

release. Avital's courage and stamina throughout this ordeal have been a source of inspiration to those who have come to know her.

With the release of certain Soviet dissidents in May, the hope emerged that a turning point had finally been reached, that the pressures on the Soviets to get concessions from the United States outweighed whatever sordid benefit the Soviets may gain by holding on to Shcharansky and others.

Sensing that more dissidents would be released, cautious optimism spread through Washington and other Western capitals. The Vienna summit was about to convene. The two people capable of negotiating Shcharansky's release were to meet for three days.

At the conclusion of the summit, Shcharansky was still incarcerated.

The Soviet Union has expressed its sincere desire to have the SALT II treaty ratified by the Senate in the near future. The Soviet economy can benefit greatly from favorable trade benefits that come with most favored nation trade status. It would be enormously helpful, if progress on these and other complex issues is to be made, if the Soviets demonstrated their willingness to honor the commitments they have already made.

In keeping with the provisions of the final act of the Helsinki accords—guaranteeing free emigration—Shcharansky's release is demanded.

The time for action is now. If there is not an immediate decision by the Soviet Union to release Shcharansky, then our rationale for working quietly is past. We will have to intensify our efforts and build an ever-rising public outcry against this injustice.

People of conscience everywhere must join together in demanding that the Soviet Union release this brave young man. ●

PERSONAL EXPLANATION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1979

● Mr. McDONALD. Mr. Speaker, due to my factfinding visit to Nicaragua on July 10, 1979, I missed two votes during the day's proceedings. If I had been present I would have voted as follows: "No" on rollcall No. 307, the passage of H.R. 827, the U.S. Postal Service Dispute Resolution Procedures, and "No" on rollcall No. 308, an amendment to H.R. 3821, that sought to require the President to publicly disclose the aggregate appropriations total for the national foreign intelligence program for fiscal year 1980 on November 1, 1979. ●

SUPPORT FOR WAGE-PRICE CONTROLS HIGHEST SINCE 1974, ACCORDING TO GALLUP POLL

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1979

● Mr. WEISS. Mr. Speaker, the Congressional Budget Office said yesterday that the economy has entered a recession that will last the rest of this year and inflation will remain at or near double-digit level in 1979 and 1980. CBO predicts that the unemployment rate will rise to the intolerable level of 7.3 percent.

This is a clear indication that the time is long overdue for the Congress to grant the President standby authority to impose mandatory wage and price controls. We can no longer allow the American people to suffer the ravages of inflation and extremely high unemployment.

I would like to insert a copy of a poll published by the Gallup organization on May 27 showing that the support among the American people for wage and price controls is the highest since such controls were removed in 1974. In addition this poll demonstrates that the current majority favoring controls—57 percent—represents the highest recorded over a period of four decades during which time more than 40 national surveys were conducted on the subject. I hope that my colleagues will carefully read this poll and realize that we can wait no longer to enact the necessary legislation. The poll and the description of it by the Gallup organization follows:

SUPPORT FOR WAGE-PRICE CONTROLS HIGHEST SINCE THEIR REMOVAL IN 1974 (By George Gallup)

PRINCETON, N.J.—As concern over inflation continues to grow, support for wage-price controls has reached the highest point recorded in the five years since President Richard Nixon removed all controls April 30, 1974.

A majority in the latest survey, 57 percent, says they would favor having the government bring back wage-price controls, while 31 percent say they would oppose such a move.

The current percentage favoring controls represents one of the highest recorded over a period of four decades during which time more than 40 national surveys on the subject have been conducted. Support has been on a general upswing since February of last year, when 44 percent voiced support for controls.

Here is the question asked to determine current attitudes toward returning to wage and price controls:

"Would you favor or oppose having the government bring back wage and price controls?"

And here is the trend since February 1978:

Favor or oppose return to controls [In percent]

	Favor	Oppose	No opinion
Latest -----	57	31	12
July 7-10, 1978----	53	34	13
May 19-22, 1978---	52	36	12
April 14-17, 1978---	52	37	11
Feb. 10-13, 1978---	44	40	16

A return to controls has support from a broad spectrum of the American public including members of labor union families and residents of every geographic region.

Sharp differences do appear, however, by political affiliation, educational attainment and family income. As one might expect, Republicans are less apt to favor controls than are Democrats or independents.

As has been the case in previous surveys, college-educated Americans are less likely to vote for returning to controls than are those whose formal education ended at the high school or grade school level.

Similarly, those in the highest income bracket are less likely to favor controls than are people in the middle and lower income groups.

President Carter continues to assert that he will not impose controls, despite mounting pressure from various quarters to do so. Business and labor leaders also continue to oppose controls. Labor leaders believe wage controls unfairly penalize union workers; business people fear that controls will cause shortages in some commodities.

The results reported today are based on personal interviews with 1,490 adults, 18 and older, interviewed in more than 300 scientifically selected localities across the nation during the period May 4-7. ●

PERSONAL EXPLANATION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1979

● Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent from the House on July 11, 1979. Had I been present, I would have voted: "No" on rollcall No. 315, House Resolution 231, to disapprove Reorganization Plan No. 2 transmitted by the President on April 10, 1979. ●

HOUSE OF REPRESENTATIVES—Friday, July 13, 1979

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Heavenly Father, we offer our thanks for the gifts we have received—for each new day, for friends and home and family.

We pray for all people who have special needs. May Your presence be known

to those who are sick or infirm, that they may feel the power of Your healing spirit. Be with those who suffer persecution and who long for freedom and release, that they may have hope. Give to all who are anxious or afraid or whose minds are clouded by uncertain futures the peace and confidence that comes from trust in Your goodness and mercy.

Minister to us all, O Lord, in the depths of our own hearts. Amen.

THE JOURNAL

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

□ This symbol represents the time of day during the House Proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

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

H.J. Res. 353. Joint resolution congratulating the men and women of the Apollo program upon the tenth anniversary of the first manned landing on the Moon and requesting the President to proclaim the period of July 16 through 24, 1979, as "United States Space Observance".

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2774) entitled "An act to authorize appropriations for fiscal years 1980 and 1981 under the Arms Control and Disarmament Act, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHURCH, Mr. PELL, Mr. MCGOVERN, Mr. GLENN, Mr. JAVITS, Mr. PERCY, and Mr. HELMS to be the conferees on the part of the Senate.

The message also announced that Mr. PELL be a conferee, on the part of the Senate, on the bill (H.R. 3173) entitled "An act to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to authorize international security assistance programs for fiscal years 1980 and 1981, and for other purposes," vice Mr. BIDEN, excused.

RUMORED RESIGNATION OF SECRETARY SCHLESINGER

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, newspaper headlines and television commentators are speculating again that Secretary Schlesinger is thinking of resigning. I take the floor to say that I believe those reports to be untrue, as recurrent rumors to this effect have been untrue for the past 2 years, and that I earnestly hope they are untrue.

I hope and believe that the Secretary will not offer his resignation. I certainly hope and believe that the President will not ask for it.

At times, Jim Schlesinger has been like a voice crying in the wilderness. In my opinion, he has grown in the job and now is much more valuable to the American Nation than when he began. Today he is warning the Nation that we must make a major commitment to more domestic energy production.

Last year about this time people were talking about the so-called oil "glut," saying the energy crisis was a phony. But not Jim Schlesinger. He told us, and correctly, that the existing oversupply of world oil was illusory and temporary. He warned us then that we could not rely indefinitely upon the ability or willingness of foreign nations—members of OPEC—to increase their production and meet our expanding appetite. He was, of course, absolutely right.

He may not always have been right. Which one of us has been? What has been too often overlooked, is that Jim Schlesinger has been right more often than he has been wrong. His critics for the most part do not have that good a record.

Secretary Schlesinger is to be commended for his steadfastness, and, if you will, grace, under the severest pressures. The fix we are in comes from the combination of a long period of bad policy and inattention to this energy problem, combined with the opportunism displayed by the OPEC cartel countries in recent years, and—let us face it—a certain amount of political cowardice. No one person can be blamed. There is enough blame to go around.

The Nation faces grave difficulties. In the Congress we are trying to do something about it. I believe the President wants to work with us—to unleash the creativity and willpower of the American people to secure our independence from the will of foreign powers and to get on with the pursuit of our national goals. Jim Schlesinger has been faithful to that task. I hope and expect that he will stay to help us finish that task.

SYNFUELS AND REFORESTATION

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

Mr. WEAVER. Mr. Speaker, this House recently passed a synfuels bill. Synfuels are not only highly inflationary, they also add considerably to the carbon dioxide in our atmosphere.

The planting of a tree will reduce the carbon dioxide in the atmosphere. Yet our Nation is woefully behind in the reforestation of its forest lands. I, therefore, suggest that for every ton of coal we use for synfuels we plant trees.

I shall offer legislation designed to impose a royalty on coal taken from public lands to go into a reforestation fund.

RESIGNATION OF LT. GEN. EDWARD J. ROWNY

Mr. HYDE asked and was given permission to address the House for 1 minute.)

Mr. HYDE. Mr. Speaker, one ancillary issue of considerable significance concerning the SALT II Treaty emerges from testimony presented to the Senate Foreign Relations Committee yesterday by Lt. Gen. Edward J. Rowny, and that is the necessity for General Rowny to resign from the Army so he could speak his mind.

We find ourselves in an era of unparalleled danger with the frightening mushroom clouds of Hiroshima woefully obsolete as a symbol of the destructive capacity of modern strategic weapons. The full and candid opinions of knowledgeable people are indispensable to making a judgment as to whether SALT II enhances or inhibits the chances for peace in the coming decade.

How reliable are the opinions of the Joint Chiefs of Staff? I surely do not

question their integrity nor their intentions but one must be naive to underestimate the need for professional survival.

Apparently it takes extraordinary courage to testify against the reigning dogma that SALT II is in our national interest.

That General Rowny felt it necessary to resign from the Army so he could give his candid views tells us two things:

One, General Rowny is a true patriot. Two, we should best find a way to protect the careers of such persons so they need not pay such a high price for providing us with their honest views concerning whether or not the United States will make it into the 21st century.

MORAL ASPECTS OF DRAFT

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

Mr. PAUL. Mr. Speaker, the other day I had the chance to participate in a very interesting Capitol Hill seminar. I was asked to speak on the moral aspects of the draft, and I was glad to do so, because this is the most important reason to oppose this misguided idea.

Our country was founded upon the idea of natural rights—that we have our individual rights from God, not from government, and that therefore the government does not have the authority to take them away.

Government does not own us, and has no business forcibly taking young people and inducting them into the military.

The draft is not a sign of military strength, it is a sign to the Soviets of weakness, that not enough Americans are willing to defend their country out of patriotism. I reject this defeatist idea.

Americans would always volunteer to defend their country from any threat, but they are rightly hesitant to go off to be killed in a no-win war as they have been asked to in recent years.

We have a deep moral obligation to defend our country, but the Government cannot define that obligation. Each individual in a free society has the right to decide for himself what that obligation is. It is immoral to use the authoritarian measure of the draft to defend a society based on freedom and natural rights.

DEVELOPMENT AND PRODUCTION OF ALCOHOL AUTOMOBILE ENGINE

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

Mr. WYLIE. Mr. Speaker, yesterday I introduced H.R. 4760, a bill to promote the development and production of an alcohol automobile engine. Actually the technology is here.

The cars in the Indianapolis 500 run on alcohol. Brazil recently passed a law which resulted in Volkswagen developing an alcohol auto engine which runs on 95 percent ethyl alcohol and 5 percent

water. The ethanol is produced from jungle trees. If Brazil can do it we can do it.

I have cosponsored a bill with the gentleman from Kentucky (Mr. PERKINS) to develop refineries to produce alcohol from grain, biomass, coal, or even garbage. With the development of an engine to use that ethanol or methanol, we can utilize products of the Perkins bill.

Twenty-six percent of all the petroleum we use goes into gasoline for automobiles. We must get away from our dependence on the vicious OPEC cartel.

I have talked with many knowledgeable people about this bill since the 96th Congress began. At the least, the bill can provide the vehicle for hearings and debate.

Today I am sending around a "Dear Colleague" letter. Look it over. You may want to sponsor my bill. I hope so.

□ 1010

BLAME FOR ENERGY CRISIS BELONGS WITH THE DEMOCRATS

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

Mr. COLLINS of Texas. Mr. Speaker, President Carter will return from his Camp David mountaintop to give our country a new report on energy. We do not anticipate much in the way of positive thinking or constructive plans for progress. This week he has had a much publicized open house as he welcomed all of the Democratic politicians from across the country.

It is obviously the Democratic politicians who do not understand the energy situation. The Democrats have caused the problem. For 25 years the Democratic Party has controlled Congress and passed all of the energy legislation. Today the Democrats have a 2 to 1 majority in Congress and have passed all of these bills that leave America in its energy crisis.

Just 6 years ago our country was importing \$3 billion of oil. They now report that we will be receiving \$72 billion of OPEC oil next year. The Democrats' energy policy is giving away all of the assets of this country to pay for stopgap oil imports.

We have sympathy for President Carter because he is receiving all of the blame for the energy crisis. But let's be fair and place the blame where it rightfully belongs. The energy crisis belongs on the poor and inadequate legislative program of the Democratic Party which has controlled and passed all energy legislation these past 25 years.

SAUDI ARABIA'S INCREASED PRODUCTION SMACKS OF HYPOCRISY

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

Mr. CONTE. Mr. Speaker, the recent pronouncement that Saudi Arabia has increased its production of crude oil by 1

million barrels per day on behalf of the American public smacks of hypocrisy. Since the embargo of 1973, this country has been victimized by the OPEC cartel. In October of that year we paid \$3 a barrel for their crude oil. By the end of that year prices had almost quadrupled to \$11 a barrel. Now we face the two-tiered pricing mechanism created by our "friends" in the Middle East of \$18 a barrel and \$23.50 a barrel, with additional price hikes possibly scheduled for September.

The Government has estimated that the actions taken by our "benefactors" in Geneva last month will add \$6 billion a year to the annual U.S. oil import bill for a total of nearly \$60 billion for 1979. In addition, because of the price hikes since last December of 60 percent, the inflation rate in this country will escalate by nearly 2 additional percentage points over the current rate. It will also reduce the economic growth by the same 2 percent.

A July 3 Wall Street Journal article indicates that the Saudis have decided to raise temporarily its daily oil output to provide enough cash to spend on development projects in the country in accordance with its \$142 billion 1976-81 development plan.

Mr. Speaker, how can this Nation expect to become energy independent, when we chase after every carrot grown with OPEC petroleum-base fertilizer that is dangled before this Nation's leaders. We must begin to curb this insatiable appetite for crude oil now. We cannot afford to continue to subsidize Saudi Arabia's 5-year development plan with U.S. dollars.

THE SUSAN B. ANTHONY DOLLAR

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

Mr. EVANS of Delaware. Mr. Speaker, not wanting to throw a wet blanket on Treasury's recent efforts to encourage wide circulation of the new small dollar coin, I have been reluctant to reassert my opposition to its minting.

However, recent articles and comments by individuals have prompted me to address the arguments that I raised in the Banking Committee.

The question is yet to be answered as to whether the Mint has rushed headlong to produce a coin that may prove to be unacceptable by the American consumer. Recent experience with the \$2 note should have made it rather obvious that wide circulation of the new coin was not something that could be readily guaranteed. Lacking any reasonable certainty that the dollar coin would become widely accepted and circulated throughout the country, I repeatedly questioned the propriety of having the American taxpayer finance such an experiment at a cost of \$15 million—that is, 3 cents to mint each of the 500 million coins. I also stressed that the costs of retrofitting this country's vending machines, estimated to run from a low of \$25 million to a high of \$200 million, were additional costs that had to be considered as they

would ultimately be passed on to the consumers through higher prices.

Mr. Speaker, to put it quite simply, the question of who was to appear on the coin completely overshadowed the very fundamental question of whether a new dollar coin was such a good idea. What has resulted is not just a commemorative coin, but rather a coin that is expected eventually to take the place of the dollar bill—at least that is the notion upon which the cost savings were predicated.

In an age where even a new line of toilet tissue must undergo the rigors of some type of a scientific marketing survey before being marketed, it is indeed absurd to think that today we have a new dollar coin that has cost \$15 million to produce without anyone having addressed thoroughly the very real questions of consumer acceptance and the potential inflationary impact of circulation.

The fact that the new dollar coin may be easy to hear when dropped, as offered in one of the Treasury's promotional fliers, may soon prove to be perhaps the only intrinsic advantage that the coin may have over the dollar bill. Until such time as the new coin proves to be acceptable to all, the silence may become deafening.

U.S.—U.S.S.R. MILITARY BALANCE—MYTHS AND FACTS III

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

Mr. BINGHAM. Mr. Speaker, those who would have us believe that the West is threatened by superior military power from the East often point to the fact that the Warsaw Pact nations have from 2½ to 3 times as many tanks as NATO. But numbers alone can be very misleading. When other vital factors are considered, the picture is very different.

First, it should be remembered that the role of the NATO forces is primarily defensive and a defending army does not require the numerical strength of an attacking army.

This strategic fact is especially important when one compares the comparative range of the Warsaw Pact and NATO tanks. According to experts, the T-62 tank, which the Soviet Army has been using for 17 years and which has only recently been provided to some of the other pact forces, tends to break down after 100 to 125 miles. The comparable figure for NATO tanks, which will have to travel shorter distances, is 150 to 200 miles.

