the basis of priorities determined by the State. All right, title, and interest of the United States shall vest in the State of Alaska upon issuance of such tentative approvals.

(3) Upon approval of a land survey by the Secretary, such lands shall be patented to the State of Alaska.

(4) If the State elects to receive patent to any of the lands which are the subject of this subsection on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election for townships having no adverse claims on the public land records. For townships having such adverse claims of record, patent on the basis of protraction surveys shall be issued as soon as practicable after such election. The State shall bear the burden of loss of acreage due to errors, if any, in any such protraction survey.

(5) Future valid State land selections shall be subject only to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act.

(f) Subject to valid existing and Native selection rights under the Alaska Native Claims Settlement Act, the State, at its option, may file future selection applications and amendments thereto, pursuant to section 6 (a) or (b) of the Alaska Statehood Act or subsection (c) of this section, for lands which are not, on the date of filing of such applications, available lands within the meaning of section 6 (a) or (b) of the Alaska Statehood Act. Each such selection application, if otherwise valid, shall become an effective selection without further action by the State upon the date the lands included in such application become available within the meaning of such section 6 (a) or (b) regardless of whether such date occurs before or after expiration of the State's land selection rights. Selection applications heretofore filed by the State may be refiled so as to become subject to the provisions of this subsection; except that no such refiling shall prejudice any claim of validity which may be asserted regarding the original filing of such application. Nothing contained in this subsection shall be construed to prevent the United States from transferring a Federal reservation or appropriation from one Federal agency to another Federal agency for the use and benefit of the Federal Government.

(g)(1) The State of Alaska may select lands exceeding by not more than 25 per centum in total area the amount of State entitlement which has not been patented or tentatively approved under each grant or confirmation of lands contained in the Alaskan Statehood Act or other law. If its selections under a particular grant exceed such remaining entitlement, the State shall thereupon list all selections for that grant which have not been tentatively approved in desired priority order of conveyance, in blocs no larger than one township in size; except that the State may alter such priorities prior to receipt of tentative approval. Upon receipt by the State of subsequent tentative approvals, such excess selections shall be reduced by the Secretary pro rata by rejecting the lowest prioritized selection blocs necessary to maintain a maximum excess selection of 25 per centum of the entitlement which has not yet been tentatively approved or patented to the State under each grant.

(2) The State of Alaska may, by written notification to the Secretary, relinquish any selections of land filed under the Alaska Statehood Act or subsection (c) of this section prior to receipt by the State of tentative approval, except that lands conveyed pursuant to subsection (b) of this section may not be relinquished pursuant to this paragraph.

(3) Section 6(g) of the Alaska Statehood Act is amended by adding at the end thereof the following new sentence: "As to all selections made by the State after January 1, 1979, pursuant to section 6(b) of this Act, the Secretary of the Interior, in his discretion, may waive the minimum tract selection size where he determines that such a reduced selection size would be in the national interest and would result in a better land ownership pattern.".

(h) In furtherance of the State's entitlement to lands under section 6(b) of the Alaska Statehood Act, the United States hereby conveys to the State of Alaska all right, title, and interest of the United States in and to all vacant, unappropriated, and unreserved lands, including lands subject to subsection (m) of this section, which lie within those townships outside the boundaries of conservation system units established, designated, or expanded by this Act, which are specified in the list of State Selection Interest Lands submitted by the State of Alaska and on file in the office of the Secretary of the Interior, and as depicted on the map entitled " ", dated 1978.

(i)(1) Lands identified in subsection (h) are conveyed to the State subject to valid existing rights and Native selection rights under the Alaska Native Claims Settlement Act. All right, title, and interest of the United States in and to such lands shall vest in the State of Alaska as of the date of enactment of this Act, subject to those reservations specified in subsection (m) of this section.

(2) As soon as practicable after the date of enactment of this Act, the Secretary shall issue to the State tentative approvals to such lands as required by the Alaska Statehood Act and pursuant to subsection (j) of this section. The sequence of issuance of such tentative approvals shall be on the basis of priorities determined by the State.

(3) Upon approval of a land survey by the Secretary, those lands identified in subsection (h) shall be patented to the State of Alaska.

(4) If the State elects to receive patent to any of the lands which are identified in subsection (h) on the basis of protraction surveys in lieu of field surveys, the Secretary shall issue patent to the State on that basis within six months after notice of such election for townships having no adverse claims on the public land records. For townships having such adverse claims of record, patent on the basis of protraction surveys shall be issued as soon as practicable after such election. The State shall bear the burden of loss of acreage due to errors, if any, in any such protraction survey.

(j) Nothing contained in this section shall relieve the Secretary of the duty to adjudicate conflicting claims regarding the lands specified in subsection (h) of this section, or otherwise selected under authority of the Alaska Statehood Act, subsection (c) of this section, or other law, prior to the issuance of tentative approval.

(k) As to lands outside the boundaries of a conservation system unit, the following withdrawals, classifications, or designations shall not, of themselves, remove the lands involved from the status of vacant, unappropriated, and unreserved lands for the purposes of subsection (h) of this section and future State selections pursuant to the Alaska Statehood Act or subsection (c) of this section:

(1) Withdrawals for classification pursuant to section 17(d)(1) of the Alaska Native Claims Settlement Act; except that in accordance with the Memorandum of Understanding between the United States and the State of Alaska dated September 2, 1972, to the extent that Public Land Orders Numbered 5150, 5151, 5181, 5182, 5184, 5190, 5194, and 5388 by their terms continue to prohibit State selections of certain lands, such lands shall remain unavailable for future State selection.

(2) Withdrawals pursuant to section 11 of the Alaska Native Claims Settlement Act, which are not finally conveyed pursuant to section 12, 14, or 19 of such Act.

(3) Classifications pursuant to the Classification and Multiple Use Act (78 Stat. 987).

(4) Classifications or designations pursuant to the Federal Land Policy and Management Act (90 Stat. 2743).

(l) (1) Notwithstanding any other provision of law, on lands selected by, or granted or conveyed to, the State of Alaska under section 6 of the Alaska Statehood Act or this Act, but not yet tentatively approved to the State, the Secretary is authorized to make contracts and grant leases, licenses, permits, rights-of-way, or easements, and

any tentative approval or patent shall be subject to such contract, lease, license, permit, right-of-way, or easement; except that (A) the authority granted the Secretary by this subsection is that authority the Secretary otherwise would have had under existing laws and regulations had the lands not been selected by the State, and (B) the State has concurred prior to such action by the Secretary.

(2) On and after the date of enactment of this Act, 90 per centum of any and all proceeds derived from contracts, leases, licenses, permits, right-of-way, or easements or from trespasses originating after the date of selection by the State shall be held by the Secretary until such lands have been tentatively approved to the State. As such lands are tentatively approved, the Secretary shall pay to the State from such account the proceeds allocable to such lands which are derived from contracts, leases, licenses, permits, rights-of-way, easements, or trespasses. The proceeds derived from contracts, leases, licenses, permits, rights-of-way, easements, or trespasses and deposited to the account pertaining to lands selected by the State but not tentatively approved due to rejection or relinquishment shall be paid as would have been required by law were it not for the provisions of this Act. In the event that the tentative approval does not cover all of the land embraced within any contract, lease, license, permit, right-of-way, easement, or trespass, the State shall only be entitled to the proportionate amount of the proceeds derived from such contract, lease, license, permit, right-of-way or easement, which results from multiplying the total of such proceeds by a fraction in which the numerator is the acreage of such contract, lease, license, permit, right-of-way, or easement which is included in the tentative approval and the denominator is the total acreage contained in such contract, lease, license, permit, right-of-way, or easement; in the case of trespass, the State shall be entitled to the proportionate share of the proceeds in relation to the damages occurring on the respective lands.

(3) Nothing in this subsection shall relieve the State or the United States of any obligations under section 9 of the Alaska Native Claims Settlement Act or the fourth sentence of section 6(h) of the Alaska Statehood Act.

(m)(1) All conveyances to the State under section 6 of the Alaska Statehood Act, this Act, or any other law, shall be subject to valid existing rights, to Native selection rights under the Alaska Native Claims Settlement Act, and to any right-of-way or easement reserved for or appropriated by the United States.

(2) Where prior to a conveyance to the State, a right-of-way or easement has been reserved for or appropriated by the United States or a contract, lease, license, permit, right-of-way, or easement has been issued for the lands, the conveyance shall contain provisions making it subject to the right-of-way or easement reserved or appropriated and to the contract, lease, license, permit, right-of-way, or easement issued or granted, and also subject to the right of the United States, contractee, leasee, licensee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits previously granted, issued, reserved, or appropriated. Upon issuance of tentative approval, the State shall succeed and become entitled to any and all interests of the United States as contractor, lessor, licensor, permitter, or grantor, in any such contracts, leases, licenses, permits, rights-of-way, or easements, except those reserved to the United States in the tentative approval.

(3) The administration of rights-of-way or easements reserved to the United States in the tentative approval shall be in the United States, including the right to grant an interest in such right-of-way or easement in whole or in part.

(4) Where the lands tentatively approved do not include all of the land involved with any contract, lease, license, permit, right-of-way, or easement issued or granted, the administration of such contract, lease, license, permit, right-of-way, or easement shall remain in the United States, unless the agency responsible for administration waives such administration.

(5) Nothing herein shall relieve the State or the United States of any obligations under section 9 of the Alaska Native Claims Settlement Act, or the fourth sentence of section 6(h) of the Alaska Statehood Act.

(n) Any extensions of time periods granted to the State pursuant to section 17(d)(2)(E) of the Alaska Native Claims Settlement Act are hereby extinguished, and the time periods specified in subsections (a), (b) and (c) of this section shall hereafter be applicable to State selections.

(o) Nothing in this section shall alter the rights or obligations of any party with regard to section 12 of the Act of January 2, 1976 (Public Law 94–204), sections 4 and 5 of the Act of October 4, 1976 (Public Law 94–456), or section 3 of the Act of November 15, 1977 (Public Law 95–178). Nothing in this title shall prejudice a claim of validity or invalidity regarding any third-party interest created by the State of Alaska prior to December 18, 1971, under authority of section 6(g) of the Alaska Statehood Act or otherwise.

(p)(1) Notwithstanding any other provision of law, any land withdrawn pursuant to section 17(d)(1) of the Alaska Native Claims Settlement Act and within the boundaries of any conservation system unit shall be added to such unit and administered accordingly unless, before, on, or after the date of the enactment of this Act, such land has been validly selected by and conveyed to a Native Corporation.

(2) Until conveyed, all Federal lands within the boundaries of a conservation system unit shall be administered in accordance with the laws applicable to such unit.

ALASKA NATIVE LAND BANK

SEC. 805. (a) In order to enhance the quantity and quality of Alaska's renewable resources, there is hereby established the Alaska Native Land Bank Program. All Native Corporations are hereby authorized to enter into a written agreement with an appropriate State agency designated by the Governor of Alaska as the agent to administer such Program or with the Secretary of the Interior or his designee if the State declines to participate in such Program. Such agreement shall provide that up to 90 percent of the undeveloped and unimproved land holdings of any Native Corporation, as specified by such Corporation, shall be subject to the provisions of subsection (b). In any case in which the surface and subsurface estates in any lands are held by different Native Corporations, no agreement affecting such lands shall be effective unless all such Corporations enter into such agreements.

(b) Each agreement referred to in subsection (a) shall have an initial term of not less than ten years, with provision for renewal for additional periods of not less than five years. Such agreement shall provide that during its term—

(1) the landowner or landowners shall not alienate, transfer, assign, mortgage, or pledge the lands subject to the agreement and shall not permit development or improvements on such lands;

(2) the renewable resources of such lands shall be available only for subsistence uses or such other uses as are not detrimental to subsistence uses;

(3) if the surface landowner so consents, such lands may be made available for local recreational use; and

(4) all or part of the lands subject to the agreement may be withdrawn from the Alaska Native Land Bank Program after the landowner or landowners—

(A) submit written notice thereof to the State agency referred to in subsection (a) or the Secretary if the State has declined to participate in such Program, and

(B) pay all State and local property taxes and assessments which would have been incurred except for the agreement, together with interest on such taxes and assessments in an amount to be determined at the highest rate of interest charged with respect to delinquent property taxes by the State or local taxing agency.

Such agreement shall contain such additional terms, which are consistent with the provisions of this section, as seem desirable to the parties entering into the agreement.

(c) Each agreement entered into under this section shall constitute a restriction against alienation imposed by the United States upon the land subject to the agreement; so long as the parties to the agreement are in full compliance with the agreement, lands subject to such agreement shall not be subject to any of the following—

(1) adverse possession,

(2) taxation by the United States, any State, or any political subdivision of a State, and

(3) any action at law or equity to recover sums owed or penalties incurred by any Native Corporation or any officer, director, or stockholder of any such Corporation.

Except as provided in the preceding sentence, nothing in this section shall be construed as affecting the civil or criminal jurisdiction of the State of Alaska.

(d) The provisions of section 21(e) of the Alaska Native Claims Settlement Act shall apply to all lands which are subject to an agreement under this section so long as the parties to the agreement are in compliance with the agreement.

PROTECTION OF NATIVE LANDS IN CONTINGENCY AREAS UNDER TIMBER SALES

SEC. 806. Section 15 of the Alaska Native Claims Settlement Act is amended by inserting "(a)" after "SEC. 15." and by adding at the end of such section the following new subsection:

"(b) No land conveyed to a Native Corporation pursuant to this Act or by operation of title VIII of the Alaska National Interest Lands Conservation Act which is within a contingency area designated in a timber sale contract let by the United States shall thereafter be subject to such contract or to entry or timbering by the contractor. Until a Native Corporation has received conveyances to all of the land to which it is entitled to receive under this Act, no land in such a contingency area that has been withdrawn for selection by such Corporation under this Act shall be entered by the timber contractor and no timber shall be cut thereon, except by agreement with such Corporation. For purposes of this subsection, the term 'contingency area' means any area specified in a timber sale contract as an area from which the timber contractor may harvest timber if the volume of timber specified in the contract cannot be obtained from one or more areas definitely designated for timbering in the contract.".

USE OF PROTRACTION SURVEYS

SEC. 807. With the agreement of the party to whom a patent is to be issued under this title, the Alaska Native Claims Settlement Act, or the Alaska Statehood Act, the Secretary may base such patent on protraction surveys in lieu of field surveys.

ACTION TO ENFORCE; JURISDICTION

SEC. 808. For a period of three years after the date of enactment of this Act, any appropriate Federal district court shall have jurisdiction to hear, consider, and decide any action brought by the State or by a Native Corporation to enforce the provisions

of this title and to award appropriate attorney and witness fees and other costs of the litigation to the prevailing party, except that determinations under sections 802 and 803(b) of this title shall be subject to review only in an action brought by an aggrieved Native Corporation.

TECHNICAL AMENDMENTS TO PUBLIC LAW 94–204

SEC. 809. Section 15(a) of the Act of January 2, 1976 (Public Law 94–204, 89 Stat. 1154–1155), is amended—

(1) by striking out the description beginning with "Township 36 south, range 52 west;" and all that follows through "Township 41 south, range 53 west, sections 1, 2, 11, 12, 13 S.M., Alaska, notwithstanding;" and inserting in lieu thereof the following:

"Township 36 south, range 52 west, all;

"Township 37 south, range 51 west, all;

"Township 37 south, range 52 west, all;

"Township 37 south, range 53 west, sections 1 through 4, 9 through 16, 21 through 24, and the north half of sections 25 through 28;

"Township 38 south, range 51 west, sections 1 through 5, 9, 10, 12, 13, 18, 24, and 25;

"Township 38 south, range 53 west, sections 1, 12, 13, 24, 25, and 36;

"Township 39 south, range 51 west, sections 1, 6, 7, 16 through 21, 28 through 33, and 36;

"Township 39 south, range 52 west, sections 1, 2, 11 through 15, and 22 through 24;

"Township 39 south, range 53 west, sections 33 through 36, and the south half of section 26;

"Township 40 south, range 51 west, sections 2 and 6;

"Township 40 south, range 52 west, sections 6 through 10, 15 through 21, and 27 through 36;

"Township 40 south, range 53 west, sections 1 through 19, 21 through 28, and 34 through 36;

"Township 40 south, range 54 west, section 1 through 34;

"Township 41 south, range 52 west, sections 7, 8, 9, 16, 17, and 18;

"Township 41 south, range 53 west, sections 1, 4, 5, 8, 9, 11, 12, and 16;

"Township 41 south, range 54 west, section 6, S.M., Alaska;"; and

(2) by striking out "The" in the undesignated paragraph immediately following such description and inserting in lieu thereof "Notwithstanding the".

TITLE IX—MINERAL STUDY, EXPLORATION, AND EXTRACTION IN CONSERVATION SYSTEM UNITS

GENERAL GEOLOGIC INVESTIGATIONS AND MINERAL ASSESSMENT PROGRAMS IN ALASKA

SEC. 901. (a) Nothing in this Act, the Wilderness Act, or any other provision of law shall be construed to prevent the Secretary from carrying out mineral assessment programs and general geologic investigatory programs in the State of Alaska. In the case of areas within units of a conservation system in Alaska, such programs shall be carried out only in accordance with guidelines which shall be promulgated by the appropriate Secretary. Such guidelines shall insure that the activities carried out pursuant to such programs in such areas are carried out in a manner which is environmentally sound and consistent with the purposes for which such areas are established as units of a conservations system. Such guidelines shall insure that such activities are the minimum necessary for carrying out such programs and do not result in any lasting environmental impact which appreciably alters the natural character of the land.

MINERAL EXPLORATION AND EXTRACTION PROGRAMS FOR CONSERVATION SYSTEM UNITS IN ALASKA

SEC. 902. In all areas, established, enlarged, or added to by this Act except national parks or monuments, designated wilderness areas, and additions to the Wild and Scenic Rivers System, the Secretary shall study, or grant permits for study or both to determine the liquid and gaseous hydrocarbon, and other mineral potential of the areas under his jurisdiction and to determine whether further exploration and extraction activities may be reasonably conducted in the areas in a manner consistent with the purposes for which each area was established. The Secretary in issuing study or subsequent exploration permits shall do so for established or negotiated tracts or areas of a resonable size to lessen impact on the conservation system unit as well as provide a reasonable opportunity for interested parties.

The Secretary shall authorize mapping of the surface or subsurface (or both) by aerial, mechanical, physical, or other reasonable techniques, physical entry and examination, geophysical activities, and other methods of evaluation. If any surface feature in any such area is altered substantially as a result of any such activity, the same shall be restored substantially to its original condition, promptly after conclusion of such study, by the person involved therewith.

PERMITS FOR EXPLORATION AND EXTRACTION

SEC. 903. (a) If, based upon the information obtained by any study conducted under sections 901 and 902 of this title, the Secretary determines that exploration for and extraction of liquid and gaseous hydrocarbons or metallic or other minerals, within such areas may be conducted in a manner consistent with the purposes for which the area was or is established and that any surface altered substantially by such activities may be substantially restored to its original condition, he shall issue permits for further exploration and extraction. In the course of issuance of all permits, the Secretary may set boundaries within which such activities are to be permitted in order to avoid conflict to the degree appropriate with known scenic, habitat, or other natural or historical values or concerns of high interest within the conservation units named in section 902(b) during the period they are subject to wilderness studies or subsequently in areas not recommended for or designated wilderness.

(b)(1) If the Secretary determines, based on the information obtained as a result of a study permit, granted in accordance with subsection (a) of this section, that such areas or portions of such areas should be open to further exploration and extraction for minerals other than liquid or gaseous hydrocarbons, the study permittee shall be given the right of first acceptance or refusal to receive the exploration and extraction permit. If the exploration and study permittee refuses the offer, the Secretary shall offer the lands for lease on the basis of competitive bidding.

(2) If, as a result of information obtained by study or any means other than a study permit, the Secretary determines that exploration for and extraction of liquid and gaseous hydrocarbons, or other minerals should be permitted, the Secretary shall offer the lands for lease on the basis of competitive bidding.

(c) Prior to the issuance of any permit for extraction of minerals the Secretary shall submit the proposed permit to the Congress, with a detailed statement setting forth the basis for his determination. The permit for extraction shall be issued pursuant to this section unless either the Senate or the House of Representatives shall by resolution have disapproved the same within one hundred and twenty legislative days of its submission.

(d) Within sixty days after the effective date of such determination, the Secretary shall initiate the procedure in accordance with subsection (b) of this section for the awarding of appropriate exploration and extraction permits.

(e) The Secretary shall issue regulations to implement sections 902 and 903, which regulations shall include provisions for—

(1) the issuance of any permit for exploration and extraction, including the competitively biddable factor(s); and distinguishing procedures where appropriate between liquid and gaseous hydrocarbons and other minerals; including tract size;

(2) the duration, assignment, and renewal of any permit;

(3) the establishment of a fee and royalty schedule for issuance and maintenance of permits;

(4) other terms under which any such permit shall be issued;

(5) stipulations to reasonably ensure that all activities undertaken under any permits shall for the protection of the land, wildlife, and other natural and historical features be consistent with the purposes for which the respective area was or is established;

(6) removal of liquid or gaseous hydrocarbons and other minerals; and

(7) provisions for general access, storage, removal, and transportation of liquid and gaseous hydrocarbons or other minerals extracted under any such permit, including roadways, storage sites, processing operations, water lines, pipelines, communications, and similar facilities.

(f) Except for those matters to which the Freedom of Information Act does not apply, section 552(b) of title 5, United States Code, any information made available to the Secretary by an applicant or permittee under this section shall be available to the public.

EXISTING MINERAL CLAIMS AND MINERAL LEASING RIGHTS IN CONSERVATION SYSTEM UNITS

SEC. 904. (a) Administration and regulation of the exercise of rights under existing valid mineral claims and leases within all new or enlarged existing units within the National Park System established by this Act in Alaska, shall be governed by the provisions of the Mining in Parks Act (Public Law 94–429).

(b) Administration and regulation of the exercise of rights under existing valid mineral claims and leases within new or enlarged existing national wildlife refuges established by this Act in Alaska, shall be governed in accordance with the following:

The provisions of sections 2 and 8 of Public Law 94–429 (16 U.S.C. 1902, 1907), are hereby extended to all units of the National Wildlife Refuge System established or enlarged by this Act. For the purposes of this section, the term "National Wildlife Refuge System" shall be substituted for the term "National Park System" and the Act of October 15, 1966, as amended (16 U.S.C. 668dd, et seq.) for the Act of August 25, 1916, as amended (16 U.S.C. 1), wherever those terms appear in sections 2 and 8 of Public Law 94–429.

TITLE X—TRANSPORTATION AND UTILITY SYSTEMS ON CONSERVATION SYSTEM UNITS

PURPOSES

SEC. 1001. The purposes of this title are to—

(1) recognize the uniqueness of the size of Alaska and the undeveloped condition of Alaska's transportation and utility network and to recognize that the future needs for transportation and utility systems in Alaska would best be provided for through a carefully considered, orderly process under existing authorities and under the procedures established in this title;

(2) recognize the existing authorities of the Secretary to grant rights-of-way for transportation and utility systems under generally applicable provisions of law in the case of public lands within conservation systems units in the State of Alaska, and

(3) establish procedures for the approval or disapproval of applications for such rights-of-way which the Secretary has no

authority to approve or disapprove under such generally applicable provisions of law.

USE PERMITS UNDER EXISTING AUTHORITIES

SEC. 1002. (a) Except as may be otherwise provided in the following provisions of this title, any law or rule of law generally applicable to units of the National Park, Wilderness Preservation, Wild and Scenic Rivers, and Wildlife Refuge Systems, regarding rights-of-way (including use permits, leases, and licenses) for a transportation or utility system (including but not limited to roads and highways, oil, gas, and water pipelines, and utility transmission and communication systems) shall apply to all units of any conservation systems in Alaska in the same manner as such law or rule of law applies to units of such systems elsewhere.

(b) In the case of wilderness areas in Alaska, the Secretary may exercise his authorities under the Wilderness Act, consistent with section 4(c) of such Act, to provide access to wilderness areas for the administration of the area for the purpose of such Act (including measures required in emergencies involving the health and safety of persons within the area).

USE PERMITS UNDER NEW AUTHORITY

SEC. 1003. (a) If the Secretary has no authority under any other law or rule of law to determine whether applications from a Federal, State, or local agency, or any private person or organization for rights-of-way on public lands within a conservation system unit in Alaska for a transportation or utility system should be granted or denied, an application from such a person, organization, or other entity for such a right-of-way shall be considered and processed as provided in the following provisions of this title.

(b) Applicants submitted under this section shall be in such form, and shall contain such information, as may be required by the Secretary. Any such application for a right-of-way for a pipeline described in section 28(a) of the Mineral Leasing Act of 1920 shall, to the extent appropriate as determined by the Secretary, be in the same form, and contain the same information, as required for an application for a right-of-way under such section 28.

(c) In the case of an application referred to in subsection (a) for a pipeline described in section 28(a) of the Mineral Leasing Act of 1920, if the route for such pipeline would cross any area within the boundaries of the Iditarod Trail or a wild and scenic river in Alaska administered by the Secretary of the Interior, and if the Secretary determines, after notice and opportunity for hearing, that there exists no economically feasible alternative route which would not cross such area, he may grant a right-of-way for such pipeline in the manner provided in section 28 of the Mineral Leasing Act of 1920 and subject to the conditions referred to in section 1006(c) of this Act, except that for such purposes, the first sentence of section 28(b)(1) of the Mineral Leasing Act of 1920 shall not apply.

(d) In the case of an application referred to in subsection (a) concerning a transportation or utility system across public lands within a conservation system unit (other than a wilderness area), if an environmental impact statement for that section of the right-of-way crossing such unit would not have been required under the National Environmental Policy Act of 1969, the Secretary may grant a use permit for the right-of-way if he determines, after notice and opportunity for comment, that such right-of-way—

(A) would not result in a significant adverse effect on the conservation system unit, and

(B) would be compatible with the purposes for which the unit was established and the purposes of this Act.

(e) In the case of an application for a right-of-way referred to in subsection (a) which the Secretary does not have the authority to grant or deny under subsection (c) or (d), not later than one year after his receipt of the application, the Secretary shall transmit a recommendation to the Congress respecting whether or not the application for a right-of-way should be granted. Before making such a recommendation, the Secretary shall weigh the local, regional, State, and national interests involved, and determine—

(1) whether the approval of such application is in the public interest,

(2) whether there is an economically feasible and prudent alternative to the granting of the right-of-way through the conservation system unit subject to the application, and

(3) whether the transportation or utility system subject to the application can be constructed, operated, and maintained in a manner compatible with the purposes for which the affected conservation system unit was established and the purposes of this Act.

(f) Together with his transmission to Congress of any recommendation under subsection (e), the Secretary shall transmit—

(1) the application for the right-of-way to which such recommendation applies,

(2) a report setting forth the detailed explanation of the basis for his determinations and recommendation under subsection (e),

(3) an environmental impact statement which complies with the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 in any case in which such statement is required under such Act; and

(4) where applicable, the conditions and stipulations under which the use of a recommended right-of-way will be permitted if approved by the Congress, and the extent and duration thereof.

The conditions and stipulations referred to in paragraph (4) shall be designed to ensure that the right-of-way is utilized in a manner compatible, to the maximum extent feasible, with the purposes for which the affected conservation system unit was established and the purposes of this Act and shall contain provisions necessary to minimize environmental harm to the unit.

(g) In the case of any recommendation under this title for which an environmental impact statement is not required under section 102(2)(C) of the National Environmental Policy Act of 1969, the Secretary may, when he deems it desirable, include such a statement in his transmittal to the Congress. The provisions of section 304 of the Federal Land Policy and Management Act of 1976 shall apply to applications under this title in the same manner and to the same extent as such provisions apply to applications relating to the public lands referred to in such section 304.

COORDINATION OF RIGHT-OF-WAY REQUIREMENTS

SEC. 1004. When an application for a right-of-way referred to in section 1002 or 1003 is for a transportation or utility system through both Federal lands within, and outside of, a conservation system unit, the Secretary shall coordinate his authorities under other applicable Federal laws in a manner consistent with this title for the purposes of—

(1) assuring consistent treatment of such application,

(2) preparing only one complete environmental impact statement;

(3) avoiding duplication and inconsistent requirements and determinations;

(4) minimizing costs to the applicant and the Government; and

(5) maximizing intergovernmental coordination.

CONGRESSIONAL APPROVAL PROCEDURE

SEC. 1005. (a) Any recommendation of the Secretary submitted to Congress under section 1003 shall be considered received by both Houses for purposes of this section on the first day on which both are in session occurring after such recommendation is submitted.

(b) Any application transmitted to Congress under section 1003 shall be deemed approved only upon enactment of a joint resolution by the Senate and House of Representatives approving such application within the first period of one hundred and twenty calendar days of continuous session of Congress beginning on the date after the date of receipt by the Senate and House of Representatives of such application.

(c) For purposes of this section—

(1) continuity of session of Congress is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the one-hundred-and-twenty-day calendar period.

(A) as an exercise of the rulemaking power of each House of Congress, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of resolutions described by paragraph (2) of this subsection; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as those relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(2) For purposes of this section, the term "resolution" means a joint resolution, that the House of Representatives and Senate approve the recommendation of the Secretary of the Interior on an application submitted to the Secretary under this title. Such resolution may also include material relating to the application and effect of the National Environmental Policy Act of 1969 to the recommendation.

(3) A resolution once introduced with respect to such Secretarial recommendation shall be referred to one or more committees (and all resolutions with respect to the same Secretarial recommendation shall be referred to the same committee or committees) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(4)(A) If any committee to which a resolution with respect to a Secretarial recommendation has been referred has not reported it at the end of sixty calendar days after its referral, it shall be in order to move either to discharge such committee from further consideration of such resolution or to discharge such committee from further consideraton of any other resolution with respect to such Secretarial recommendation which has been referred to such committee.

(B) A motion to discharge may be made only by an individual favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same Secretarial recommendation) and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(C) If the motion to discharge is agreed to or disagreed to, the motion may not be made with respect to any other resolution with respect to the same Secretarial recommendation.

(5)(A) When any committee has reported, or has been discharged from further consideration of, the resolution, but in no case earlier than sixty days after the date of receipt of the Secretary's recommendation to the Congress, it shall be at any time thereafter in order (even though a previous mo-

tion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion shall be highly privileged and shall not be debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(B) Debate on the resolution shall be limited to not more than four hours. This time shall be divided equally between those favoring and those opposing such resolution. A motion further to limit debate shall not be debatable. An amendment to, or motion to recommit the resolution shall not be in order, and it shall not be in order to move to reconsider the vote by which such resolution was agreed to or disagreed to or, thereafter within such one hundred and twenty-day period, to consider any other resolution respecting the same Secretarial recommendation.

(6)(A) Motions to postpone, made with respect to the discharge from committee, or the consideration of a resolution and motions to proceed to the consideration of other business, shall be decided without debate.

(B) Appeals from the decision of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be to the procedures relating to a resolution shall be decided without debate.

ISSUANCE OF PERMITS

SEC. 1006. (a) In any case in which an application for a right-of-way on public lands within a conservation system unit in Alaska has been approved by the Congress under this title, the Secretary shall, immediately following the enactment of the joint resolution of congressional approval, issue a use permit for such right-of-way subject to the requirements of this section.

(b) Unless Congress otherwise directs, no permit pursuant to a recommendation approved by Congress under this title for a right-of-way may be granted across public lands within a conservation system unit in Alaska unless the permittee pays to the United States an amount equal to the fair market value of such right-of-way.

(c) In the case of a pipeline described in section 28(a) of the Mineral Leasing Act of 1920, a permit granted under this section or section 1003(c) shall be issued in the same manner as a right-of-way is granted under such section 28, and the provisions of subsections (c) through (j), (l) through (r), and (v) through (y) of such section 28 shall apply to permits under this section or section 1003(c) in the same manner and to the same extent as to rights-of-way under such section 28. Any such permit under this section or under section 1003(c) for such a pipeline which crosses any area within the boundaries of a wild and scenic river shall also be subject to such conditions as may be necessary to assure that the stream flow of such river is not interfered with or impeded and that such pipeline is located and constructed in an environmentally and aesthetically sound manner.

TITLE XI—GENERAL ADMINISTRATIVE PROVISIONS

WITHDRAWAL FROM MINING AND MINERAL LEASING

SEC. 1101. All lands designated by this Act as units of the National Park System, National Wildlife Refuge System, and, notwithstanding the provisions of section 9(a)(ii) of the Wild and Scenic Rivers Act (82 Stat. 907) as amended (16 U.S.C. 1274(2)), wild rivers, as provided in section 307(e) of this Act, are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto, except as provided for in title IX or as otherwise specifically provided in this Act. Any and all withdrawals and reservations for power site purposes applicable to the Federal lands and interests therein within the boundaries of any unit of the National Park, Wildlife Refuge, or Wild and Scenic Rivers Systems referred to in titles I through III of this Act are hereby rescinded to the extent of such applicability.

CERTAIN LANDS

SEC. 1102. (a) All lands within the areas added to existing units or established by titles I, II, III, and IV of this Act, which are subject to selection or selected by Native Corporations under the terms of the Alaska Native Claims Settlement Act, and which are not selected by or conveyed to those Corporations under the terms of that Act are hereby added to and incorporated within the appropriate area, to be administered under the terms of this Act, at such time as the relinquishment of Native rights becomes final: *Provided*, That if the lands in such areas are contiguous to a boundary of the area, or contiguous to State or Native selections that are contiguous to a boundary, the State of Alaska shall have ninety days in which to select such lands formerly subject to selection or selected by a Native Corporation, beginning at such time as the relinquishment becomes final, as aforesaid. State selections under this subsection shall be in furtherance of the State's entitlement under the Alaska Statehood Act.

(b) With respect to valid Native and State selections and Native and State-owned lands which are either within or immediately adjacent to the boundaries of the areas added to or established by this Act as units of conservation systems—

(1) valid Native selections and Native-owned lands shall be deemed to be included within such boundaries on the date of approval of this Act, except that any such lands shall be deemed to be excluded upon receipt by the Secretary of written notification from the chief executive officer of the concerned Native corporation during the one-year period from the date of approval of this Act that any such lands should be excluded;

(2) valid State selections and State-owned lands shall be deemed to be included within such boundaries on the date of approval of this Act, except that any such lands shall be deemed to be excluded upon receipt by the Secretary of written notification from the Governor of the State during the one-year period from the date of approval of this Act that any such lands should be excluded.

(c) Nothing in the foregoing subsection (b) shall prohibit the acquisition by the Secretary, after the one-year period from the date of approval of this Act, of valid Native and State selections and Native and State-owned lands formerly within the boundaries depicted on the maps referred to in section 2 of this Act, with the consent of the owner. Property so acquired shall thereupon become part of the area from which it was excluded, subject to the laws and regulations applicable thereto.

ACQUISITION

SEC. 1103. Within the boundaries of the units of the national conservation systems and classifications established by or pursuant to this Act, the Secretary or the Secretary of Agriculture with respect to national forests may acquire lands and interests in lands within areas placed under their respective jurisdiction by donations, purchase, exchange, or otherwise.

ADMINISTRATIVE SITES

SEC. 1104. The Secretary may establish administrative sites or visitor facilities outside the boundaries of any area established under this Act, or protect any significant archeological sites outside the boundaries of the areas described in section 101(a)(2), section 101(a)(3), and section 101(a)(9) of this Act. For these purposes he may establish on Federal lands or acquire other lands not to exceed one thousand acres for administrative and visitor facilities for each area, and no more than seven thousand acres for archeological or paleontological sites outside the boundaries of each of the areas referred to herein: *Provided*, That no such administrative site, visitor facility, or archeological site may be established on National Forest System lands without the concurrence of the Secretary of Agriculture.

NATIVE LANDS AND CORPORATIONS: PUBLIC SERVICES

SEC. 1105. (a) The Secretary shall, with the concurrence of the Native Corporation involved, attempt to locate administrative sites and visitor facilities for areas established under this Act on adjacent Native-owned lands, wherever possible and desirable.

(b) Notwithstanding any other provision of law, before entering into any contract for the provision of revenue-producing visitor services, the Secretary shall grant the village and/or regional corporations most directly affected the first right of refusal to provide such services within the unit under such terms and conditions as he may by agreement prescribe.

AGENCY PLANNING ASSISTANCE

SEC. 1106. The Secretary shall direct the Fish and Wildlife Service to participate, where appropriate, in firsh and wildlife studies and resource planning on units authorized by this Act as components of the National Park and Wild and Scenic Rivers System. The Secretary shall also direct the National Park Service, where appropriate, to participate in recreation planning, interpretation, historic resources protection, and ecological research on areas authorized by this Act as units of the National Wildlife Refuge and Wild and Scenic Rivers Systems.

UNIT MANAGEMENT PLANS

SEC. 1107. Except as otherwise provided, within five years from the effective date of this section, the Secretary shall formulate (and he may from time to time revise) a detailed resource management and use plan for each unit of the systems established in titles I and II of this Act. Where units of the National Wildlife Refuge System and the National Park System include important biological and physical characteristics which control the natural occurrance and the management of fish and wildlife and their habitat, and include scenic, historical, and archeological resources within each unit, a single plan shall be developed for the management and use of such resources. Each plan shall identify management practices, which the Secretary shall adopt and implement, that will accomplish the specific purposes of the areas set forth in titles I and II. The Secretary shall formulate each plan and any revision thereof only after holding one or more public hearings in the vicinity of the affected unit or units, and only after consultation with the appropriate agencies of the State of Alaska.

CAPITAL IMPROVEMENTS ON NON-FEDERAL LANDS

SEC. 1108. Notwithstanding any other provision of law, the Secretary is authorized to construct, operate, and maintain, with funds appropriated for the purposes of this Act, such permanent and temporary buildings and facilities as he deems appropriate to provide visitor services and for administrative purposes, and lands within and outside the boundaries of the units established by this Act, without regard to whether title to the underlying land is in the United States: *Provided*, That in the case of buildings and facilities constructed on non-Federal land, the owner shall have entered into a cooperative agreement with the Secretary, the terms of which shall assure the continued use of such buildings and facilities for the purpose of this action.

STATE LAND EXCHANGES

SEC. 1109. In the exercise of his authority to acquire lands, waters, and interests therein for the purposes of this Act, the Secretary may utilize the provisions of subsection 22(f) of the Alaska Native Claims Settlement Act, as amended. Property acquired within the boundaries of the areas added to the four conservation systems by this Act shall become part of the area within which it is located, and subject to the laws and regulations applicable to such area.

LOCAL HIRE

SEC. 1110. (a) The Secretary shall establish a program under which any individual who, by reason of having lived or worked in or near a conservation system unit, has special knowledge or expertise concerning the natural or cultural resources of such unit and the management thereof (as determined by the Secretary) may be considered for selection for any position within such unit without regard to—

(1) any provision of the civil service laws or regulations thereunder which require minimum periods of formal training or experience;

(2) any such provisions which provides an employment preference to any other class of applicant in such selection; and

(3) any numerical limitation on personnel otherwise applicable.

Individuals appointed under this subsection shall not be taken into account in applying any personnel limitation described in paragraph (3).

(b) Within one year after the date of approval of this Act, and annually thereafter during each of the following ten years, the Secretary shall prepare and submit to the Congress a report indicating the actions taken in carrying out the provisions of subsection (a) of this section together with any recommendations for legislation in furtherance of the purposes of this section.

NAVIGATION FACILITIES

SEC. 1111. Within areas added to the National Park System, Wildlife Refuge, National Forest, and Wild and Scenic Rivers Systems by this Act, access to, and operation and maintenance of, air and water navigation aids and related facilities shall be permitted in accordance with the laws and regulations applicable to the National Park, Wildlife Refuge, National Forest, and Wild and Scenic Rivers Systems, as appropriate. Access to and operation and maintenance of facilities for national defense purposes and related air and water navigation aids within or adjacent to such areas shall continue in accordance with the laws and regulations governing such facilities notwithstanding any other provisions of this Act. Nothing in the Wilderness Act shall be deemed to prohibit such access, operation, and maintenance within wilderness areas designated by this Act.

TITLE XII—MISCELLANEOUS PROVISIONS

IDITAROD NATIONAL HISTORIC TRAIL

SEC. 1201. (a) Section 5(a) of the National Trail System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting the following new paragraph at the end of said section:

"(4) The Iditarod National Historic Trail, including the main route (Approximately one thousand one hundred miles) and branch segments (approximately nine hundred and thirty miles), extending from Seward to Nome, Alaska, following the route depicted on the maps, identified as "Seward-Nome Trail" in the Department of the Interior Iditarod Trail study report dated ,

1977: *Provided*, (A) That while this Act will commemorate the entire route of the Iditarod Trail by designation as the Iditarod National Historic Trail, only those segments which are within the exterior boundaries of federally administered areas and which meet the national historic trail criteria established in this Act, are established initially as components of the Iditarod National Historic Trail, and (B) that the Secretary of the Interior may designate lands outside of the exterior boundaries of federally administered areas as segments of the Iditarod National Historic Trail upon application from State or local government agencies or private interests involved if such segments meet the national historic trails criteria established in this Act and such criteria supplementary thereto as the Secretary may prescribe, and are administered by such agencies or interests without expense to the United States, and (C) that notwithstanding the provisions of section 7(c) of the National Trails System Act, the use of motorized vehicles on segments of the Iditarod National Historic Trail will be permitted in accordance with regulations prescribed by the appropriate Secretary.".

(b) The responsibility for coordination of Iditarod National Historic Trail matters shall rest with the Secretary in consultation with the heads of other Federal and State agencies where lands administered by them are involved. Such responsibilities shall include:

(1) Selecting the specific trail route, as provided for in section 7(a) of the National Trail System Act, within three years after the date of enactment of this section.

(2) Developing a plan and guidelines for the acquisition, development, management and maintenance of the trail with the advice and assistance of other Federal, State, and local agencies and organizations; such plan and guidelines to include provisions for the acquisition, retention, or dedication of significant historic sites and for a right-of-way or easement along most or all of the route to protect historic values and segments for potential future recreational trail development and to insure continued public travel along the various trail segments.

KLONDIKE GOLD RUSH NATIONAL HISTORIC PARK

SEC. 1202. The Act approved June 30, 1976 (90 Stat. 717), providing for the establishlishment of the Klondike Gold Rush National Historical Park, is amended by revising the second sentence of subsection (b)(1) of the first section to read as follows: "Lands or interest in lands owned by the State of Alaska or any political subdivision thereof may be acquired only by donation or exchange: *Provided*, That notwithstanding the provisions of subsection 6(i) of the Act of July 7, 1958 (72 Stat. 339, 342), the State may include the minerals in any such transaction.".

APPLICATION OF MINING IN THE PARK LAW TO THE NATIONAL REFUGE SYSTEM

SEC. 1203. The provision of sections 2 and 8 of Public Law 94-429 (16 U.S.C. 1902, 1908), are hereby extended to all units of the National Wildlife Refuge System established by this Act. For the purposes of this section, the term "National Wildlife Refuge System" shall be substituted for the term "National Park System" and the Act of October 15, 1966, as amended (16 U.S.C. 668dd et seq.), for the Act of August 25, 1916, as amended (16 U.S.C. 1), wherever those terms appear in sections 2 and 8 of Public Law 94-429.

COOPERATIVE INFORMATION CENTER

SEC. 1204. The Secretary is authorized, in consultation with other Federal agencies, to investigate and plan for an information and education center for visitors to Alaska on not to exceed one thousand acres of Federal land, at a site adjacent to the Alaska Highway. For the purposes of this investigation, the Secretary shall seek participation in the program planning, and/or operation of the center from appropriate agencies of the State of Alaska and representatives of Native groups in Alaska, and he is authorized to accept contributions of funds, personnel, and planning and program assistance from such State agencies, other Federal agencies and Native representatives.

BUREAU OF LAND MANAGEMENT LAND REVIEWS

SEC. 1205. Notwithstanding any other provision of law, section 603 of the Federal Land Policy and Management Act of 1976, shall not apply to any lands in Alaska. However, in carrying out his duties under section 201 and section 202 of such Act and other applicable laws, the Secretary may identify areas in Alaska which he determines are suitable as wilderness and may, from time to time, make recommendations to the Congress for inclusion of any such areas in the National Wilderness Preservation System, pursuant to the provisions of the Wilderness Act. In the absence of congressional action relating to any such recommendation of the Secretary, the Bureau of Land Management shall manage all such areas which are within its jurisdiction in accordance with the applicable land use plans and applicable provisions of law. Nothing in this section shall be construed as relieving the Secretary of the duty of reviewing the wilderness values and recommending appropriate designations in the National Petroleum Reserve in Alaska in connection with the study required by section 105 of the National Petroleum Reserves Production Act of 1976 (Public Law 94-258).

TITLE XIII—APPROPRIATIONS

AUTHORIZATIONS

SEC. 1301. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

H.R. 12157

By Mr. LONG of Maryland:

Page 5, immediately after line 6, insert the following new section:

SEC. 8. Section 2(b) of the Export-Import Bank Act of 1945 is amended by inserting at the end thereof the following new section:

"(9) Maintenance of free enterprises requires that foreign producers not have access to U.S. financing and markets on terms better and cheaper than those available to U.S. producers. It is the policy of the United States not to provide financing at subsidy rates to foreign industries which directly compete with the products of American firms and their workers.

The bank shall not extend, or participate in the extension of loans, guarantees, insurance or credit in connection with establishing or expanding production of any commodity unless the President certifies in a report to Congress based on statistical findings, that the commodity is not in surplus and its import into the United States will not cause substantial injury to U.S. firms and employees producing the same, similar or competing commodity."

H.R. 12222

By Mr. VOLKMER:

Page 51, immediately after line 22, insert the following new title V and redesignate subsequent titles and sections to the bill accordingly:

TITLE V—PROHIBITION ON ASSISTANCE TO REPUBLIC OF SOUTH KOREA

PROHIBITION

Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act shall be used for any form of assistance or trade, either by monetary payment or by the sale or transfer of any goods of any nature, directly to the Republic of South Korea until former Ambassador Kim Dong Jo shall testify before the House of Representatives' Committee on Standards of Official Conduct.

EXTENSIONS OF REMARKS

BAD TAXES KILL JOBS

HON. JACK F. KEMP
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. KEMP. Mr. Speaker, bad taxes kill jobs. It is incredible that this point has not gotten through to a majority in Congress.

Bad taxes keep people from saving enough money to buy a new house, pay for their children's education and prepare for retirement. When taken in the aggregate, this then deprives banks and savings and loans into which savings would have gone from having enough loan and mortgage money to help create jobs in the community.

Bad taxes prevent business from pulling together the investment capital essential to keeping existing jobs and creating new ones. Jobs do not just materialize out of thin air. They have to be created through the purchase of plant and machinery. In other words, investment and savings are the oxygen supply of our "body economic."

And, because bad taxes depress the spirit of the people, from the little guy to the business leaders, they drive down the market, not only in terms of supply and demand, but also in terms of the stock markets. Is there anyone that does not know that the recent Dow-Jones Industrial index rally is a direct result of the House Ways and Means Committee sending signals, through its votes and statements, that it is not going to enact most of the taxes the President has proposed?

These points must be made, if we are to rid ourselves and our country of bad taxes, and if we are to replace them with a tax system that encourages work and production, savings and investment, entrepreneurship. These are the phenomena which create and sustain jobs.

These points were made several days ago in an excellent editorial, "Bad Taxes Kill Jobs," by the editor-in-chief of the Hearst newspapers, Mr. William Randolph Hearst, Jr. If there are any "doubting Thomases" amongst us about the effects of tax policy upon the economy and jobs creation, they should read and reread this editorial. Then they should see to it that we reverse what Congress did in its so-called tax reforms of 1969, for, as Mr. Hearst relates, the Tax Reform Act of 1969 virtually guaranteed the economic decline of the early 1970's, a decline still with us because Congress has not learned its lessons well.

Mr. Hearst has drawn upon the testimony before the House Ways and Means Committee of Mr. William F. Ballhaus, the president of Beckman Instruments, Inc., the president of the California Chamber of Commerce, and most importantly, one of the most perceptive tax, business and economic analysts I have met.

Mr. Ballhaus and Mr. Hearst have addressed themselves to the central issue: How to reduce inflation and unemployment at the same time, thereby assuring the restoration of the economy, a restoration vital to expanding the economy for the benefit of everyone. And, I mean everyone. A rising tide lifts all boats.

I commend this editorial to all my colleagues, particularly those on the Ways and Means and Budget Committees. We have an opportunity this year to get the economy moving again, and we must not miss it.

BAD TAXES KILL JOBS

(By William Randolph Hearst, Jr.)

NEW YORK.—Occasionally in the past several years I have used this space to point out the inequities in our tax structure and the refusal of Congress to face up to the task of tax reform.

I have felt that our taxing policies are discouraging investment and reinvestment in our economy and have brought about a drastic shortfall of new capital, estimated by Chase Manhattan Bank to reach something like $2.5 Trillion by the mid-1980s.

For a time it appeared that President Carter was going to do something about it. Now, however, he says that he will continue his efforts to seeking a tax cut of $25 billion to compensate for the increase in our social security taxes. This can hardly be called a bold move.

The need for reform of our tax structure is still pressing. The lack of it is damaging our economy:

It is fueling our inflation.

It is slowing our national rate of productivity.

It is working against American workers getting pay raises.

It is keeping our unemployment rate high.

In view of all of this, one would assume that tax reform would be uppermost in the minds of our elected representatives. But it is not.

I wish every lawmaker and every member of the federal executive branch could have heard or read the testimony of William F. Ballhaus, president of Beckman Instruments, Inc., and president—for this year—of the California Chamber of Commerce, before the House Ways and Means Committee. I came across a transcript of his comments and believe they are so very worthwhile that I am going to share some of them with you today.

Mr. Ballhaus became concerned about the condition of our economy a few years ago. At that time President Ford, new in office, was hit with a drastic oil price rise which brought about 12 percent inflation and nearly 10 percent unemployment.

Economists were saying that inflation could not be reduced without increasing unemployment and that if unemployment were reduced to an acceptable level, inflation would grow to unacceptable levels. These "facts" disturbed Mr. Ballhaus, so he undertook his own research.

"My first hypothesis," he reported to Congress, "was that something of great significance occurred in 1969. That was the year in which Congress enacted fundamental changes in the Internal Revenue Code. The immediate result of that action was a dramatic change in the tax impact on the investment climate in our country."

He examined the consequences of the treatment of investments, and its economic impact on our society and discovered:

For the 10 years prior to 1969 the Consumer Price Index (inflation) had grown at a compound rate of 1.78 percent. Since 1969 it has risen 270 percent—to a compound rate of 6.59 percent per year.

Until 1969, the growth in the labor force and the number of shareholders holding equity stocks had grown space. Since that benchmark year, the number of investors related to the labor force has shrunk by 28.6 percent. "I should add," he said, "that these were the small investors who—in an exercise of good judgment—left the market."

The immediate result of the flight of these investors from equity stocks was a dramatic decline in the number of companies seeking equity capital. In 1969, some 1,800 companies went to the market. By 1975 such offerings had dwindled to 150. The impact on small companies was equally dramatic. In 1969 they raised over $1.1 billion. By 1974 this had decreased to roughly $16 million—down 98.5 percent.

This dramatic change in the investment climate had an immediate impact on the ability of the economy to create jobs for a growing work force.

Thus, though the tax changes affected corporations mostly, they hit us all individually, rich and poor alike, but especially the poor, by inhibiting the new job market.

"It has been this small and dynamic segment of our economy which has suffered the most from the equity shortage," Mr. Ballhaus noted. "Unfortunately this is the group which creates new jobs at a rate 40 to 60 times greater than very large and mature companies and which is a key to restoring our balance of payments to the plus side of the ledger."

Over the four years prior to 1969 the growth in our labor force and the annual growth in jobs was in balance. Unemployment was low and productivity and wages grew in parallel.

Since 1969 the annual growth in the real Gross National Product is down 72 percent, productivity is down 53 percent, and the growth in real hourly compensation is down 40 percent.

Everyone has suffered, the elderly, the jobless young, and the American worker whose compensation lags behind that of his counterparts in Japan and West Germany.

It is too easy to say that our problems stem from the oil embargo and the cost of energy. Both West Germany and Japan, who import over 99 percent of their petroleum products, still enjoy large positive balances of trade.

The answer lies, says Mr. Ballhaus, in the fact that Japan and West Germany encourage savings and investment, while we in the U.S. do not. There are no taxes on capital gains in either West Germany or Japan. Investment as a percentage of Gross Domestic Product in Japan is twice that of our own, and it is substantially higher in Germany. This ratio of investment translates directly into jobs.

Mr. Ballhaus called upon Congress to make three straightforward changes in the tax code to restore vigor to the nation's economy:

1. Defer all capital gains until an investor stops investing. Provide for the deferral of the tax on capital gains derived from the sale of stock or bonds so long as the total proceeds of the sale are reinvested.

At time of disinvestment, the total net capital gains would be taxed as earned in-

come averaged over the years the investment is held.

2. Provide for the deduction of all short or long-term capital losses against ordinary income.

3. Provide for the deduction of all interest paid on money borrowed to invest in stocks or bonds—except tax-free municipal or state bonds—against ordinary income.

Not all of us buy stocks and bonds, but all of us are harmed when not enough are sold. We are harmed by joblessness, by inflation, by reduced levels of income, by a cheapening dollar, when people do not save their money and invest in our corporations.

That's why I have taken the liberty of dwelling at length on this relatively dry subject.

If you think the above makes sense why not clip it and send it to your congressman? He's your closest representative in government and he should respond to your views.

If he doesn't—well, election day is getting closer.●

EAGLE SCOUT AGE LIMIT IS DROPPED FOR THE DISABLED

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. MAZZOLI. Mr. Speaker, I would like to commend 23 year old Gregory Wittine of Mineola, N.Y. for his courage and tenacity in obtaining Scoutings highest rank—that of Eagle Scout.