Over 40 percent of the Warsaw Pact's tank capability comes from the six non-Russian members of the pact whose equipment is largely obsolete. In general, pact tanks are lighter, have smaller ammunition loads, less accurate guns, and thinner armor than NATO's.

Next week, I will discuss the comparative strength of the two sides, in terms of tank crew training and anti-tank capabilities.

TREASURY, POSTAL SERVICE, AND
GENERAL GOVERNMENT APPRO-
PRIATIONS, 1980

Mr. STEED. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4393), making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1980, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Ohio (Mr. MILLER) and myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma (Mr. STEED).

The motion was agreed to.

The SPEAKER. The Chair designates the gentleman from North Carolina (Mr. PREYER) as Chairman of the Committee of the Whole and requests the gentleman from California (Mr. LLOYD) to assume the chair temporarily.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4393, with Mr. LLOYD, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN pro tempore. Under the unanimous consent agreement, the gentleman from Oklahoma (Mr. STEED) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. MILLER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. STEED).

Mr. STEED. Mr. Chairman, I yield myself such time as I may consume.

First, let me say that I want to express my deep appreciation for the cooperation and help that I received from the members of the subcommittee that made it possible for us to bring this bill here today.

I especially want to say a word of thanks to my ranking minority member, the gentleman from Ohio (Mr. MILLER), because for day after day for many long, long weeks, the gentleman came to the committee and worked with me. The gentleman made a very big contribution to the hearings we held and the information we gathered to support the items in this bill and his loyalty and his cooperation have been very important. I want the gentleman to know that I appreciate it and that I think we owe the gentleman a debt of gratitude for his dedication, especially since the gentleman did a lot of it at a time when another subcommittee of which the gentleman is a member was also holding hearings. It is a little

difficult around here to be in two places at once.

Mr. Chairman, this work we are talking about covers about 90 hours of hearings from the time we started last January until the time we appear here today. This is almost par for the course for all appropriation bills. When we realize that the amount, including both permanent and annual appropriations totals \$107 billion, and that about \$9 billion of that amount is for a part of it to which the subcommittee has to give a very detailed consideration, we can understand why the 62 agencies funded in this bill require so much time.

We are about \$10 billion above last year, but all of this increase is attributable to the items in the bill over which the subcommittee has no control. The interest on the national debt, of course, is covered in our report, and since it stands at about \$67.5 billion at this time, that is a very large increase over last year. We have other items in the bill that are also automatic.

So, Mr. Chairman, our remarks today, then, will confine themselves to the part of the budget request over which we do have appropriation jurisdiction. The budget request is for \$9,500,214,000 and we have reduced that by about \$186 million, which brings us to a figure of about \$37 million under the appropriations for these same agencies last year.

Mr. Chairman, almost all the increases that are contained in the bill for any of these agencies can be attributed mainly to two things: One is the pay raise that made an impact, and the other is the workload increases. Most of these agencies have workloads that are easy to measure. They are matters over which they have little or no control, and so they just have to handle what comes along. So this growth in workload and the automatic pay raise increase account for almost all the increases in the bill.

Getting to the items that make a big financial demand over which we have no control, in addition to the national debt, there is an interest payment on IRS re-funds, there are payments to the retirement funds, there are payments to the Virgin Islands, to Puerto Rico, and for customs and internal revenue work, there are payments to the Presidential Election Campaign Fund, and there are expenses of the Postal Service and the Office of Comptroller of the Currency, and the trust fund accounts.

So this is why in this bill the total of \$107 billion consists of about \$98 billion of uncontrolled items.

There is one item in the Treasury Department for the U.S. Secret Service. They have a net increase of \$20.2 million, bringing the new total to \$157 million. Part of this is attributable to the fact that next year will be a Presidential election year, and under the law they will be required to protect candidates for President who qualify before a committee as major candidates. They estimate from the information they are able to have at this time that there could be about 15 candidates who will require protection for 1 month or more during the campaign next year. They have 18

people who they are currently guarding at this time and as required by law.

Mr. Chairman, I will offer an amendment that will add another \$1,900,000 to the 1979 budget because the travel related to the protective activities has so exceeded the estimates for this year that the Secret Service is going to be out of funds some time this month unless we are able to make this provision by the amendment which I will offer. We were unable to get the matter resolved in time to include it in the supplemental, and to meet this emergency, I will offer this amendment and hope the House will go along and help us keep this fine agency in business.

Another item I would like to mention is the Bureau of the Public Debt. I find that some people do not even know we have such a Bureau, but we do, and the maintaining of the public debt, the issuing of the securities, and the making of the interest payments and all the other things that go with it cost us this year \$183,466,000, which is about \$466,000 more than for the current year. I would like to note that we have gone from the series E bond into the series EE bond, and so there will be some interest payments and cashings that will be brought about by this change. So this accounts for the reason they need more money.

In terms of the total personnel contained in this bill, most of the funds in this bill do go to pay personnel, and that is why the impact on the expenses in the bill are so closely related to pay increases, because of course, salaries are paid in the current year.

The bill provides for a grand total of 124,857 positions, 56 more than the budget request but 640 below the current year. Most of this absorption will be by attrition and does not result in any program reduction. In addition to these jobs that are funded directly in the bill, these agencies perform duties for other agencies and are reimbursed or are funded by nonappropriated funds. The Postal Service, of course, operates separately.

The Treasury Department will have about 8,275 positions funded from other sources. The Postal Service currently is authorized 521,522 positions and the independent agencies have about 25,650 positions, bringing the total of the positions that are involved in the bill but not funded by the bill to 555,447. Altogether there will be a decrease of 1,349 personnel funded from other sources who are involved in the bill.

There will be an item to come up concerning the Bureau of Alcohol, Tobacco and Firearms about the tagging of explosives. We believe the legislative committees are taking this up and this matter can be resolved there.

There is also a proviso about some overtime pay that involves the Customs Service and that we think is very desirable. We have explained that in the report.

This is, of course, the year in which we now have in production a new metal dollar. A lot of people call it a silver dollar, but it is not; it is a metal dollar known as the Susan B. Anthony dollar.

It has been put into production and circulation. If costs a little under 4 cents to make it, and we get a dollar for it. That is why we make money making money, because I understand they have received about \$500 million worth of orders for this coin.

In the manufacturing of metal money, with the difference between the cost of the coins and their face value, this will add to the Federal Treasury about \$1 billion, which is called seigniorage but which is actually profit. So the mint is still making money. It is making money making money.

The Postal Service will get a subsidy of \$1,697,558,000, which is \$105,851,000 less than in the current year. That is because some of these subsidies we are paying are being phased out, so the phaseout for this year is rather substantial.

There is a new item in the bill for about \$25 million for a postal subsidy on certain mass mailings by political activities, but I think an amendment will be offered to take that out of the bill. When we get to that, we will have an explanation of why this is acceptable, at least to me personally, and I think the matter can be worked out separately rather than being in the bill at this point.

Mr. Chairman, the Congress reformed the Civil Service Commission, and we have set up two new agencies now. We have had a little difficulty getting those agencies reorganized and funded. Some of this money we recommend here is an estimate, because it will take another year before their workloads and their needs can be clearly worked out and we will know just how much resources they will need.

The Office of Personnel Management, which is the largest function, is funded here with \$114,139,000.

The bill also contains a payment to the retirement and disability fund of \$2,411,104,000. Then the Merit System Protection Board, which is the other phase of the reorganization, is funded at \$10,590,000.

Mr. Chairman, in addition to that, there is a special counsel, which is funded at \$3,250,000, and they may need more because they do not know yet what kind of a workload they will come up with.

Mr. Chairman, this generally touches upon most of the changes and the new things in the bill. I think that of all the bills I have been privileged to help bring to this floor, this is one of the soundest and one of the best, and I can recommend it wholeheartedly to the Members of the House.

□ 1030

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

Mr. STEED. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I appreciate the work of the gentlemen of the subcommittee. I have looked over the bill, and I have confidence that they have done good work in this appropriation measure.

I am concerned about some of the language on page 9 of the committee report

under the heading of "Explosives Tagging," which the Chairman just mentioned. The Committee seems to make clear its strong opposition to funding implementation of the Federal explosives tagging program. The Bureau of Alcohol, Tobacco and Firearms, as well as other law enforcement agencies inside and outside the Government have long favored using certain identifying materials which, when mixed with active explosive ingredients, permit either their detection or identification of their manufacture and distribution. Tagging is extremely important in tracking down terrorists.

Mr. Chairman, it is my understanding that the basic difference between detection materials, which are still being perfected and require considerably more research before they can be accepted in identifying taggings, on the other hand, have been developed in a variety of means to a high degree of sophistication. They can, for example, indicate in a tiny capsule of a variety of important information which is easily decoded by examination under an ordinary microscope.

In recent weeks a man was indicted in Baltimore for criminal dynamiting activity because the police said they were able to trace the explosives to him through identifying taggings. If the national law enforcement authorities are going to be more effective in combating terrorism, they ought to be assisted by the Federal program which mandates identifying taggings for explosives, which obviously is not the jurisdiction of the Appropriations Committee.

I hope the manager of the bill will take this opportunity to explain to those of us in the House who are alarmed about the many instances of terroristic explosives which have killed or maimed innocent citizens and victims, what will be required to have been fulfilled before an identifying program for explosives is acceptable to the Committee.

It is my understanding that the Senate Governmental Affairs Committee, as an example, is currently awaiting corroboration as to the efficacy of identifying taggings from the Office of Technology Assessment before including explosive tagging legislation in S. 333, its antiterrorism bill. If the Office of Technology Assessment confirms the effectiveness of identifying taggings, will there be a re-consideration of Committee strictures against these particular taggings?

Mr. STEED. Mr. Chairman, let me explain to the gentleman this: We got into this matter because we fund the Bureau of Alcohol, Tobacco and Firearms, and it became evident that if a tagging program could be developed it would be a very great help to them in their law enforcement duties, especially in the terrorist field. On the basis of that, we have provided money for them to do the research that has been going on.

Then we had some hearings where we talked with the various manufacturers of explosives, and it became evident that the wide variety of explosives create problems that would be far beyond the purview of our subcommittee to deal with. Therefore, when it goes beyond the matter of us appropriating money

to permit the Bureau of Alcohol, Tobacco and Firearms to participate in research, that any regulations or any activities beyond that would have to be a legislative committee duty, and there would be no connection on the part of our committee to be involved in that any more than we have to.

Mr. VENTO. If the gentleman will yield further, I want to commend the committee for its work in terms of funding research in identifying taggings. I think it is an extremely important endeavor and one that has already delivered positive results and encouraging results in terms of identifying taggings and is likely to do so, as well, in the detection area.

I realize there are unanswered questions with regard to that. I want to just point out the Office of Technology Assessment's work. But I also want to point out that the Public Works Committee has been considering for the past few years legislation prescribing and mandating the utilization of identifying taggings in explosive materials. It has been under active consideration in that committee, and I think they will sort out whether or not there would be such a requirement. Many foreign nations, as the chairman probably knows, have adopted the technology basically developed by the initial research done in this country and which is funded by this committee, and it would be our hope that they would be unfettered in terms of their activity in terms of implementing that particular system.

The language here, of course, gives some pause with regard to whether or not that in fact is possible. I am pleased to hear the chairman's response with regard to the difference between the appropriation authorizing committee, and maybe any misunderstandings that might exist now can be clarified in the conference committee with regard to this language.

Mr. STEED. Actually, what we are trying to do here is to keep the agency from taking any arbitrary action until all of these other legislative processes have had a chance to be involved. So we are more than happy to be bound by what the legislative committees develop. We will be more than happy if they could bring up any finalizing of this issue.

Mr. VENTO. I thank the gentleman very much.

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

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

Mr. ADDABBO. Mr. Chairman, I want to join with my colleague, the gentleman from Minnesota (Mr. VENTO), in pinpointing this very important item in this bill. I have been very interested in this matter because we all recall the terrible bombing at La Guardia Airport which remains unsolved, and it possibly could have been solved if there had been some taggings in that powder. The Bureau could have possibly traced where the explosives had been obtained, and the perpetrators of that horrible crime would have possibly been apprehended by this time.

I also take this time to commend the gentleman and to bring to the attention of the House that this is the 14th Treasury appropriation bill that my chairman has brought to this floor, with his great expertise and patience, and it has been a great privilege working with him for many of his 30 years of service. I hope the gentleman remains with us another 30 years.

Mr. STEED. I thank the gentleman.

Mr. ADDABBO. Mr. Chairman, I want to pay special tribute to the experience and patience of our subcommittee chairman, my good and respected friend, Tom STEED in guiding this bill through hearings, markup, and here today. This is the 14th Treasury appropriations bill the gentleman from Oklahoma has brought to the floor during his 30 years in the Congress. The keen mind of our ranking minority member, CLARENCE MILLER, has helped shed light into all corners of the program covered here. Other members of the subcommittee and our hard-working staff, headed by Tex Gunnels and his assistant, Bill Smith, have worked together as a team and I am proud to be associated with each of them.

The new obligational authority recommended in this bill is \$37.2 million below the amount appropriated for fiscal year 1979 and \$186.1 million below the administration's budget request. Within this reduction, \$177 million is attributable to stockpile operations which was denied without prejudice contingent upon legislation. The committee diligently examined each item in the budget request and, while cuts have been made, the full request is recommended where justified.

I would point out a few items in order to illustrate the significance of some of the agencies and programs included here.

This bill provides \$446.9 million, the full amount of the budget request, for the U.S. Customs Service. The Office of Management and Budget has proposed a reduction of 518 permanent positions for the Service. This proposal is, in my opinion, totally unjustifiable.

According to testimony by Commissioner Chasen, and I quote from page 227, part I of the hearings:

The guidance provided by the Office of Management and Budget specified the Budget Activities, such as Inspection and Control or Appraisal and Entry Processing, to be reduced.

The committee is concerned that such reductions could have significant impact on the ability of the Service to accomplish its many responsibilities. I would also point out that such reductions could have significant impact on the efficiency of other services.

One illustration of the chain reaction that can accrue was brought out during our hearings on the Postal Service. The Postmaster General told us:

I would certainly like an opportunity if I saw the customs staff being cut down drastically, to discuss the continuation of full coverage at very important ports like New York or San Francisco, to see that the mail comes in, moves through. We cannot store mail, because we do not want the expense of storing it and because storage will delay the mail.

I am concerned that, while cutting spending and reducing personnel, we do not make cuts solely for the purpose of cutting. Careful analysis is required in order to reduce wasteful fat from our Federal budget without reducing the efficiency of needed Government services.

As stated on page 11 of the report, the committee believes that the \$5 million saved on other items should all be applied toward maintaining customs inspectional personnel levels as high as possible. The bill places a ceiling on overtime pay and allows 200 positions above the budget request.

The full budget request of \$139 million is recommended for the Bureau of Alcohol, Tobacco and Firearms. The responsibilities of the Bureau touch upon problems of particular interest to me as a Member from New York. Arson is a growing national problem costing over 1,000 lives a year and billions of dollars in property loss. I am supportive of efforts at all levels, Federal, State, and local to deal with this problem. I have, in fact, introduced legislation to coordinate and support programs directed toward the reduction of this vicious crime.

I have also strongly supported research into the development of a safe and effective taggant program to help insure speedy identification, capture and prosecution of criminals responsible for the bombings. The report discusses the questions of cost, safety, and effectiveness of the program and directs that it not be implemented without committee approval. Funding is authorized for continued research.

BATF also has the responsibility to eliminate trafficking of contraband cigarettes. While this problem rarely makes headlines, it has been estimated that approximately \$391 million is lost each year by the bootlegging of cigarettes from low-tax States to those with higher taxes. The loss to my State of New York is estimated at \$72 million. I support efforts to investigate and eliminate this activity.

One important point that has been amply demonstrated during the extensive hearings of the subcommittee held this year is that BATF is involved in a number of vital matters which directly affect the lives and safety of our citizens. The Agency generally does a credible job under difficult conditions. Because it is so valuable, I would hope that Treasury Department officials will work closely with BATF in seeing to it that this Agency continues to be able to perform the essential tasks it faces. While we need to keep a prudent eye on spending generally, we must also insure that agencies have the capability of performing the missions assigned to them.

The Treasury Department, incidentally, has at times been less than candid with the subcommittee. That problem now seems to be resolved and I would hope that communication between this valuable Department and the subcommittee will continue to be open and direct, as it ought to be if we are to work together to provide essential service to the people.

The budget request of \$50.6 million is provided for the Bureau of the Mint. The

committee was concerned about the possible closing of the gold and silver bullion refining operation in the New York Assay Office. This is the last remaining Government facility in operation, handling half of the gold currently refined in the United States. The Treasury Department has now announced that, based upon the current cost-effectiveness of the operation, the Assay Office will remain open.

The Office of Personnel Management and the Merit Systems Protection Board are funded in this bill at levels commensurate with their inherited and mandated responsibilities. Within OPB, the intergovernmental personnel assistance program is funded at \$20 million, the same level as the current year. This highly effective seed program assists State and local governments in improving their personnel management systems. Studies have found that over 90 percent of IPA projects completed all or most of their goals. As a result, most projects were continued by the jurisdiction after IPA funding had ended. This program can be particularly productive at this time of reduced personnel and funding ceilings.