And at the same time the Boy Scouts of America deserve commendation for their willingness to re-evaluate its archaic regulations—like the one which kept Scouts like Greg, who are older than 18, from becoming Eagle Scouts.

What makes this story especially significant is that Greg, a victim of Cerebral Palsy, has spent the past 11 years obtaining the 24 merit badges necessary to achieve Eagle rank. To have deprived Greg of this distinction would have been a great disservice.

In the past many such Scouts have been denied their Eagle rank even though they have fulfilled the requirements against insurmountable odds. Now Greg's courage, determination and "true grit" and the Boy Scouts of America's willingness to change an outmoded policy, have opened the door for some 60,000 handicapped Boy Scouts to earn their way to the top rung of scouting.

Following is the inspiring story of an inspirational man, Gregory Wittine:

[From the New York Times, May 6, 1978]

EAGLE SCOUT AGE LIMIT IS DROPPED FOR THE DISABLED

(By Roy R. Silver)

MINEOLA, L. I., May 5.—A 23-year-old cerebral palsy victim who had been denied Scouting's highest award because of his age became an Eagle Scout today when Scouting-US America changed its regulations.

The man, Gregory Wittine, who is confined to a wheelchair and is unable to speak, spent 11 years achieving 24 merit badges to enable him to attain the Eagle Scout rank. However, the national organization refused to make the award because the requirements had not been met until he was 22, four years too late, according to Scout rules.

60,000 SCOUTS AFFECTED

When the plight of Mr. Wittine, who works at the Cerebral Palsy Treatment and Rehabilitation Center in Roosevelt, L. I., became public, the national organization was bombarded with letters and telephone calls of protest.

In addition, several Eagle Scouts throughout the country mailed letters of encouragement to Mr. Wittine and sent their own badges to him as a sign of appreciation to the age restriction that applied to the physically handicapped.

When told today at the Roosevelt center that he had finally been given the rank, Mr. Wittine "laughed and screamed with delight," according to Barbara LeNoble, the director of leisure services at the center.

Using his letter board as a means of communication. Mr. Wittine poined out the letters "SUPER" and "THANK AMERICA."

In announcing the new policy from the national headquarters in North Brunswick, N.J., Russell Bufkins, the public-relations director, said that the national executive committee of the Scouting-USA had voted today in a telephone conference to drop all age restrictions for severely handicapped Cub Scouts, Scouts and Explorer Scouts.

The action, announced by Downing B. Jenks, a St. Louis transportation executive and national president of the Scouts, and his professional counterpart, Harvey L. Price, the Chief Scout, means that the 60,000 physically or mentally handicapped Scouts among the 3,465,000 Scouts in the country will have the same privilege as Mr. Wittine.

DEMONSTRATES ABILITIES OF DISABLED

Mr. Price said that Mr. Wittine, who two years ago crawled for a mile on his hands and knees until they were bleeding and then completed the 10-mile hike by pushing his wheelchair, would be presented with his Eagle Scout certificate and badge at a local ceremony.

Because of today's action, eight other Scouts throughout the country who had been denied Eagle Scout status because of their age, will receive the awards.

Richard N. Golden, who has been Scoutmaster of Troop 350 at the cerebral palsy center for almost two years and was leading the fight to obtain the award for Mr. Wittine, said today:

"I think it is a great victory for Greg and all handicapped persons. I think Greg's achievement dramatically demonstrates the abilities of the disabled."●

SHALER AREA HIGH SCHOOL CHOIR WELCOME TO WASHINGTON

HON. DOUGLAS WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. WALGREN. Mr. Speaker, I want to officially welcome the Shaler Area High School Choir from Glenshaw, Pa., to the Nation's Capital. The choir will present a concert at 9 a.m. on Tuesday, May 16, 1978, at the East Front of the Capitol on the steps of the House of Representatives.

The choir is under the direction of Douglas Ketterer.

Their program will include contemporary songs, spirituals, and Hungarian and Scottish folk songs accompanied by guitar.●

TOM HAYDEN: DARLING OF THE LIBERALS

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. DORNAN. Mr. Speaker, we all remember, Tom Hayden, SDS guru, erstwhile "anti-war" for him (translate that "pro-Hanoi") activist, former guest speaker in the Hanoi puppet parliament, and world traveler: Cuba, Czechoslovakia, and multiple boat-licking treks to North Vietnam. Well, Mr. Hayden has lately changed his spots—or so he would have us believe. He has, he says, been magically transformed from anti-American into mainstream senatorial candidate and fledgling establishment energy problem solver.

Mr. Hayden's desire to change his image is understandable. But his attempt at self-made change of label has not succeeded in changing his substance—or his long-term goals. Hayden now heads the California Campaign for Economic Democrary, a group lobbying for what they term "basic institutional reform" but which translates into massive economic redistribution and anticapitalism, that is marxist—socialism.

That Mr. Hayden would like to change his image is, as I said, no surprise—most of us would want to change our image if it resembled his. What is surprising is the way the liberal establishment—once the target of his ire—have rushed to embrace him in complete disregard of his past and still held views.

Earlier this year, President Carter warmly received the "ex"-radical at the White House. (Remember this is the same President who did not have the time to see the wives and widows of the missing in action whose torturers had feted Hayden in Hanoi.) The emanations from the President during this meeting are hardly credible but, we must assume Jody accurately reported since he was not repudiated. President Carter was reported as saying that he was "proud to meet" Hayden and praised him for "all the contributions that he had made" to the country. A White House spokesman later said that "in many ways Tom and Carter are dedicated to the same thing." (God help us.)

A few of us innocently believed that the President would immediately deny the reports—which at the time seemed beyond belief. How could the man who had sworn to uphold constitutional government be "proud" to meet a man who had actively sought the overthrow of that same government? But there was no denial and we realized that the reports were, in fact, accurate.

Moreover, there was no disassociation from other liberal establishment types from the identification of Tom Hayden's goals with those of the administration.

Far from it. The next Hayden news item which made the national press was of another, more successful "fledgling establishment politician" welcoming Hayden to another capital. This time, it

was California's Gov. Jerry Brown who rivaled the President in his praise of Hayden. Moreover, never one to be outdone, young Mr. Brown bestowed more than mere praise on Mr. Hayden. If the President groveled to give Hayden credibility by associating himself with Mr. Hayden's views, Mr. Brown would give him that and the public forum from which to propagandize those views.

The Governor appointed Hayden as California's representative on the board of the Western SUN, a regional organization of the States intended to promote the use of solar energy. And—here is the beauty of the prize as far as Governor Brown is concerned—the brownie points he gained from Hayden by appointing him were all at taxpayers expense: SUN is a Federal program funded by the U.S. Department of Energy.

It is almost as if Hayden were some radical prize to go to the highest bidder.

The people of the United States and the voters of California have rejected Mr. Hayden and his views time and time again. But never let it be said that the liberal "establishment" ever let a little thing like the will of the people stop them. If the people will not vote for Mr. Hayden, then, by golly, some liberals will find other means to provide him with what he cannot achieve for himself—respectability and credibility.

Will they succeed? I do not think so—at least not if the American people have a memory as good as I think they do. If they do remember the real Hayden, they will reject him and if they remember the praise of the President and the Governor—they may just reject them, too. November 1978 is so close and November of 1980 is coming up, round the bend. You lucky former POW's who came home, speak up. Remember when you were forced to listen to the squeaky voices of the so-called antiwar visitors to Hanoi as they were pumped over that hated PA speaker in your rooms. Some addressed the Communist assembly, calling you war criminals and telling their Communist hosts that their fundamental objective was to go home and fight for a Vietnam Communist victory in the streets of America.●

TWENTY-EIGHT MEMBERS OF THE HOUSE SUPPORT AMENDMENT TO HALT NEUTRON BOMB

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. WEISS. Mr. Speaker. when the House considers H.R. 11686, the Department of Energy national security authorization, some time next week. I will offer an amendment on behalf of myself and 27 other Members, to prohibit funding of the neutron bomb. These 27 Members are as follows:

Bill Brodhead, Yvonne Burke, John Burton, Phillip Burton, Bill Clay, John Conyers, Ron Dellums, Robert Drinan, Bob Edgar, Don Edwards, Elizabeth Holtzman, Robert Kastenmeier, Andy Maguire, Edward Markey, Barbara Mikulski, George Miller, Parren Mitchell, Richard Nolan, Richard Ottinger, Fred Richmond, Pat Schroeder, John Seiberling, Pete Stark, Newton Steers, Charles Vanik, Harold Volkmer, and Jim Weaver.

I would like to invite other Members to join us in introducing this amendment and in participating in the floor debate—please contact Bruce Kriegman, a legislative assistant on my staff, at 55635 to have your name included.●

SCIENTISTS PROTEST ARRESTS OF ORLOV, SHCHARANSKY

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. SIMON. Mr. Speaker, when the Final Act of the Conference on Security and Cooperation in Europe (the Helsinki accords) was signed in August 1975, many of us hoped it would open the door to a new era of East-West scientific cooperation. The prospects were good. Since the first exchanges were initiated almost 20 years ago, U.S. and Soviet scientists have collaborated in scores of mutually beneficial projects. The number of agreements between the two countries had grown from the original 2 to 13, and each year has brought more Soviet and American specialists to one another's laboratories and institutes.

Two and a half years after the Final Act's adoption, however, Soviet violations of its human rights provisions are closing the door somewhat to the increased scientific cooperation the Final Act sought to promote. Increasingly dismayed by Soviet actions against colleagues whose only crime has been to encourage their government to fulfill its international commitments, Western scientists have begun to speak out with greater forcefulness.

When, for example, physicist Yuri Orlov, head of the Moscow Helsinki Watch Group, was arrested last February, 220 of his fellow physicists in the United States and Europe protested with a telegram to the Soviet Academy of Sciences. It took organizers only 2 days to collect the 220 signatures. Since that time, Western scientists have learned that Professor Orlov is to be tried for "anti-Soviet agitation," a charge which carries a penalty of 7 years in labor camps and 5 years in exile.

The reaction to this information has been a good indication of the ends to which U.S. scientists will go to support beleaguered colleagues. Just last month 21 prominent American physicists—3 of them Nobel Laureates—issued statements warning that Soviet actions against Orlov could not only damage the future of United States-Soviet cooperation, but could cause many of them to stop participating in exchanges with the U.S.S.R. The response of Physicist Walter Kohn was typical:

Unless Professor Orlov is released, or his trial is opened to Western obeservers, I shall reluctantly have to drastically cut back on my extensive collaboration efforts with my Soviet colleagues in theoretical physics. I am convinced that science and fundamental human freedoms are inseparable.

The arrest of Anatoly Shcharansky, another Helsinki monitor and computer scientist, has led his colleagues in the West to take similar action. The 30,000-member Association for Computing Machinery (the largest U.S. organization of computer science) reacted to Shcharansky's imprisonment by discontinuing its cooperation with and sponsorship of meetings in the Soviet Union. The organization has also encouraged members not to participate in exchanges or to publish articles in the U.S.S.R. Other protests have been heard from a variety of U.S. scientific associations, among them the prestigious National Academy of Sciences and the American Association for the Advancement of Science.

Mr. Speaker, I commend these actions not only to the attention of my distinguished colleagues, but also to the attention of the Soviet Government. By imprisoning men like Orlov and Shcharansky, the U.S.S.R. is not only dishonoring its international commitments, it is jeopardizing the prospects for fruitful U.S.-U.S.S.R. scientific cooperation. This is certainly not the state of affairs the Helsinki accords meant to promote.

We need and want greater Soviet-American exchanges, but that is a two-way street.●

FEDERAL PAYROLL

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. COLLINS of Texas. Mr. Speaker, inflation is the No. 1 subject with America today.

Folks want to know why they have so much inflation, and as all of us know, it is because the Government is spending too much money. What we need to do is to provide an example through our own internal expenditures of reducing and getting the maximum amount of the dollar spent.

I saw some interesting figures prepared by the Tax Foundation, Inc. They were discussing the fact that from 1970 to today, and that is a mighty short time, that the Federal personnel costs have gone up 97 percent. This means in 8 years Congress has doubled the amount of money that we are spending for Federal payroll.

Washington is the place to start in reducing Federal staff. The effective work is done in the regional offices.

Here is the summary by Tax Foundaton, Inc. of New York City:

FEDERAL PAYROLL

From 1970 to 1979, Washington has handed taxpayers a 97 percent increase in Federal personnel costs, counting both compensation and benefits, while cutting back the ranks of civilian and military employees, according to a Tax Foundation analysis of the fiscal 1979 budget.

Almost 2.9 million civilian workers took home Federal paychecks in 1970. About 2.8 million will get them in 1979, if you count Postal Service employees who are no longer *technically* working for the government. That's a net decrease of 3.5 percent in nine years.

Men and women in uniform numbered about 3.1 million in 1970. After extensive mustering out when the Vietnam conflict ended and further cutbacks due to the switch to an all-volunteer military, the armed services pay roster totalled only 2.1 million—a drop of nearly a third in less than a decade.

However, the government's ledgers show no corresponding drop in costs for this period. Instead, there has been a steady, heavy increase, especially as regards the benefits paid government workers, both civilian and military.

The paycheck for U.S. civilian employees in 1970 was $29.6 billion. By 1979, it will climb 129 percent to $67.7 billion.

In 1970, with Vietnam going full tilt, salaries and benefits for the military amounted to $23.5 billion. Today, with a third fewer men and women in uniform, that paycheck has risen by 57.5 percent, for a total outlay of $37 billion.

Benefits are a large part of the problem in burgeoning government personnel costs. In 1970, benefits for all workers in and out of uniform cost U.S. taxpayers $9.1 billion—21 cents out of each dollar in the $53.1 billion Federal payroll. Today, the benefits package claims 35 cents out of every payroll dollar, $27.3 billion out of a total $104.7 billion. In nine years, the dollar amount of benefits paid to those working for the U.S. government has increased 200 percent—much of it due to sharply increased pension costs, particularly in the military.●

TRIBUTE TO THE NATIONAL ASSOCIATION OF PURCHASING MANAGEMENT

HON. S. WILLIAM GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. GREEN. Mr. Speaker, next week the National Association of Purchasing Management, Inc., now more than 22,000 strong, will hold its 63d Annual International Purchasing Conference in New York City.

Since the 1930's, with the exception of the World War II period, NAPM has conducted a monthly survey of business—a survey that has proved to be remarkably accurate in assessing the state of the economy, the conditions of business, and the employment picture. Through this survey the Nation has been warned of impending recessions or reassured that there would be no recession within the 12 months following the survey. The survey has come to earn the respect of national economists.

Through its certification program, NAPM assures that its members possess the latest knowledge in the area of purchasing, materials management, business, and economics. Further, this association has taken the pioneering step of requiring that all who are certified be recertified every 5 years, thereby mandating a continuity of education.

The knowledge and insights thus acquired have helped to make the purchasing manager an important part of the fight against inflation because the skill and economy with which he or she buys is reflected in the prices consumers pay for finished products.

More and more top echelons of management recognize the essential contribution that purchasing managers make to their companies and to the Nation. By being alert to pending shortages or price increases, companies can stockpile essential materials, thereby assuring continued production. In turn, this helps to maintain employment within their companies, high quality in the goods produced, and lower prices in the marketplace.

The Federal Government, from the White House through the various bureaus and agencies rely upon the purchasing manager not only for the business survey, but for hard facts about trends and conditions in basic commodity areas, energy supplies, and international procurement. In fact, a great many Government procurement officers are members of NAPM and all are certified purchasing managers.

For leadership qualities, for guidance to Government and business, for constant striving to better the profession, I extend my commendation and appreciation to the purchasing manager and NAPM, and wish them well on the occasion of their 63d Annual International Purchasing Conference in New York.●

JOBS IN ALASKA—H.R. 39

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. FISH. Mr. Speaker, the question of jobs and development has been raised in connection with H.R. 39, the Alaska National Interest Lands Conservation Act, which will soon come to the floor for debate and votes.

The notion that H.R. 39 will cause job losses in Alaska is simply not supported by the facts. The Interior and Insular Affairs Committee has taken great pains to insure that not a single job will be lost through passage of this legislation.

As a matter of fact, the committee report notes that the acreage of wilderness and wilderness study areas that would be designated within previously existing national forest lands in southeast Alaska has been cut in half not only to assure protection for existing jobs in the timber industry but to provide a margin of timber to support industry expansion. Some committee members believe that the committee paid too high a price for this margin of safety, as the deleted wilderness includes national treasures such as the beautiful Misty Fjords, an area of rain forest and steep-walled cliffs unique in the United States.

The report also notes the often ignored fact that the new conservation units in Alaska will themselves be economic assets to the State of Alaska and the Nation. Not only will the State and natives benefit directly from economic development on their own lands, but they will benefit indirectly from H.R. 39's boost to the recreation industry. As the committee report on H.R. 39 explains:

Although still in its infancy compared to that of other states (Alaska ranks near the bottom in tourist-related revenues and jobs) Alaska's recreation industry is currently increasing at a rate of between 10 and 15 percent per year. Visits to Alaska's existing National Parks have more than quadrupled since 1971, growing more than 87 percent per year between 1971 and 1976.

The State of Alaska calculates tourism income in 1977 at $150 million from 270,000 tourists. By contrast, a recent study in next-door British Columbia reports that in 1976, 10.5 million visitors spent $1.2 billion—tourism is expected to be British Columbia's biggest industry in 1982. Although air fares and growing public awareness are attracting more and more people to Alaska, the State has, as yet, only scratched the surface of its tourism potential.

National parks, trails, wild and scenic rivers, wilderness areas and wildlife ranges are themselves major destination points for tourists. The National Park Service estimates that visits to the National Park System in the lower 48 generate between $15 and $20 billion for the nation's recreation industry. A 1976 analysis of the tourism benefits to the village of Estes Park, Colorado—the eastern gateway to Rocky Mountain National Park—found that visitors to the park brought into the community a total of $30 million in initial expenditures per year. And, compared to the "boom and bust" economy which has been typical of construction projects, mining booms, and the rise and decline of the fishing industry in Alaska, the appropriations and resulting payroll of conservation system units is stable from year to year, and will be of increasing importance to communities having less favorable economic stability.

Thoughtful Alaskan leaders also have recognized that unrestrained and ill-planned "boom and bust" types of development will not give future generations of Alaskans the economic and social benefits to which they are entitled. Like many Alaskan residents who testified in favor of H.R. 39 at field hearings of the Interior Committee, these spokesmen believe the "jobs" argument against the bill has been vastly overrated.

In a recent issue of Alaska Magazine, for instance, editor and publisher Robert A. Henning discussed this subject. He concluded:

It seems to us that any risk of overexploitation now—the old 'jobs and industries' syndrome—could be the most serious mistake we Alaskans could make.

I include the full text of his editorial in the RECORD at this point:

[From the Alaska Magazine, February 1978]

MAIN TRAILS & BYPATHS

(By Robert A. Henning)

It is a tragedy that the current "environmentalists vs. developers" bitter warfare (which should have been instead just argumentative discussion) concerning disposition of Alaska lands has become "jobs" versus "lockup."

Now it's getting dirty. Whether or not lands shall be classified open for mining, logging, settlement, etc., or declared protective areas for bears, eagles, pristine wilderness—or, if people could keep their cool and talk, perhaps a bit of something for everyone.

The "we gotta have industry—we gotta have jobs" line is getting to us tiresome.

We've heard it—we've even espoused it in Chamber of Commerce years past—for much of our 60 Alaskan years. It has again become the drumbeat for those who want to log their way, or mine their way, or to keep on using the land without regulation or restriction. It just doesn't make sense. Jobs—at any price? Industry—at any price?

Thinking Alaskans should beware of the booby trap in this kind of attitude. Once again we are saddled with unemployment rolls fattened as construction booms subside—adding more unemployment to unemployed rolls already inflated through other successive booms and busts Alaska has been suffering since World War II—the boom years of contractors cracking wilderness barriers on countless fronts at cost-plus—the subsequent "permanent building" of military installations during the Korean conflict—military expansions that now are in many cases phased out and in most cases greatly thinned out—then Swanson River oil, Prudhoe oil, pipelines—and more to come.

The movement of men, seeking jobs, is "west" as a national thing, and increasingly "north" just as a matter of natural course. But these cyclic booms, always leaving a residue of hangers-on who want to keep on the gravy train (an electrician in Alaska can draw something like 24 bucks an hour—$4,000-plus a month)—plus the natural drift of workers drawn north in increasing numbers eager to get in on the labor-scale riches, boom or no boom—and the normal increase of any favored area's population—certainly does bring up the need for more jobs—but is wide-open, free-for-all, taking of the land's natural resources the right answer?

Reason should tell us that when the timber is recklessly exploited, the mines gutted, the last construction boom ended, a lot of desperate people will be looking for scapegoats.

And if we don't stop thinking that "jobs now" are more important than taking a second look at alternatives to the ways in which we must plan the use of our lands, we're going to be those deserving scapegoats.

If the land is not yet ready to assume this too-sudden flood of new residents needing jobs, surely willy-nilly no-planning use of the land doesn't really solve the no-jobs situation. Actually, the known potential for logging jobs, for example, is only a few hundred more, maybe 2,000 more if you dream wildly, maybe several hundred or a couple thousand in the mining business, although it is unlikely there will be a great deal of increase in mines for at least a few years. Service businesses (and the business of building new homes, new schools, new roads, hiring new firemen, etc.) surely will increase apace—but all said and done, even the rosiest of job hopes from sudden new natural resource extractive industries will not really make much of a dent in the several-thousands total of now-unemployed in Alaska—a total growing daily.

It would seem to us that any risk of overexploitation now—the old "jobs and industries" syndrome—could be the most serious mistake we Alaskans could make.

Frankly, we think we've come to the time for Alaska to admit that not just anybody and everybody has a future in Alaska—from a practical standpoint there just aren't that many jobs now or in the foreseeable future.

Alaska polls have recently evidenced an overwhelming opinion that the number one Alaskan problem is "too many people" and that our most desperate worry is "protecting the Alaska way of life."

Maybe "total lockup" should be adjusted to "cautious controlled use." Maybe "jobs now" should be changed to "jobs forever."

Think about it before you castigate your neighbor and what may be his opinion divergent from yours. And make certain the people for whom you vote in Congress hear from you. They play bucks and ballots and your letter can dictate the way they play the game.●

PRAYER

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. BURKE of Florida. Mr. Speaker, a day does not go by when each of us whether Protestant, Christian, Jew, Muslim, or whatever in our own way ask the blessings of the God to whom we pray for His blessings. In all congressional districts of our Nation, most of the residents have strong ties and traditions which have helped mold the character and moral fiber of all the communities of our Nation. Prayer breakfasts are not uncommon.

Thus, in Broward County, Fla., the mayors of many of the cities have prayer breakfasts to bring together the citizens of their community together in the spirit of brotherhood. Mayor Clay of Fort Lauderdale had such a breakfast recently to pay homage and to give thanks.

For 16 years one of Fort Lauderdale's outstanding businessmen and my friend, Charles Creighton, has been chairman of these prayer breakfasts. On March 8, one of Fort Lauderdale's many prominent citizens, Mr. Don Bohl, participated in the program and I feel his prayer was of such a meaningful and sincere theme that I would like to share his words with you, my colleagues. Mr. Bohl's words were as follows:

PRAYER FOR THOSE IN AUTHORITY

(By Don Bohl)

(Before we join in prayer for our City, County, State and Nation, I would like to challenge each of you and enlist you as daily prayer warriors for our Nation and all those in authority. God has given us a most powerful weapon: intercessory prayer. As you leave this morning, please pick up a copy of the March Intercessors for America Newsletter. It will remind you to pray and direct your prayer focus.)

Let us pray. Our Father, the Father of Abraham, Isaac and Jacob, and the Father of our Lord, Jesus Christ, we thank you for the beauty of this day. We thank You for the privilege of freedom as we gather here. We thank You for this wonderful land and all the bounty You have poured out on us. We praise You, Lord, for Your goodness, Your mercy, and Your grace.

Your word has instructed us to pray for all who are in authority, and Your Word also says that those in authority are there because You have established them. We acknowledge this, Oh Lord, and lift up all in authority to You now.

We ask Your blessing and safe-keeping on President Carter and his family. We thank you that he does acknowledge You as God. Direct him by Your Holy Spirit and by the instruction of your Word, that he may lead our country in the paths of righteousness. Bless each of our U.S. Senators and Congressmen that they may turn to You for direction and inspiration. Where there is adjustment that is needed, Oh Lord, bring it about. Bless the Supreme Court Justices, our Federal, State and Municipal Judges with wisdom to judge as You would them judge. We lift up Governor Askew and thank You that we have a governor who is also a man of God. Bless each of our State Senators and Representatives. Give each one wisdom and a desire to do the best for all the people, and not just what is expedient.

We ask Your special blessing this morning on our Mayor E. Clay Shaw, our Vice Mayor, Virginia Young and on each of our City and County Commissioners. Grant them Your safe-keeping, Your direction and Your grace in all they do. We also ask Your protection on our State, County and City policemen.

Oh Lord, bless the peace makers everywhere in the world. Bless Anwar Sadat and Menachem Begin with a spirit of grace and yielding. Grant them Your protection. Bless the peace makers on our Labor fronts, that there will be a spirit of reconciliation.

We thank You and praise You, Father, that You are reigning on high. We look to You in confidence that You will grant Your people peace, and that You will give us Your direction in these troubled times. We ask this in the name of Your son, our Lord, Jesus Christ. Amen.●

STUDY GROUP URGES DRASTIC ALTERATION IN MEDICAL EDUCATION

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. VENTO. Mr. Speaker, I commend to my colleagues a very significant set of recommendations made by a study group from the Institute of Medicine which was published in yesterday's Washington Post. They would recast the health delivery system in the United States by emphasizing the role of the primary care physician.

The article follows:

STUDY GROUP URGES DRASTIC ALTERATION IN MEDICAL EDUCATION

(By Victor Cohn)

The nation should drastically change the way it pays and trains its doctors—and sharply limit payments to specialists—to encourage physicians to give primary care rather than specializing, a national study group said yesterday.

The 14-member committee of the Institute of Medicine urged a 10-year moratorium on increasing the number of medical students—in effect, putting a lid on the size of current medical classes and halting the plans to start new medical schools now under way in some states.

The committee said it urged this moratorium because there are so many medical students now in the pipeline that the number of doctors will increase by 60 percent in 12 years. Every new doctor generates so many fees and tests that he or she adds $250,000 a year to the nation's health bill, the committee reported.

Nonetheless, the percentage of doctors who give primary care—meaning basic personal and family physicians rather than continuing to leave specialists—will increase only slightly, continuing to leave a serious shortage, the committee found.

In a series of recommendations certain to be opposed by thousands of specialists, the group said:

Health insurance plans and government agencies should refuse to pay for specialized

care unless it has been declared necessary by a primary care doctor. This could deny payment for all Medicare, Medicaid and privately insured patients unless their regular doctor refers them to a specialist.

Primary care doctors should be paid as much as specialists for the same work. Currently, some specialists charge considerably more for even simple procedures than general doctors. As one example, said Dr. E. Harvey Estes of Duke University, study group chairman, a general doctor may be paid $20 to sew up a cut on a child's leg, but a plastic surgeon may get $100 for the same service.

Doctors in all parts of a state should receive equal fees, instead of the current situation in which insurers and government agencies commonly pay city doctors more than smalltown and rural doctors—22 percent more nationally for Medicare patients.

The federal government and other forces should exert maximum pressure on medical schools and hospitals—and keep giving them subsidies—so that by 1990 perhaps 60 to 70 percent of all doctors will be giving primary care rather than today's 44.8 percent.

Without such interventions, the committee said, the proportion of primary care doctors will rise to only 50 percent by 1990, though the number of all doctors will rise in number from 340,000 to 559,800.

"The primary care doctor is your personal physician," Estes said. "He or she is the physician-manager of your care, the person you turn to for input into the medical system, for advice on where to go and how to deal with your problems."

Primary care doctors include some broader specialists. As generally defined, they include general practitioners, family practitioners (general practitioners who take more training and are certified by a national accrediting body), internists or specialists in internal medicine (but only internists who do not mostly "sub-specialize" in some field like heart or intestinal disease), pediatricians and obstetrician-gynecologist who give their patients their overall care.

But "excellent" primary care, the committee said, can also be given by medical groups (in which several kinds of specialists cooperate) or by well-trained nurse-practitioners backed by supervision physicians.

A medical group or hospital should in fact be paid the same fee whether a service is given by a doctor, nurse-practitioner or trained physician's assistant, the committee recommended. It urged states to authorize nurse-practitioners and physicians' assistants to make diagnoses and prescribe drugs "when appropriate."

But it said these nurses and doctors' helpers—who generally get from one to two years' medical training—should not work without physician supervision. And it said the number of them being trained should not be increased until the country sees how many are needed.

Committee member Dr. Loretta Ford, University of Rochester nursing dean, objected to such recommendations. She said the report failed "the unmet needs" of many Americans by recommending "giant steps" to train hundreds of health teams to deliver their care.

Whoever gives Americans' primary health care, the report said, should be "accessible" to every patient—or provide competent alternative care—24 hours a day.●

LUMPERS

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. SMITH of Iowa. Mr. Speaker, for the past 10 months, the House Committee on Small Business has been investigating impediments in the marketing and pricing of beef.

One phase of this extensive investigation has focused on a practice in the industry whereby truckers, delivering loads of meat into grocery chain warehouses, are forced to pay exorbitant and in some cases extortionate fees to "lumpers" to have the meat unloaded from their trucks.

The payments range from $30 to $120 per truck load and since the transaction is always in cash, there are few records. We have found also that if the driver refuses to pay, he faces undue delays and in some cases is subjected to violence.

My concern over this situation is that the system lends itself to abuse and sets up the possibility for extortion and inclusion of nonproductive, unneeded costs in the price of meat.

Last month, NBC News reporter Brian Ross filmed a segment on the "lumper" problem and I include a transcript of the news broadcast in the RECORD:

LUMPERS

Your guess is as good as ours as to why lumpers are called lumpers, maybe it's because if you refuse their services you might get a lump on your head, we don't know. We do know that theirs is a serious business, that they are a nationwide phenomenon and that they still add one more addition to the cost of living.

Brian Ross explains.

In the fields of California, the people who pick cucumbers make about $3.00 an hour. In the big produce markets in California, the people who unload cucumbers make about $50 an hour. On the east coast, it is just as expensive to get beef unloaded, as much as $50 an hour. Across this country, the simple step of unloading food from a truck is one of the most costly steps in getting food from the fields to the market and it has a lot to do with the cost of groceries. The men who do this unloading are known in the industry as lumpers. Lumpers are unskilled, vagabond workers who are paid on the spot by the drivers to unload a truck. Lumpers are not regular employees of the market or the trucking company, and that's how they like it. They are paid in cash and they set the rates.

(Ross) "How much do you charge for each truck?"

(Lumper) "$50.00."

(Ross) "That's a flat rate, whether it takes you an hour, half hour, two hours, it is always $50.00 a truck?"

(Lumper) "To unload meat, right."

(Ross) There is no rule that a driver has to hire a lumper. He can unload his truck himself. But investigators say in city after city, lumpers have used threats of delay and violence so that lumpers end up unloading almost every truck that comes to market. In some markets, lumpers are believed to make as much as $70,000 a year. Joe Casper of the California Trucking Association:

(Casper) "We are faced with the highest cost of unloading that we find anywhere in the truck industry can be found in the produce market."

(Ross) "And lumpers are able to charge this because they are tough enough to charge it and make the charges stick?"

(Casper) "That's what the people out in the field tell me."

(Ross) Midnight at the Golden Gate Produce Market in South San Francisco. These men are lumpers waiting for the trucks to arrive. Police say the lumpers here have a reputation for violence, and NBC News made these pictures using a concealed camera. Before he pulled in here, truck driver John Sheely told us he wanted to unload his truck himself, that he didn't need lumpers. But before Sheely could start to unload his truck, a gang of lumpers opened the trailer door and began to unload the crates of cucumbers. Sheely said he had no choice, he had to pay the lumpers $48.00 for a half hour's work.

(Sheely) "Suddenly I had lumpers. They were working unloading the truck."

(Ross) "You hadn't asked for lumpers?"

(Sheely) "Nope."

(Ross) "Couldn't you have said 'I don't want these lumpers' ?"

(Sheely) "Oh, I could have."

(Ross) "Why didn't you?"

(Sheely) Well . . . it's just something you don't do, them folks will get right nasty."

(Ross) The night after we filmed here, a driver was badly beaten after he refused to hire lumpers, and also refused their demand that he give them five crates of produce.

Iowa Congressman Neal Smith has been investigating lumpers. He says lumpers have the power they have in major cities because of their ties to organized crime.

(Smith) "In this complicated delivery and distribution system, there are those points at which the underworld can move in and they can say you can't go beyond this point unless you pay me. It's bound to be inflationary, it's a cost that somebody has to pay that does not—is not offset by an economic service."

In San Francisco alone, by industry estimates, people pay a million dollars more a year for groceries because of excessive payments to lumpers, costs passed on by the driver to the shipper, and eventually to the consumer. The situation is so bad in the San Francisco market that some state inspectors refuse to come into the market except in daylight, when little is going on. And, an FBI investigation begun two years ago has yet to produce any results. In this market and others, lumpers have been permitted to operate like pirates, and the cost of paying tribute to them is helping to drive up the cost of food in this country.●

SALT AND THE SOVIET DRIVE FOR SUPERIORITY

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. DORNAN. Mr. Speaker, there are many distinguished gentlemen in this House of both parties who share a common anxiety—they fear the erosion of the strategic military balance of power between the United States and the Soviet Union. There are many who also wonder why the President refuses to acknowledge the need to maintain a military force second to none.

The world is in turmoil. Our ideological adversaries are making quick, sharp advances in Africa. They are building a "blue water" naval force that threatens our vital sealanes, so essential to the commerce of the United States and Western European Allies. They are covertly and overtly supporting guerrillas and subversives in virtually every corner of the globe. They make no secret of their designs. They boastfully claim that the capitalist West and all its works is doomed to destruction. And they see themselves as the historically appointed agents of that destruction.

In his epic work, "The City of God,"

St. Augustine chided the Romans for crowding into the theaters, for making merry, and turning their attentions from the high calling of their political duties to indulge their endless lusts and corruptions. Pagan Romans falsely claimed that the weakness of their once great empire was attributable to the softening influence of Christianity, which preached love and brotherhood among men. But as St. Augustine admonished them, it was not the teachings of Christ, but rather their own indulgence in pleasure, their own corruption, and their own refusal to attend to their moral and civic duties which brought on their ultimate destruction.

We cannot afford the luxuries of complacency. We cannot afford to delude ourselves into believing that if we save money on defense that our adversaries will reciprocate, or that we will somehow be able to transfer those funds into well-intentioned social programs. The world is what it is because human nature is constant. If it is a jungle, and predators prowl in the night, we can not pretend that it is nothing more than a slightly imperfect world order, needing only the finishing touches of another conference, another U.N. resolution, another diplomatic note, or another arms control agreement. How I wish it were otherwise.

It is interesting to note that the foremost Soviet authority on the United States, Mr. Georgi Arbatov, a member of the Central Committee of the Communist Party of the Soviet Union and Director of the prestigious Soviet Institute on the U.S.A. and Canadian Affairs, recently remarked that the Soviet Union and the United States were at a "critical juncture" in their bilateral relations. He expressed the belief that the new SALT accord was the key to our future relations, and hoped that the United States would eventually come to accept it. He further suggested that President Carter make it clear to Congress that a failure to ratify the SALT II agreement would make matters "much worse," pointing to Soviet development of the Backfire, the modernization of Soviet heavy missiles, and the increasing vulnerability of U.S. land-based missiles.

Soviet authorities speak with one voice. Mr. Arbatov's remarks must be put into the context of another recent Soviet statement: The February Pravda declaration that the U.S.S.R. will make no more "concessions" to the United States during the SALT II negotiations. In other words, the Soviet message is this: We had better go along, ask for no further modifications, or else take the consequences of being faced with a continued, massive military buildup directly threatening our national security. This is not the negotiating posture of a world power seeking to make the world safe from nuclear war. It is the tone of a vicious, coercive totalitarian force seeking to advance its position either through negotiation or through the use or threat of force.

Mr. Speaker, throughout our history, the United States was relatively secure from the military aggression of foreign powers. We were geographically separated on our eastern and western borders by great oceans. And neither Canada to the North, nor Mexico to the South, ever posed a significant military threat to the American homeland. But now we are increasingly vulnerable to a direct, intercontinental strategic assault. Our potential adversary, the Soviet Union, has made startling gains in the last 10 years in virtually every field of modern weaponry.

American defense analysts have long told us that the vast technological superiority of the United States would more than offset the massive numerical superiority of the Soviet Union's war machine. But now we know that the American intelligence community underestimated the rate of Soviet technological progress. The Soviets added multiple warheads to their heavy missiles more quickly than we had expected. Soviet defense expenditures turned out to be higher than we had expected. During the last 10 years, for example, the growth of Soviet military spending averaged 3 percent per year, while the United States spending in constant dollars actually declined between 1968 and 1976. Last year alone, according to recently published reports on CIA analyses, the Soviets spent approximately 40 percent more than the United States on military categories. I would remind Members of this House that the greatest Soviet effort has been in the area of upgrading its already formidable strategic forces, especially missiles, and that its "manpower expenditures" do not compare at all favorably with our own.

These Soviet efforts have paid off in a variety of ways. Who could have thought just a few short years ago that the Soviet Union would be capable of challenging American airpower? Now we know that the Soviets have been producing the most powerful bomber in the world today, the Tupolev Backfire B, with a range generally estimated at 5,000 nautical miles. The Backfire bomber will not only give the Soviet Union the capability to project airpower over the sea lanes, strengthening the hand of its formidable fleet of submarines, but will be able to strike targets on the continental United States. I know of no military commander who is satisfied that American air defense is adequate to the task of effectively countering a massive new Soviet assault.

In the face of these developments, the Carter administration has followed a disastrous policy of cancelation, limitation, or delay of new strategic weapons systems. We have scrapped the most promising military airplane in the history of aviation, the B–1 bomber. We have acceded to Soviet demands to limit the range of the cruise missile, thus negating our great technological lead in range and guidance capabilities. We have delayed our only proposed alternative to strengthening the land-based American missile force, the MX.

Mr. Speaker, the United States is entering into one of the most critical periods in its diplomatic history. The kind of treaty we finally agree to with the Soviet Union may very well determine the balance of power for the rest of this century.

I fear that we are already entering the contest with a severe set of handicaps. The President has already weakened our bargaining position with the Soviet Union. If these trends continue we may find that we are unable to get a strong, workable, verifiable arms control agreement with the Russians. We certainly cannot depend upon their reservoirs of good will.

Mr. Speaker, Adm. Elmo Zumwalt, one of this Nation's most distinguished military figures, has probed the sources of the President's policies. As he observes in a recent editorial in the prestigious Aviation Week & Space Technology, the President has ignored the best advice of defense experts and analysts. He has relied on the advice of men who are incompetent to render sound military judgments. He has indulged idealistic delusions.

Too many of us view military force simply in terms of the potential effect of its use on the material economic, industrial, and military infrastructure of our adversaries. Far more important is the intangible dimension of military strength. It is the psychological coercion that can be brought to bear on our potential adversaries that is most decisive. In the absence of psychologically coercive American military might, we may not be able to pursue the noble cause of arms control.

Mr. Speaker, Adm. Elmo Zumwalt, former Chief of Naval Operations, has closely monitored these developments. I commend his observations, published in the most recent edition of Aviation Week & Space Technology, to your undivided attention:

CARTER'S STRATEGIC CONFUSION

(Adm. Elmo R. Zumwalt, Jr., starting with the Cuban missile crisis and later as chief of naval operations, served under Presidents Kennedy, Johnson and Nixon in grappling with Soviet-U.S. strategic balance. Now retired, Adm. Zumwalt continued his outspoken criticism of U.S. political handling of national security (AW&ST Jan 19, 1976, p. 46) in recent comments on President Carter's conduct of defense and arms control affairs. Excerpts follow.)

Presidents Nixon and Ford, by the time they took office, knew very well that the Kennedy/Johnson strategic parity proposal to the Soviets had not worked out. During their years, privately, they were quite clear that the Soviet Union, rather than stopping at parity, was proceeding to achieve strategic nuclear superiority.

For example, in the 6th Fleet, after the Jordan crisis in September of 1970, still early in his first term, the President told me, with regard to his negotiations in SALT I with the Soviets, that he thought that he could get strategic superiority but might have to settle for parity if there was inadequate support for defense budgets. Yet, by the time SALT I was signed, 18 months later, Mr. Nixon was quite clear in private discussions that the U.S. had had to accept somewhat less than parity. And, 20 months later, by Jan. 24, 1974, while I was attending a National Security Council meeting which President Nixon had called, it was clear that he believed we were going to have to accept strategic nuclear inferiority. My notes of the meeting show that Kissinger expressed the view, and President Nixon agreed, that there was no way the U.S. could get parity in the strategic

nuclear field with the Soviet Union. Kissinger said the people won't support it. President Nixon made it clear that he didn't want any talk that sounded like that publicly, however. . . .

It is a separate question as to whether each of these Presidents was completely candid with the public on strategic nuclear issues. But one has to recognize that at the very least, they had done their homework and knew what the facts were.

In contrast to these previous presidents, Mr. Carter, based on everything one can learn from private conversations, seems not to have done his homework and seems sincerely confused about the facts. He seems truly not to be aware of the burgeoning Soviet nuclear superiority. I can attest to this first hand. I believe that the personal confusion on strategic arms issues is unique among the six President I have observed.

Many of us who have been analyzing over the years the U.S. descent into inferiority in the strategic nuclear balance had high hopes that the Carter Administration would, with its new team of policy makers and specialists, emerge from its initial review of the state of affairs with approaches more helpful to the U.S. safety. We knew there was a wealth of material available to the new President:

He had in his files the statement of the members of the Blue Ribbon Defense Panel, issued in January, 1971, warning of a significant shift of the strategic balance away from the U.S. and toward the USSR. . . .

He had available the minutes and tapes of the various meetings on SALT 1, SALT 2, strategic issues and budgets during the Nixon/Ford years. . . .

Former Secretary of Defense Melvin Laird, former Deputy Secretary of Defense Paul Nitze, both of whom are still quite current on classified strategic nuclear information, and a number of retired military leaders who have spoken and written about the shifting strategic nuclear balance and what to do about it could be consulted.

President Carter has access to a recent report, "Measures and Trends—U.S. and USSR—Strategic Force Effectiveness," done for the Defense Nuclear Agency, which shows for 41 different orderings of strategic effectiveness measures—such as ICBM launcher numbers, ICBM throw weight, SLBM numbers, etc, that the Soviet Union is superior in 33 such orderings today. . . .

In my judgment there are three major reasons why the President has not yet discovered the extent of forthcoming Soviet strategic nuclear superiority. The first is his failure to review the information I have summarized. The second is that under our system it is easy, although misleading, to give equal weight to the opinions of uninformed authorities and national figures, and those of the informed. A paper pronouncing that the U.S. is well off in the strategic nuclear balance can be submitted by him by a staff person who has no real background on the issues and who has had strong previous prejudices that more defense is bad and less is good. This is given equal treatment to the views of the Joint Chiefs of Staff, past and present. . . .

The third reason is that being in possession of such conflicting views, not properly weighted for their background and experience, President Carter, rather than giving careful study to the issues, tends to select the naively idealistic rather than the realistic alternative. No better recent example can be cited than the President's initial acceptance of the advice of novices Andrew Young and Hamilton Jordan to kill the neutron bomb and his overruling of the advice to build it given by the real expert, Cyrus Vance. The fact that other pressures subsequently led the President to ameliorate his initial bad decisions does not invalidate the point.

There were three systems available to the President with which to begin a relatively rapid return to strategic nuclear parity in the 1980s: the B–1 bomber, the mobile (MX) Minuteman, and the long-range cruise missile. The B–1 strategic bomber has been canceled, while the Soviet strategic Backfire bomber goes forward. . . .

The mobile Minuteman (MX) development has been slowed down by the President. Our fixed ICBMs are now subject to prompt destruction in a Soviet first strike. . . .

The long-range cruise missile is the device which could most quickly restore a semblance of strategic nuclear balance because it can be deployed on airplanes, surface ships and attack submarines. . . . Yet, recent budget decisions have slowed down rather than accelerated the cruise missile development programs. . . .

At the same time President Carter has been putting our national safety in jeopardy by budget decisions on strategic forces, he has been making similarly unsafe decisions in the strategic arms control field. In part he has found himself driven to these bad SALT 2 decisions because of the leverage he has given up in canceling and slowing programs without any Soviet quid in SALT 2. . . .

SALT 2 will be so structured that the Soviets have nearly all the negotiating leverage of superiority in measures of effectiveness. Heavy pressure will be on the U.S. to accommodate to the Soviet demands in SALT 3 negotiations. Given the history of U.S. accommodations to the Soviets' superior leverage in the SALT 2 negotiations, SALT 3 will almost certainly be worse. The time to consider such consequences is now, before SALT 2 is ratified.●

JACK KEMP—A NEW STAR ON THE POLITICAL HORIZON

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. RUDD. Mr. Speaker, our colleague JACK KEMP, who has been sent to Congress to represent his Buffalo, N.Y., constituents by substantial pluralities ever since he was first elected in 1970, has now come to national attention as a star on the political horizon.

Having worked alongside this highly capable man since my own election to Congress, I can well understand the excitement over his abilities, his articulateness, and his willingness to fight in behalf of better and less costly Government for the benefit of all our people.

JACK KEMP is best known for his proposed legislation to permanently reduce Federal taxes, in order to provide a needed shot in the arm for the productive sector of our economy, which will actually result in increased overall revenue for Government programs.

Another equally popular and well-thought-out Kemp proposal—and I am a supporter and cosponsor of both bills—is his Jobs Creation Act, which would provide increased tax incentives for individual investment and expansion by private industry, to create more economic growth and jobs in the productive private sector of our economy.

JACK KEMP is the first to point out that these ideas are not new. But they are ideas that have worked well before, and are badly needed now to get our economy moving again and to provide needed tax relief for our people.

The fact that JACK KEMP is such an effective and articulate spokesman for these ideas is what has brought him to national attention.

As a former football star quarterback of national acclaim, he is knowledgeable about team effectiveness and good strategy to score needed points for the common effort. JACK KEMP is now carrying the ball for the GOP team, but has Republican and Democratic admirers and supporters who applaud his efforts.

The editor of the Phoenix Gazette, Loyal Meek, who recently visited JACK KEMP in Washington, where he conducted a lengthy interview, has just written two excellent columns about our New York colleague. They attest to his new national prominence as an effective and popular leader in Government—a new political star of Senatorial or Presidential possibilities. They also relate how JACK KEMP "makes economics an issue with sex appeal."

I would like to include at this point in the RECORD these two columns from Arizona's largest statewide afternoon daily newspaper:

[From the Phoenix Gazette, May 9 and 10, 1978]

KEMP MAKES ECONOMICS AN ISSUE WITH SEX APPEAL

(By Loyal Meek)

WASHINGTON.—One of the brightest new stars in the Republican firmament is a young conservative whose initials happen to be JFK.

Jack French Kemp, that is.

A former star quarterback in professional football, Kemp, 42, is serving his fourth term as a representative from New York's 38th district, a mainly middle-class, suburban Buffalo area.

Kemp is making a national name for himself by taking an issue generally thought to be devoid of political sex appeal—economics—and turning it into a cause that has him busy speaking around the country and which is giving the Democratic majority in Congress fits.

"The time has come to produce a new strategy for prosperity and economic growth and jobs," declares Kemp at every opportunity and with the same sort of zest and charge he used to lead the Buffalo Bills to two AFL championships in the 1960s.

This strategy, Kemp says, will restore the reward for working, saving, producing and investing.

"If one considers how inflation is moving people into higher and higher marginal tax brackets, you realize that in America today the harder you work, the more you produce, the more you save, the more you are penalized by a tax code that rewards consumption, leisure, debts and borrowing, and punishes savings, investment, work and production."

Heady stuff, this. It is especially noteworthy that his message appeals to blue-collar and minority workers, indicating Kemp has a talent for translating dry economics into take-home-pay terms.

Together with Sen. William Roth, R-Del., Kemp is leading a drive to implement this strategy for prosperity by proposing to:

Cut personal income tax rates across-the-board by 30 percent over a three-year period; reduce the top corporate rate from 48 to 45 percent over the same period, and reduce the taxation of small businesses by raising the corporate surtax exemption from $50,000 to $100,000.

Kemp recently attempted to amend the Humphrey-Hawkins Full Employment Act with provisions identical to the Kemp-Roth tax reduction proposal. The Democratic leadership had to scramble to prevent defections. At that, Kemp got 54 Democrats to vote with him, only 11 short of what was needed to score a stunning victory.

But what probably bugs the Democratic establishment most of all is that this JFK is invoking the memory of the original JFK in arguing for his tax cut proposal.

Kemp delights in pointing out that, in 1962, President Kennedy initiated a tax cut program despite estimates from his Treasury experts that it would mean six-year revenue losses of a staggering $89 billion. Instead, thanks to the economic stimulus provided by the Kennedy tax cuts, revenues increased by $54 billion over that period—a $143 billion total difference from what had been expected.

Kemp and Roth, joined by 17 senators and 147 representatives as cosponsors, are seeking to have their across-the-board tax reduction proposal substituted for President Carter's "largely discredited and misleading" tax reform measure.

They challenge Carter's claim that 96 percent of all taxpayers will benefit from his tax cut proposal. Middle-income taxpayers face substantial tax increases over the next three years under Carter's proposals, they warn.

With the Democrats enjoying a 2-to-1 advantage in Congress, the chances of the Kemp-Roth strategy for prosperity being adopted are considerably less than that Tampa Bay will be in the Super Bowl next January.

Nevertheless, Kemp is scoring points for the Republican Party, which, despite an improving outlook for the 1978 elections and maybe even for 1980, remains in desperate need of fresh leadership . . .

Even one whose initials happen to be JFK and who goes around echoing the theme of John F. Kennedy's 1960 presidential campaign with the slogan, "Let's get the economy moving again."

JACK (WHO?) KEMP ENTERING NATIONAL SPOTLIGHT

(By Loyal Meek)

WASHINGTON.—Is Jack Kemp running for President in 1980?

When asked that question point-blank, the 42-year-old Buffalo, N.Y., representative responds with a question of his own: "Who have you heard saying that I am?"

Well, nobody in particular, this questioner was left to reply, although Kemp's name has been mentioned as a Republican presidential prospect here and there.

For instance, a long and favorable article on Kemp in the April 10 issue of Fortune concludes:

"Some of Kemp's admirers see him on the national ticket two years hence, possibly even as a presidential candidate. This suggestion was reported to him somewhat jocularly a few weeks ago. 'You're not supposed to laugh at that,' said Kemp, not laughing."

In an interview in his office the other day, Kemp turned aside presidential and vice presidential speculation by saying that his ambition has long been to be a United States senator. He has his eye on the seat now held by Sen. Jacob Javits, who will be 76 when his term expires in 1980.

Kemp's boyhood ambition was to play pro football.

Born and educated in Los Angeles, he played quarterback at Fairfax High School and at nearby Occidental College, graduating in 1957.

Becoming a pro quarterback took all the ambition Kemp could muster. The Detroit Lions drafted him as a third-string quarterback. He spent the following three seasons on five teams, hardly ever playing.

His break finally came in 1960 when he was taken on by the Chargers, an L.A. team that later moved to San Diego. He became the Chargers' starting quarterback, but he achieved national fame only after he joined the Buffalo Bills.

As the Fortune article put it, "He came to be recognized as a very smart, spunky quarterback who energized the whole team when he came onto the field—the inspiring leader straight out of boys' books."

Kemp has brought that same kind of ambitious leadership onto the field of politics. Elected in a close race to his term in 1970, he won the next three contests by whopping margins.

Kemp has picked up considerable support from Buffalo unions along the way, in part because he was a cofounder of the AFL Players Association and helped negotiate the first collective-bargaining agreement in pro football.

Kemp's interest in politics began in San Diego through Herbert Klein, editor of the San Diego Union and Richard Nixon's press secretary in the 1960 campaign.

As he became more involved in politics, Kemp became increasingly aware of a need to make up for his lack of special training, particularly in economics. With characteristic intensity, he turned his intellectual energies into an exhaustive, not to say compulsive, study of the subject.

Out of this has grown Kemp's income tax proposals which the Republican Party is now picking up in place of its old and politically ineffective platforms calling for cutting spending and balancing budgets.

Still, if Kemp does indeed have White House ambitions, he faces some formidable hurdles:

Identity. For all the national exposure he is receiving, Kemp remains pretty much a "Jack Who?" Alongside a Ford, a Reagan or a Connally, not to mention a Dole or a Baker, Kemp's name is relatively unknown, which brings up the next hurdle.

The "new face" handicap. Ironically, Kemp may be the victim of a "fresh face" backlash, brought on by a certain peanut farmer from Georgia. According to the pollsters, President Carter's troubles have caused voters to conclude that experience in office is a plus for candidates.

Partisan purity. Kemp got himself crosswise with the rabid conservatives this spring by going to Illinois to campaign for the liberal Rep. John Anderson in a bitter contest for the GOP nomination against a right-wing evangelist. Kemp says he owed it to Anderson for his support of the Kemp-Roth tax cut proposal. Kemp may get back in the good graces of the purists by campaigning for conservative Jeffrey Bell of New Jersey in his race against Sen. Clifford Case in the GOP primary June 6.