The resources of the Secret Service will be stretched during the coming election year and the report addresses the committee's concern regarding campaign travel costs. Additionally, the committee has sought to clarify conditions under which reimbursement may be made to State and local agencies relating to protection of foreign dignitaries.

The General Services Administration has come through some dark days and deserves credit for its housecleaning efforts. It is now working well, evidently. In particular, our own New York regional office, under Administrator Gerald Tur-etsky, has done and is doing a good job. If other districts around the country can achieve the same good results, I commend them.

The scope of this bill is wide. It includes the Executive Office, IRS, GSA, the U.S. Tax Court and a number of small committees and commissions. The committee has examined the responsibilities, the workload and the effectiveness of each of these agencies and has rendered its best judgment.

I recommend the full support of the House for this bill.

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

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

Mr. GLICKMAN. Mr. Chairman, I, too, would like to congratulate the gentleman.

I understand that this is the first appropriation bill to come up this year which recommends a net reduction in the funding of the programs covered by the bill, which is a credit to the gentleman from Oklahoma. Also I would like to personally commend the chairman for his good work.

Secondly, I am particularly interested, as the chairman mentioned, in the section having to do with the Postal Service and the mail subsidy for the political committees. But, as the chairman knows, I do intend to offer an amendment, along with the gentleman from Illinois (Mr.

DERWINSKI), to strike that section. I understand that the chairman will probably be supporting our effort.

Mr. STEED. Mr. Chairman, I can just say to the gentleman now that personally I will go along with the amendment. I cannot speak for all of the members of the subcommittee, but we do have the assurance from the Postmaster General that taking this money out here will work no hardship, and it will clear up some other very important matters. I think, for the sake of the procedures, that the gentleman's amendment should be adopted, and I will so say at the time the gentleman offers it.

Mr. GLICKMAN. I thank the chairman.

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

Mr. STEED. I yield to the gentleman from Pennsylvania.

Mr. ERTEL. I thank the gentleman for yielding.

Mr. Chairman, I, too, would like to commend the chairman on the tremendous amount of work he has put in on this bill. I know he has worked very hard on it. I have personally spoken to him, and he has indicated to me how much work he has done on it. I have talked to the gentleman about a couple of issues that are very small, in comparison to the total context of his bill. In fact, they are so small that a lot of people would say they are insignificant. But I would like to raise a couple of questions, and the chairman has indicated that he had some information that he might be able to give to me.

There are two things that I propose to offer amendments on, one being under the allowances and office staff of former Presidents. Although it is broken down in the report, it is not broken down in the bill itself. It indicates \$35,000 for travel for people, both for former President Nixon and former President Ford. I have looked at the authorizing legislation, and I find, at least from my research—and maybe there is something that I missed—that the authorizing research provides for \$66,000 for pension, \$96,000 for one and \$150,000 for the other, which is mandated by law for staff, and then there is a provision for office space, suitable office space. But I do not find anything for travel. I do not think it is implied there. I wonder if the chairman could comment on the \$35,000 for travel for people, because certainly I do not think this fits within the definition of suitable office space. Maybe I missed something. I thought maybe the chairman might be able to point that out to me.

Mr. STEED. Mr. Chairman, I will say this: In the procedures that we have always followed for former Presidents, their budgets are made up by consultation between the General Services Administration, which actually administers the program, and the Office of Management and Budget; and they not only decide what items are fundable under the law, but also they review the use of these items to make sure the money is properly expended.

While the Former Presidents Act does not specifically mention travel in the au-

thorizing legislation, it authorizes the employment of personnel, the furnishing of office space, and related support so a former President can effectively discharge his duties as a former President.

□ 1040

The Former Presidents Act, which is 3 U.S.C. 102, Public Law 85-745, states:

The employees will be responsible only to him for the performance of their duties.

When an office staff is authorized, it is implied that part of their duties may involve traveling.

We have been following what the people who have the official duty of preparing and supervising these budget items have recommended, and I suppose that it also comes down to the fact that it would be almost impossible for any of these functions to be followed unless they did have some travel allowance. So it is largely a matter of what I would call commonsense and common practice.

Mr. ERTEL. If the gentleman would yield further, the act is very specific on \$96,000 for staff allowances. When it is \$96,000 and \$35,000 for travel for those people, that is over one-third. It does not seem to me if they are going to have an office staff that they have to travel all over the United States. I probably will offer an amendment. I understand the chairman's position, but I am not convinced by the explanation by the GSA Administrator.

Mr. STEED. Let me say to the gentleman, we are trying to follow what the law says the will of the House is, since the House has willed that there be such a law. If the House decides to change its will, it is acceptable to us.

I do think that it is our duty in the light of any indication to the contrary, that we try to follow the will of the House, which the budget recommendation is supposed to reflect.

Mr. ERTEL. I can certainly appreciate what the chairman is saying. I will enter into a colloquy when I submit that amendment.

If I may have the chairman's attention for one further question, and I am sorry to take so much time on this. I have discussed this with the chairman, and as he is well aware, former President Nixon agreed at one point to turn over San Clemente to the American people. In a written statement he presented that, and in addition, he submitted to the Joint Committee on Taxation his returns. They went over them and audited them very carefully and indicated there was \$66,000 that they could not justify on any security ground whatsoever. That money went into the improvements in San Clemente.

Then at that point, the former President indicated he would turn it over to the American people.

Just a couple of weeks ago, or maybe a month, he indicated he was going to sell the house, and I think last week he actually sold it to three developers. That is all a newspaper report.

At this point the American people cannot recover the money unless there would be a lawsuit. I was proposing to offer a reduction in the staff allowances, not in

the security, because I think every President is entitled to security, but in the total appropriations to him, to cut away \$66,000 there.

I discussed this with the chairman. He said he had some additional information he might be able to impart to me on that particular provision. I was kind of curious as to what it was.

Mr. STEED. Let me say to the gentleman that the Secret Service, and the General Services Administration who were in charge of this, also did the followup on the property in Florida that the former President had, have been out there now going over this property.

Our staff man, Mr. Gunnels, has been out there with them.

Now the Government is reclaiming everything that is reclaimable, and there are some variations. We do not have the final report on it yet, but hopefully within the next few weeks we will have. We will make it available to the gentleman. It is going to change the figures.

I am sorry we cannot give him a final decision at this time, but they are definitely working on it. They have been out with a fine-toothed comb going through this whole thing.

Mr. ERTEL. If the chairman would yield for one additional comment.

The CHAIRMAN pro tempore. The Chair would like to remind the chairman that he has consumed 26½ minutes.

Mr. ERTEL. Mr. Chairman, I will be very quick.

Some of the things included here, there is no way to reclaim: For instance, the cost of boundary surveys and the cost of a gazebo. One of those burned down after he built it. There is a loss of those things which have no security deletion at all. I appreciate that there is going to be waste.

Mr. STEED. That will be spelled out in the final report.

Mr. ERTEL. I will offer the amendment, and I am sure the chairman will probably oppose it.

Mr. STEED. Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Ohio. Mr. Chairman, I wish to commend the chairman of the committee, the gentleman from Oklahoma (Mr. STEED), for the work he has done on this bill. We also have two very good staff members, Tex Gunnels, and Bill Smith, who have worked diligently attempting to put together the facts. We have many people and many agencies, departments, committees, and commissions that come to this subcommittee for their annual appropriations.

I think that we should make one thing clear, though. When we say that we are under last year's amount and under the budget. I think we should make it clear as to exactly how we are under.

This bill is an \$8,819,118,000 bill for 1980, as compared to \$8,856,344,000 in 1979.

On paper, it appears that the fiscal year 1980 bill is \$37 million lower than the fiscal year 1979 bill.

These figures, however, do not take into account that the 1979 bill had a one-time appropriation of \$543 million for the payment through HEW for certain

social services claims to the States. That was a one-time payment. Really, the funds had no relation to the Bureau of Government Financial Operations' activities that are normally in the bill, but it was a one-time payment. When we subtract that unusual \$543 million payment from the fiscal year 1979 bill, we find that the fiscal year 1980 bill is \$506 million over the prior year.

So, in reality, we are considering a bill with an increase of over a half billion dollars.

A number of items in the bill or the report need some additional explanation.

On the issue of explosive taggants that we heard about just a few minutes ago, it was hoped that the taggants would provide leads to criminal use of explosives. That seems now to lack the promise that it once had.

It has been demonstrated that the taggants can be easily and safely removed from the explosive before criminal use.

We have suggested that the BATF research continue, but that the implementation not be contemplated until the committee is satisfied that such use is practical and safe. The taggants are very small, and are mixed in with the powder. They are a foreign material in the powder.

When explosives are manufactured procedures normally attempt to filter out and remove all of the foreign material. So our concern has been that we will create a problem if we add a foreign material to the explosive. That foreign material is very small and is magnetic on one side, and it is fluorescent on the other side. With a black light it is possible to see it and pick it up with a magnet after the explosion, but one concern is that the millions of pounds of explosives that are manufactured and stored for some time will be made unsafe by having a taggant.

These identification taggants have layers of colors which would help identify where the explosive was manufactured.

It is, as I say, fluorescent on one side and magnetic on the other.

This is a problem that could be dangerous to the people who are working in the factories that manufacture the explosives. We are not certain at this time that it is not dangerous, but we should prove safety first. It would be mighty hard for us to go back and talk to the widows of the people who were killed in a plant that was completely destroyed, and explain to them that we approved, and demanded that the taggant be put in the explosives.

□ 1050

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

Mr. MILLER of Ohio. Yes; I yield to the gentleman.

Mr. VENTO. Mr. Chairman, working in dynamite plants no doubt is a high-risk type of employment. I am sure there has been efforts to minimize the risks that might be involved in that type of employment. But the fact is that the taggants material by themselves and, of course, I think there should be a further review of the potential for taggant to cause an explosion or modified flash point of black powder or dynamite, but

the facts are rather different from what has been portrayed. It is a rather sophisticated method to take this identification taggant material out of the powder. The fact is there already has been a demonstrated success with identification taggants, vis-a-vis an incident in Baltimore recorded here in the June 19th press, which may lead to a conviction with regard to the very use of identification taggants. I think we ought to be specific. If the gentleman is talking about detection taggants which have apparently some instability, which are an indeterminate factor at this time, I think that is something that should be explained in the gentleman's explanation. Nevertheless, I am certainly prepared to say that further research on this is, I think, desirable, based upon what the needs are and based upon the terrorist type of activities in our society.

But I also think that we ought to point out that taggants have a lot of hope, and their development is in a very advanced stage. Various European nations have already implemented programs that mandate taggantive use. This ought to be subjected to a cost benefit as well as a safety analysis with regards to material, and the Appropriations Committee in this instance ought to recognize that the authorization committee, the Public Works Committee, is looking very intensely at this area, both in the Senate and in this House.

I appreciate the gentleman from Ohio's (Mr. MILLER) concern, but I think that it does not engage all of the information that is relevant to this particular point. I appreciate the gentleman yielding.

Mr. MILLER of Ohio. I thank the gentleman. The committee also has moved to restrict the Customs Service overtime. We found that about one-half of the agents received over \$10,000 per year overtime. We found at least three received \$39,000 a year overtime and the average annual pay is \$17,500. We had three that were making about the same income as the Secretary of the Treasury.

What we did in the language was to restrict the overtime to not more than equal the amount of the annual pay. That will, of course, allow pay up to \$35,000 to \$38,000. I attempted to lower that but was not successful in committee.

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

Mr. MILLER of Ohio. Yes, I yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman for yielding.

Mr. Chairman, the Trade Subcommittee of the Ways and Means Committee is concerned about this overtime problem of the Customs Service, just as your subcommittee is. I am glad that you put this cap on it.

The problem, of course, is that the President suggested a large reduction in the number of customs officials. Both our committee and yours I think have made substantial reductions, about 300 less employees for customs inspection than were available in the previous year.

With less officials and a cap on overtime, is it not possible we are going to get poorer inspections this year than we have had in the past?

Mr. MILLER of Ohio. Yes. It always could be possible that that would take place, but by the same token we have not had the request for that many additional people. Maybe that is so that the overtime could be paid. I think if it is necessary to do this, it is possible for Customs to come back with a supplemental requesting more personnel and more dollars. We have to put the cap on now in order to control the overtime.

Mr. FRENZEL. If the gentleman will yield further, I agree with the gentleman, the principal problem has been in the management of the Customs Service. Obviously there are better ways to do it than have been done in the past. I appreciate the way your committee has worked on this, and we look forward to working with you and trying to insure better management and better organization of the resources available to the Customs Service.

Mr. MILLER of Ohio. I thank the gentleman.

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

Mr. MILLER of Ohio. Yes, I yield to the gentleman from Idaho.

Mr. SYMMS. Mr. Chairman, could the gentleman make a comment on why it was that the Internal Revenue Service, which is commonly referred to as the Internal Revenue Service, would have been given more money by the committee?

Mr. MILLER of Ohio. The Internal Revenue Service is divided into many areas. Collections is one area. Is that the area I understand the gentleman is interested in? Is that the particular section the gentleman addresses his question to?

Mr. SYMMS. If the gentleman will continue to yield, my question to the gentleman is I see here just in the total appropriations they are going to get approximately a half a billion dollars more in 1980 than they got in 1979. In view of the fact that escalating taxes is one of the problems that causes restraint on economic growth in the country, I wonder why it is we are trying to make the Internal Revenue Service any more efficient?

Mr. MILLER of Ohio. The Internal Revenue Service needs to be efficient and fair. The problem is to attempt to find those people who are not paying their taxes. As long as we have the tax laws on the book, it is necessary to furnish the funds and the personnel to enforce them.

I agree with the gentleman from Idaho that we should reduce taxes, and if we had legislation that was authorized that would allow us to reduce taxes, we would not need the expenditure for IRS. So I am willing and have cosponsored a bill with the gentleman to reduce taxes.

Mr. SYMMS. If the gentleman will continue to yield, I would like to ask the gentleman one more question.

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

Mr. SYMMS. Is there anything in the committee report that talks about how much money the IRS has paid to bounty hunters, the people that turn in their neighbors if they suspect them of tax evasion or something? Maybe the chairman of the committee would want to comment on that.

Mr. MILLER of Ohio. First of all, before the chairman does comment, I would say that that has been talked about many times but it has never been brought forth where we actually have any solid information that we can act on. We have heard that there may be bounty hunters, but we would need some convincing evidence in order to take steps to correct it.

Perhaps the chairman would be able to verify and elaborate on that a little bit.

Mr. SYMMS. Mr. Chairman, I was bringing up the question of bounty hunters hired by the Internal Revenue Service. We have discussed this on the floor of the House in the past where the IRS pays people to become informers. I was wondering if that had come before the committee this year in your deliberations and if the chairman could give the gentleman from Idaho any reassurances.

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

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

Mr. STEED. It is not dealt with specifically, but it has always been a practice to earmark approximately \$500,000 each year for the discretion of the Commissioner of Internal Revenue to pay informers. Of course some years they do not spend that much. As a matter of fact in 1978 only \$379,000 was spent for this purpose.

Mr. SYMMS. \$500,000 a year?

Mr. STEED. \$500,000 a year in Internal Revenue Service. In addition, there is carried in the appropriation for the Secretary of the Treasury an additional \$100,000 for this general purpose. It is not a part of the appropriation for IRS. It is out of the Secretary's office, and subject to his discretion. It is available to be used by all of the law enforcement agencies of the Treasury. The Treasury Department, the gentleman knows, is the world's largest law enforcement agency and this fund is a secretarial fund and is used in all of these agencies. But I would say that history shows the Internal Revenue Service probably uses a lot of it.

Mr. SYMMS. I thank the gentleman and if the gentleman from Ohio will continue to yield—

Mr. MILLER of Ohio. Yes, I yield to the gentleman.

Mr. SYMMS. I thank the gentleman for yielding again. I would say it appears to me that the Internal Revenue Service has probably become the world's leading organization of harassment and oppression. I think that it is interesting that a year ago this Congress passed legislation on the floor of the House that is now law dealing with third-party debt collectors in the collection of private debt.

□ 1100

It would seem to me that it would be appropriate that we apply the same rules

to employees of the Internal Revenue Service so that they have to operate within the same code of ethics that is required of private debt collectors. I would hope that the committee would look favorably on this idea and discuss it later on in the amendment process and vote on it at that time.

Mr. MILLER of Ohio. I thank the gentleman. I would like to say that I have not seen any information that was conveyed to anyone that said that we do have the bounty hunters, and they are paid \$100,000, and that by and through IRS. As the chairman said, the Treasury Department would have the \$100,000. Counterfeiting is a big problem, and there is where I understand the \$100,000 is used.

Mr. SYMMS. If the gentleman would yield further, I thank the gentleman very much for bringing that up, because I think counterfeiting is a big problem. I think the Congress is the leading proponents of counterfeiting in the country, but we do it legally by running these deficit budgets and printing the money up on 14th Street and Independence Avenue.

I think it is interesting that the Constitution of the United States only has two crimes listed. One of them is counterfeiting, and the other is treason. There are no other crimes listed, and yet the Congress continues its counterfeiting process. I think that since the gentleman is only talking about bounty hunting, and it is only a minor thing with the Internal Revenue Service, maybe the committee will look favorably upon an amendment that I will offer later which will insure that the IRS does not become a revenue-producing agency, operating a police state. I am glad to hear it is not an important item in the IRS budget.