Despite the obstacles, it will not be too surprising to see the ambitious Jack Kemp in some GOP presidential primaries two years from now.●

ISRAEL MARKS 30TH ANNIVERSARY

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1978

Mr. MINISH. Mr. Speaker, May 15 marks the 30th anniversary of the State of Israel, the homeland sought by the Jews for nearly 2,000 years. Expelled by the Romans in 70 A.D., the Jewish people wandered through Europe, Asia, Africa, and North America awaiting the day they would return to their Promised Land. They endured poverty, discrimination, and violence. They survived inquisitions and pogroms, still clinging to their religious and cultural heritage. Although separated by thousands of miles and 20 centuries, the Jews were bound together by a common thread. They worshipped one God and spoke in the Hebrew tongue. From generation to generation they relayed the great story of their past. From parent to child they passed a bright hope for their future.

The hope continued in the face of hardships and persecutions unparalleled in human history. Six million Jews died in the holocaust of World War II. Hundreds of thousands more were left homeless. Anyone who has visited the Nazi death camps like Auschwitz, as I did with my wife a year and a half ago, cannot help but be shocked by the unspeakable horror of the Holocaust. As George Santayana wrote, "Those who cannot remember the past are condemned to repeat it." It is incumbent upon us, therefore, constantly to remind ourselves and others of what did happen in Nazi Germany and to constantly guard against a recurrence.

After World War II and the Holocaust, the prospect of a Jewish homeland was no longer a glimmer in the distance. It was a desperate need that could no longer be delayed. Already thousands of Jews had left the rubble of Europe to begin a new life in the Promised Land. It was only a matter of 3 years from the war's end to the declaration of the independent State of Israel.

The Jews had recovered their homeland, but they had not yet paid the full price. From the moment of its inception, the life of the nation was threatened by hostile Arab neighbors. During these 30 years, the Middle East has been wracked with bloody wars. Greatly outnumbered, the Jews cannot afford to lose their military edge. Defeat in battle would place them at the mercy of nations whose total population is more than 30 times greater than their own. In order to live in security, Israel must have more than a hope of mercy.

As cognizant as Israel must be of its national defense, the nation has not suffered the fate of an armed camp. When the Jews came back to Palestine in the years preceding their statehood, they found a sorely neglected land. The rich hills they had left were barren and eroded, the pastures, treeless deserts of dust. The valleys, once rich with vegetation, were swampy breeding grounds of malaria. They drained the swamps and terraced the broken hills. They planted trees to hold down the water and top soil. They found underground springs and irrigated the parched fields. They improved seeds and farming methods and established efficient cooperative farms. Within a few short years, the land bloomed with productivity. Today, this former desert sustains virtually all of the food needs of the Israeli people.

Israel's phenomenal growth has not been limited to the domain of agriculture. Every aspect of its economical development has been sensational. In 1950, Israel was ranked among the develop-

ing countries, alongside such nations as Colombia and Argentina. The economy expanded rapidly. During the following 15 years, the gross national product grew by approximately 11 percent each year, compared with the average growth in the United States of 3.3 percent. Largely as a result of immigration, Israel's population has trebled since 1948, miraculously, the standard of living continues to rise. The immigrant camps, unemployment and shortages of the early years are only another episode of Israel's past.

Neither the development of the economy, nor the preoccupation with national defense has hindered the development of Israeli culture and learning. Schools and universities are continually increasing in number. Israeli dancers and musicians, scholars and poets are known the world over. Cultural wealth from all corners of the earth has taken root in Israeli soil. Preserving the old and encouraging the new, Israeli culture has discovered a vitality and uniqueness unparalleled in recorded history.

So vibrant a culture could not survive in an atmosphere of fear and repression. Thus it comes as no surprise that the State of Israel is a parliamentary democracy in which human and civil rights are recognized and protected by law. The freedom of worship, speech, association, assembly, the press, and the free exercise of any profession, trade, or business are among the constitutionally guaranteed rights. The State of Israel is living proof that freedom and democracy need not be sacrificed for the sake of economic growth and higher living standards.

On this, the 30th anniversary of its independence, I would like to reaffirm the support of the American people for the State of Israel. Thirty years ago, President Truman extended recognition to Israel only moments after its proclamation as a sovereign state. An ardent supporter of the fight for a Jewish homeland, the United States was among the first to accord Israel full recognition. American sympathy for the Israeli cause and affinity for its democratic and pioneering ideals have sustained its friendships and commitment, especially in years of turmoil and times of disagreement. American support will not diminish. These past 30 years are only the beginning of a long and glorious history of a strong and growing nation. As Americans, we congratulate Israel's grand successes. As we stood shoulder to shoulder in adversity, we shall stand side by side in the greater and happier days of the unfolding future.

BATF PROPOSED REGULATIONS

HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. LIVINGSTON. Mr. Speaker, the Bureau of Alcohol, Tobacco and Firearms recently published controversial proposed regulations regarding the registration of firearms. I have received over 110 letters from concerned citizens in Louisiana voicing their opposition to the proposed regulations, but perhaps none explains the ultimate consequences of such proposals as well as the following letter by Mr. F. Javier Banos:

DEAR CONGRESSMAN LIVINGSTON: I just learned that the Bureau of Alcohol, Tobacco and Firearms is in the process of establishing a plan for computerized firearms with no specific Congressional authority.

In January of 1959 I was a teenager living in Cuba when Castro took over. On his first televised speech, the day he reached Habana, one of the main topics of his 4-hour speech was to inform the nation that gun registration was necessary in order to, (a) stop the crimes carried out by Batista followers, (b) to get the Mafia disarmed and (c) to stop the looting and crime on the streets. He gave us 3 months to register all firearms and everyone went along with it since the purpose seemed so noble.

Ninety days later Castro came back on TV for another show. This time the tone was almost religious. It was like watching Billy Graham talk. I expected him to pull out a Bible any second. I can still see his curling his beard, looking intensely into the camera during long close-ups and saying, "I want to be known as the man who stopped crime and corruption. . . My brothers, haven't we been killing each other long enough? The American Eagle no longer flies our skies. What do we need arms for? The Batistianos are no longer a threat. . . Arms for what? (very softly). The Mafia is back to the U.S. . . . Arms for what? (a little louder). Crime is no longer to be feared. . . Arms for what? (loud)." At this point the immense crowd broke up in loud cheers of "Armas para que?" The repeated cheer "arms for what?", "arms for what?", "arms for what?" lasted well over 20 minutes! When it subsided, Castro very softly expressed his thanks to the nation for supporting him on this issue. Then very dramatically he pledged to end all further killings by taking in all private firearms! He gave everyone another 90 days to turn them in and he announced that the penalty for a citizen to be caught with a firearm would range from between 5 years in prison and "paredon" (The Wall)! What was one supposed to do after just registering all firearms? All this was announced around May 1959 in one speech, and at that time Eisenhower, Nixon and Jack Sullivan were still honeymooning with Castro, "The Robinhood of the Americas!"—Remember that? . . . We all went for it!

The rest is history and you know it as well as I do. (1) Cuba was disarmed within 90 days. (2) Almost as many Cubans were killed at "The Paredon" as Jews in the German gas chambers and this has been totally ignored. (3) Close to 2 million Cubans left Cuba between 1959 and 1969 out of a total population of only 6 million.

I know what I am talking about. I am a Cuban born who flew to Louisiana in 1960 and have lived here ever since. I got a BBA and a MBA from Loyola (while working full-time at the same time), I have become a citizen, married a "coon ———" wife, have two "Yankee capitalist daughters", own my own successful business and pay more taxes than 99% of American-born Americans. All of this makes me a raving capitalist and a bigger and better American than most people who were born here because I appreciate the U.S. system more since I (in an ironic way) was "privileged" to live under other economic systems that aren't worth a darn! I still have a cousin in prison in Cuba, condemned to "life in prison" because he got caught in 1960 armed and doing what Castro calls "counter revolution". My cousin now is 35 years old and he was 17 when he got caught. I am proud to report that he is still alive and the communists have not been able to break him down psychologically after 18 years!

May I respectfully mention to you that back in the late '50's, when the Jews and the Hungarians and the Chinese and the Spanish and the Polish living in Cuba warned us that arms registration would be our downfall, we didn't believe them . . . May I respectfully submit now that you cannot afford to make the same mistake we made. Please, devote whatever time is necessary to find out what is behind all of this. Stop it before it is too late! One of the things that has made this country great is that your citizens have always been armed and ready. The argument that guns kill "a few" innocent people every year is not a valid one because thanks to the fact that so many generations of patriots here used guns successfully to defend our liberties, people like me now live in peace and people like you were elected to office through the free choice of your constituents!

When you have a country this big, lots of innocent people are going to die because of careless things such as bicycles, skateboarding, hot dog indigestion and . . . guns! The problem is that guns are too important to tangle with. I've often wondered if the Cubans wouldn't have been disarmed, how many of us would have ended up exiled? We would have stayed and fought and perhaps there wouldn't be communism in the Americas today.

I'd like to leave you with one thought: Thank God the Cubans had these fantastic United States who opened their arms to us and welcomed us. Just supposing for one second that my fears are well founded and that gun registration (which without a doubt will turn into confiscation) is your downfall, where will you go this time? Do you think that your sons and daughters will ever have the opportunity to write a legislator of some foreign power and get a chance to tell his or her story as I am telling it now? Please think about it. You can't afford to make a mistake on this issue. Not on something this important. This truly involves national security.

With best regards,

F. JAVIER BANOS, CFP.●

TRIBUTE TO WILLIAM E. (PUD) HAMILTON

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. RUPPE. Mr. Speaker, the Michigan Legislature recently passed a concurrent resolution requesting that William E. "Pud" Hamilton be selected as a member of the U.S. Hockey Hall of Fame.

The remarkable sports career of this grand old man of sports from Sault Ste Marie is still remembered by residents in the eastern Upper Peninsula of Michigan, although he died in 1965. The Sault Evening News described him as "a man who had the physical appearance of a man in his sixities, but who was as lithe and walked like an athlete in his thirties. But to top it off it was quite generally known here (he) was a man whose age exceeded four score." Indeed, he played his last game of hockey at age 81.

Although best known for his hockey prowness, in which he played and coached the Sault area hockey teams into a position of national prominence, he was also an excellent rugby and tennis player.

I have included a copy of the Michigan Legislature's resolution requesting his selection to the U.S. Hockey Sports Hall of Fame and fully support local efforts to see that "Pud" receives this honor he so justly deserves:

HOUSE CONCURRENT RESOLUTION No. 557

Offered by Representative Jacobetti and Senators Mack, Derezinski, McCollough, O'Brien and Welborn.

A concurrent resolution requesting the selection of William E. "Pud" Hamilton to the United States Hockey Hall of Fame.

Whereas, Seasoned residents of Sault Ste. Marie will never forget William E. "Pud" Hamilton who became known as the Soo's grand old man of sports and was best known for his outstanding hockey performances both as a player and a coach; and

Whereas, "Pud" Hamilton's athletic prowess was not limited merely to hockey. In addition to his great hockey talents, he played rugby, lacrosse, and cricket. In 1898 he was named Canada's outstanding rugby player when he was with the Ottawa Rough Riders at age twenty-one; and

Whereas, "Pud" Hamilton began his professional hockey career at the turn of the twentieth century with a team sponsored by the Pittsburgh Athletic Club. This team played in the then new Duquesne Gardens and was a member of the first professional hockey league formed in the United States and Canada; and

Whereas, "Pud" helped, nurtured, and fathered hockey in Sault Ste. Marie through the years, first as a player, then as a coach and mentor. He played for the professional hockey team in Sault Ste. Marie which was a part of the International League. He later coached a Sault Ste. Marie amateur team of the North Shore League for several years and won two McNaughton Cups and two United States Amateur Championships. In addition, he coached hockey at Montreal College and McGill University; and

Whereas, During his career "Pud" Hamilton received innumerable honors including being named as a member of the Pittsburgh All-Time All-Star Hockey Team and being installed in the Upper Peninsula Sports Hockey Hall of Fame; and

Whereas, This rare and remarkable individual had the physical appearance of a man in his sixties, but was as agile and robust as a man in his thirties. He always loved sports having organized the first tennis club in Sault Ste. Marie at age fifty-five. He is said to have played his last hockey game at age eighty-one; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, by all present, the Selection Committee of the United States Hockey Hall of Fame is hereby requested to select William E. "Pud" Hamilton as a member of the United States Hockey Hall of Fame; and be it further

Resolved, That copies of this resolution be transmitted to Roger A. Godin, Executive Director of the United States Hockey Hall of Fame, and to the members of the Selection Committee.

Adopted by the House of Representatives, February 13, 1978.

Adopted by the Senate, February 13, 1978.

T. THOS. THATCHER,
Clerk of the House of Representatives.●

"EDITH BUNKER" ON THE ERA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. EDWARDS of California. Mr. Speaker, one of the most pressing issues facing the Congress today is the need to extend the ratification period for the equal rights amendment. The Subcommittee on Civil and Constitutional Rights, which I chair, has been exploring this issue carefully and we will be holding further hearings next week to hear testimony from organizations, State legislators and public witnesses representing both points of view.

In my opinion, the question of providing an extension for ratifying the ERA centers around the continued vitality of the ERA as an issue. Because I feel strongly that we need the ERA and because it seems obvious that the ERA is still a contemporary issue, I strongly support an extension of the ratification period.

An interesting article recently appeared in the New York Times which examines the ERA from the point of view of a woman who has touched the hearts of many of us. Jean Stapleton explains why she feels her character on "All in the Family," Edith Bunker would support the ERA. It is an enlightening article, and I commend it to the attention of my colleagues. The article follows:

[From the New York Times, May 12, 1978]

EDITH BUNKER, ON THE ERA

(Following are excerpts from an address given by Jean Stapleton, who plays Edith Bunker in the television program, "All in the Family," upon receiving a doctor of humane letters degree at Emerson College, in Boston.)

(By Jean Stapleton)

A newspaper was conducting a survey of celebrities. Their question was: What do you regard as your greatest achievement? I said, and meant it, I haven't lived long enough to answer that question. I have the same answer today: I haven't lived long enough to deserve this singular honor. Therefore, instead of resting on this prestigious laurel I shall treat it as an obligation and renew my efforts to recognize and utilize my God-derived humanity.

Personally, I anticipate the same old struggle against the familiar obstacles: self-interest, self-justification, self-will, and so on, but in my imagination I have a role model to emulate—Edith Bunker because, her intellectual shortcomings notwithstanding, Edith has become the epitome of compassionate and selfless humanity.

Early in our 8-year run, a woman telephoned her doctor in exasperation asking for a soothing antidote for her frayed nerves. With some irritation, she told him that her husband at the height of their worst argument said to her: "Why can't you be like Edith Bunker?" Of course, at that time he may have been fantasizing about the old, submissive Edith. Thanks to the influence of her enlightened daughter and neighbor, Edith is growing . . . to know herself as a whole person with rights and power. How we all love the moments when Edith stands up to Archie. The audience cheers. Most of the letters I receive are from young people 8 to 18 who state that those are their favorite moments.

Yes, the concept of equal partnership is beginning to dawn on Edith. We hope that poor Archie can keep up with her, for next season he'll have some challenges. A question I am most asked by the press is: "Do you think Edith would support E.R.A.?" Well, since Edith was born in the imagination of Norman Lear and her development was carried on in the collective thinking of more than nine writers, five producers, three directors and four actors, we would need a script conference to determine the answer. But lacking that, I assume the privilege of answering. Yes, if she understood it.

Yes, if she understood it.

For it is the homemaker like Edith who stands to benefit most from the Equal Rights Amendment. Contrary to some misconceptions, she will not have to leave her homemaker job unless she chooses. She will not lose the protection of her husband; rather, she will gain more in that her legal rights and standing in the ecomony, insurance, Social Security, inheritance, divorce, credit taxes, etc. will be guaranteed.

Until two and a half years ago, I thought I was in the Constitution. I believed the use of the word "men" in the Bill of Rights and Declaration of Independence was generic. Legal inequalities in our society reveal that I was mistaken. The rights of all races and religions are now squarely written into the Constitution. The only right spelled out there for women is suffrage. The E.R.A. has nothing to do with privacy or sexual preference. It says, "No rights shall be denied or abridged because of sex."

That means male and female. I believe a woman has the right to engage in combat in the armed forces if she wants to. I also trust that the armed forces in the event of a draft would utilize men and women according to their capabilities, as they have done in the past.

Opponents say we have ever-increasing Federal laws to remedy women's unequal legal status. True, but these are fragments subject to the winds of political change. The 27th Amendment will guarantee our equality with men—not our sameness—but our equality. This is the principle on which our country was founded—equality of opportunity, freedom of choice under the law.

Of course Edith Bunker would support ratification of the 27th Amendment to the Constitution because it is a matter of simple justice—and Edith is the soul of justice.●

FORMER DEPUTY ATTORNEY LAURENCE SILBERMAN OFFERS A CONVINCING CASE ON THE ROLE OF THE JUDICIARY IN ELECTRONIC SURVEILLANCE FOR NATIONAL SECURITY PURPOSES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. KEMP. Mr. Speaker, the role and control of national security electronic surveillance by Government is one of the thorniest public policy questions facing this country. The Executive, the Congress, and the courts have been struggling with it intensely since the beginning of this decade. I only wish they were as interested in controlling information gathering in the United States by electronic surveillance by foreign powers here—including their embassies in Washington—as they are in controlling our gathering of information about them. Senator MOYNIHAN introduced and I have cosponsored legislation giving them an opportunity to control that too.

Several weeks ago, Laurence H. Silberman, a former Deputy Attorney General, testified before the House Permanent Select Committee on Intelligence on legislation to control the gathering of information by electronic surveillance for national security purposes by U.S. agen-

cies. As one of the principal authors of the first order establishing a comprehensive framework governing national security electronic surveillance and as the man in the Justice Department who oversaw the implementation of that order, he is well recognized as an authority in this subject field. Mr. Silberman was also an Under Secretary of Labor and Ambassador to Yugoslavia. He is now counsel to the New York City firm of Dewey, Ballantine, Bushby, Palmer & Wood, one of the most prestigious law firms in the country, and is a senior fellow at the American Enterprise Institute for Public Policy Research here in Washington.

Mr. Silberman's contribution here is what he offers as considerations for the role of the judiciary in national security electronic surveillance. The point he makes is that the courts are really out of their bailiwicks when it comes to making the kinds of decisions which have to be made in deciding whether to authorize or continue a particular surveillance. In short, it gives to the courts a means of control over a major factor of foreign policy and our national defense something clearly vested by the Constitution in the Executive and in Congress. As Mr. Silberman articulates this point:

In reviewing whether the executive's determination is "clearly erroneous" as to whether the information sought is "foreign intelligence information," the courts will be invited, indeed obligated, to consider the following: What information is necessary to protect the United States against attack or other grave hostile acts (which implies authority to determine which foreign countries are hostile to the United States)? and, What information, with respect to a foreign power, is deemed essential to the defense of the nation or the successful conduct of foreign affairs (which implies authority to determine what is the successful conduct of foreign affairs)? Prior judicial determinations on these staggeringly broad questions would presumably be binding on the executive even where the target is a non-U.S. person. Truly, under the administration's bill, Judge Wright might get what appears to be his wish: the judiciary could gain the opportunity decisively to influence the foreign policy of the United States.

This testimony merits the attention of every Member of the House and Senate, Mr. Speaker. This is a matter of profound importance but about which the understanding of many is less than profound. There are considerations here which must be given greater weight than they have been to date.

(Mr. Silberman's testimony follows:)

TESTIMONY ON ELECTRONIC SURVEILLANCE FOR NATIONAL SECURITY PURPOSES, BEFORE THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

(By Laurence H. Silberman)

Mr. Chairman, thank you for the opportunity to express my views on bills before this committee dealing with procedures governing electronic surveillance for national security purposes. As a former deputy attorney general and former ambassador, I have had extensive opportunity to consider the nature of the problems with which this committee is grappling.

Indeed, it was Attorney General Saxbe, under whom I served, who initiated a process which has, in truth, led to this committee's proceedings. Although it is not generally known, in the fall of 1974 Attorney General Saxbe refused to approve any further national security electronic surveillance that required the attorney general's sanction unless and until the President issued an order which delineated the attorney general's authority and articulated guidelines for the exercise of that authority. Saxbe was, thus, the first attorney general to assert the need for a written conceptual framework governing national security electronic surveillances.

As you might imagine, Saxbe's action precipitated a hasty effort on the part of the administration to draft such an order—an effort in which I was deeply involved. The executive order that followed was subsequently superseded by a new executive order, publicly issued in 1976, which reflected continuing experience. However, a good deal of the language in various bills before this committee has as its genesis the initial executive order issued by President Ford.

Moreover, as acting attorney general in the winter of 1975, I had the unpleasant duty to examine the official and confidential files of the FBI, the existence of which had just been disclosed by the press. These files revealed—to my never to be forgotten shock—abundant examples, stretching back through Roosevelt's administration, of misuse of the President's national security authority to engage in electronic surveillance. Most, if not all of this, has become publicly known by virtue of subsequent congressional investigations.

Finally, as acting attorney general—albeit for a short time—I did make some determinations as to whether or not to authorize electronic surveillance for national security purposes.

After having thought a good deal about the problems this committee is addressing, I firmly believe the egregious abuses of the past will almost certainly not occur whether or not the Congress legislates on this subject. I am convinced that the single most important deterrent to executive branch malfeasance is the prospect of subsequent disclosure. The extensive publicity, and accompanying criticism, which previous administrations, as well as the law enforcement and intelligence bureaucracies, have recently suffered will effectively deter serious future abuses of national security electronic surveillance. That is not to say that I believe legislation to be inappropriate; I simply wish to put the scope of the problem in perspective.

Much of the discussion about this kind of electronic surveillance has assumed that the interests at stake are only the privacy of individuals on the one hand, and the protection of national security on the other. The question of the appropriate distribution of power and authority within our government has not, in my judgment, been given the explicit attention it deserves. I hasten to say that I find the notion that the President's constitutional authority to conduct foreign affairs and to command the armed forces precludes congressional intervention into the *manner* by which the executive branch gathers intelligence—by electronic or other means—to be unpersuasive. But to concede the propriety of a congressional role in this matter is by no means—and this is the burden of my testimony—to concede the propriety or constitutionality of the judicial role created by the administration's bill [H.R. 7308].

Since I believe the judiciary's role in national security electronic surveillance should be circumscribed, I strongly support the general thrust of Congressman McClory's bill [H.R. 9745]. That bill limits executive authority to engage in electronic surveillance generally to those situations in which the administration's bill authorizes electronic surveillance. But it relies on senior officials in the executive branch—reporting regularly to Congress—to comply with its commands without providing for judicial intervention.

I have no doubt that Congressman McClory's bill would amply protect against future executive branch abuses of power. H.R. 9745 sets forth tough substantive and procedural standards (indeed, in some respects I think too restrictive), but most importantly that bill would fix record responsibility on senior executive branch officials, the President, and his political appointees, who, when they act, would surely be aware of the likelihood of future exposure if they should be tempted—as in the past—to direct surveillance at the wrong people for the wrong reasons.

But would not prior judicial approval ensure greater protection? Phillip Lacovara, in an excellent 1976 article, argued that prior judicial approval will force articulation "of the reasons for a proposed search in language that will be convincing beyond the circle of the President's immediate advisors."[1] Perhaps. And perhaps that is a mixed blessing. Under the administration's bill, the President and his senior advisors are not likely to pay very close attention to questions of electronic surveillance for national security purposes.

The presurveillance judicial warrant requirement will permit senior executive branch officials to avoid the degree of responsibility which Congressman McClory's bill would place upon them. The greater the authority given to the courts in this area, the less the responsibility exercised by the branch. When in doubt their posture will surely be: Try for the warrant.

As Mr. Lacovara's article implies, the real issue presented by the bills before this committee is: Should executive power be further reduced, and, if so, which branch of government should gain at the executive's expense? If one believes, as I do, that the so-called imperial Presidency was actually in decline almost from the time it was discovered (in some respects, the most recent executive abuses were actually precipitated by that decline), and that today the chief threat to American democracy is the *imperial judiciary*, one views any new delegation to the judiciary with apprehension.

Many of those who have opposed presurveillance warrants have argued that the judiciary is incapable of making the kinds of policy judgments necessary in gathering intelligence or conducting foreign policy. I do not make that argument. Unfortunately, judges are all too capable of these functions. As Justice Powell said in the Keith case, responding to a similar argument concerning internal security, "We cannot accept the government's argument that internal security matters are too subtle and complex for judicial evaluation. *Courts regularly deal with the most difficult issues of our society*" [emphasis added].[2] Although I have the greatest respect for Justice Powell and I reluctantly agree with the holding in *Keith* (ensuring domestic security can come too close to repressing domestic dissent), I nevertheless, find Justice Powell's off-handed observation terribly sad. Courts do, in truth, deal regularly with many of the most difficult issues in our society—*but they should not.* They are, it will be recalled, not responsive to the democratic political processes, and the most difficult issues are political.

Not surprisingly, Judge Wright in the *Zweibon*[3] case seized upon Justice Powell's unfortunate language to make the same argument in the national security field: that judges are perfectly capable of employing that "analytical ability or sensitivity of foreign affairs necessary to evaluate—recommendations"—for electronic surveillance. Indeed, Judge Wright went further to assert that judges were even better equipped than attorneys general to make such determinations; the attorney general, according to

Footnotes at end of article.

Judge Wright, is chosen only for his "ability as a lawyer rather than as a diplomat," and attorneys general have not gained much tenure in recent years, whereas "a federal judge has lifetime tenure and could presumably develop an expertise in the field of foreign affairs if consistently resorted to for authorization for foreign security wiretaps." [4]

Since Judge Wright places no apparent value on political accountability—attorneys general after all are responsible to elected Presidents—he might as easily suggest the judiciary take over *all* foreign affairs responsibilities to balance their increasing dominance of domestic affairs.

But it is not just greater expertise which Judge Wright offers us in behalf of the federal judiciary. In contrast to the executive branch, Judge Wright (and others) contend that judges bring to the task of balancing national security interests against individual privacy claims a "neutral and detached attitude." Detached from political accountability, yes; neutral—hardly. It is particularly ironic that probably the most activist judge, speaking on the behalf of the most activist federal appeals court in the United States, would make that claim. Few American legal scholars whether or not in sympathy with decisions of the U.S. Court of Appeals for the District of Columbia would deny that the court has over recent years ranged as far as any court from what Professor Wechsler of Columbia calls neutral principles.[5] I don't mean to criticize this court; I do mean to make the point that the judiciary is neither theoretically nor actually more neutral than the executive, or for that matter the Congress, in reaching answers to the difficult questions which national security electronic surveillance presents. It can as easily be argued that the judiciary will overweigh the interests of individual privacy claims—it is, after all, the protection of those claims on which judicial authority is based—as it can be argued that the executive will unduly emphasize national security. And since judges are not politically responsible, there is no self-correcting mechanism to remedy *their* abuses of power.

The appropriate institution to oversee the President's use of electronic surveillance for national security purposes is the Congress. The crucial distinction between Congressman McClory's bill and the administration's is that the former implies—indeed, virtually guarantees—continued congressional oversight of required procedures and substantive standards, whereas the administration's bill would delegate all of that authority to the judiciary. H.R. 7308 is cut from a familiar pattern; Congress once again would act as a conveyor belt, transferring authority from both the executive and itself to the judiciary, under the illusion that it is Congress which is asserting authority. But, once the magic wand of a presurveillance judicial warrant is invoked, Congress will surely abdicate any responsibility for continuing oversight.

Although I am generally concerned about the growth of judicial power at the expense of both congressional and Presidential authority, I maintain that the administration's bill, if passed, would be a particularly unfortunate addition to this trend.

As Congressman McClory put it in his opening statement, the subject matter is so closely tied to national security policy formulation as to be inappropriately put to the judiciary. The scope of judicial review for targeted U.S. persons under the administration bill clearly propels the judiciary into policy determinations of breathtaking scope.

For instance, in reviewing whether the executive's determination is "clearly erroneous" as to whether the information sought is "foreign intelligence information," the courts will be invited, indeed obligated, to consider the following: What information is necessary to protect the United States against attack or other grave hostile acts (which implies authority to determine which foreign countries are hostile to the United States)? and, what information, with respect to a foreign power, is deemed essential to the defense of the nation or the successful conduct of foreign affairs (which implies authority to determine what is the successful conduct of foreign affairs)? Prior judicial determinations on these staggeringly broad questions would presumably be binding on the executive even where the target is a non-U.S. person. Truly, under the administration's bill, Judge Wright might get what appears to be his wish: the judiciary could gain the opportunity decisively to influence the foreign policy of the United States.

But, even if judicial review of these substantive policy issues under the clearly erroneous test were eliminated, I would oppose any prior judicial scrutiny of this kind of electronic surveillance even for the purpose of determining factual probable cause. In the first place, I doubt whether the judiciary can be held to the limitations of the probable cause standard of the Ford administration's bill. We have seen too many recent examples of legislation which grants the judiciary authority only to ensure executive branch procedural regularity. Invariably, under such legislation, the courts reach—as they did in the environmental field—for substantive review authority as well.

Moreover, despite the efforts of draftsmen to cast both the Ford and the Carter bills in terms of criminal activity, much of the foreign intelligence information is *not* sought for criminal law purposes. Even where the activity surveyed might be criminal in nature, the executive often chooses not to prosecute. That is why electronic surveillance for foreign intelligence purposes is so fundamentally different from that employed to attack domestic crime. And it is also why the traditional prior judicial scrutiny for domestic wiretaps is so clearly inappropriate here. In fact, the criminal law "probable cause" standard has been artificially engrafted onto executive intelligence gathering for the sole purpose of granting authority to the judiciary.

The administration's bill would limit jurisdiction to seven "superjudges" appointed by the Chief Justice. This interesting device was chosen, I assume, to counter concerns for maintaining security as well as to develop judicial expertise in foreign affairs. But I find it troubling. Is the Chief Justice to appoint only those judges he believes to be "sound" on national security matters? Should he exclude from his select group judges like Judge Gibbons of the third circuit who has already expressed a view in the *Butenko* [6] case that the Vienna Convention may limit certain activities respecting foreign embassies? The need for this special device suggests the impropriety of the entire delegation to the judiciary; when matters cannot be entrusted to any federal judge they should be entrusted to no federal judge.

Even more troubling is the secrecy with which judicial deliberations are to be encased. As I have emphasized, judges are not elected; the legitimacy of their actions, therefore, depends—even more than do actions taken by either the executive or the legislative branches—on *public* decision making. To be sure, aspects of the judicial process have traditionally been kept from the public; various hearings in camera and even the applications for warrants in domestic criminal proceedings fall within that category. But—and it is a big *but*—normally that part of a judicial proceeding hidden from the public is ancillary to a public trial; a criminal search warrant application will be part of an investigative proceeding which, since probable cause is shown, will probably lead to a criminal trial (the target of Title III wiretaps are subsequently notified). Here, on the other hand, virtually an entire phase of judicial activity will go underground. Those of us not in government will never know how the judiciary exercises the supervisory authority over national intelligence gathering which the administration bill grants it. This consideration, in my view, also weighs against presurveillance judicial warrants.

Finally, I should like to question explicitly the constitutionality of the administration bill. First, it denies any inherent authority on the part of the executive to conduct warrantless electronic surveillance, despite the fact that the Supreme Court has specifically reserved that question and a number of appeals courts have held that it exists (U.S. Court of Appeals for the District of Columbia is an exception). Among those who have found inherent executive authority is the 5th Circuit. Judge Bell writing for this court in 1973 said, "Restrictions upon the President's power which are appropriate in cases of domestic security become artifical in the context in the international sphere" [7] (apparently where Judge Bell stands depends on where he sits).

The Ford administration bill, at least, wisely recognized that if such inherent power existed—inherent meaning beyond congressional control—it would probably be invoked in circumstances not specifically contemplated by proposed legislation. Therefore, the Ford administration bill contained a reservation for this executive authority which is probably constitutionally compelling. To have said, as did the Senate Judiciary Committee's report, that the Carter administration bill *resolves* this constitutional question by simply denying the existence of any inherent executive authority is folly. If this constitutional authority exists, and I believe it does, Congress cannot legislatively repeal it.

Moreover, I have serious doubts as to the constitutionality of the judiciary's role in the administration bill. Although I have not had an opportunity to research the question exhaustively (nor for that matter as far as I can determine has the Justice Department), I question whether the courts can accept authority to make determinations required by the administration bill.

The task of the judiciary under this legislation seems much closer to rendering the traditionally prohibited advisory opinion than to the constitutionally sound adjudication of cases and controversies. Although it is true that judges have traditionally issued search warrants ex parte, they have done so as part of a criminal investigation process which, for the most part, leads to a trial, a traditional adversary proceeding. Here, however, as I have already indicated, it is more likely that the warrant will be issued to gain information for entirely different purposes, not traditionally the business of judiciary. Of course, the broader the scope of judicial inquiry into executive determinations as to the need for information sought through electronic surveillance, the more dubious the constitutionality; the court is brought further and further away from its traditional responsibilities. For that reason the "clearly erroneous" standard in the administration bill is surely the most constitutionally vulnerable aspect of that legislation.

FOOTNOTES

[1] Phillip Lacovara, "Presidential Power to Gather Intelligence: The Tension Between Article II and Amendment IV," *Law and Contemporary Problems*, vol. 40 (Summer 1976), p. 106, 128.

[2] United States v. United States District Court, 407 U.S. 297, 320 (1972). This decision is commonly referred to as the *Keith* decision. U.S. District Judge Damon Keith was a respondent in the case.

[3] Zweibon v. Mitchell, 516 F. 2d 594 (D.C. Cir. 1975).

Footnotes at end of article.

[4] Ibid., 516 F. 2d 644, note 138.
[5] Herbert Wechsler, "Toward Neutral Principles of Constitutional Law," *Harvard Law Review*, vol. 73 (1959), p. 1.
[6] United States v. Butenko, 494 F. 2d 593, 626 (3rd Cir. 1974).
[7] United States v. Brown 484 F. 2d 418, 426 (5th Cir. 1973).●

PARITY AND THE AMERICAN AGRICULTURAL MOVEMENT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. FINDLEY. Mr. Speaker, there is one assignment anyone working in the field of agriculture hates to get. That is to explain the concept of parity and how it works. Harold Guither of the University of Illinois has taken on the job and, I might add, done very well at it. In addition, in his three articles which appeared recently in the Prairie Farmer, economist Guither shed great light on the significance of the American Agricultural Movement. I am sure my colleagues, as well as American farmers and the American people, will benefit from a careful reading of these articles:

100% OF PARITY: SURVIVAL OR DISASTER FOR FARMERS?

(NOTE.—This article, prepared by Harold Guither, University of Illinois extension economist in agricultural policy, looks at the farm strike movement. He has spoken to farmers involved in the strike movement and counseled with others who are looking for realistic policy approaches to farmer's financial problems. Two more articles are to follow.)

For more than 40 years the idea behind parity has been to provide a measure of the purchasing power for farmers that would equal an earlier base period, usually 1910–14. Since the 1930s the concept of parity has been used to determine farm price supports thru loans and government purchases. In recent years congress has moved toward the view that parity has become in some measure obsolete.

The main objection to parity has been that it reflects only prices and price changes, not technological change or income. The parity ratio measures the changes in all prices farmers receive and pay. Its major limitation is that it does not measure farmers' and total economic well-being. It excludes quantity sold and off-farm income and does not reflect total returns to labor, management, or investment.

The Agricultural Act of 1973 asked the secretary of agriculture to study the production costs of major commodities. As a result the 1977 act calls for production cost to be the basis for adjusting future target prices thru 1981.

PARITY REVIVAL

Until recently the parity idea was scarcely heard in discussions of policy. Suddenly the American Agricultural Movement began sweeping across the country. Their battle call was 100% of parity. This slogan was picked up by the media and widespread interest erupted. The question was "What is parity and how does it work?"

But not all of the American Agricultural Movement leaders have used the same definition of 100% of parity. Some have used the technical definition of equal purchasing power for a unit of product with an earlier base period.

The accept the current USDA parity price figures. These are about $5 for wheat, $3.50 for corn, and $7.60 for soybeans. Others have simply called parity a fair price that covers cost of production and a reasonable profit.

There are differences in defining 100% parity but the leaders and farmers in the movement seem to agree on four points.

The family farm should be preserved.

Prices have fallen to the point that many farmers are in financial trouble.

Something must be done to improve farm prices and incomes or many farmers will be forced out of farming.

Without some changes from present conditions, only very large operations will be able to survive.

PARITY MEANING

Using the formula established by law, parity prices for selected farm products and their current market price level relative to those parity prices at the beginning of 1978 were: wheat $5.05 (49%); corn $3.47 (57%); soybeans $7.65 per bushel (74%); hogs $55.70 (75%); beef cattle $58.60 (61%); and milk $13 per 100 lb. (75%).

For these prices to be raised to 100% of parity would mean that the price of corn would have to go up 75%. Wheat would be up 105%. Soybeans would be up 35% and hogs up 34%, beef cattle up 64%, and milk up 27%.

The parity ratio measures the ratio of the index of all prices received and all prices paid by farmers. It was 66. To get a ratio of 100 would require that the prices received rise about 50%. That assumes farm costs remain the same.

Unless the 1978 crops turns up extremely short or some new demand force enters the market, the prospects for such market changes are unlikely.

Direct government involvement appears the only possible way to push prices up to 100% of parity. American Agricultural Movement participants as well as other farmers should think carefully about the likely results of attaining 100% of parity under such circumstances.

Parity prices could be achieved thru several means. You would need curtailment of production, government loans and purchases, or deficiency payments to make up the difference between market prices and 100% of parity, or a combination of these methods.

CONSEQUENCES AHEAD

Under a law setting prices at 100% of parity, farmers could expect (1) a substantial rise in income, (2) restrictions on production, (3) loss of sales both in the domestic and foreign markets; and (4) more government control and surveillance of their farming operations. Let's break these items out.

Higher income—How much more income could farmers expect? This would depend upon how much they would be permitted to produce at higher prices. And it would also depend on how quickly costs would rise to offset farm price increases.

Production restrictions—The Federal Farm Board created by the Agricultural Marketing Act of 1929 failed. Since then government programs supporting prices have carried the authority to restrict production as a condition to receive price supports.

Supporting farm prices at 100% of parity would encourage farmers to increase their crop and livestock output, making it more difficult to hold down production. How much restriction would depend on the difference between existing production potential and expected domestic and export demand. High prices could certainly reduce consumption of farm commodities at home as well as abroad.

Loss of markets—In 1977 the United States exported 60% of its soybean crop, 40% of its wheat crop, 31% of its grain sorghum, and 27% of the corn crop. If crops around the world remain good, the U.S. could lose much of its $9.9-billion grain and feed export market. We could lose our $6.3-billion oil-seeds and products market.

Reason is foreign customers would grow more of their own or they would buy from countries that could increase output and sell for less.

Only if the U.S. government was ready to subsidize exports could our export markets be maintained. If this was done, other countries would object. Remember, we object when foreign countries sell goods here at a lower cost than consumers in their own country are asked to pay.

A partial loss of our domestic feed grain market also could be expected About 60 percent of the corn crop is fed in this country. High feed prices would reduce the amount of corn fed to livestock, poultry, and dairy.

More government control and surveillance—Setting prices at 100 percent of parity would involve more government. We would see it in production, marketing, and storage more than we have seen at any time in our history.

Some farmers remember the efforts to set ceiling prices on farm and food products during World War II. Loyalty and support for the war effort made it possible to achieve cooperation with these programs at that time. But some black markets did operate. Are all farmers ready to accept a floor price at 100 percent of parity when it would be profitable to sell their products at just a little less than this amount and produce more?

Farmers have traditionally prided themselves on the freedom and independence they have in our family-operated farm system. A law forcing all farm products to be sold at 100 percent of parity could lead to an increased number of government workers. They would be needed to administer, survey, and enforce such a law.

To effectively restrict production requires allotments and quotas. A value becomes attached to the production right. Eventually these rights are reflected in land prices since land is usually the base upon which production rights are established. If land is now selling from $2,500 to $4,000 an acre in Illinois when corn is selling for $2 to $2.20 per bushel and soybeans are at $4 to $6 a bushel, then the value of land with production rights that guarantee a corn price at $3.47, wheat at $5.05, and soybeans at $7.65 would undoubtedly move higher.

With these guaranteed prices the prospect of outside investors, both US and foreign, wanting to buy farmland would increase.

At the present time dairy products have no production restrictions. They are supported at 80% of parity. In recent years dairy production has risen. During the first three quarters of 1977 government acquired 4% of all milk produced. This was more than at any time since 1971. At 100% of parity, we could expect larger government acquisitions.

CONSUMER CONSEQUENCES

Higher farm prices lead to higher food prices. Both private and USDA economists have estimated that food prices would rise by 19% to 13% if farm prices rose to 100% parity.

The rise in food prices in the consumer price index would trigger increases in wage rates and retirement benefits for certain groups and further fuel inflation. Farmers would have to pay more for the things they buy.

An increased proportion of consumer's income would have to be spent for food. At present American consumers spend about 17% of their disposible income for food.

If the total disposable income remained the same a 20% food price rise would cause the percentage of disposable income spent for food to rise about 21%. But reductions in output and exports could cause loss of jobs and incomes. The percentage of total national disposable income spent for food also could rise.

The President, secretary of agriculture, members of congress, and some state governors have listened sympathetically. Government loans to farmers will not be foreclosed. But the movement's demands seem just as far away now as when demonstrations began.

Efforts to manage supplies and raise prices are not new in US agriculture and food policy. During the Kennedy administration Secretary of Agriculture Orville Freeman introduced the supply management concept which carried with its strict government production controls to hold up prices. In the wheat referendum of 1963 farmers voted against wheat marketing quotas that would have required mandatory participation by all wheat growers.

Willard Cochrane, an agricultural economist from the University of Minnesota who advised Freeman on supply management, made these observations upon leaving Washington after the defeat of wheat marketing quotas.

"A conscious policy of raising food prices is considered political suicide. And that is what raising the level of price supports amounts to.

"Farmers will not accept collective mandatory control programs that have the purpose of reducing program costs but they are happy with a voluntary type program where they are free to choose the option of reducing production if it's to their personal advantage.

"Rather than face the issue, those concerned keep searching for the perfect solution which they know does not exist, or have deluded themselves into believing does exist."

Although written in 1965, Cochrane's observations may be just as relevant in 1978.

The goal of 100% of parity is claimed to be the way to insure that the American family farm can survive. But if serious efforts were made to enforce this policy, it might actually lead to serious problems and consequences for farmers and many rural communities. It should be carefully evaluated by farmers and the general public before any decisions are made.

FARM STRIKERS HOLD FOR 100% PARITY

(NOTE.—This article was prepared by Harold Guither, University of Illinois extension economist in agricultural policy. In his second of three articles, he looks at farm strike activities, demands, and effects, along with possible alternative measures that the movement might consider.)

The American Agriculture Movement (AAM) which began Sept. 12, 1977, in Springfield, Colo., has gained more continued nationwide attention, attracted more farmer participants, and boosted interest and concern in farmer's financial problems more than anyone expected.

These activities have involved thousands of farmers. There have been no reports of violence, serious personal injury, major property destruction, or waste of food or farm products to date. These had characterized some past farmers' movements and protests. The leaders have stated that they will not advocate violent action or condone violence. There have been some inconvenience from traffic slowdowns and a few minor confrontations with police, but the demonstrations have generally been peaceful and the participants have observed city and state laws.

MAJOR DEMANDS

The major demands are of primary concern to many farmers. These are:

100% of parity for all domestically used or consumed agricultural products and exports.

A national or international food reserve contracted at 100% of parity.

Some means for input from agricultural producers to handle marketing of agricultural products at 100% of parity.

The stoppage of meat and livestock imports until parity prices are reached.

The established farm organizations and many other farmers have been sympathetic with the financial problems of AAM members. They would also like to see higher farm prices and incomes, but they have not endorsed all AAM demands and activities. The differences between the major farm organizations and the AAM are over the means to achieve improved farm prices and incomes.

As with any farmers' movement, the policy decisions and demands of the group have varying consequences:

A 100% of parity price-setting law. We discussed this point in detail in the first article. This demand would have widespread consequences and would likely result in higher incomes for farmers, higher food prices for consumers, higher government costs, more inflation, and more government involvement in farming operations.

100% of parity exports. Altho the United States is expected to export 42% of the wheat in world trade this year, this is not enough to set the price at $5 a bushel. The U.S. government would have to subsidize exports if it set farm prices at 100% of parity. Otherwise, other exporting countries could export more of their stocks to countries in need. This would leave the U.S. with fewer export markets.

Farmer input in policy making and marketing. Certainly AAM has had an input in making government officials and the general public aware of their problems. But USDA has had farmer advisory committees in the past, Whether farmers are involved or not, marketing agricultural products at 100% of parity would be a formidable if not impossible task. Some other groups might also like to participate in policy making.

Meat and livestock import stoppage until 100 percent of parity price is achieved. Feeder cattle prices might go up some since we do import a few Canadian and Mexican feeder cattle. Cattle producers might benefit from higher prices, cattle feeders might reduce purchases, and the amount of corn, other feed grains, and soybean meal used could decline. This could reduce the market demand for corn and soybeans.

Raising prices of meat imports, most of which is low-grade beef, would directly affect consumer food prices. It would also reduce available supplies unless US production increased.

Stopping Canadian live cattle imports is a shortsighted move. American farmers sell more agricultural products to Canada than we buy from their farmers. Imported feeder cattle help use up American feed grains and protein meals that are part of the market for corn and soybean producers.

The major AAM weakness is the lack of a broadly acceptable program to achieve these demands. Strict government supply control and storage reserve programs would be the only way to achieve the prices asked for. Statements that they will not sell or produce any more agricultural products or buy equipment or production supplies appear to represent a small percentage of farmers.

OTHER QUESTIONS

Closing grain elevators for a day or two in sympathy for farmers' financial problems could be considered a good will or sympathetic gesture. To keep them closed for longer periods could disrupt movement of grain thru market channels and cause serious problems later. Large stocks of grain must eventually move to market.

Solicitation of contributions to finance the movement from elevators and other merchants suggests these firms have lots of money to draw upon. As private businesses they do have an interest in farmers' well-being, but they must balance income with expenses. Contributions are expenses that will eventually have to come out of profits or higher charges to the firm's customers.

Planting half a crop and buying futures contracts sounds simple and if enough farmers participated prices would go up. However some might make a lot of money while others could lose a lot. Gains and losses in the futures market must balance out to zero.

AAM participants have expressed their views to the president, the secretary of agriculture, state governors, and members of congress. The house and senate agriculture committees began hearings in February. Bills have been introduced to raise loan rates and target prices. The Farmers Home Administration has announced special credit terms for farmers in financial distress. And the president has announced higher storage rates and an earlier schedule for setting up the grain reserve.

Whatever policy decisions are made, there are consequences to be considered. The major concern in raising target prices is the additional government costs. Such a move would be less likely to disrupt market demands at home and abroad. Market prices would be free to reflect supply and demand conditions.

Raising loan prices would likely encourage stock buildups. But it could be less costly than direct deficiency payments. However, higher loan rates could more adversely affect exports and domestic use. They tend to set a market price floor. Export subsidies would probably be needed to maintain our market share.

The total effects of such changes would depend upon how much target and loan prices are increased.

Expanding exports is an oversimplified answer to a complex problem of boosting our international trade. The suggestions to provide more favorable credit and trading terms to Eastern Europe and Russia and expand trade with the Peoples Republic of China are positive. They are feasible approaches to improve agricultural prices. How successful these suggestions will be is not certain. But AAM members might consider support along with other farm organizations for these measures.

WHAT'S FARM STRIKE GROUP'S FUTURE?

(NOTE.—This is the third of three articles written by Dr. Harold Guither, University of Illinois extension agricultural economist, on the American Agriculture Movement. Guither worked closely with movement leaders this year.)

The American Agriculture Movement (AAM) participants have talked to the president and the secretary of agriculture. They have worked with members of congress and state governors. And they have given their testimony before the house and senate agriculture committees.

So there now is one clear question. What does the future hold?

Nationwide press, radio, and television coverage has been extensive. It has made the public, as well as government officials, aware of the financial problems that farmers face. And it has pinpointed farmer losses on grain crops at current prices.

The aggressive, yet generally violence-free activities of the AAM have stimulated activity by other farm groups. They have moved to make their views known to members of congress, the secretary of agriculture, and the president.

Interest, support, and participation in AAM has varied in different states and within states. In Illinois, most activities have centered in central and southern Illinois.

In western and northern Illinois activity has been widely scattered. There's one plausible explanation of this situation.

We have had favorable hog and cattle prices this winter. And livestock men have had a relatively stronger financial position than grain farmers this winter.

Participating farmers' financial status also varies. Some have purchased land in recent years. And some would have sizable

capital gains if they were to sell. The major problem of these farmers is to meet debt repayments at lower corn and soybean prices.

Meetings and rallies, often with out-of-state speakers, have marked the AAM activities. As with many new farmers' movements, the AAM has a number of dedicated enthusiastic speakers. These men draw sizable crowds as they speak in rented or loaned meeting halls in the rural communities of central and southern Illinois.

Their message carries an evangelistic quality that builds enthusiastic and dedicated support for AAM among their listeners.

MOVEMENT STAGES

An understanding of this new movement in American agriculture can be gained from a social causation model described by Iowa State University political scientists Ross Talbott and Don Hadwiger. Their book, "The Policy Process in American Agriculture," spells out the procedure.

Talbott and Hadwiger describe the first stage as a period of acute social unrest. The unrest in AAM stemmed from the drop in grain prices last summer and fall. It gained from farmer realization that the 1977 Agricultural Act was not going to guarantee a return of all production costs including land costs. This hit hard at many farmers with sizable debt repayment obligations.

The second stage emerging from this unrest is popular excitement. It is evident if not rampant.

The tractor drives, parades, and travel to Springfield, Washington, and Chicago all created excitement and expectations of growing support for the movement.

The next stage is order begins to emerge from confusion and disorder.

The different ideas and views of participating farmers, the varied definitions of parity, the declared intention not to form a new farm organization, and yet a need to establish leaders and spokesman, did create confusion.

The group was granted interviews and conferences with the secretary of agriculture, the president, governors, and congressional committee hearings. Order has begun to emerge.

The hearings before the congressional agriculture committees gave the AAM leaders a chance to present their views as other established farm organizations have done. A list of demands has been published. And the leaders use these demands in their rallies and meetings with interested farmers.

The last stage is one in which the movement becomes institutionalized. Offices are established and officers elected.

A program of activities and services to members is established. This keeps membership support from year to year.

The National Grange, National Farmers Union, and National Farmers Organization have followed this four-part growth model. The American Farm Bureau Federation, however, emerged in a time of relative farm prosperity.

Whether the AAM will reach the fourth stage remains to be seen. Developments this spring and summer, the size of our 1978 crops, as well as future demands from foreign markets, are keys to AAM's future.

The Farmers Holiday Association, active in Iowa in 1932, gradually faded away. Reason was the New Deal program began to provide benefits to farmers hit by the Depression.

Will the Carter Administration program in implementing the 1977 Agricultural Act, along with other USDA and congressional actions this spring, defuse the AAM?

If the AAM is to become established as a new and permanent farm organization, it will need to get continuing farmer support from year to year. Leadership to foster communication among its participants will be needed to continue the interest and activity that was started in the winter of 1977–78.

If prices and government support improve and if the export market helps boost prices along with a growing domestic market, the AAM will have to make a special effort to grow into an established organization. Or the movement will decline and die.

Some participants do not envision a new organization. They expect to participate when action is needed as they felt was the case this winter.

Whether the first stages of unrest, excitement, and interest can be maintained will depend much on the need for AAM as the participants see it.●

ENERGY—OUR MAJOR PROBLEM

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. YOUNG of Alaska. Mr. Speaker, today I wish to address the major problem facing our Nation—energy—and the role my home State can and should play in helping the Nation to resolve this problem.

In the United States, we are consuming nearly 20 million barrels of oil per day, and of this we import close to 7 million barrels. More significantly, the problem has been worsening. In 1976, the United States spent $25.3 billion for oil imports, where in 1977, we spent $33.4 billion. It is frightening to think that we now spend more per month on imported oil than we spent per year less than a decade ago.

Imports

Barrels per day:		
1976	5.29	million
1977	6.56	million
1978 (March 1978)	5.8	million
Cost to U.S. per year:		
1976	$25.5	billion
1977	33.4	billion
1978 (March 1978)	-----	

U.S. consumption

Barrels per day:		
1976	------	
1977	18.435	million
1978	19.865	million

The United States pays about $13.00 per barrel for imported crude plus an additional $0.63 per barrel licensing or customs fee. President Carter has indicated that if we fail to act on his proposed crude tax, he may impose a tariff of as much as $5.00 per barrel, potentially bring the cost of a barrel of imported oil up toward the $20.00 mark. At our present import rate, the United States will be spending $40.8 billion to $45.6 billion per year. And remember, all of these price estimates exclude OPEC price hikes.

Although U.S. imports may drop on a volume basis, we can expect the total cost of these imports to increase. Some industry officials believe that if there is no progress in the Arab-Israel peace efforts, we could be faced with substantial oil price increases in the range of 10 percent to 15 percent either this year or early in 1979.

This Congress must act to reduce this dependence on foreign oil and export of U.S. dollars. Fortunately, we have a way to do this.