Mr. STEED. If the gentleman will yield, I just want to say that most of the information they get on income tax evaders is done gratis, and happily.

Mr. MILLER of Ohio. Mr. Chairman, another area that the subcommittee took into consideration was where Presidential nominees fly all over the United States and have Secret Service protection. But, they charge back to the Secret Service—the candidate and the candidate's committee—for a seat on the plane. In other words, the candidate's committee will lease a plane; then, they will charge the Secret Service for a seat on that plane at first-class rates. As the Members know, it does not take one, but many Secret Service people, and in 1976, out of the account that we are considering now, the Secret Service paid over \$1 million out to the political committees.

Now, there is a problem with Secret Service trying to keep up, trying to protect the nominees who are moving pretty fast. I believe that the nominees should either waive protection and sign the waiver, or furnish the transportation for the Secret Service, so the taxpayers do not pay that additional money. It came out to the tune, as we say, last year of over \$1 million, paid by the taxpayers. It is a back door way for the committees to get a few more dollars and get their hands in the taxpayers' pocket.

I have an amendment concerning the White House Office appropriation, and the amount the subcommittee agreed to. It is a figure of \$17 million 500 thousand rather than \$18 million 200 thousand that is in the bill. It is not a lot of money compared to what we are talking about here, but it is \$700,000 and I would hope that the committee would agree to that reduction.

I have several amendments that we will talk about at amendment time, but one in particular is for a 2-percent reduction. Instead of this bill being \$37 million under last year, as I stated in the beginning, it is \$506 million over, because of that one-time payment of over one-half billion dollars. I believe that a 2-percent reduction, which would equal \$114 million, could be removed from the bill. It would be again on non-mandatory items. I believe that we could stand that reduction.

Let us just think about GSA for a moment. They have over 10,000 buildings. Their appropriation is in this particular bill. The President has said that we will reduce thermostats. We will lower the thermostat in the wintertime and we will raise it in the summertime. That should reduce their utility bills by approximately 20 percent. We should not need the amount of dollars that are in the bill. There are several reasons why we would not need the full amount that is in the bill. We could have a reduction.

● Mr. GRADISON. Mr. Chairman, the language of the committee report on this legislation, the Treasury, Postal Service, and general Government appropriation bill, clearly acknowledges the role of the subcommittee on Oversight of the Ways and Means Committee in investigating the role of the Internal Revenue Service in determining the tax-exempt status of private schools. As the ranking minority member of the subcommittee, I have been deeply involved in that issue for many months, and I would like to share with you some of the conclusions I have reached.

At issue here is not the question of whether or not a private school that has been proven to discriminate on the basis of race should be permitted to retain its tax exempt status. Clearly, that is opposed to public policy. The issue is the process of determining if a private school discriminates. The Internal Revenue Service has drafted one revenue procedure, and subsequently has revised it, in an attempt to establish such a process.

This, I believe, is not the proper order. Congress has determined that the Government should not support any institution that discriminates, and the courts are in the process of defining such support and the act of discrimination. Because the courts have not finalized these decisions, I feel that the IRS has moved too quickly in this case. The IRS should follow, not lead, Congress and the courts. For that reason, I support the language in the committee report and I will support motions to bar the expenditure of funds on the enforcement of the revenue procedures.●

Mr. MILLER of Ohio. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Chairman, earlier in this debate reference was made to the necessity of a very close watch upon the expenditures of former President Nixon, and by implication, by any former President. I think concern for proper Federal expenditures is a perfectly legitimate goal. All taxpayers' funds expended for any purpose are in fact a matter of trust, and they should be spent for the proper purposes; and if not, then action ought to be taken to correct the situation.

In that same light I would like to raise a question about the appropriation which appears on page 9, title III of the bill, the Executive Office of the President. As that section indicates, there is appropriated in this bill \$200,000 for the salary of the President of the United States, and a \$50,000 expense account which is to be used at his disposal.

Several months ago the question was raised by a number of our colleagues about the propriety of the President of the United States soliciting funds from corporations, wealthy individuals, citizens at large, to pay for the expenses of the White House dinner accompanying the signing of the Egyptian-Israeli Treaty, and also for the gala performed at the Kennedy Center when Chinese Vice Premier Deng Xiaoping visited the United States. Both of these occasions, it seems to me at least, would have been appropriately compensated for by the funds in the \$50,000 expense account.

It appears from information adduced by one of the veteran Capitol Hill reporters, Jesse Sterns, that in 1977 President Carter spent, of the \$50,000 expense account, only \$1,372. The remaining \$48,628 he took as his own personal income and paid the taxes on it, thus augmenting his salary. In 1978 the President spent \$13,165 for expenses, and the remainder of his expense account, \$36,835, was taken as salary.

Now, it is my feeling that if it can be shown that the President of the United States needs a higher salary, he should receive that salary. I do not know, quite frankly, how we could ever adequately compensate a President for the responsibilities that are placed upon him—any President, this President or a future President. But, it is demeaning to the office and to the man, in my view, to force him, if he needs this extra money, to divert funds given to him for his expenses for entertainment and activities in the White House to his own personal use, and to have to solicit private funds to allow him to keep his expense money.

□ 1110

We had a similar situation in the House of Representatives until a few years ago when some of the Obeys commission recommendations were adopted—and I served on that commission—which did away with House Members expense accounts and the ability to divert those funds to personal use. The new House rules made us use such funds only for officially certified expenses for which we have to sign. One of the

reasons was that the Members were diverting the funds, which they legally could do, and which the President obviously legally can do, to their own personal use and paying taxes on them, and that was an indirect pay raise.

The Vice President of the United States, Mr. MONDALE, in the same 2 year period has had an excess in his \$10,000 allowance, and he has seen fit to return unused balances to the Treasury. That is a matter of personal choice. Of course, in any other Federal agency, if moneys are unexpended, unless allowed by special act or appropriation, they must revert to the Treasury.

The only question I am raising here is, and I would address this to the gentleman from Oklahoma as chairman of this committee, is there some necessity for raising the President's salary? Could we not instill a better feeling on the part of the American people by granting the President a \$250,000 salary and curtailing the use of his expense account to only official expenses?

Mr. STEED. If the gentleman would yield, the gentleman asked me for an opinion. I would rather answer him by just giving him a little bit of history. On January 19, 1949, the salary of the President was raised from \$75,000 to \$100,000, and the \$50,000 expense account was added with no accounting, and it was tax free. In 1951 they made the expense account taxable. The present law says no accounting other than for income tax purposes shall be made by him, meaning the President. That is the situation today. We have had no indication from the President that this does not meet with his approval, and since this would have to be a legislative committee problem, our committee has given no further attention to it than to follow what we think the practice and the law is.

Mr. BAUMAN. The gentleman certainly has restated the law, as I think I correctly paraphrased it early in my remarks, but I repeat: it seems to me that we need to take some step to either raise the compensation of the President, if that is the necessity, or to do away with what appears to be a backdoor pay raise. I think it would make the American people feel better and it would be the honest thing to do.

Mr. STEED. If the gentleman will yield, I say the President does probably the most impossible job on Earth, and I do not think we could ever pay anybody a sufficient amount for serving in that position.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. HAGEDORN).

Mr. HAGEDORN. Mr. Chairman, just to follow up on the comments of my colleague, the gentleman from Maryland (Mr. BAUMAN), I certainly want to add my voice to say we ought to put accountability into that and to change the law when the appropriate opportunity presents itself. I believe the American people

are fully willing to support the President in any expenses that have to be incurred and that are rightfully the responsibility of the taxpayers. But to appropriate \$50,000 and see one year \$1,100 used and another year \$13,000 used, and yet at the same time to solicit \$5,000 tax-deductible contributions from major corporations and virtually selling seats to significant and historic state dinners I believe is almost reprehensible.

I am not saying the President is not worth \$250,000. The Office of the Presidency should be obviously adequately compensated, but let us put it on an up or down position, and if the position is worth that, let us increase the salary of the President and then pay only those bills that are rightfully those bills that the taxpayers have a responsibility for and eliminate this kind of grab bag opportunity for the President that we see in existence.

At this time I also want to commend my fellow Minnesota citizens, the Vice President, Mr. WALTER MONDALE, because according to the press he has only used his funds for legitimate purposes and has turned the rest back to the Treasury. I think in keeping with the times he has really set up an outstanding example that other people in high positions ought to emulate.

Mr. MILLER of Ohio. Mr. Chairman, the gentleman from Maryland (Mr. BAUMAN) and the gentleman from Minnesota (Mr. HAGEDORN) were discussing the amount of expense that the President used. In the hearing book of part 3 on page 323 we have a statement there where I talked to the gentleman who came in to justify the budget for the President, Mr. Hugh Carter, Jr., Special Assistant to the President for Administration. At that point the record states, so that it will show that it was not just a news report:

Mr. MILLER. We have an article in U.S. News & World Report, and it is stated that the President only spent \$1,372 of this \$50,000 last year.

Mr. CARTER. I believe that is correct.

So we do have on record information conveyed that says that the bulk of the expense money was not spent for expenses. We are not indicating that it is illegal because the President paid tax on it and it was legal. The point is, that if we are going to increase the compensation of the President, we should show it as a line item and increase the compensation. If the President is doing his work, he certainly should be paid the proper amount.

I have no additional requests for time, Mr. Chairman.

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

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

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read as follows:

UNITED STATES CUSTOMS SERVICE
SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase of two

hundred passenger motor vehicles for replacement only, including one hundred and ninety for police-type use; operation, and maintenance of aircraft; hire of passenger motor vehicles and aircraft; and awards of compensation to informers as authorized by the Act of August 13, 1954 (22 U.S.C. 401); \$446,857,000, of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed \$1,200,000 for research and studies shall remain available until expended: *Provided*, That none of the funds made available by this Act shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of the annual base salary of that employee.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to ask a question pertaining to the Customs Service. It has been the practice of the U.S. Customs Service to monitor the import of crude oil into the country, to make reports as to the amount of crude oil being imported and from what countries it comes. About a month ago the Department of the Treasury, through the customs procedures manual, reported that they were going to terminate this policy and rely completely upon reports of gaging from the oil companies and from the exporting nations. I am in no position this morning to question the authenticity of any of these reports or the accuracy of any of these reports, but it is common knowledge that the American people do not trust the oil companies today. I think this is really not the time to raise further question with an already skeptical American public.

I, along with the gentleman from Arkansas (Mr. BETHUNE) wrote the Secretary of the Treasury on June 28, asking what would happen if this order were carried out. I received a letter, and I think Mr. BETHUNE received a similar letter, dated July 6 that they would let us know later when more was known about this. I take this time to question the chairman and the ranking member about what knowledge they might have about the change in policy as far as reporting the import of crude oil. I yield to my chairman.

Mr. STEED. I thank the gentleman for yielding. I might say to the gentleman I have a letter dated July 12 from the Commissioner of Customs saying that there is no truth in this report, that they are not changing their present program, and although they are not required to collect tax on it by executive order of the President, they are continuing to measure and will continue to do so. There are some studies going on that some time in the future may result in some changes, but we are assured that before any action is taken we will be advised of it and have opportunity to discuss it. So at the present time there is no change in the situation and none contemplated.

□ 1120

Mr. MYERS of Indiana. My mail has not been answered yet but I am pleased to hear you have had that information that the Customs Service will continue to monitor and to report on the importation of crude oil into the country.

I thank you for that response.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNITED STATES SECRET SERVICE
SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Secret Service, including purchase (not to exceed two hundred and twelve for police-type use for replacement only) and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments which may be provided without reimbursement; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be necessary to perform protective functions; the conducting and participation in firearms matches; \$157,000,000, of which not to exceed \$2,000,000 shall remain available until expended, for payments to State and local governments for protection of permanent and observer foreign diplomatic missions, pursuant to Public Law 94-196 including costs of providing protection for motorcades and at other places associated with a visit qualifying under section 202(7) of title 3, United States Code; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act: *Provided*, That funds appropriated herein will be available for repairs and alterations of the Beltsville, Maryland, facility and for research and development.

AMENDMENT OFFERED BY MR. STEED

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

The Clerk read as follows:

Amendment offered by Mr. STEED: On page 8, after line 5, insert the following:

UNITED STATES SECRET SERVICE
SALARIES AND EXPENSES

For an additional amount for fiscal year 1979 for "Salaries and expenses" for travel of employees on protective missions, without regard to the limitations on such expenditures in this or any other Act, \$1,900,000.

Mr. STEED. Mr. Chairman, this is an item contained in House Document 96-156 which came too late for either House to act on it to include it in the supplemental bill which was finalized day before yesterday.

Mr. Chairman, this is a very urgent and important item because it has to do with the ability of the Secret Service to continue to furnish protection for about 18 people including the President and his family and the Vice President and his family. Therefore, Mr. Chairman, as a matter of expediency it was deemed by those who are concerned that this would be the most logical place to answer this urgent need.

I recommend the approval of this amendment.

Mr. MILLER of Ohio. Mr. Chairman, I just received information on this amendment a few minutes ago. I understand the problem the chairman of the subcommittee has, to try to keep the Secret Service working on the mission they have of protecting people.

I would like to inquire of the chair-

man as to whether the funds, \$1,900,000, would be used to protect the candidate who would be running for President.

Mr. STEED. Mr. Chairman, this money would be used between now and October 1 of this year. This is what they need right now. This part of the program would be finished before the guarding of candidates for President begins which would be next January or February.

Mr. MILLER of Ohio. This amount of money would then be used in 1979 fiscal year?

Mr. STEED. Yes it would be, Mr. Chairman. As of today or tomorrow they will be almost depleted of any funds for this purpose.

Mr. MILLER of Ohio. We are presently considering the fiscal year 1980 appropriation now. How would they be able to spend that \$1.9 million in fiscal year 1979?

Mr. STEED. Mr. Chairman, the language of the amendment I offer covers that, if it is agreed to here. As a matter of procedure this seemed to be the easiest and most logical way to meet this urgent need with which the Secret Service is faced. I was hoping the House would go along with it as the best solution for a problem that must be solved one way or the other.

Mr. MILLER of Ohio. It would not be involving the nominees running for President. I wanted to make that clear because I have an amendment concerning that. The gentleman's amendment would in no way affect the amendment I would offer to reduce funds?

Mr. STEED. This money will either have been used or will lapse before that other program begins.

Mr. MILLER of Ohio. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. STEED).

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 8, line 5, after the word "development" add ": *Provided further*, That no funds appropriated herein shall be available for payment to any candidate, or any organization supporting such candidate, for providing air transportation for Secret Service agents protecting that candidate."

Mr. SYMMS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

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

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1140

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the

Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

The gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes in support of his amendment.

Mr. MILLER of Ohio. I thank the Chair.

Mr. Chairman, this amendment would restore subcommittee language which would prevent the Secret Service from paying Presidential campaign organizations for seats on campaign aircraft while they provide protection to the President and the nominees. Had this been in effect in the last election, taxpayers would have saved over \$1 million.

Federal law requires the Secret Service to protect Presidential candidates unless candidates decline that protection. They can waive that protection.

This amendment would suggest that candidates who benefit from that protection should provide transportation or decline the Government protection. It will not require that the Secret Service seek alternate transportation or spend more money than they now pay for transportation.

Under current guidelines the Secret Service pays the agent's share of the charter cost or an amount equal to the first-class fare, whichever is less. The guidelines governing the protection are flexible enough to cover this modification and can be redrawn when necessary.

The Secret Service has expressed some concern with the language since it is easier for them to pay the money and take the ride, and it requires no additional initiative or imagination to continue to charge money to the taxpayers.

My amendment would require Presidential candidates to share part of the burden of their own protection. This measure is bipartisan and has no benefit to any one party above another. It treats them all equally. In addition, it provides no advantage to the incumbent, since he is required to reimburse the government for campaign-related transportation and protection costs.

To give some idea of what was spent during the last Presidential election time, we have from the Secret Service a listing of the payments to campaign committees for travel of Secret Service personnel during the 1976 Presidential election. This is quite a list, and it shows that for Gov. George Wallace the amount was \$79,932. That is money charged back to the taxpayers for a seat on a Presidential nominee's plane so that he can go out and campaign, and that Secret Service agent is there for his protection.

As a matter of fact, the amount for former Gov. Ronald Reagan was \$310,313; for former Gov. Jimmy Carter, \$129,182; and for Senator FRANK CHURCH, \$26,645.

Mr. Chairman, I urge the committee's support of the amendment, and I will include here the list to which I have just referred in the RECORD so we will have a complete accounting to show where the dollars were spent.

The list is as follows:

Payments to campaign committees for travel of Secret Service personnel during the 1976 Presidential election

Former Gov. Jimmy Carter.....	\$129,182
Former Gov. Ronald Reagan.....	310,313
Senator Henry Jackson.....	12,851
Gov. George Wallace.....	79,932
Senator Birch Bayh.....	6,110
Congressman Morris Udall.....	74,364
Senator Lloyd Bentsen.....	11,930
Senator Frank Church.....	26,645
Senator Eugene McCarthy.....	406
Sargent Shriver.....	7,150
Gov. Milton Shapp.....	2,259
Former Senator Fred Harris.....	2,035

Subtotal (prenomination) .. 663,177

Democratic Nominees Carter and Mondale	251,027
Republican Nominee Dole.....	151,010

Subtotal .. 402,037

Total .. 1,065,214

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

Mr. Chairman, we have had this matter up before, and we have discussed it with the Secret Service. The amendment says that this applies only to air travel, which is probably the most important part of the candidate's protection. The Secret Service thinks it can go along with this by arranging to deal with the lessors of the planes rather than with the candidate or political party.