My district supplies the United States with approximately 10 percent of the Nation's oil. At Prudhoe Bay there is estimately to be at least 9.6 billion barrels of oil and 26 trillion cubic feet of natural gas. But this is only the "tip of the iceberg." Studies done by the USGS indicate there is up to 49 billion barrels of oil on or offshore in Alaska and undiscovered natural gas reserves that could contain as much as 132 trillion cubic feet. For example, we have already determined that the Lisburne and Kuparuk pools on the North Slope of Alaska each contain .5 billion to 1.5 billion barrels of oil. Along the western border of the Arctic National Wildlife Range, the oil industry has made two recent discoveries at Point Thompson and Laxman Island, of which each has great potential. Despite the overwhelming evidence that our Nation needs to maximize its domestic energy production, this administration and this Congress seem unwilling to allow industry or even the Federal Government to further explore or drill in the areas of Alaska where the hydrocarbon potential is the highest in the Nation—the Marsh Creek anticline of the Arctic National Wildlife Range. When the Arctic National Wildlife Range was created by executive order in 1961, the order stipulated that oil and gas exploration and development would be allowed after regulations promulgated by the Fish and Wildlife Service had been enacted. This order is still law and at the time it was enacted, expressed the Nation's sentiment in an area when we had cheap oil. While the Fish and Wildlife Service has failed to enact regulations allowing for exploration and development within the range, now more than ever, the Interior Department's intent of leaving the range open for development should prevail. This Congress must order the Fish and Wildlife Service to promulgate regulations to allow for oil and gas exploration and development in the Arctic National Wildlife Range. The potential to provide this Nation with a substantial portion of its needed oil and gas is found in Alaska.

Instead, we wish to import oil and export American dollars.

The USGS surveys of the Arctic National Range indicate extremely high probability of a multibillion barrel oil field. The geological characteristics of the area north of the Umiat Baseline are almost identical to Prudhoe Bay and oil seeps have been observed. The only surveying to date has been done by the Federal Government. The Interior Department has not allowed industry to do more than walk in the range. Pursuant to a bill reported out by the House Interior Committee—H.R. 39—the Arctic National Wildlife Range will become a wilderness area with a special provision to allow for the Federal Government to do a 5 year study of the "north slope" of the range to determine the hydrocarbon potential. This is a poor beginning if the Government wants to reduce the import and dependence on foreign oil. It can best be compared to letting the fox guard the chicken coop. By allowing exclusive study rights to a Federal agency that is on record as saying all other oil should be developed before Arctic range oil, we are guaranteeing

that the department's conclusions will not receive the credibility needed to allow Congress to make a final "go or no-go" decision.

I find the Interior Committee provision to be regrettable, but the bill reported out of the Merchant Marine and Fisheries Committee is even more so. This Committee deleted the special study provision and made wilderness of the areas of extremely high hydrocarbon potential. When this bill—H.R. 39—comes to the House floor, I implore all members to focus on the range and ensure that we have the mechanisms to learn what is really there before we turn our backs.

How much does Alaska's oil already mean to the Nation? In 1977, there were 130 million barrels of oil delivered from Prudhoe Bay which reduced the foreign trade deficit by $1.8 billion. As of March 31, 1.2 million barrels of oil per day were being pumped out of Prudhoe Bay and it is expected that by the end of 1978, the pipeline will be delivering oil at a rate which will offset, at the least, $5.6 billion in oil import costs.

Without the severe limitation imposed by H.R. 39, Alaska can help the Nation by continuing to provide needed resources for our future. We must decide our national priorities: Should we strive to become independent and stop sending our dollars abroad, or should we designate the highest hydrocarbon potential in the United States as instant wilderness wihout ever knowing what it holds? Before we act on H.R. 39, let us remember its title: "The Alaska National Interest Lands Conservation Act." If we reflect on the true "National Interest," I believe we will reach a more balanced conclusion than the one now contained in this legislation.

Thank you, Mr. Speaker.●

THE SUCCESSFUL GENERAL

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. SYMMS. Mr. Speaker, today's Evans and Novak column in the Washington Post carries with it a heavy message.

I have had the opportunity to know three very distinguished U.S. Army generals who are retiring in 1977 and 1978 for the reasons that are included in the following article. I commend it to my colleagues.

Where will our defenses be when we need them if we refuse to listen to the people who have the expertise?

What about freedom of speech? Why is the national news media silent when it comes to muzzling generals?

The article follows:

THE SUCCESSFUL GENERAL

(By Rowland Evans and Robert Novak)

Concern within defense circles over Air Force Gen. David Jones as the new chairman of the Joint Chiefs of Staff (JCS) was heightened last week when the Defense Nuclear Agency was quietly removed from study of the proposed U.S.-Soviet nuclear test-ban treaty.

The agency had advised that the treaty (favored by President Carter) banning all underground explosions can be violated by the Soviet Union without detection. If the agency is now cut out of the issue, the JCS will lose its independent source of technical information. Significantly, that could scarcely have happened without at least the acquiescence of JCS Chairman Jones.

Decisions of that nature bother many fellow officers about Davy Jones. While nobody questions his executive competence, Jones is criticized for swallowing whole those Carter administration initiatives considered dubious elsewhere at the Pentagon. After failing to oppose such policies in private, he not only embraces but energetically applauds them in public.

Decisions to pull troops out of Korea, cancel the B1 bomber, suspend neutron warhead production and now push a total nuclear test ban have caused deep dismay in the officer corps—dramatized by the forced retirement from the Army of Maj. Gen. John K. Singlaub. But by vigorously supporting such proposals, Jones has reached the top.

Fervent cooperation by Jones did not begin with the Carter administration. As Air Force chief of staff in the Nixon-Ford administration, he stirred mixed emotions among his civilian superiors. While appreciative that Jones carried out orders with extraordinary expedition, Pentagon officials were troubled that he extended obedience to the point of no longer being his own man. That tendency is reflected in a highly unusual message from Jones to Air Force commanders worldwide last Aug. 20, just 10 days after the United States and Panama agreed on the canal treaties. "The Air Force actively participated in the development of all defense-related aspects of the proposed treaties, and fully supports them," said Jones.

Air Force officers were surprised, many of them unpleasantly. They objected not to their chief's support of the president but to his proselytizing the officer corps on an issue about which many harbored misgivings. Especially unsettling was the message's last paragraph: "It is important that our personnel, particularly our senior people, understand our support for the proposed treaties."

Jones has consistently followed the Carter line. He tamped down Air Force resentment about the B1 cancallation. He has not reflected the general concern by uniformed officers over the administration's course on strategic arms limitation talks. When other members of the Joint Chiefs were furious about being misrepresented on SALT, Jones wrote a letter smoothing over the trouble.

No wonder, then, that Carter passed over more independently minded Army and Navy candidates and picked the second straight Air Force general to head the Joint Chiefs. Adm. James Holloway, chief of naval operations, once favored to be the new JCS chairman, has been fighting the president's reduced shipbuilding.

Jones privately has expressed worry about Carter's proposed total nuclear test ban. But fellow officers doubt he will do anything about it. Such doubts were reinforced by last week's closeout of the Defense Nuclear Agency.

The overriding question involves proper conduct by professional military men in an administration whose policies they believe are wrong.

After Singlaub was relieved from command in Korea a year ago following his criticism of the troop pull-out, President Carter wrote a critical Sen. Orrin Hatch (R-Utah) that "we will not stifle dissent" from "military experts." When Singlaub resigned under pressure recently after additional criticism of Carter policies, Hatch wrote Carter that "the administration seems to be so thin-skinned about its controversial policies that it must in fact resort to 'stifling' the military leaders of this nation."

Jones has informed congressional critics that if he ever cannot support the administration's policies, he will take off his uniform and go to the public. That evades the question, however, of what he does and says in uniform without going to Singlaub's extreme.

Meanwhile, the fate of Davy Jones and John Singlaub, born one day apart nearly 57 years ago, teaches an inescapable lesson to ambitious young officers. Which route leads to early retirement and which route leads to supreme career success to clearly marked.●

LOBBIES, LETTERS AND THE LAW

HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. KINDNESS. Mr. Speaker, the time has finally arrived for one of the sleeping giants to awaken and growl about what has been happening with lobbying disclosure legislation in this Congress. The following editorial from the Washington Post of May 12, 1978 might have helped to bring Representatives in the House to the realization that they should have voted against H.R. 8494 recently when it was considered by the House:

LOBBIES, LETTERS AND THE LAW

Under the banner of lobby disclosure, some sweeping and meddlesome legislation is being advanced on Capitol Hill. The House recently passed a bill requiring most groups that pay lobbyists to file quarterly spending reports on both their Capitol Hill activities and so-called indirect lobbying—efforts to influence Congress by stirring up letters, calls and visits from people back home. A bill sponsored by Sens. Abraham Ribicoff (D-Conn.), Edward M. Kennedy (D-Mass.) and others, and now before the Senate Governmental Affairs Committee, would require even more detailed reports. Moreover, the Senate bill would compel any corporation, union, church or other group to register with the government and open its records to federal inspection if it spends $5,000 or more on advertisements, mailings or other efforts to get people to contact Congress about anything—even if the group itself never gets directly in touch with lawmakers at all.

Such provisions go much too far into realms of citizens activity that have traditionally been beyond the proper reach of government. Of course, when citizens form organizations, communicate about issues and petition Congress, they are engaging in public or political activities. But that is precisely why the First Amendment makes such activities exempt from public—i.e., governmental—interference or control.

To justify compulsory disclosure about grass-roots lobbying, one would have to make a massive record of corruption or abuse. In our view, that case has not been made. It's not enough that organized issue-oriented lobbying campaigns have grown immensely sophisticated, expensive and numerous. That does not make such activities less legitimate. A letter to a senator favoring, say, an ethics bill is not necessarily less sincere or personal because it was prompted by some group's appeal. Moreover, such stimuli are usually no secret. Few attempts to influence Congress are more public than a newspaper ad. Campaigns to drum up mail are usually easy to identify; indeed, many groups brag about how many postcards or phone calls they can generate overnight.

It's true that life would be much easier for legislators, journalists and competing in-

terest groups if such lobbying had to be reported. But compulsion brings interference, almost inevitably. We're not thinking just of the burdens and costs that reporting rules impose, though they could deter some smaller groups. Beyond that, there were indications in the House debate that some lawmakers regard disclosure laws as ways to punish, inhibit or embarrass various lobbyists with whom they disagree. Such sentiments lead right down the slippery slope toward impermissible interference with citizens' liberties.

In calmer times, more members of Congress would probably recognize these dangers and back away from such intrusive bills. But Congress these days is under strain, largely because lobbying of all kinds has gotten so extensive and intense. The lawmakers are bombarded by mail and besieged by professional advocates with various concerns. They aren't sure how much general sentiment those forces represent, how politics may be changing or how to turn down the heat. In this climate, the lobby-disclosure bills may seem attractive not so much to inform the public as to help legislators themselves figure out what is going on. But those political questions cannot be answered by demanding financial reports from virtually every active association of citizens in the land. It would be better for incumbents to learn more about their constituents' opinions by spending more time at home. And if they think some interest groups are getting too insistent, they could tell those groups to back off, or reject their demands.●

GALBRAITH ADDRESSES CURRENT POLICY ON INFLATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. CONYERS. Mr. Speaker, I am pleased to announce that John Kenneth Galbraith will discuss current policy on inflation at a Democratic study group members' meeting on Tuesday, May 16, 2:30 p.m. in the Agriculture Committee room, 1302 Longworth. For that meeting he has asked that the following paper, "Current Policy on Inflation, Controls, and the Unemployed" be distributed, and I commend it to my colleagues' attention:

CURRENT POLICY ON INFLATION, CONTROLS, AND THE UNEMPLOYED

(By John Kenneth Galbraith)

In these last weeks the Administration, some comment to the contrary, has substantially advanced policy on employment and inflation. The central role of cost-push or price-income inflation has been fully recognized. There remains, however, a substantial gap between what has been affirmed as need and what is required as effective action. And there still exist numerous advocates of the strongly regressive measures which load the burden of remedy on the most vulnerable groups in society. This memorandum takes up the steps now needed to close the gap between announced need and practical policy. And it warns on the measures which will work especially to the disadvantage of the weakest and poorest groups in the community.

1. As noted, the Administration now accepts that the present inflation is caused, in the main, by the ability of relatively strong organizations in the economy to advance their income or to put up their prices, which are one dimension of income. This recognition one must strongly applaud. The strongest of these organizations are the large corporations, a thousand of which now contribute around half of all private production. All of these large firms, acting with regard to their common interest, have substantial control over their prices. They also distribute this power to those within the firm. The control by senior executives over their own incomes is nearly total. Top executives of large corporations have their salaries set by boards of directors which they themselves select. And lesser executives, engineers, lawyers and other specialists have a substantial bargaining position.

Where there are large corporations, there are all but invariably strong unions. These have a fully recognized ability to influence their income. Where unions do not exist, there is the poor man's equivalent, which is the minimum wage. Farm support prices give minimum income protection to producers of basic farm products. Public sector employees, a large and increasingly well organized group, are not subject to classical market influences. And the power to control prices and income now extends to Third World producers, the most notable manifestation of which is OPEC. The group control of income, partial or great, is now widespread. The thrust for higher incomes by these different groups has, in turn, become a basic cause of inflation. This thrust takes on a competitive aspect as one group sees or senses the greater advantage of others. It has also a very cruel aspect, for obviously it leaves behind all those—the young, old, minorities, small businessmen—who are not so organized.

2. The inflation caused by the competitive thrust for higher incomes just cited can coexist with very serious unemployment. We now have a rate of inflation, caused primarily as above, at around ten percent annually, and it could go higher. Meanwhile unemployment last month was still at 6.0 percent of the labor force. But this figure disguises rather than reveals the real problem. Unemployment among the vulnerable groups— the minorities, the young, women and those with a combination of these characteristics—was very much higher. And since these vulnerable groups are heavily concentrated in the central cities, unemployment has a heavy regional concentration in these areas.

3. Inflation in the past has been attacked by one or another of three methods, all of which have their effect in curbing total spending in the economy. Monetary policy, tightening up on bank lending, reduces spending from borrowed funds. Higher taxes reduce spending by private taxpayers. Reduced public expenditures reduce spending and demand from the public sector. None of these measures, when now applied, have marked initial effect on the general thrust for higher income. A tight monetary policy or a stringent fiscal policy works first to cut back demand, as noted, and therewith to cut back on employment. Only when there is substantial idle plant capacity and substantial unemployment is the general thrust for higher income abated. So, a vital and indisputable point, the traditional methods of attacking inflation now work primarily as they increase unemployment. This is specifically true of monetary restriction, which, since it requires no legislation and is badly understood by the poor, tends to be the first line of defense against inflation.

4. As just noted, unemployment is not evenly distributed. The categories now unemployed are, to state the obvious, the least in demand. So the orthodox measures against inflation, involving as they do an increase in unemployment, will affect first and most the most vulnerable groups. It has long been observed that the young and black are the last hired and the first fired. This proposition is firmly grounded in the economics of the present situation. Any attack on inflation has obvious and grievous disadvantages if it increases unemployment. This is especially so if it removes the hope for employment where joblessness is already chronic and serious.

5. There is a substantial constituency in the United States for curing inflation by unemployment. It is foolish for anyone to believe otherwise. Some hold that unemployment in the modern economy is inevitable. There is at least a certain honesty about this position. More urge the use of monetary policy against inflation in the belief that it works through some magic intelligence of the Federal Reserve. This is a dangerous and reactionary delusion against which all who speak for the deprived must be on guard. Were there any such monetary magic, it would already have been found. Monetary policy, to repeat, works by curbing expenditures, particularly to and by those industries that depend on borrowed money. It is only effective as it increases idle capacity and unemployment. What is called monetarism is a disguised justification for suffering by the poor.

6. From the foregoing we see the choice. We can accept inflation. Or we can lessen or cure inflation by having unemployment, which will be especially bad among minorities and the young and in the central cities. Or can we find some way of tempering or preventing the direct competitive thrust for higher prices and incomes by groups without resort to unemployment. Inflation is not a tolerable solution. The strong groups that are the source of the competitive thrust for higher prices have a built-in protection against inflation. The weak, including the old, the unorganized, those who live on savings, welfare, pensions and other fixed income, bear the brunt. No decent society can so treat a large number of its citizens. Also were we ever to stop trying to prevent inflation, we would have a great deal of it. Unemployment, however it may be tolerated in the abstract and however it may promote a more tractable labor force, is not a solution. It solves the inflation problem at the expense of the weakest people in the working force. Anyone with any sense of responsibility for, or any constituency in, people of average income or less will reject this solution.

7. Until this point, I do not believe there is serious conflict between this analysis and the Administration view, a temporary aberration on tax policy apart and on which I will have a later word. It is the rejection of both unemployment and inflation as alternatives that has brought it to the advocacy of some form of restraint. And the acceptance of this principle is important. What is still lacking is the will fully to implement it. Some groups, notably public employees, farmers and beneficiaries of public regulation, have, in fact, been told that thrust for higher incomes must be curbed. But at the heart of the problem, which, of course, is the power of the larger corporations, its salaried participants and the unions, the Administration has at a minimum, postponed action. So long as it postpones action, there will be danger that pressure for anti-inflationary action will lead especially to restriction by the Federal Reserve and unemployment as the remedy for inflation. And it is illogical and wrong to have a policy which excludes corporations and the unions from specific concern merely because they are politically strong and articulate. Recent polls on controls show that, by a substantial margin, the American people agree.

8. The only course that reflects sympathy for the least fortunate people in a community is one that involves some form of mandatory income and price policy. This, needless to say, must be applied in a context of discussion and substantial consent. But there must be legal recourse against those who choose not to comply. Otherwise the least cooperative, most obdurate, get the biggest reward. The purpose of this policy is not to provide a total cure for inflation. It is to

allow us to get much closer to full employment without having to resort to fiscal and monetary restraint and resulting unemployment. It does remain necessary that total demand in the economy be generally equal to what can be supplied at full employment.

9. Conservatives hold as an article of faith that such an income and price policy cannot succeed. That is to say that either inflation or unemployment must succeed. Controls succeeded brilliantly during World War II, held the cost of living almost completely stable through that enormous convulsion for five years. There was a bulge when the controls were lifted but it was less than would have been the increase in any six-month period in the absence of the effort. Controls also broke the inflationary spiral during the Korean War. Firm price and labor standards, including a substantial measure of compulsion, held prices stable through the long expansion in employment in the first half of the sixties. The controls also were successfully employed by President Nixon. Though no satisfactory organization was set up either to administer or enforce them and they were in charge of people who detested them, the controls, by the end of 1972, brought both unemployment and inflation down to well below 5 percent. They also helped reelect Mr. Nixon, and they were then abandoned in early 1973 because, as then Secretary of the Treasury Schultz proclaimed, they were working. It is possible by then that too much demand had been allowed to build up behind the price ceilings; controls, to repeat, allow us to approach full employment without inflation, but they do not allow us to have more demand than can be supplied with goods and services at full employment and full capacity operations.

10. The possibility of controls is also affirmed by the fact that nearly all other countries are using them in one form or another. In Austria, Germany and Switzerland, an incomes policy is implicit in the process of wage bargaining. These negotiations, which are industry- and country-wide, are conducted subject to an upper ceiling that is consistent with stable prices. And in both Germany and Austria, this procedure is complemented, in the so-called social market policy, by an understanding that wage restraint will be matched by price restraint which is further enforced by the heavy dependence on export markets. France, in the Plan Barre, has a formal system of enforced restraints. So, of course, does Britain. We, along perhaps with the Italians, could well be the laggards in this regard.

11. Controls in their useful sphere do not interfere with free market operations. They are made necessary, we have seen, by the very fact that organized power has displaced the market—that corporations, the trade unions, the farmers (and the U.S.D.A.) have replaced the market with control over prices. When the prices of the thousand largest corporations are fixed, you are fixing prices that, in effect, are already fixed. It is private price-fixing that makes necessary the public price restraint.

12. The concentration of power that allows firms and groups to control their prices and incomes has also the effect of simplifying somewhat the administrative problem. It confines it to the large corporations, their high-salaried staff, collective bargaining contracts, farm support policy and public pay and policy. Where there is no power to raise prices, no controls are needed or useful. No system of control would bother with prices of enterprises employing fewer than, say, 1,000 people or with unorganized workers. Farm price and income policy would be confined to consideration of the level of minimum prices. Fiscal and monetary policy, to repeat, are still necessary to keep aggregate demand related to aggregate supply and thus to continue to control the prices and incomes of those who are still subject to the market—who have not achieved the power which made the controls necessary.

13. It will be urged, and it is indeed urged, that talk of control brings anticipatory price increases. This problem is rather easily solved. The baseline for controls should be set not at the time of the enactment of legislation but at some time well prior to the beginning of the active discussion. A uniform increase would then be allowed over that baseline. No firm would then have an advantage from anticipatory price increases.

14. It will be urged that the controls work better for wages than for prices. This I strongly believe to have been the case with the Nixon controls. I do not believe, however, that this is necessary for a liberal and compassionate government. Nor should unions, except their members to absorb cost-of-living increases. If living costs do rise, then wages under any income policy should go up therewith. No system will bring perfectly stable prices. What we are seeking is not zero inflation but to avoid the gross and damaging price increases that are otherwise in prospect.

15. In recent months farm and food prices have shown substantial increases. These increases need to be understood with some care. The period of monetary and fiscal recession which brought the Nixon/Ford inflation partially to an end did not arrest the increase in industrial prices. That continued right through the whole recession. The recession did bring a sharp reduction in farm and commodity prices. The more liberal monetary and fiscal policies of the present administration have brought a compensating recovery. This relative increase has to be accepted. Maximum price controls are not appropriate or workable for this part of the economy. However, the time may come in the near future when fiscal stimulation would be dangerous. The proposed tax cut is a seriously questionable policy. I've always thought tax cutting far inferior as a form of stimulation to direct job creation for those who need work. It is also more inflationary, for it has a greater effect on tight job markets than where there is unemployment. Needless to say, some recent indications that we might tighten up on bank lending while reducing taxes make no sense at all.

16. I do not want to make the line of policy I here urge seem easy. Since possibly my experience in the matter is more complete than that of anyone now extant in the United States, I am not disposed to minimize the complexity of the task. One comes to direct intervention on self-administered prices and incomes only because the alternatives, inflation and unemployment, inflict the greatest of suffering on the weakest, most helpless, least articulate people in the society, although it is perhaps permissible to observe that many of them also do vote.●

WHEN A NATION'S WILL DIES

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Washington Star, May 6, 1978]

WHEN A NATION'S WILL DIES

(By Thomas Sowell)

The barbarian armies that finally over-ran the Roman Empire were smaller than other barbarian armies that had been turned back and cut to pieces by the Roman legions in earlier centuries. The Barbarians weren't stronger. Rome was weaker—and it was self-weakened. Each Roman legion was smaller than before, less heavily armed and armored, and less disciplined. The Roman aristocracy no longer provided officers for the legions. Emperors no longer led them in battle. Roman youths increasingly evaded military service. Rome's enemies could destroy it only after it lost the will to resist.

America's will to resist has also been visibly declining. We have abandoned the defense of American vessels seized on the high seas—both fishing boats and U.S. Navy craft. We have let our once superior military power deteriorate to what we now hope is "parity," as more and more of the military share of the federal budget has been diverted to welfare spending. Rome did that too—it makes politicians popular in the short run. Finally, we have advertised to the world our declining will to resist by turning over the Panama Canal under threat of violence.

A flood of political rhetoric about our "generous" or even "courageous" act cannot conceal the brutal fact of surrender to threats—a fact made plain by Panamanian dictator Torrijos, who went on television immediately after the treaty vote to announce that he would have begun sabotaging the canal within 24 hours if the Senate had not given it to him. We cannot grandly soar above all this on grounds that "of course" the United States could defeat Panama militarily if we wanted to. The question is not our ability; the question is our will. Lack of will defeated Rome, and it nearly destroyed the Western democracies when Hitler began his rampage through Europe in the 1930's.

Numerous probes of the will to resist preceded the onslaught on Rome and the Nazi blitzkrieg. Some of these probes were by small powers seeking small concessions, but what was ultimately crucial were the soft spots discovered by these probes. If we think that the Soviets were looking the other way while we paid ransom to South American countries who seized American fishing boats, while Idi Amin made Carter back down and eat crow, or while we crawled to get the Pueblo crewmen back, we are just kidding ourselves. Perhaps even more revealing was the denunciation and derision that greeted President Ford's attempt to reverse this trend by using troops to rescue the crew of the Mayaguez. Our sophisticates howled down this square man and his square decision, in terms reminiscent of the Western sophisticates of the 1930's who asked, "Why die for Danzig?

The Senate has said, in effect, that we are not about to send American boys off to die over the Panama Canal. Perhaps that is just as well, if we really don't have the determination to back them up and see it through. It may even be courageous and patriotic for a Senator to put his political life on the line by opposing public opinion, if the public itself will not be willing to pay the price of its desire to keep the canal. But if that is where we are, we need to be told that loud and clear, like a danger signal in the night. Instead, all sorts of efforts are made to conceal it, with verbal sleight-of-hand about our generosity or anti-colonialism or other such drivel. If our leaders' diagnosis of the public's will is wrong, we need to correct it at the next election. And if the diagnosis is right, we need to realize that far more formidable adversaries than Torrijos are likely to know it, and that the ultimate cost may be far higher than the Panama Canal.

A post-Vietnam unwillingness to get involved militarily overseas is understandable, as a short run swing of the pendulum. A similar sense of the futility of war overwhelmed a whole generation disillusioned by the carnage of World War I. Young men in

the 1930's openly took the "Oxford pledge" never to fight for their country. But once they saw the bombs falling on their homes, this generation vindicated themselves in the skies over Britain and on the beaches at Normandy. But a terrible price was paid by the whole world in the meantime—and it was almost too late. The timetable of a nuclear war may not permit second thoughts.

Once we have traded away enough military technology for social programs, giving the Soviets a decisive advantage, it may no longer be possible to decide that we have gone too far and turn back. If the Soviets ever get the same overwhelming military advantage over the United States that America once had over them, they can unilaterally forbid our development of the needed technology by declaring that to be an act of war. Just as they had to back down in the Cuban missile crisis, we would have to back down or face annihilation.

Mutual nuclear overkill can be oversold as a deterrent to international blackmail. Does a policeman have "overkill" whenever he faces five criminals single-handedly, just because he has six bullets in his revolver? It is problematical whether he can fire them at all, much less fire all of them with deadly accuracy. Nuclear delivery and defense systems, and their ever-changing technology, make the question much more complicated than whether our arsenal could theoretically kill every Russian five times over. Maybe the Maginot Line could have killed every Nazi soldier if World War II had been fought differently, but such numerical calculations would have been small consolation to a defeated France.

Even where mutual overkill is maintained—and the neutron bomb decision (or vacillation) makes that questionable—there is mutual deterrence only as long as both sides have the will to resist, not when one side is repeatedly advertising its willingness to capitulate.●

"EDITH BUNKER" ON THE ERA

HON. S. WILLIAM GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. GREEN. Mr. Speaker, I am a cosponsor of House Joint Resolution 638, to extend the deadline for the ratification of the equal rights amendment. In view of the ongoing controversy surrounding the ERA, I thought my colleagues should take note of an article which appeared in the New York Times on May 12 by actress Jean Stapleton, who portrays Edith Bunker in the television series "All in the Family". In the article, Ms. Stapleton describes how a typical homemaker like Edith Bunker can benefit from passage of the equal rights amendment. I commend Ms. Stapleton's observations to the attention of my colleagues:

[From the New York Times, May 12, 1978]

"EDITH BUNKER", ON THE E.R.A.