Mr. Chairman, I have no objection to the amendment, and I recommend its approval.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—TREASURY DEPARTMENT
 SEC. 101. Appropriations in this Act to the Treasury Department shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-2) including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services as authorized by 5 U.S.C. 3109.

This title may be cited as the "Treasury Department Appropriations Act, 1980".

□ 1150

AMENDMENT OFFERED BY MR. SYMMS

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

The Clerk read as follows:

Amendment offered by Mr. SYMMS: Page 8, after line 16, insert the following new section:

SEC. 102. None of the funds appropriated by this title shall be used in connection with the collection of any underpayment of any tax imposed by the Internal Revenue Code of 1954 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection complies with subsection (a) of section 805 (relating to communication in connection with debt collection), and section 806 (relating to

harassment or abuse), of the Fair Debt Collection Practices Act (15 U.S.C. 1692).

Mr. SYMMS. Mr. Chairman, during the years that I have served as a Member of this body, I have been contacted by many of my constituents because of the unduly harsh treatment they received by Internal Revenue Service agents. And, I am sure that every Member in Congress can relate various renditions of instances where their constituents have been harassed, intimidated or embarrassed.

In the 95th Congress, we passed the Debt Collection Practices Act which requires that third party debt collectors in the private sector follow a certain code of conduct in their collection efforts. It seems to me that public servants should be subject to a similar code of ethics in the administration of their duties.

Consequently, I am offering an amendment which will prohibit funds being appropriated today from being used in connection with the collection of any underpayment of taxes imposed by the IRS unless the conduct of the officers and employees of the Internal Revenue Service is in compliance with certain provisions of the Debt Collection Practices Act.

Basically, this amendment would prohibit IRS agents from harassing or intimidating any person in connection with the collection of any debt or the threat or attempt to do so. Presently, taxpayers are oftentimes harassed at home or at work where they have been threatened or where armed agents have come to their homes at late evening hours in an effort to collect revenue that in many instances is not due.

In addition, the amendment would prohibit employees of the Internal Revenue Service from communicating with third parties unless that party was the attorney for the individual taxpayer concerned. In other words, IRS agents would no longer be allowed to question a taxpayer's neighbors, friends, or relatives as to his lifestyle or various other assorted unethical questions.

It is my hope that my fellow Members will support this effort to upgrade the conduct of our public servants and to instill into our system a certain standard of ethics. During these times when most citizens are looking to our Government with disdain, I believe that it is vitally important to require that the Government and public servants adhere to the same code of conduct that is required of the private sector.

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

Mr. Chairman, this amendment came to the attention of the Committee at the 11th hour. It involves something that is very close, if not actually, legislation on an appropriation bill.

It seems to us that if this has any value at all that the gentleman, in all good conscience, would have taken this before the legislative committee, to obtain the kind of redress that he wants.

We have had no opportunity to find out what the Internal Revenue Service's reaction on this would be. There is no way on Earth we can give the Members of this House any assurance as to the

effect of this amendment except the gentleman's word. And since we have been in session since January, I think it is unfair for anything as complicated as this, and which is subject to some question as much as this is, to be brought here at this time and ask the Members to approve it.

The legislative committees are still in session. If it deserves redress, that is the proper place to do it.

Mr. Chairman, I ask that this amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho (Mr. SYMMS).

The question was taken; and on a division (demanded by Mr. SYMMS) there were—ayes 15, noes 17.

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

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 331]

Abdnor	Carr	Fazio
Addabbo	Carter	Fenwick
Akaka	Cavanaugh	Ferraro
Ambro	Chappell	Findley
Anderson, Calif.	Cheney	Fish
Andrews, N.C.	Chisholm	Fisher
Andrews, N. Dak.	Clausen	Fithian
Annunzio	Clinger	Florio
Applegate	Coelho	Foley
Archer	Coleman	Ford, Mich.
Ashbrook	Collins, Ill.	Ford, Tenn.
Aspin	Collins, Tex.	Fountain
Atkinson	Conable	Fowler
AuCoin	Conte	Frenzel
Badham	Corcoran	Frost
Bafalis	Corman	Gaydos
Baldus	Coughlin	Gephardt
Barnes	Crane, Daniel	G'atmo
Bauman	D'Amours	Gibbons
Beard, R.I.	Daniel, Dan	Gl'man
Bedell	Daniel, R. W.	Gingrich
Belienson	Danielson	Ginn
Benjamin	Dannemeyer	Glickman
Bennett	Daschle	Goldwater
Bereuter	Davis, Mich.	Gonzalez
Bethune	Davis, S.C.	Goodling
Bevill	Dellums	Gore
Biaggi	Derrick	Gradison
Bingham	Derwinski	Gramm
Blanchard	Devine	Grassley
Boggs	Dickinson	Gray
Boland	Dicks	Green
Boner	Diggs	Grisham
Bonior	Dingell	Guarini
Bonker	Dodd	Gudger
Bouquard	Donnelly	Guyer
Bowen	Dornan	Hagedorn
Brademas	Dougherty	Hall, Ohio
Breaux	Downey	Hall, Tex.
Brinkley	Duncan, Tenn.	Hamilton
Brodhead	Eckhardt	Hammer-
Broomfield	E'lear	schmidt
Brown, Calif.	Edwards, Ala.	Hance
Buchanan	Edwards, Calif.	Hanley
Burgener	Edwards, Okla.	Hansen
Burlison	English	Harkin
Burton, Phillip	Erdahl	Harris
Butler	Erlenborn	Harsha
Byron	Ertel	Hawkins
Campbell	Evans, Del.	Hefner
Carney	Evans, Ga.	Heftel
	Evans, Ind.	Hillis
	Fary	Hollenbeck
	Fascell	Holt

Holtzman	Miller, Calif.	Shannon	Boland	Hall, Tex.	O'Brien
Hopkins	Miller, Ohio	Sharp	Boner	Hamilton	Oakar
Horton	Mineta	Shuster	Bonior	Hammer-	Oakstar
Howard	Minish	Simon	Bonker	schmidt	Panetta
Hubbard	Mitchell, N.Y.	S'ack	Bouquard	Hance	Pashayan
Huckaby	Moakley	Smith, Iowa	Bowen	Hanley	Patterson
Hughes	Moffett	Smith, Nebr.	Breaux	Hansen	Paul
Hutto	Mollohan	Snowe	Brinkley	Harkin	Pease
Hyde	Montgomery	Snyder	Brodhead	Harris	Petri
Ichord	Moore	Solarz	Broomfield	Harsha	Peyster
Jacobs	Moorhead, Calif.	Solomon	Buchanan	Hawkins	Preyer
Jeffords	Moorhead, Pa.	Spence	Burgener	Hefner	Pursell
Jeffries	Mottl	St Germain	Burton, Phillip	Heftel	Rahall
Jenkins	Murphy, Ill.	Stack	Butler	Hillis	Ratchford
Jenrette	Murphy, N.Y.	Staggers	Byron	Hollenbeck	Regula
Johnson, Calif.	Murphy, Pa.	Stangeland	Campbell	Holt	Reuss
Johnson, Co.o.	Murtha	Stanton	Carney	Hopkins	Rhodes
Jones, N.C.	Myers, Ind.	Steed	Carr	Horton	Rinaldo
Jones, Okla.	Natcher	Stenholm	Carter	Howard	Roberts
Jones, Tenn.	Nesl	Stewart	Cavanaugh	Hubbard	Robinson
Kazen	Nedzi	Stockman	Chappell	Huckaby	Roe
Kelly	Nelson	Stratton	Cheney	Hughes	Rostenkowski
Kemp	Nichols	Studds	Chusen	Hyde	Roth
Kildee	Nowak	Stump	Clinger	Ichord	Royer
Kindness	O'Brien	Symms	Coelho	Jacobs	Rudd
Kogovsek	Oakar	Synar	Coleman	Jeffries	Runnels
Kramer	Oberstar	Tauke	Collins, Ill.	Jenkins	Russo
LaFalce	Ottinger	Taylor	Collins, Tex.	Jenrette	Santini
Lagomarsino	Panetta	Thomas	Coughlin	Johnson, Colo.	Satterfield
Latta	Pashayan	Thompson	Courter	Jones, N.C.	Sawyer
Leach, Iowa	Patten	Traxler	Crane, Daniel	Jones, Tenn.	Schroeder
Leach, La.	Patten	Trible	D'Amours	Kazen	Schulze
Leath, Tex.	Patterson	Udall	Daniel, Dan	Kelly	Sebellus
Lederer	Paul	Ullman	Daniel, R. W.	Kemp	Seiberling
Lee	Pease	Van Deerlin	Danielson	Kildee	Sensenbrenner
Lehman	Pepper	Vander Jagt	Dannemeyer	Kindness	Sharp
Leland	Perkins	Vank	Daschle	Kogovsek	Shuster
Levitas	Petri	Vento	Davis, Mich.	Kramer	Slack
Lewis	Peyster	Volkmer	Derrick	LaFalce	Smith, Iowa
Lloyd	Pickle	Walgren	Derwinski	Lagomarsino	Smith, Nebr.
Loeffler	Preyer	Walker	Devine	Latta	Snowe
Long, La.	Price	Wampler	Dickinson	Leach, Iowa	Snyder
Long, Md.	Pursell	Watkins	Dicks	Leach, La.	Solomon
Lott	Rahall	Waxman	Dingell	Lederer	Spence
Lowry	Rallsback	Weaver	Dodd	Lee	St Germain
Lujan	Rangel	Weiss	Donnelly	Leland	Stangeland
Luken	Ratchford	White	Dornan	Levitas	Stanton
Lundine	Regula	Whitehurst	Dougherty	Lloyd	Stenholm
Lungren	Reuss	Whitley	Downey	Loeffler	Stewart
McClory	Rhodes	Whittaker	Drinan	Lott	Stockman
McCloskey	Rinaldo	Whitten	Duncan, Oreg.	Lowry	Stratton
McCormack	Robinson	Williams, Mont.	Duncan, Tenn.	Lujan	Studds
McDonald	Roe	Williams, Ohio	Edwards, Ala.	Luken	Stump
McHugh	Rosenthal	Wilson, Bob	Edwards, Okla.	Lungren	Swift
McKinney	Rostenkowski	Wilson, Tex.	English	Lungren	Symms
Madigan	Roth	Wirth	Erdahl	McClory	Tauke
Markey	Roybal	Wolf	Erlenborn	McDade	Taylor
Marks	Royer	Wolpe	Ertel	McDonald	Thomas
Marlenee	Rudd	Wyatt	Evans, Del.	McHugh	Traxler
Marrlott	Runnels	Wyder	Evans, Ga.	McKinney	Trible
Martin	Russo	Wyllie	Evans, Ind.	Madigan	Udall
Mathis	Sabo	Yates	Fary	Markey	Vander Jagt
Matsui	Satterfield	Yatron	Fazio	Marks	Vento
Mattox	Sawyer	Young, Alaska	Fenwick	Marlenee	Volkmer
Mavroules	Schroeder	Young, Fla.	Ferraro	Marrlott	Walgren
M'ca	Schulze	Yount, Mo.	Findley	Martin	Walker
Michel	Sebellus	Zablocki	Fish	Mathis	Wampler
Mikulski	Seiberling	Zerferetti	Fithian	Matsui	Watkins
Mikva	Sensenbrenner		Florio	Mattox	Weaver

□ 1210

The CHAIRMAN. Three hundred sixty-four Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Idaho (Mr. SYMMS) for a recorded vote. Five minutes will be allowed for the vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 299, noes 69, answered "present" 3, not voting 63, as follows:

[Roll No. 332]

AYES—299

Abdnor	Archer	Bauman
Ambro	Ashbrook	Beard, R.I.
Anderson, Calif.	Ashley	Bedell
Anderson, N.C.	Aspin	Benjamin
Andrews	Atkinson	Bereuter
Andrews, N. Dak.	Badham	Bethune
Annunzio	Bafalis	Bevill
Applegate	Bailey	Biaggi
	Barnes	Blanchard

Boland	Hall, Tex.	O'Brien
Boner	Hamilton	Oakar
Bonior	Hammer-	Oakstar
Bonker	schmidt	Panetta
Bouquard	Hance	Pashayan
Bowen	Hanley	Patterson
Breaux	Hansen	Paul
Brinkley	Harkin	Pease
Brodhead	Harris	Petri
Broomfield	Harsha	Peyster
Buchanan	Hawkins	Preyer
Burgener	Hefner	Pursell
Burlison	Heftel	Rahall
Burton, Phillip	Hillis	Ratchford
Butler	Hollenbeck	Regula
Byron	Holt	Reuss
Campbell	Hopkins	Rhodes
Carney	Horton	Rinaldo
	Howard	Roberts
	Hubbard	Robinson
	Huckaby	Roe
	Hughes	Rostenkowski
	Hyde	Roth
	Ichord	Royer
	Jacobs	Rudd
	Jeffries	Runnels
	Jenkins	Russo
	Jenrette	Santini
	Johnson, Colo.	Satterfield
	Jones, N.C.	Sawyer
	Jones, Tenn.	Schroeder
	Kazen	Schulze
	Daniel, Dan	Sebellus
	Kelly	Seiberling
	Kemp	Sensenbrenner
	Kildee	Sharp
	Kindness	Shuster
	Kogovsek	Slack
	Kramer	Smith, Iowa
	LaFalce	Smith, Nebr.
	Lagomarsino	Snowe
	Latta	Snyder
	Leach, Iowa	Solomon
	Dicks	Spence
	Lederer	St Germain
	Lee	Stangeland
	Leland	Stanton
	Levitas	Stenholm
	Lloyd	Stewart
	Loeffler	Stockman
	Lott	Stratton
	Lowry	Studds
	Lujan	Stump
	Luken	Swift
	Lungren	Symms
	McClory	Tauke
	McDade	Taylor
	McDonald	Thomas
	McHugh	Traxler
	McKinney	Trible
	Madigan	Udall
	Markey	Vander Jagt
	Marks	Vento
	Marlenee	Volkmer
	Marrlott	Walgren
	Martin	Walker
	Mathis	Wampler
	Matsui	Watkins
	Mattox	Weaver
	Mavroules	Weiss
	Ford, Mich.	White
	Ford, Tenn.	Whitehurst
	Fountain	Whitley
	Fowler	Whittaker
	Frenzel	Whitten
	Frost	Williams, Ohio
	Moakley	Williams, Bob
	Moffett	Wilson, Tex.
	Mollohan	Wirth
	Gilman	Wolf
	Gingrich	Wolpe
	Ginn	Wyatt
	Moore	Wyder
	Moorhead, Calif.	Wyllie
	Goldwater	Yates
	Goodling	Yatron
	Gradison	Young, Alaska
	Gramm	Young, Fla.
	Grassley	Young, Mo.
	Green	Zablocki
	Grisham	Zerferetti
	Gudger	
	Guyer	
	Hagedorn	
	Hall, Ohio	

NOES—69

Burlison	Eckhardt
Chisholm	Edgar
Baldus	Edwards, Calif.
Belienson	Fascell
Bennett	Fisher
Bingham	Gephardt
Boggs	Giaino
Brademas	Gibbons
Brown, Calif.	Gore
Diggs	

Gray	Miller, Ohio	Roybal
Guarini	Mineta	Sabo
Holtzman	Moorhead, Pa.	Scheuer
Jeffords	Nedzi	Shannon
Johnson, Calif.	Nelson	Simon
Jones, Okla.	Ottinger	Solarz
Kastenmeyer	Patten	Staggers
Lehman	Pepper	Steed
Long, La.	Perkins	Synar
Long, Md.	Pickle	Thompson
Lundine	Price	Ullman
McCloskey	Rallsback	Van Deerlin
Mikulski	Rangel	Vanik
Mikva	Rosenthal	Waxman

ANSWERED "PRESENT"—3

Gonzalez McCormack Williams, Mont.

NOT VOTING—63

Albosta	Emery	Myers, Pa.
Alexander	Filippo	Nolan
Anderson, Ill.	Flood	Obey
Anthony	Forsythe	Pritchard
AuCoin	Fuqua	Quayle
Barnard	Garcia	Quillen
Beard, Tenn.	Heckler	Richmond
Bolling	Hightower	Ritter
Brooks	Hinson	Rodino
Brown, Ohio	Holland	Rose
Broyhill	Hutto	Rousselot
Burton, John	Ireland	Shelby
Clay	Kostmayer	Shumway
Cleveland	Lent	Skelton
Conyers	Lewis	Spellman
Cotter	Livingston	Stack
Crane, Philip	McEwen	Stark
de la Garza	McKay	Stokes
Deckard	Maguire	Treen
Dixon	Mazzoli	Wilson, C. H.
Early	Mitchell, Md.	Winn

□ 1220

The Clerk announced the following pairs:

On this vote:

Mr. Albosta for, with Mr. Richmond against.

Mr. Myers of Pennsylvania for, with Mr. Mitchell of Maryland against.

Mr. Anthony for, with Mr. Garcia against.

Mr. Rose for, with Mr. Stark against.

Mr. Emery for, with Mr. Dixon against.

Mr. Beard of Tennessee for, with Mr. Fuqua against.

Mr. Ritter for, with Mr. Stokes against.

Mr. Deckard for, with Mr. Flood against.

Mr. Livingston for, with Mr. Clay against.

Mr. Lewis for, with Mr. Conyers against.

Mr. LLOYD and Mr. ERTEL changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: Page 8, after line 18, add the following new section:

"Sec. 103. None of the funds made available pursuant to the provisions of this Act shall be used to formulate or carry out any rule, policy, procedure, guideline, regulation, standard, or measure which would cause the loss of tax-exempt status to private, religious, or church-operated schools under section 501(c)(3) of the Internal Revenue Code of 1954 unless in effect prior to August 22, 1978."

Mr. ASHBROOK. Mr. Chairman, a plan to create a quota or minority affirmative action system for the Nation's private education is a matter that deserves only the highest deliberations within the Congress.

For the administrative branch to create such a policy without direction from Congress is a violation of the doctrine of the separation of powers.

The committees with oversight re-

sponsibilities over such a plan had not been consulted when the IRS moved last August 22 to reinterpret the Internal Revenue Code, section 501(c)(3), charitable tax-exempt section. In fact, the IRS proposals were made immediately prior to Congress adjournment last year. There were no opportunities for hearings, or for deliberation on alternative methods by the Congress. A matter of such import deserves careful consideration by the legislative branch.

The Nation's churches and their schools should be free to function without regard to local neighborhood minority mixes or arbitrary "affirmative action" quota plans. Such Federal overreaching is a violation of the constitutional separation of church and State. Churches and their schools should be free to function without Federal harassment. Citizens should be able to exercise their religious freedom without meddling by the Federal bureaucracy. This plan would dictate internal policies of a broad range of private educational institutions, church schools being only one variety. Schools for the blind, hearing impaired, and crippled would also be forced to comply. The IRS has no authority to create public policy. There is no congressional or court-ordered mandate for the IRS to create a mechanical quota system or any other arbitrary system for private schools.

The Internal Revenue Service does not properly possess the authority to implement provisions of proposed revenue procedures published in the Federal Register on August 22, 1978, or February 9, 1979, relating to tax-exempt status of private schools. Neither the Congress or the courts have issued a clear mandate as to the responsibilities of the IRS to make such determinations as are embodied in the proposed revenue procedures. There exists, in fact, a great deal of legal controversy over this Agency's authority to act in this manner.

So long as the Congress has not acted to set forth a national policy respecting denial of tax exemptions to private schools, it is improper for the IRS or any other branch of the Federal Government to seek denial of tax-exempt status. Isolated court decisions and ex parte agreements with litigants of pending legal actions against the IRS have brought the IRS into criticism for permitting itself to be used as an instrument to implement certain social policies.

Such policy determinations, when made without the action of Congress, become dangerous encroachments upon congressional authority. Although the Tax Code has often been termed to be an instrument of social policy, it properly becomes such only upon action or lack of action by the Congress. For the IRS to create a mechanistic quota system for private schools is a rejection of previously established policies.

For the IRS to select private schools as targets of its own substantive evaluation and tax exemption denial, while leaving unhampered tax-exempt organizations which practice or promote witchcraft, homosexuality, abortion, lesbianism, and euthanasia leaves this Member confused

as to the objectives of those who would make this agency into a powerful instrument to selectively implement social policy. My colleague, Congressman ROBERT DORNAN, most eloquently attested to this problem when we appeared before the Senate Subcommittee on Taxation and Debt Management May 14, 1979.

For an agency to permit itself to be guided by pressures of pending legal action, other Federal agencies, outside pressure groups, or changes in an administration is to confuse its own role as tax collector with that of legislator, jurist, or policymaker. There exists but a single responsibility which is proper for the Internal Revenue Service: To serve as tax collector. It is the responsibility of Congress to conduct oversight over this agency to prevent transgressions into legislative authority. Accordingly, I am asking my colleagues to find that the Internal Revenue Service exceeded its proper authority in the issuance of the above revenue procedures for tax exemptions for private education, and that the implementation of the contents of these procedures must be prevented.

To presume that the growth in private education is the result of segregation is grossly unfair and an insult to our system of justice. By an after-the-fact application of these standards, the IRS would disallow donations made as tax-deductible contributions. By claiming that private schools have violated "public policy" in the past by not meeting a newly created quota standard, the IRS would deny private deductions to these schools. This is a seriously repressive ex post facto application of the taxing power, and must be stopped immediately. Because a case has not been made in favor of these regulations, and because the Congress has not had an opportunity to exercise its authority, I urge the Congress to withhold IRS action on these regulations so that the various committees of the Congress can determine the propriety of these actions. There is no need to rush to judgment. The House Ways and Means Committee is still considering these proposed regulations and the Subcommittee on Taxation and Debt Management is weighing the propriety of such regulations. Let us be circumspect today and allow the committee process to work its will.

□ 1230

Mr. STEED. I rise in opposition to the amendment.

Mr. Chairman, the matter dealt with here, we are informed, is under serious consideration at this time by the Committee on Ways and Means, and they expect to have a comprehensive report very soon that takes care of this whole problem. We have also been informed by the Internal Revenue Service that they are working with the committee on this, and it seems to us that the limitation here will serve no useful purpose. I think that the problem that we are all concerned about will be far better served if we leave it up to the legislative committee where it belongs. I think that in order to guard against doing probably more harm than we do good by adopting such an amendment, the wise course

here is to turn this amendment down and rest our case on the assumption that our legislative committee will proceed with what they have been working on and bring the solution that we want to us in proper order very shortly.

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

Mr. Chairman, I had not expected to speak on this bill, but I saw the preceding amendment as a limitation on an appropriations bill which raised a matter in which it is very difficult for Members to explain a vote against such an amendment. I really seriously deplore the use of an amendment to an appropriations bill as a means of getting to extremely serious questions that should not be determined ad hoc on this floor. I voted against the last amendment. I intend to vote against this one.

If this body does not itself exercise some restraint in moving on what appears to be the most explainable, the easiest, the most favorable vote on an immediate analysis without consideration of the effect of an amendment on an appropriations bill, we destroy the ability of this House to seriously consider legislation. We are under as strong a duty to stop bad legislation as we are under a duty to advance good legislation. We have no way of determining whether an amendment which has substantive effect and which is attached to an appropriations bill at the last minute is good or bad in the 5 minutes of judgment that was required on the last amendment or even in the 15 minutes of judgment that is permitted on this one. I would urge my colleagues to use restraint with respect to changing substantive law and policy by merely voting automatically on the basis of what may be the easiest thing to explain or the most popular vote on a limitation on appropriations bills. There is no area in which more harm can be done more heedlessly than in this form of legislation.

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

Mr. ECKHARDT. I yield to the gentleman from Idaho.

Mr. HANSEN. I thank the gentleman for yielding.

I appreciate the concern that the gentleman expresses for the proper legislative process in this body, but I do say this that sometimes this legislative process needs a good kick in the pants because we find injustices going on and on and nobody will get off their legislative backsides to do anything to alleviate the problems of the people.

I might say that the gentleman from Idaho (Mr. SYMMS), who sponsored the previous amendment, and this gentleman from Idaho have lived in an area where we have experienced severe behavior on the part of the Internal Revenue Service to the point of creating a hit list of some 170 people.

Mr. ECKHARDT. If the gentleman will yield back to me at this point, does the gentleman know whether the gentleman has come to the committee of major jurisdiction to ask that this provision be considered in that committee?

Mr. HANSEN. I can express to the gentleman—I cannot speak for the other gentleman from Idaho—but this gentleman from Idaho has been to the committees. He has written to all sorts of chairmen of committees and asked for some kind of hearings and oversight relief.

Mr. ECKHARDT. If the gentleman will yield back to me for a moment further, can he give me any express case in which he has done so and on what legislative problem? Has a bill been introduced by the gentleman that has not been considered in the Committee on Ways and Means? Has the gentleman proposed a bill to that committee?

Mr. HANSEN. I can express to the gentleman I have asked for hearings.

Mr. ECKHARDT. Hearings on what, if the gentleman will answer me?

Mr. HANSEN. On injustices in the Internal Revenue Service and the way they pick on the people of the United States, and I have had no positive response.

Mr. ECKHARDT. Identify it by a bill. Did the gentleman write it into a bill and ask the committee to consider it?

Mr. HANSEN. This has been addressed to specific legislation.

Mr. ECKHARDT. Has the gentleman himself introduced a bill to correct this question?

Mr. HANSEN. Yes, I have introduced and supported legislation to correct it.

Mr. ECKHARDT. Will the gentleman identify the legislation for the gentleman?

Mr. HANSEN. I can furnish that. I do not happen to have it at hand, but I can certainly furnish it to the gentleman.

Mr. ECKHARDT. I should very much like to have it. Has the committee refused to hear the gentleman's bill?

Mr. HANSEN. The committee has been obviously silent in most cases, or one gets a polite letter that says, "We will take it under consideration."

Mr. ECKHARDT. I am not talking about in most cases; I am talking about with respect to the gentleman's bill.

Mr. HANSEN. I will just tell the gentleman I have more than one bill and more than one request, and I have to sort them out and will be pleased to give the gentleman information on what happened at any specific time.

Mr. ECKHARDT. But the gentleman cannot remember one single instance here or identify the subject matter with respect to the bill?

Mr. HANSEN. Certainly I can tell the gentleman—

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, I rise in support of the amendment to prohibit use of funds in this bill for carrying out the proposed IRS revenue procedures with respect to private, tax-exempt schools which would put the burden on individual private schools to prove they are nondiscriminatory in impractical, costly, and perhaps

impossible ways, or to lose their tax exemption.

In 1975, the IRS declared that private schools seeking to maintain their tax exempt status must have a policy of non-discrimination which would be evidenced by the school announcing such a policy through its bylaws, mentioning it in their brochures and public relations materials, and making a public announcement of such policy at least once a year.

Thus, Mr. Chairman, the school had to go on public record. But it was still allowed to maintain high academic standards, a prime attraction of private schools and the reason why many parents choose private schools for their children. That policy did not attempt to set de facto quotas. While I oppose on principle efforts by the IRS, a tax-gathering organization, to make public policy, I cannot argue with the actual effect of the 1975 declaration.

The new proposal, however, is not acceptable. The Internal Revenue Service has gone too far in making national policy which is far from beneficial to the public. Americans have a right to choose, and certainly they have a right to choose to send their children to private schools. It is not the role of Government nor the role of the IRS to dictate conditions that could well affect educational standards of private schools and, indeed, even their ability to remain economically viable.

I do not quarrel with the idea that our schools should be nondiscriminatory. I do quarrel with complicated, probably unworkable, inflexible standards promulgated by unelected bureaucrats. I do quarrel, Mr. Chairman, with assuming all private schools are "guilty until proven innocent."

Mr. Chairman, it is time for this House and the full Congress to assert our rights and responsibilities by keeping a wary eye on the actions of the executive branch. This amendment is a good step in that direction, and I urge its adoption. It does not attempt to go back and undo the case-by-case attacks that have taken place to eliminate discrimination, but it does prevent a tax-collecting body from making policy and imposing their will on every private school in the United States.

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

Mr. CAMPBELL. I yield to the gentleman from Idaho.

Mr. HANSEN. I thank the gentleman for yielding. I would just like to say something that I was not able to complete in the earlier colloquy, and that is the fact that in my own State and in the western region of the United States we have had severe examples where the Internal Revenue Service has acted callously and shockingly on religious matters and other arbitrary factors in determinations on how they would make collections and contacts with people. Certainly I think the IRS is a dangerous sole arbiter for our first amendment rights, and that is what we are talking about protecting in support of legislation such as this.

I might say, as I began to state earlier that there are 170 people put on a hit list in a small community in my State

because the Internal Revenue Service was too lazy to determine which of these people should be called in for an audit or for a discussion, or whatever, just because they may not have filed a tax return because they were sick in bed with no income or away on a church mission or something else. The IRS had a plan all worked out to come out with guns to go door to door. And this plan was aborted only when some IRS employees became afraid of the confrontation that would happen.

The Internal Revenue Service has an abominable record in this regard, and we should not want them to arbitrarily make these determinations without our guidance. If we do not correct this in the regular process in Congress, maybe we can at least do it through this kind of legislation.

□ 1240

The CHAIRMAN. The time of the gentleman from South Carolina (Mr. CAMPBELL) has expired.

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

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

Mr. CAMPBELL. I will be happy to yield to the gentleman from California.

Mr. DORNAN. Mr. Chairman, I wanted to clarify this issue for the distinguished gentleman from South Carolina and our colleagues to prevent confusion over the similarity between this amendment of the gentleman from Ohio (Mr. ASHBROOK) and the amendment that I will be submitting this afternoon or Monday at page 32, line 2 of this bill.

What the amendment of the gentleman from Ohio (Mr. ASHBROOK) does, and I will be supporting it is just to put more solid steel boilerplate around the IRS. They were set up to collect revenue, not to engage in social engineering across our country. What the amendment of the gentleman from Ohio (Mr. ASHBROOK) does is far more generic than mine. My amendment speaks specifically to IRS proposal 4830-01-M. Mine was given to the Parliamentarians earlier this week. They said that it is germane, that it is negative in nature which is required on an appropriations bill, and it is reentrenchment on its face. All of this also applies to Mr. ASHBROOK's amendment. I will be supporting this amendment of the gentleman from Ohio (Mr. ASHBROOK) as he will be supporting my amendment.

Mr. CAMPBELL. Mr. Chairman, I appreciate the gentleman's comments.

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

Mr. Chairman, if we begin this kind of procedure in connection with appropriations bills, I think the legislative process is well on the way to disintegration.

The question of tax-exempt status of private schools is a very complex matter that has a long history of judicial action, executive decisions, and direction as well as legislation.

The amendment is a blunt instrument brought to this House without the consideration of any of the expertise from

the committee having jurisdiction or without review or consideration of any of the historical background or any of the implications or other tax provisions involved with what is being contemplated.

Let me say that the gentleman from Florida (Mr. GIBBONS), chairman of the Subcommittee on Oversight of the Committee on Ways and Means, has conducted a number of days of hearings this year, has received the views of all parties concerned with this action, and has had a great deal of staff work done on the subject. The subcommittee is now in the process of diligently working to come up with some sound recommendations that are responsible, that do take into consideration the delicacy and complexity of this matter that will resolve it and it is my hope that this House will follow orderly procedures and not get onto the irresponsible track of considering matters with absolutely no consideration for the responsible legislative process.

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

Mr. ULLMAN. Mr. Chairman, I yield to the chairman of the subcommittee, the distinguished gentleman from Florida (Mr. GIBBONS).

Mr. GIBBONS. I thank the Chairman.

Mr. Chairman, you are absolutely correct. The problem of the tax-exempt organizations, churches and schools, is a very involved one. As anyone knows who has been deeply into this subject, many people aim to be tax exempt when they are really taking advantage of other types of operations. This includes semi- and quasi-business operations and everything else. All kinds of imaginable enterprises that could be carried on.

The Ashbrook amendment as I read it here would be very deleterious as far as collecting taxes is concerned because it absolutely ties the hands of IRS and says you cannot do anything unless that regulation was in existence as of August 22, 1978.

Unfortunately, the question of taxes is not that refined process. The laws we have passed occasionally have to be interpreted by the IRS and what the gentleman from Ohio (Mr. ASHBROOK) has done or will do if this amendment becomes law, and I trust it will not, is say that the tax lawyers and accountants out there may just have a field day. You can set up anything that has not already been outlawed under these laws that we have passed, or by regulations and I do not know how many loopholes will be driven into our income laws because of legislation like this.

Let me say, Mr. Chairman, as you know we have been going into this thing very methodically and very diligently trying to work out the problems that have been caused here. We have court decisions we must worry about, we have laws we must worry about, we have past procedures to worry about, we have first amendment rights under the Constitution, we have the desegregation laws to worry about and it is a very narrow path to tread. Nothing precipitous has been done by the IRS. They have only to put forth some proposed revenue procedures.

They have not put anything in final form.

As I say, I think it would be premature and inappropriate to adopt the Ashbrook amendment.

Mr. ULLMAN. Mr. Chairman, let me further add that the IRS has not implemented these regulations. They have held them in abeyance. The language that is already in the report will take care of the situation until we can do the responsible thing in the Committee on Ways and Means.

I urge the Members to vote down this very, very bad amendment.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. GIBBONS and by unanimous consent Mr. ULLMAN was allowed to proceed for 2 additional minutes.)

Mr. ULLMAN. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. ASHBROOK. I appreciate my colleague's statement. I would like to clarify two points.

My friend and colleague, the gentleman from Florida (Mr. GIBBONS) at one point indicated that even if my amendment were not mischievous it would probably prevent the collection of taxes. Later in his statement he indicates the IRS has really done nothing, nothing has been placed so there can really be no taxes raised if there is nothing in place.

My amendment very clearly indicates on its face that all the regulations in existence as of August 22, 1978, would not be touched.

My colleague surely knows that existing revenue procedure 7550 would be in effect, they can continue to review, they still impose detailed recordkeeping requirements on the schools.

Mr. GIBBONS. I am sorry, the gentleman from Ohio (Mr. ASHBROOK) misses my point.