(By Jean Stapleton)

(Following are excerpts from an address given by Jean Stapleton, who plays Edith Bunker in the television program, "All in the Family," upon receiving a doctor of humane letters degree at Emerson College, in Boston.)

A newspaper was conducting a survey of celebrities. Their question was: What do you regard as your greatest achievement? I said, and meant it, I haven't lived long enough to answer that question. I have the same answer today: I haven't lived long enough to deserve this singular honor. Therefore, instead of resting on this prestigious laurel I shall treat it as an obligation and renew my efforts to recognize and utilize my God-derived humanity.

Personally, I anticipate the same old struggle against the familiar obstacles: self-interest, self-justification, self-will, and so on, but in my imagination I have a role model to emulate—Edith Bunker because, her intellectual shortcomings notwithstanding, Edith has become the epitome of compassionate and selfless humanity.

Early in our 8-year run, a woman telephoned her doctor in exasperation asking for a soothing antidote for her frayed nerves. With some irritation, she told him that her husband at the height of their worst argument said to her: "Why can't you be like Edith Bunker?" Of course, at that time he may have been fantasizing about the old, submissive Edith. Thanks to the influence of her enlightened daughter and neighbor, Edith is growing . . . to know herself as a whole person with rights and power. How we all love the moments when Edith stands up to Archie. The audience cheers. Most of the letters I receive are from young people 8 to 18 who state that those are their favorite moments.

Yes, the concept of equal partnership is beginning to dawn on Edith. We hope that poor Archie can keep up with her, for next season he'll have some challenges. A question I am most asked by the press is: "Do you think Edith would support E.R.A.?" Well, since Edith was born in the imagination of Norman Lear and her development was carried on in the collective thinking of more than nine writers, five producers, three directors and four actors, we would need a script conference to determine the answer. But lacking that, I assume the privilege of answering. Yes, if she understood it.

For it is the homemaker like Edith who stands to benefit most from the Equal Rights Amendment. Contrary to some misconceptions, she will not have to leave her homemaker job unless she chooses. She will not lose the protection of her husband; rather, she will gain more in that her legal rights and standing in the economy, insurance, Social Security, inheritance, divorce, credit, taxes, etc. will be guaranteed.

Until two and a half years ago, I thought I was in the Constitution. I believed the use of the word "men" in the Bill of Rights and Declaration of Independence was generic. Legal inequalities in our society reveal that I was mistaken. The rights of all races and religions are now squarely written into the Constitution. The only right spelled out there for women is suffrage. The E.R.A. has nothing to do with privacy or sexual preference. It says, "No rights shall be denied or abridged because of sex."

That means male and female. I believe a woman has the right to engage in combat in the armed forces if she wants to. I also trust that the armed forces in the event of a draft would utilize men and women according to their capabilities, as they have done in the past.

Opponents say we have ever-increasing Federal laws to remedy women's unequal legal status. True, but these are fragments subject to the winds of political change. The 27th Amendment will guarantee our equality with men—not our sameness—but our quality. This is the principle on which our country was founded—equality of opportunity, freedom of choice under the law.

Of course Edith Bunker would support ratification of the 27th Amendment to the Constitution because it is a matter of simple justice—and Edith is the soul of justice.●

SEVENTH OHIO DISTRICT CONGRESSIONAL YOUTH ADVISORY COUNCIL—FINAL REPORTS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. BROWN of Ohio. Mr. Speaker, on Friday, April 21, the members of the Seventh District Congressional Youth Advisory Council, which I sponsor, held their annual spring meeting in Urbana, Ohio, to present to me their final reports and recommendations on legislative topics on which they have spent the 1977–78 school year.

As this group of high school seniors and juniors is representative of much of American youth in their attitudes and beliefs, I am pleased to place their reports in the RECORD for the benefit of my colleagues.

This is the 7th year that I have sponsored the Seventh District Congressional Youth Advisory Council, which consists of upperclassmen selected by each of the high schools and joint vocational schools within my district.

The students meet early each fall to organize into four committees and to select the topics which they will study during the school year. Following the organizational meeting, each of the students is supplied with a background packet of information from me, compiled with the cooperation of the Library of Congress and the various congressional committees having jurisdiction over the specific legislation. The members use the packets as basic resource material, but also do considerable research on their own as they begin to form their opinions on the legislation.

The next step in the council's procedure is for each of the committees to hold a 1-day public hearing, with expert witnesses appearing to testify before each of the committees. I want to here state my sincerest appreciation to these witnesses, who appear at their own expense to provide this public service to the council. I feel that this is probably the single most important aspect in giving the council membership a real-life view of the legislative process.

Following the hearings, the committee members spend the next several weeks working together to formulate their views on the legislative topics in order to come up with their recommendations and reports.

When the spring meeting is held, each of the committees presents its report to the entire council, and the council then has an opportunity to debate the issue, amend it and then either approve or reject the report. By the time the process culminates in this meeting, I am confident that all of the members of the council have a much better understanding of the legislative process. I, in turn, am pleased each year to have the viewpoints of the group on the topics studied. They have often brought to me a view of particular legislation that is new and important to my own consideration of the issue and which, subsequently,

has been reflected in my votes on several occasions.

Topics this year were: Champaign/Logan County committee—National Food and Feed Grain reserve; Greene County/Mad River Township committee—Welfare Reform; Marion/Union County committee—National Health insurance. The Clark County committee, which selected reform of the Hatch Act, was unable to come to a conclusion and made no recommendation this year.

The Champaign/Logan County committee report was approved by the council by a vote of 42 to 25 following the adoption of two amendments. The first amendment requires that Congress establish a board to insure the proper delivery of transported foodstuffs for humanitarian reasons. The second amendment was a committee amendment to specifically accept language in the committee's report, so does not change the report as submitted.

The Greene County/Mad River Township committee report was accepted by the full council by a vote of 55 to 11 following debate, with no amendments.

The Marion/Union County committee report was also approved, by a vote of 38 to 28, following the rejection of one amendment which would have provided for a 1 year trial period, further amended to provide for a review by the Supreme Court. A second amendment was adopted, requiring that the National Health board be made up of five members of the medical profession, five members from among the general public and three members from the insurance industry.●

CRIMINAL CODE REFORM

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. DELLUMS. Mr. Speaker, presently the House Judiciary Committee is considering H.R. 6869, the Federal Criminal Code Reform Act. Many people throughout the country feel that there are gross violations of civil liberties contained in this legislation and are urging its defeat. Following is a copy of a resolution that was adopted unanimously by the International Executive Board of the Newspaper Guild which outlines their specific concerns over this legislation;

CRIMINAL CODE REFORM

The danger remains acute of a U.S. Criminal Code Reform Law that will inflict serious injury on innocent bystanders—labor, the press and civil liberties.

Concealed in routine-sounding phrases scattered through the bill's 308 pages is provision after provision readily lending itself to misuse against basic freedoms, waiting to go off like so many time bombs.

Most of them have been spotted. Some—principally those affecting the press—were defused in the Senate. But most of the provisions potentially damaging to labor and civil liberties were left untouched in the bill finally adopted by that chamber.

Now the House is starting afresh with the original bill, H.R. 6869, containing all the perils undisturbed by the Senate plus those that it removed. The bill's proponents have been pressing hard behind the scenes for quick committee action to assure House adoption at the current session.

Nothing would be more deplorable than for the House Judiciary Committee or its Criminal Justice Subcommittee to be stampeded into hasty and ill-considered action on the bill without careful consideration of all its provisions and the objections that have been raised to them.

The Newspaper Guild, in an October 1977 resolution of its International Executive Board and a February 1978 communication of its president to the Criminal Justice Subcommittee, has set forth in detail its own areas of particular concern. A number of other organizations, have voiced similar concerns; still others have spotlighted additional problem areas.

The International Executive Board of The Newspaper Guild urges that the Criminal Justice Subcommittee and the full Judiciary Committee give the fullest and most careful consideration to all of these objections before acting on the bill and that they take pains to assure that every threat to labor, the press and civil liberties is removed before the bill is moved to the House floor.

Unless that is done, those alert to the fragility of those liberties will have no choice but to work for its defeat.●

CITIZEN POSTAL RATE AND POSTAL RATE COMMISSION

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. FORD of Michigan. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

STATEMENT OF REP. WILLIAM D. FORD ON CITIZEN POSTAL RATE AND POSTAL RATE COMMISSION

Although they are unconfirmed, I am disturbed by the rumors concerning the Postal Rate Commission's intention to deny the 13-cent citizen postal rate and establish a single 15-cent rate for all first class mail—personal and business—across the board.

If these reports are true, and we will find out today when the Commission makes its report, then the Postal Rate Commission needs to be reminded of its reason for being and to be rebuked for, in effect, giving the citizen rate to business mail users.

I refer to the two-cent discount for presorted business mail included in the rate case, of which the citizen rate proposal is a part. If you subtract the two-cent discount from the new 15-cent first class rate for everyone, then business would be paying 13 cents. In this sense, the Commission did not reject the citizen rate. It gave the citizen rate to business and left individuals to pay the business rate.

The other reason for my concern is—assuming the rumors are accurate—that the Postal Rate Commission seems to have forgotten its proper role.

What Congress had in mind when it created the Commission was a regulatory agency that would stand up to powerful lobbying groups for business mail users and that would begin showing an interest in lifting from the shoulders of individual mail users the heavy burden of paying the difference between actual cost of operating the Postal Service and the preferential rates enjoyed by business.

Instead, I'm disturbed to find that we have put our trust in a group of appointed officials who apparently perceive their role as protecting the cut-rate postage prices given to business, a group that seems to be telling the American citizen: look out for yourself, because we're here to take care of business.

In any event, I shall press forward vigorously for early hearings for my Citizen's Postal Rate Relief Act, which was first introduced last June to make individuals eligible for sending personal mail at the present 13-cent rate after a higher rate becomes effective for regular first class mail.●

HOSPICE

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

Mr. McKINNEY. Mr. Speaker, this year a great deal of attention has been focused on the needs of those living in the knowledge of imminent death, and in particular the hospice approach to care of the terminally ill. The hospice approach, largely a result of the work of Swiss Dr. Elisabeth Kubler-Ross, is dedicated to eliminating the stigma of death and the isolation that accompany the institutionalized way of dying. At present there are organized hospice societies in 33 States, with many more in the developmental stages. In anticipation of legislation to support this movement, I would like to submit for the RECORD the following speech given by Dr. Peter G. Bourne, Special Assistant to the President for Health Affairs, given before the Association of Community Cancer Centers late last month. Dr. Bourne's speech contains a concise summary of the hospice concept, and outlines the administration's interest and their present role in fostering support for this movement. The speech follows:

For the past three decades we have been moving towards greater and greater specialization in medicine, nearly to the point where a patient needs to have a different physician for each of his internal organs and one for his skin. People have begun to object to excessive specialization, expressing apprehension over the trend, and I think that they are justified in their concern. We are beginning to realize that, while a minute understanding of the biochemical correlates of each ailment is undoubtedly important to the scientific understanding of the condition, it is also important to view the whole patient and to place individual illnesses in perspective with his or her general health, mental health, and needs as a human being. We are seeing a return to an emphasis on the general practitioner, although we call him or her a family physician now, and a return to care within the community and the family. It is very important to a patient to be able to deal with one doctor whom he trusts, and to have that doctor know the patient as an individual person and friend rather than only as the living laboratory for a particularly interesting case of whatever he has.

And, if we are seeing a more holistic approach to medicine, we are also seeing a move to humanize medicine itself. Years of increasingly complex technology and gadgets have led to the protest that we are forgetting the patient, lying down there in the maze of wires and tubes. We can perform near miracles with our technological magic, but we must also maintain a discretion with how we use it. We must remember that we are dealing with human suffering—not just hu-

man biochemistry. We all know from our own experience that reassurance from the physician and a warm, human relationship with the patient is as important to pain control as are drugs and treatments. Anxiety and uncertainty act as multipliers to pain, while a feeling of security and trust can actually raise the pain threshold. The development of the hospice movement, with its special emphasis on alleviating the physical and emotional pain associated with terminal illness is an important part of this move toward humanized, individual medicine.

Hospices, and the philosophy behind them, are also in the forefront of another attitudinal change occurring in our country. We are beginning to re-examine our attitudes toward death itself, and how medicine relates to the dying. We have undergone a curious evolution in our attitude towards death in the Western World. Two thousand years ago, early Western man accepted death as a universal destiny and prepared for it personally and in a public ritual, invovling his community and family. A ceremonial and public leave-taking was performed. In the Middle Ages, however, death became personalized into a kind of judgement or test, and how one performed was seen to predict how one would spend eternity. An unpleasant stigma became attached to death, and the open, public deathbed rituals became avoided. Family and friends sought to hide the awful day of judgement from the dying person and avoided references to his impending death. Rituals which occurred after the actual death—funerals, mourning—began to replace deathbed ceremonies involving the dying person. Finally, in the mid-20th century we reached the height of avoidance of death. The dying were whisked from sight, away from community and family. They were ensconced in hospitals where a series of "life" prolonging technologies were performed, where the individuality of the patient gradually disappeared and the actual moment of death depended more on the functioning of a machine than on the patient's functioning as a person. As Dr. Kubler-Ross found, patients were never told they were dying, and doctor's denied that they had any terminal patients. Families were given no preparation and when the technology finally failed, the body was probably cremated and so disappeared with little ceremony or opportunity for the expression of grief. It also became unfortunately a test in the mind of the physician with regard to his own competence, not how he could make death free from suffering, but how long he could keep them alive regardless of the suffering.

Today, largely thanks to the work of Dr. Kubler-Ross and the hospice movement, we are beginning to change our attitude toward death. We are trying to consider the dying patient as a person and take into account personal needs and desires, and those of family and friends. We are working to eliminate the terrible feeling of isolation and fear that has been the lot of the dying patient.

Obviously, the humane treatment of the terminally ill is a broad topic, involving changes in the public attitude, in the role of medicine and the physician, changes in education and research emphasis, and in Government policy. Let me take a minute to outline what we have been doing in the White House to support this movement.

The first area where we were able to help was on the issue of the use of restricted drugs for the terminally ill. Heroin has been used since early in this century in England and other European countries, in combination with other drugs, as an apparently successful treatment for the pain of terminal cancer. However, due to fears of illicit use and an almost mystical dread of the substance in the U.S., we have banned heroin in this country for over 50 years. This Administration feels strongly that research into the possible therapeutic benefits of any drug should not be restricted by that drug's bad historical reputation. The decision on making a drug available to patients should be based on medical evidence, not on its history of abuse in non-medical circumstances. Likewise, the fear of addiction and uninformed biases against selected potent narcotics should not be allowed to interfere with the humane treatment of the terminally ill. If the administration of any drug could help alleviate pain or relieve anxiety, it should be available to the medical profession. In addition, different patients react differently to various analgesics; the doctor should be allowed to judge the patient's response to the drugs that he thinks may be appropriate, and select the most effective. The relative merit of heroin versus morphine which is legally used in our country, is not the real question. Rather, it is whether the treatment of dying patients, using all practical means, is responsive to their individual needs for dignity, compassion and understanding and that they are not depersonalized and merely dismissed as failures of medical technology.

Late last year we instructed the Department of Health, Education, and Welfare to change their policies in this area and they are now facilitating research opportunities and access to restricted drugs.

We originally considered amending the Controlled Substances Act to permit the manufacture of heroin in this country, but this turned out to be unnecessary at this time. The issue of whether morphine is equally effective in this kind of treatment needs to be resolved first.

We are making every effort to facilitate research into the therapeutic value of abused drugs such as heroin, marijuana and marijuana's active ingredient, Tetrahydrocannabinol or THC. The Food and Drug Administration has streamlined its process for the approval of Investigational New Drug applications, which any researcher into Schedule I, the most tightly restricted drugs, must have. In fact, they have established an umbrella IND in the National Cancer Institute for research on heroin and THC. The National Institute on Drug Abuse will make these drugs available to legitimate researchers in standard dosage units. In addition, there are Federal grants available for research into the therapeutic uses of heroin and THC from the National Institute on Drug Abuse, and the National Institutes of Health. Marijuana is being looked into as both a treatment for glaucoma, as THC apparently lowers intraocular pressure, and as an antiemetic during chemotherapy treatment for cancer.

We are also looking into the marketing problems of the so-called "orphan" drugs. Orphan drugs are those which have a proven medical use, but which are not commercially advantageous to produce, either because the amounts used are so small, or because they are unusually expensive to make. It is not enough to foster research on a drug which, after its effectiveness is proven, will not be available to physicians because of lack of supply. Both THC and heroin are non-patentable and, therefore, are of little commercial value to the pharmaceutical companies. If either drug proves to be of medical use, we will work with the pharmaceutical industry to ensure an adequate supply. We have already been discussing these issues with the industry.

We also support educational programs for physicians who are dealing with individuals suffering with terminal illness of having intractable pain to ensure that they use those drugs that are available and which are effective for the control of pain. Studies show that many physicians underprescribe narcotic analgesics for pain. Not only are doses lower than those recommended, but the time between doses is longer, allowing the patient to become anxious about the recurrence of pain, and thus enhancing the pain when it is felt. In one study, many physicians had exaggerated ideas of the dangers of addition to narcotic analgesics, and those who did were likely to prescribe low drug doses even for the terminally ill. I certainly do not believe that it is callousness on the part of physicians that results in patients being kept needlessly in pain. Rather, it is their reaction to the stigma and fear of addiction which has, in large part, been fostered by government policies. Our physicians are the world's best, and, if there is indeed a failure to use analgesics to the patient's best advantage, it may be because we have no uniform policy about providing medication to the dying. One of the goals of this Administration is to establish a clear policy of humane treatment for those in pain or terminally ill, and then, perhaps, our physicians can be more innovative with medicines and less fearful of malpractice suits or bad press.

We have convened the Interagency Committee on New Therapies for Pain and Discomfort to establish a national policy for the treatment of those in pain and the terminally ill. The membership of the Committee includes representatives from the National Institute on the Aging, the Food and Drug Administration, Health Resources Administration, National Institute of Mental Health, and the Drug Enforcement Administration, as well as representatives from the National Committee on the Treatment of Intractable Pain, the National Academy of Sciences, Institute of Medicine and Members of Congress. This varied membership illustrates both the need for coordination and the great amount of interest that has already developed on this important issue. The focus of the Committee is broad and their inquiry will not be limited to the use of heroin or cannabis. Rather, they will foster research on developing better methods for the treatment of death, dying and chronic pain, including all forms of therapy, not just chemotherapy. They will look at the mechanics of pain, the proper use of analgesics, and non-chemical therapies. They will see that research findings are shared widely and promote a coherent government policy toward the treatment of the terminally ill.

Among the issues that the Committee will address is the hospice concept. The hospice movement has great momentum on its own, and a tremendous amount of extremely valuable work is being done by groups such as yours, in the private community. One of the first tasks of the Committee is to define how the Federal Government can be supportive and helpful without being over-zealous. We are aware that an excess of Federal zeal has been known to provide the kiss of death to many perfectly viable efforts, through overregulation and bureaucratization. Therefore, we are working with the Committee and with the Congress to determine what the appropriate Federal role should be.

There is strong Congressional interest in hospices. Senators Hathaway, Kennedy, Dole and Ribicoff are studying hospices very closely, and plan to do so in the coming year. There is the feeling that much of the data that we have on hospices is scattered, and we need to bring it together in order to get a comprehensive picture. Such issues as relative cost effectiveness, licensing—how its done now and how it might be done—and the reimbursement for hospice-type home care services need to be researched.

There are provocative reports that hospices provide care for the dying at much less expense than acute-care hospitals, especially when the home care services are emphasized. In one study of about 500 patients served by the New Haven Hospice at home, the average cost of services for the last three months was only $750, less than the cost of a typical week in a hospital. Another study

reports that full standing hospices cost about 27 percent less than acute-care hospitals.

These reports are heartening, particularly in a time when all medical costs are skyrocketing, and when one of this Administration's most important goals is to bring them under control. I share the concern of many members of Congress that we need to make more comprehensive studies of the possible cost savings of hospices, and carefully determine how to support them and integrate their services into our general health care system. We must bear in mind that we currently have wasteful excess hospital beds—a problem which we don't want to exacerbate. We must also carefully avoid encouraging profiteering in hospices, as has occasionally occurred in the nursing home business. It is not a pleasant thought to consider, but we must guard against commercial exploitation of hospices, and a lowering of standards and supervision. You, as major leaders in the hospice movement, also need to be aware of, and concerned for these issues.

Reimbursement for hospice-type services is also not a simple question. For example, the average age of a New Haven hospice resident is 60—too young for Medicare—and whose income is, usually, too high for Medicaid. In addition private insurance companies are waiting until standards and certification procedures are set before they extend full coverage. We also need to consider how to integrate hospice-type home care into any National Health Insurance scheme. All of these questions will take some time to resolve and it would be wise for us to move slowly rather than precipitously. In general, though, there is enormous support for the concept of home care and hospices both in Congress and the Administration, and an appreciation of the humanitarian values that hospices have come to represent.

Finally, the Interagency Committee is interested in keeping its focus as broad as possible, dealing with any policies and programs which develop a humanitarian method of dealing with people who are suffering. As a nation, we need to re-educate ourselves about death and the dying. Most Americans reach maturity without experiencing the death of a loved one, and we must begin to rely on our schools and family education to re-familiarize ourselves with death as a natural process. There is a growing trend in the country to educate children in school at a young age about death, and I think this is a healthy change. Doctors also need to be told more about death, how to deal with it and not to avoid it and regard it as a personal failure. We all need to give some thought to dying—our own, and that of others—and how to approach it with compassion, frankness, and humanitarian concern.●

EARTH ENERGY

HON. RICHARD NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 12, 1978

● Mr. NOLAN. Mr. Speaker, I would like to share with my colleagues an article that was printed in the April 10 issue of the Midland Cooperator. It is exciting and encouraging to find that people are taking the initiative in researching and developing diverse alternative energy sources to fit individual needs.

The article follows:

EARTH ENERGY HEATS, COOLS FARM BUILDINGS

Keeping animal barns and other farm buildings at comfortable temperatures in both winter and summer present a formidable challenge to everyone concerned about energy conservation. A Nora Springs, Iowa, company now offers a solution to the problem.

L.P.C., Inc., now markets a system, "Earth Energy," that taps the mild, constant temperatures of the earth 10–14 feet underground to warm air in winter and cool it in summer before blowing it into the building. Jim Rule, who raises hogs near Nora Springs, installed the system last December and is enthusiastic about savings he's realized.

Rule figures the system saved an average of $5 per day in LP-gas costs for heating a 24x50-foot nursery this past winter. He has two furnaces in the barn and he's only used one since putting in the system, "and that one didn't run as much (as last year)."

The most dramatic example of the system's capability came up when outside air temperature was −23 degrees and air coming out of the system was 30 degrees, a 53 degree increase. "The only operating cost on this is a three-quarter horsepower fan," Rule says.

However, Rule notes that the 53-degree increase was exceptional; there's very little difference in warming even when outside air is much warmer. When outside temperature was 20 degrees, air from the system was 38 degrees; "it didn't make much difference what the temperature was outside," he says.

Also, he says he expects five-to-eight degrees better performance next winter. Since he installed the system in winter, he used some frozen dirt to bury the tube through which the air flows, and as that dirt thaws and settles, he should get better insulation.

Basis for the system is practical and simple, Rule comments. Six-inch plastic farm tile (without holes) is buried at a depth of 10–14 feet with one end of the tile sticking above ground.

Several lines of "exchangers" (L.P.C.'s term for the tile) may be necessary depending on the size of the building. Rule's system includes 12 lines of exchangers; each line is underground for about 100 feet. They all feed into a 24-inch culvert (exchanger manifold).

A fan draws air slowly through the exchangers where it either is warmed or cooled by the earth, which maintains a constant temperature between 40 and 55 degrees, depending on location.

Rule says the system provides heating equivalent to a 60,000-BTU furnace and cooling equivalent to a 100,000-BTU air conditioner. "If you were to buy an air conditioning unit that big and operate it, it would cost you an arm and a leg."

L.P.C. sells plans and does installation or it can provide a complete system, depending on whether or not the customer wants to locate and buy the required materials himself. A complete system like Rule has cost about $6,000.

"We figure on that price, with LP-gas at 33-cents a gallon and electricity at four cents a kilowatt, the payback (when the system would "pay" for itself) would be in about four years," Rule says.

Rule bases that estimate on LP-gas savings in winter and on benefits from cooling in summer; he hopes to be able to keep the temperature in the building under 80 degrees this summer. "Because of that, we should get much better feed efficiency and rate of gain."

Hogs do best at temperatures between 45 and 75 degrees, he says. Warmer temperatures cause stress, so they don't eat enough for top efficiency and at cooler temperatures, they have to eat more just to maintain body temperature.

Expectations of the system's cooling capability come from L.P.C.'s experimental system near New Richland, Minn., which cooled air to 62 to 67 degrees on even the hottest days.

Rule finishes about 1,200 hogs a year on his farrow-to-finish operation. He also runs 740 acres of corn and soybeans. All but 80 acres are rented and he rents most of the buildings on the farmyard. He's a member-patron of Midland Cooperatives, Inc., Mason City, Iowa.

The nursery, a Universal pig lodge, is one building he's put up since coming to the farm 15 years ago. He chose to install the L.P.C. system on the nursery because it's his own building. However, he's so pleased with the system, he may put one on the finishing barn; if he does, he says he might not need a furnace there at all since finishing hogs require less heat.

L.P.C. is a new company which has been around for only a year-and-a-half. It originally opened in Albert Lea, Minn., and moved to Nora Springs in February this year.

L.P.C. stands for Lord's Power Co. Besides signifying the company's goal of developing uses for more energy sources provided by the Lord, such as solar power and "earth energy," the name also bears public witness to the Christian convictions of the men who founded the company.●

HOUSE OF REPRESENTATIVES—*Monday, May 15, 1978*

The House met at 12 o'clock noon.

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

To set the mind on the flesh is death, but to set the mind on the Spirit is life and peace.—Romans 8: 6.

O God, our Father, who art the inspiration of every good thought and every worthy endeavor, help us to face the duties of this day with courage and confidence casting aside all rebellious tempers of mind and all resentful spirits that seek to dwell in our hearts.

Discouraged in the work of life;
Disheartened by its load,
Shamed by its failures and its fears,
I sink beside the road;
But let me only think of Thee
And then new life springs up in me.

May this new life be ours this day, this week, and all through this year.

Sustain us in our efforts to preserve freedom for all in our land and to proclaim its blessing to all lands and to all people. May we have the desire and the determination to so walk in Thy ways

Statements or insertions which are not spoken by the Member on the floor will be identified by the use of a "bullet" symbol, i.e., ●