Mr. ASHBROOK. I would be glad to get it.

Mr. GIBBONS. What the gentleman has done in his amendment is open a field day for those who watch this Internal Revenue Code like hawks. Everytime there is any potential loophole there, there is nothing to stop them from setting up something that is described as a religious institution or a school or something and conduct a private business out of it and pocket untold amounts of tax-free money.

I think the gentleman just goes too far. It will require a little trust here while we are trying to work this out. I am very sensitive to the question you raise and that the gentleman from California (Mr. DORNAN) raises and that other Members have raised here but it is not something we should try to attack in an appropriations bill.

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

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

Mr. GEPHARDT. I would just like to say that as a former member of the Subcommittee on Oversight of the Committee on Ways and Means and one who has followed this issue very closely, I

feel very strongly that the place to handle this matter and other such matters is in the Subcommittee on Oversight of the Committee on Ways and Means and committees like it on the Senate side.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. GEPHARDT and by unanimous consent Mr. ULLMAN was allowed to proceed for 2 additional minutes.)

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

Mr. GEPHARDT. I think the chairman of the subcommittee has made a very valuable point and that is that by using this remedy, by cutting off the funds for the IRS to carry out these kinds of activities we really throw out the baby with the bath water. This is a very dangerous way to go about it. It does not make good logical sense. The Subcommittee on Oversight of the Committee on Ways and Means is attacking this problem and is working hard to try to solve it and I think they can solve it. I think the actions they have already gotten the IRS to take indicate it is going to be solved correctly. I commend the gentleman and I hope that Members will consider this as they vote on this amendment and will vote the amendment down.

□ 1250

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

Mr. BAUMAN. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the amendment.

I would just like to say that we have been given some rather broad assurances by the members of the Committee on Ways and Means who are involved in these hearings. But these IRS regulations to which many of us object, and which are objected to by the leaders of many religious denominations, including parochial school systems, Catholic, Protestant, and many other religious groups which have schools have been proposed since August of last year.

It is my impression that it was with the greatest reluctance that the hearings were even scheduled. I know as one of the cosponsors, and there are more than 120 Members of this House who have cosponsored 20 bills to nullify these IRS regulations.

As I understand it, these regulations may take effect next January, so I think that there is every reason to pass the Ashbrook amendment. I strongly support it as a means to stop a serious threat to the private and religious schools of the Nation. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, I thank my colleague for yielding.

We know precisely what we are doing here. I think my amendment, ample copies of which are on the desk, is very clear. I think the point that was overlooked by my friend and colleague, the gentleman from Florida, is that not long ago the IRS and the Justice Department had themselves appeared in courts and filed briefs against the very position that IRS is taking, should they make the

basic changes contemplated last August while we sit idly by.

All right, they changed the ground rules last August. Almost a year has gone by. I know the heavy work schedule that they have on the Committee on Ways and Means, but as my colleague has pointed out, as many as 120 Members have introduced legislation requesting action but none is forthcoming. The IRS has gone forward and is promulgating regulations, regulations which should not go unchallenged.

The thing to reemphasize is that my amendment would not in any way interrupt their continued case-by-case process which they were using up until August 22 and from which point they are going to change.

Let them do that. That worked for years; but why give them a year running time, in effect, which is what we have, to promulgate regulations and unless something comes in specifically they will go into effect on January 1, 1980.

Now, there is no harm that will come from my amendment, which will be a stopgap. I wish we had a legislative remedy. We have not had it in a year. We have to judge whether or not we will, but does every Member of this body want to take the chance? Do they want to take the chance in the remaining few months of this session that we will not act? At least by my amendment we are holding the floodgate until the Committee on Ways and Means properly acts.

My amendment in no way will preclude them from making additions or revisions in the permanent law and for at least 1 year we will have kept the IRS from going forward with their August 27, 1978, regulations. That is what I am trying to do, not to say they cannot issue regulations of any kind. As I pointed out, under their current regulation 7450, they can review schools. They can bring schools in effect before the mast, even though they have given them prior tax-exempt status. I am not trying to take that away.

We are just saying do not go forward with these broad regulations or procedures, whatever you want to call them, until the Congress or a court affirmatively acts on that subject. That is all we are trying to do.

Mr. BAUMAN. Mr. Chairman, as I understand the gentleman's position, the gentleman is actually doing a favor to the gentleman from Florida and others in the sense that he is giving the committee more time for the deliberate type of action which has been described to us, and failing that, these regulations could take effect the beginning of next year and we would have no recourse, except to repeal the existing regulations.

Mr. Chairman, I yield to the gentleman from South Carolina.

Mr. CAMPBELL. Mr. Chairman, I thank the gentleman for bringing to the attention of this body the method that the IRS used to try to put into place these regulations. They tried to bypass the hearing process. It was only upon the insistence of Members of Congress that hearings were held and this matter was

brought into an open light from behind closed doors. That is an unfortunate way to legislate also.

We have heard criticism of the efforts here to legislate on the floor. That is the bureaucracy legislating.

The other thing that bothers me, statements have been made that this would open the door to all types of corporations being set up to get around the law, to get around paying taxes. This amendment deals specifically with schools.

Mr. BAUMAN. Only schools.

Mr. CAMPBELL. Only schools, and I do not think that smokescreen should be allowed to stand, because this is a different situation completely.

The other thing is, and it really bothers me, when the IRS goes into this we are talking about a burden of proof situation. We are talking about changing things completely and, obviously, it should be done legislatively when we deal with this sort of situation; but it has been pointed out that we have been almost 1 year with nothing done. Are we going home and come back next year and say, "Well, gosh, it's all too late now." Or are we going to act? I think that is the question.

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

Mr. Chairman, I shall try not to use the 5 minutes. I just want to correct some factual errors. One, as soon as we became aware of these regulations, we began our oversight activities into them, long before I got the even first letter from any Member of Congress. We immediately took them under consideration and the only problem we ever had was whether the full Committee on Ways and Means would have a hearing on them, on whether they would be taken up by one of the subcommittees.

It became obvious right after the first of the year that the agenda of the Committee on Ways and Means would be too full to handle this very complex matter and that the IRS was beginning to back off from some of their regulations anyway.

So the oversight committee went ahead with the hearings. We had extensive hearings. We heard everybody that wanted to be heard. We listened to them and paid attention to them.

I have made suggestions to the IRS as to how those regulations ought to be changed. One reason they had not been promulgated was because I asked the IRS not to promulgate them so that we could go into them thoroughly. They have cooperated with the committee and with the Congress, I believe, in an honest, straightforward manner; but the IRS is under the gun from court decisions on the other side interpreting the 14th amendment to the U.S. Constitution and they have a problem of being held in contempt of court or being overruled by the court, and that is where we are.

I feel very strongly about this matter, just as many Members do, that the IRS perhaps went too far in their original regulations.

As I say, they have backed off on them. They are holding them and we are working with them now to try to straighten them out, but I am not the President of the United States. I cannot control everything that goes on here; but give us a chance to make a good faith effort to do it.

The Ashbrook amendment goes too far. Anybody could set up anything under the law and call it a school or a church and there are no definitions under the law as to what is a church. You could just go on and on and carry on all kinds of businesses as a school or church.

We have problems all the time. The mind of man is fertile and the mind of man who is equipped with a law degree or an accounting degree is even more fertile than when it comes to ways of not paying the taxes that all the rest of us pay; so I ask you to please be patient, please give us time and please let us work ahead on this in the way that we are doing.

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

Mr. GIBBONS. Yes, I would be glad to yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, the gentleman is absolutely correct. What is attempted to be done here—this principle itself—erodes away the very basis for the Internal Revenue Code. I strongly recommend to the Members that they vote down this amendment and allow the committee to proceed in an orderly way.

We are just very, very conscious, as the gentleman suggests, of the problems that the IRS creates; but we are approaching them in an orderly, responsible way.

I want to tell the Members that it is the intention of the Committee on Ways and Means to face up to this matter at the earliest possible moment, as soon as we are able to find the kind of solution that is responsible and bring it to the House for consideration.

Mr. GIBBONS. Mr. Chairman, I yield to the gentleman from New York.

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

I would bring to the attention of the House that this subcommittee went into this question fully. We discussed it in markup. We discussed it during our hearings. No one asked to testify before our committee. We feel that this is an appropriation bill. What we are discussing is legislation and we did not wish to legislate on an appropriation bill. Although it comes forward as a limitation, it is still legislation; but in our report on page 15, we directed the IRS and told them that they were improperly going into certain regulations and they should wait for legislative direction, and they are waiting until they do get legislative direction; so this committee has thoroughly gone into this question. We have in our report pointed it up and according to this direction, IRS is waiting for legislative direction.

□ 1300

Mr. GIBBONS. Mr. Chairman, the gentleman is correct. I think the Com-

mittee on Appropriations has taken a very responsible course, and I think we ought to support the Committee on Appropriations, vote down the Ashbrook amendment, and then vote down the Dornan amendment.

Mr. SENSENBRENNER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, this amendment is essential if Congress is to act on the various sticky issues that have been raised by the IRS as promulgating the regulations of August 22, 1978. Basically, what those regulations do is to change the burden of proof from the IRS having to prove that a private school was in fact discriminating to the school having to prove that in fact it was not discriminating.

The gentleman from Florida (Mr. GIBBONS) said or implied at least that the 14th amendment is requiring the IRS to change these regulations. I find nothing in the 14th amendment relating to the burden of proof whatsoever.

What the IRS is attempting to do with these regulations is to tell every private school in the country that they are guilty until proven innocent, which seems to me to be a great turnaround of our system of jurisprudence that has evolved over the years.

Furthermore, the IRS regulations that are under attack on the floor here today only apply to schools, and most of the schools to which they apply are nonprofit schools.

So if the IRS is successful in passing these regulations, what is to be gained in terms of additional revenue for the U.S. Treasury? Probably very, very little, since nonprofit schools will not pay any tax whatsoever and since the corporate income tax is based on the amount of profit.

So in sum and substance, Mr. Chairman, the regulations are purely and simply a form of harassment against the private schools of this country. The regulations that were in effect prior to August of last year or the proposals of last year were very adequate in revoking the tax-exempt status of those schools that did discriminate. No one complained that they were inadequate until somebody down at the IRS came up with the proposed regulations.

Mr. Chairman, it is my feeling that we ought to give the Committee on Ways and Means an additional year of breathing time to resolve this problem on a permanent basis through legislative action, and that the Ashbrook amendment should be adopted.

Mr. McDONALD. Mr. Chairman, will the gentleman yield.

Mr. SENSENBRENNER. I yield to the gentleman from Georgia.

Mr. McDONALD. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for yielding.

I just want to commend the gentleman for his statement, and I certainly agree with him. I strongly support the Ashbrook amendment. I appreciate the gentleman's offering the amendment, and I plan to support it.

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

Mr. SENSENBRENNER. I yield to the gentleman from Iowa.

Mr. GRASSLEY. Mr. Chairman, I rise as well to commend the gentleman from Wisconsin (Mr. SENSENBRENNER) for his statement. I associate my remarks with him, and I rise in support of the amendment.

Mr. Chairman, this amendment proposed by Mr. ASHBROOK addresses an urgent problem facing private schools—the Internal Revenue Service's interference with their tax status and revenue sources. It appears that the IRS is establishing social policy in their regulations, an act clearly outside their statutory authority.

This is not to suggest that the goals of the IRS are entirely wrong. Nobody argues that racial discrimination should receive preferred tax status in the United States. However, the IRS should not be making these decisions on the agency's own discretion. Congress should make these decisions.

The function of the IRS is to collect revenue for the United States, not to determine what percentage of a private school's enrollment indicates a racially discriminating school. Nor should the IRS be judging whether an individual's contribution to a religious school which does not charge tuition constitutes a charitable contribution only if it exceeds the IRS-determined fair market value of that tuition. Some sort of legislative direction is needed to prevent the IRS from engaging in social policy issues.

The historical adage that the power to tax is the power to destroy, applies here. Many private schools are financially imperiled by the IRS's new actions. The IRS needs legislative direction on the proper scope of its duties and the will of the Congress. Mr. ASHBROOK's amendment provides us with this opportunity, I urge my colleagues' support of this measure.

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

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

Mr. BAUMAN. Mr. Chairman, I would just like to compliment the gentleman from Wisconsin (Mr. SENSENBRENNER) on his correct statement of the legal situation. Yet twice the gentleman from Florida (Mr. GIBBONS) has raised this bugaboo of the possible creation of many new corporations that could qualify for tax-exempt status without restrictions if this amendment is passed. That is just simply not correct.

A reading of the amendment makes it very clear that it is the loss of tax-exempt status which applies to existing entities that now have such a tax-exempt status. None of these new corporations the gentleman is talking about could escape IRS examinations under existing rules.

This amendment simply grants a 1-year grace period, during which we will take the gentleman from Florida at his word and wait for his committee to act.

Mr. SENSENBRENNER. Mr. Chairman, the gentleman is correct. Any new

entity that is created would have to apply for tax-exempt status and be granted that status by the Internal Revenue Service before they get it.

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

Mr. SENSENBRENNER. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. Mr. Chairman, I compliment the gentleman from Wisconsin (Mr. SENSENBRENNER) on his statement, and I compliment the gentleman from Ohio (Mr. ASHBROOK) for offering this amendment.

Mr. Chairman, as one of over 100 Members who have sponsored legislation to deny the Internal Revenue Service any authority to promulgate their regulations to eliminate tax exemption for private and religious schools that were not complying with Federal racial standards, I rise in support of the Ashbrook amendment. In effect, this amendment would stop the funds to carry out any policy, procedure, guidelines, regulation, standard, or measure which would cause the loss of tax-exempt status to private, religious, or church-operated schools under the Internal Revenue Code of 1954, unless in effect prior to August 22, 1978.

In my judgment, the Internal Revenue Service has seen fit to exercise this violation without the benefit of public or congressional approval by claiming it to be a matter of defining existing internal guidelines. It makes utterly no sense to create this hardship for private schools. The IRS should do what Congress has mandated and stay out of the legislative processes.

It should be stressed that only Congress has the right to legislate a new tax status for traditionally exempt charitable institutions. The responsibility of the IRS is purely to enforce the tax laws, clarify the laws, but not to expand on them. The power of the IRS is being overblown by the new assumption that whatever private activity the IRS does not tax, in fact it refrains from taxing. Tax exemption is being equated with Federal aid. The outgrowth would be to allow the IRS to regulate virtually any activity in society it chooses. All religious activity along with private education could be seriously affected by the proposed procedures.

If the IRS is not stopped, their action would put thousands of Christian schools in the position of having to prove that they were not guilty of violating the new definitions set forth by the agency and would add an impossible financial burden onto the schools. This ruling would force many schools to close simply because they could not afford the cost of defending themselves or conforming to costly and overbearing guidelines. Christian schools are usually small institutions, supported exclusively by parents of enrolled students and by a local church congregation. These schools are not run as major corporations, with CPA's and general counsels available to interpret, appeal or comply to the latest bureaucratic rulings.

To retain tax-exempt status under the proposed procedures, private schools would be required to undertake programs for minority preference in admis-

sions and hiring. The IRS would automatically place thousands of Christian schools in the position of having to prove that they were not guilty of violating the new definition set forth by the agency, which appears contrary to our rule of law, "innocent until proven guilty."

Uniformity, equality and fairness in their application of these regulations would be impossible. No school is to know whether or not they are in fact discriminating until the IRS renders judgment on their school. These procedures also give the IRS the option of selecting which churches are to be allowed to educate their youth as a part of their religious mission.

Furthermore, this plan violates the constitutional separation of church and state, and disregards recent Supreme Court rulings which prohibit the use of federally imposed quotas in the schools. Certainly to impose student and faculty quotas on private schools is wrong, and infiltrates a constitutionally protected realm. By setting severe compliance standards, and volumes of paperwork, the Federal Government would close more than half of all private schools.

This is not an issue of race. In 1970, the IRS announced that racially discriminatory schools, who did not maintain an open-door policy must forfeit their tax-exempt status and as a result of this action by the IRS over 100 schools lost their tax-exempt status. That action was sufficient and there is no need for regulations of this magnitude and expense.

The long-range consequence of this IRS action is indeed frightening, and strikes at the very heart of the first amendment and the future of religious freedom and jeopardizes the future of private education in America. The Internal Revenue Service has undertaken to deal a death blow to private, elementary and secondary education and must be stopped.

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

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

Mr. ASHBROOK. Mr. Chairman, let us reiterate again the last point the gentleman made. What was in place on August 22, 1978, all of the obstacle courses, all of the application forms IRS had in effect would still be in effect. All we are doing is to stop the overreach of power since that time. Three basic points should also be remembered by all of us before we vote on this amendment.

No. 1, IRS has acted.

No. 2, the Congress has not acted. No matter what my colleague says that he has done in his oversight committee, no matter what they said in private conversations or working arrangements with the IRS, the Congress has not acted.

No. 3, all of us have followed the IRS closely since August, and we have seen them acting as a race car going down the track looking for that hole or opening to get through. They are trying to change the basic procedures. They tried to do it in August of last year when we were not even in session. They will look for any hole to get through.

Mr. Chairman, I would recommend the Members vote for my amendment or on January 1, 1980, we will probably be confronted with IRS regulations in place with no congressional action.

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

Mr. SENSENBRENNER. I yield to the gentleman from Idaho.

Mr. SYMMS. Mr. Chairman, I rise in support of the amendment.

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

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

Mr. DICKINSON. Mr. Chairman, I rise in support of this amendment, to prevent the Internal Revenue Service from implementing its proposed revenue procedure against private church-related schools during fiscal year 1980. I also wish to point out one fact that I think has not been stressed.

We have heard the House should hold off action because the Committee on Ways and Means has the matter under advisement and is working on it. However, there is nothing in this amendment that would prevent the Committee on Ways and Means from going on with its deliberations and turning out a bill on this subject. This is simply a stopgap measure to head off what I think would be the irreparable harm that the IRS wants to perform on the American public.

In order to effectively enforce the tax laws of this Nation and maintain public confidence in its operations, IRS must administer and enforce the tax laws in a fair and impartial manner. Tragically, their proposed revenue procedure, which this amendment would block, is so thoroughly flawed and defective that its main accomplishment is to undermine public confidence in the Internal Revenue Service, the Department of the Treasury and the entire administration.

At the present time, IRS has more than adequate authority to strip away the tax-exempt status of private schools that practice racial discrimination and I know this authority has been used effectively in a number of cases. The intelligent and sensible thing to do would be to leave it at that.

Unfortunately, we seem to be in the era of the "social engineer." Some people have a commitment to a cause which they consider to be so high and noble that little concern is shown for anything else, including the Constitution of this Nation. Proponents of the IRS guidelines seem uninterested in their constitutional perils or lack of legislative mandate from the Congress, but I do not believe questions relating to freedom of religion or due process of law should be passed over so lightly. I am also greatly alarmed by the implications of some statements by IRS to the effect that the churches might also lose their tax-exempt status when the exemption for the schools they sponsor is revoked.

The inherent evil in the radical proposal by IRS is that it shifts the presumption of innocence away from the alleged violator and creates a burden for the school in question to prove they are not violating the guidelines. This "guilty until proven innocent" concept is totally

alien to our system of justice and ought to be stopped right here and now.

Proponents of the IRS guidelines seem to feel that the granting of the tax exemption to certain organizations under the Internal Revenue Code is a form of aid or benefit bestowed by the Federal Government. In my view, this concept is way off the track. I think a much better case can be made for saying that Congress intended the exemption to keep the Government from getting entangled in the affairs of religious and other organizations covered by the IRS Code.

In addition to its basic constitutional and legal deficiencies, the IRS revenue procedure is so badly drafted that it is murky and ambiguous. The guidelines are so vague and imprecise that they readily lend themselves to being applied in an arbitrary and capricious manner. No doubt a great many lawyers would have to be hired by both IRS and the reviewable schools before the mess created could be straightened out.

So, Mr. Chairman, let us agree to the amendment and then let the Committee on Ways and Means come up with the legislation it wants. Certainly this amendment would not preclude that, in fact, a favorable vote here today could provide the committee with the impetus for taking prompt and affirmative action to report out a bill permanently preventing the IRS from trying to implement its proposed rules. I urge the House to adopt the amendment.

● Mr. DUNCAN of Oregon. Mr. Chairman, I rise in support of Ashbrook's amendment to the appropriation bill of the Treasury Department, and I urge that my colleagues of the House also support it.

My reasons for supporting this amendment are many and varied. The action of the IRS in considering issuance of a revenue procedure of the nature of the one at issue, is, in my opinion, a very serious infringement by the executive branch of our Government on the constitutional provision making the Congress the sole legislating body of this Government. This must not be allowed to happen if we are to maintain our system of "checks and balances" as provided for in our Constitution.

Additionally, the reasons put forth by the IRS as justification for its action by the IRS, as shown, in hearings before the Oversight Subcommittee of the Ways and Means Committee were shallow and unsupportive to their actions.

The revenue procedure, when examined closely, brings up many very serious constitutional and procedural questions for which no readily available answers are known at this time. It is certainly neither the duty nor province of the IRS to make the judgments necessary to resolve them.

Mr. Chairman, the serious questions of integration of our schools; of allowing tax policies, via exemptions, and so forth, be used to affect the conduct of national affairs, private education, separation of church and state, and the many other serious problems involved in this matter, should not be left to or allowed to be the province of the IRS.

Mr. Chairman, while some might question the use of an amendment to an appropriation bill to prevent an executive department from performing some objectionable act, I would point out to my fellow Members the duty of the Congress is to provide a "check and balance" on the other branches of our Government. The most reliable and effective way known is "through the pocketbook."

Therefore, Mr. Chairman, I again urge all the Members of this distinguished House to support the Dornan amendment.●

● Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Ohio.

A number of my colleagues and I have fought attempts by the Internal Revenue Service during the past year to regulate educational policies of private tax-exempt schools. I have voiced my opposition at every juncture in regard to IRS attempts to place the various institutions in a "guilty until proven innocent" position.

The IRS was not designed to set social policy, decide quotas for educational institutions, or expand its designated function. Instead, the IRS was designed to collect revenue and enforce tax laws within the guidelines set forth by the Congress.

Mr. Chairman, I strongly urge my colleagues to abide by the recommendations of the Appropriations Committee report. In essence, the committee report requests that the revenue procedures proposed by the IRS should not be promulgated until Congress has had an opportunity to evaluate pending legislation on this matter.

The amendment offered by Mr. ASHBROOK would prohibit the IRS from expending funds for implementation of such regulations. This amendment is germane and timely during a time when many Government agencies are attempting to expand their powers beyond the original intent of the Congress.

I urge you to support the amendment offered by Mr. ASHBROOK.●

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

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

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

The CHAIRMAN. The Chair will count.

Does the gentleman from Ohio (Mr. ASHBROOK) withdraw his point of order of no quorum?

Mr. ASHBROOK. Yes, Mr. Chairman, I withdraw my point of order, and I renew my demand for a recorded vote.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 297, noes 63, not voting 74, as follows:

[Roll No. 333]

AYES—297

Abdnor	Gilman	Murphy, Ill.
Addabbo	Gingrich	Murphy, N.Y.
Akaka	Ginn	Murphy, Pa.
Ambro	Glickman	Murtha
Anderson,	Goldwater	Myers, Ind.
Calif.	Goodling	Natcher
Andrews, N.C.	Gore	Neal
Andrews,	Gradison	Nedzi
N. Dak.	Gramm	Nelson
Annunzio	Grassley	Nichols
Anthony	Green	Nowak
Applegate	Grisham	O'Brien
Archer	Guarini	Oakar
Ashbrook	Gudger	Oberstar
Aspin	Guyer	Panetta
Atkinson	Hagedorn	Pashayan
AuCoin	Hall, Tex.	Patterson
Badham	Hamilton	Paul
Bafalis	Hammer-	Pease
Bailey	schmidt	Perkins
Baldus	Hance	Petri
Bauman	Hanley	Peyster
Beard, R.I.	Harkin	Preyer
Bedell	Harris	Price
Benjamin	Harsha	Pursell
Bennett	Hefner	Rahall
Bereuter	Heftel	Regula
Bethune	Hillis	Rhodes
Bevill	Hollenbeck	Rinaldo
Biaggi	Holt	Roberts
Blanchard	Hopkins	Robinson
Boggs	Horton	Roe
Boner	Howard	Rostenkowski
Bouquard	Hubbard	Roth
Bowen	Huckaby	Roybal
Breaux	Hughes	Rover
Brinkley	Hutto	Rudd
Broomfield	Hyde	Runnels
Buchanan	Ichord	Russo
Burgener	Jacobs	Santini
Butler	Jeffries	Satterfield
Byron	Jenkins	Sawyer
Campbell	Jenrette	Schulze
Carney	Johnson, Calif.	Sebelius
Carr	Johnson, Colo.	Sensenbrenner
Carter	Jones, N.C.	Sharp
Chappell	Jones, Tenn.	Shuster
Cheney	Kazen	Smith, Iowa
Clausen	Kelly	Smith, Nebr.
Clinger	Kemp	Snowe
Coelho	Kildee	Snyder
Coleman	Kindness	Solomon
Collins, Tex.	Kogovsek	Spence
Conable	Kramer	St Germain
Conte	Lagomarsino	Staggers
Corcoran	Latta	Stangeland
Coughlin	Leach, Iowa	Stanton
Courter	Leach, La.	Stenholm
Crane, Daniel	Leath, Tex.	Stewart
D'Amours	Lederer	Stockman
Daniel, Dan	Lee	Stratton
Daniel, R. W.	Levitas	Stump
Dannemeyer	Lewis	Swift
Daschle	Lloyd	Symms
Davis, Mich.	Loeffler	Tauke
Davis, S.C.	Long, La.	Taylor
Derrick	Long, Md.	Thomas
Derwinski	Lott	Traxler
Devine	Lowry	Trible
Dickinson	Lujan	Vander Jagt
Dicks	Lungren	Vanik
Dingell	McClary	Vento
Dodd	McCloskey	Volkmer
Donnelly	McCormack	Walgren
Dornan	McDade	Walker
Dougherty	McDonald	Wampler
Duncan, Oreg.	McKay	Watkins
Duncan, Tenn.	McKinney	Waxman
Edgar	Madigan	Weaver
Edwards, Ala.	Marks	White
Edwards, Okla.	Marlenee	Whitehurst
English	Mariotti	Whitley
Erdahl	Martin	Whittaker
Erlenborn	Mathis	Whitten
Ertel	Matsui	Williams, Mont.
Evans, Del.	Mattox	Williams, Ohio
Evans, Ga.	Mavroules	Wilson, Bob
Evans, Ind.	Mica	Wilson, Tex.
Fary	Michel	Wirth
Fazio	Mikulski	Wolff
Ferraro	Miller, Ohio	Wright
Fish	Mineta	Wyder
Fithian	Minish	Wylie
Florio	Mitchell, N.Y.	Yatron
Foley	Moakley	Young, Alaska
Ford, Mich.	Mollohan	Young, Fla.
Fountain	Moore	Young, Mo.
Fowler	Moorhead,	Zablocki
Frenzel	Calif.	Zeferetti
Frost	Moorhead, Pa.	
Gaydos	Mottl	

NOES—63

Barnes	Ford, Tenn.	Pickle
Bellenson	Gephardt	Rangel
Bingham	Gibbons	Ratchford
Bonior	Gonzalez	Reuss
Brademas	Gray	Sabo
Brodhead	Hall, Ohio	Scheuer
Brown, Calif.	Hawkins	Schroeder
Burlison	Holtzman	Seiberling
Burton, Phillip	Jeffords	Shannon
Cavanaugh	Jones, Okla.	Simon
Chisholm	LaFalce	Solarz
Collins, Ill.	Lehman	Stark
Corman	Leland	Steed
Danielson	Lundine	Studds
Dellums	McHugh	Synar
Diggs	Markey	Thompson
Downey	Miller, Calif.	Ullman
Drinan	Moffett	Van Deerlin
Eckhardt	Ottinger	Wells
Fascell	Patten	Wolpe
Fisher	Pepper	Yates

NOT VOTING—74

Albosta	Findley	Nolan
Alexander	Filippo	Obey
Anderson, Ill.	Flood	Pritchard
Ashley	Forsythe	Quayle
Barnard	Fuqua	Quillen
Beard, Tenn.	Garcia	Rallsback
Boiland	Gialmo	Richmond
Bolling	Hansen	Ritter
Bonker	Heckler	Rodino
Brooks	Hightower	Rose
Brown, Ohio	Hinson	Rosenthal
Broyhill	Holland	Rousselot
Burton, John	Ireland	Shelby
Clay	Kastenmeyer	Shumway
Cleveland	Kostmayer	Skelton
Conyers	Lent	Slack
Cotter	Livingston	Spellman
Crane, Philip	Luken	Stack
de la Garza	McEwen	Stokes
Deckard	Maguire	Treen
Dixon	Mazzoli	Udall
Early	Mikva	Wilson, C. H.
Edwards, Calif.	Mitchell, Md.	Winn
Emery	Montgomery	Wyatt
Fenwick	Myers, Pa.	

□ 1320

The Clerk announced the following pairs:

On this vote:

- Mr. Slack for, with Mr. Richmond against.
- Mr. Myers of Pennsylvania for, with Mr. Garcia against.
- Mr. Boland for, with Mr. Ashley against.
- Mr. Montgomery for, with Mr. Fuqua against.
- Mr. Emery for, with Mr. Mitchell of Maryland against.
- Mr. Hansen for, with Mr. Stokes against.
- Mr. Ritter for, with Mr. Clay against.
- Mr. Shumway for, with Mr. Conyers against.
- Mr. Beard of Tennessee for, with Mr. Dixon against.
- Mr. Deckard for, with Mr. Flood against.

Mr. VENTO changed his vote from "no" to "aye."

Mr. YATES and Mr. MILLER of California changed their vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SYMMS

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

The Clerk read as follows:

Amendment offered by Mr. SYMMS: Page 8, after line 18, insert the following:

Sec. 104. None of the funds appropriated by this Act may be used to pay rewards (or other amounts) to persons for providing information leading to the detection of any person violating the internal revenue laws, or conniving at the same.

POINT OF ORDER

Mr. WEAVER. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Oregon (Mr. WEAVER) is recognized on his point of order.

Mr. WEAVER. Mr. Chairman, I have felt that other amendments we have voted on have been out of order, and I do not make a special case on this one. I simply say it is legislating an appropriation bill. It requires an agency of the Federal Government to make a determination, for instance, as to what "conniving" is, and therefore is legislation and violates the rules of the House.

Mr. SYMMS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman is recognized to be heard on the point of order.

Mr. SYMMS. Mr. Chairman, I would first say to the chairman that in past appropriations bills that this same amendment has been ruled in order in the previous Congresses to this.

Secondly, I believe my amendment does not change existing law and is merely a limitation on the use of funds in the bill. I do not think my amendment would require any additional duties on the executive officer administering the funds.

I think that, based on the past record, this amendment is clearly a limitation on spending and funds and is not legislating on an appropriations bill.

The CHAIRMAN. The Chair is prepared to rule.

The Chair does not consider that there has been any official ruling made on a similar provision in the past. Such a provision has been in appropriations bills, but it has not been ruled on.

In the opinion of the Chair, the amendment requires those affected by the limitation to make new determinations as to what constitutes "conniving" thus imposing a new duty of investigation that is not currently in the law.

Therefore, in the opinion of the Chair, it constitutes legislation on an appropriations bill, and the point of order is sustained.

AMENDMENT OFFERED BY MR. SYMMS

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

The Clerk read as follows:

Amendment offered by Mr. SYMMS: Page 8, after line 18, insert the following:

Sec. 104. None of the funds appropriated by this Act may be used to pay rewards (or other amounts) violating the internal revenue laws.

Mr. WEAVER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Does the gentleman wish to be heard on his point of order?

□ 1330

POINT OF ORDER

Mr. WEAVER. I will make the same point that there must be a determination as to what is a "reward," or what "an amount" is.

The CHAIRMAN. Does the gentleman from Idaho desire to be heard on the point of order?

Mr. SYMMS. Mr. Chairman, I would make my previous argument and have removed from the amendment the objectionable statements according to the

Chairman's ruling. I think this clearly is not legislating in an appropriation bill and would say all it is is a limitation on spending.

The CHAIRMAN. The Chair is prepared to rule.

In the opinion of the Chair this amendment constitutes a restriction on funds and does not impose any new duties and is not, therefore, a legislative restriction on an appropriation bill. The point of order is overruled.

The gentleman is recognized for 5 minutes.

Mr. SYMMS. Mr. Chairman, in keeping with my initial effort to require that employees of the Internal Revenue Service be subject to certain ethical standards that are required of the private sector, I believe it is also important to eliminate a certain unethical use of taxpayers' funds—that is the payment of rewards or "bounties" to individuals providing information to the Internal Revenue Service leading to the detection of individuals who "might" have violated the internal revenue laws.

Presently, the Internal Revenue Service can pay an individual up to ten percent (10 percent) of the revenue that is collected if he turns a suspect taxpayer over to the Government.

This practice seems to be a totally unethical approach in the collection of revenue. I believe that our taxpayers are already overburdened by the amount of money they have to pay each year to the Federal Government and I do not believe that the Government should add a psychological burden to the taxpayer by having him be subject to "head hunters" as well as sometimes overzealous IRS agents.

Furthermore, the policy of paying a bounty is a policy of mistrust. It instills into our system an unhealthy practice of encouraging mistrust between taxpayers and an attitude of suspicion and greed among the citizenry.

When our Founding Fathers came to this country, they founded a system which was based upon certain ethical standards that was backed by a trust among themselves. It seems highly inappropriate that as lawmakers we would allow this policy of mistrust to continue in our system.

I hope that the Members here today will join me in my efforts to restore to our system of Government a policy which inspires trust.

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

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

Mr. PEYSER. I want to be sure I understand the gentleman's amendment. Is what the gentleman is saying that information that now occasionally reaches the IRS through people reporting and say so-and-so earned substantial moneys and they probably did not file, it is that type of information?

Mr. SYMMS. Yes. I thank the gentleman for the question. What we are talking about and talked about in the colloquy earlier, in the general debate, it was pointed out the IRS is practically paying no money out for this purpose at the present time. In the past they have

paid out millions of dollars to encourage people to rat on their neighbors, so to speak. I think it is a very unethical practice that we should not further in the United States of America. We should just not have head hunters being paid to go and turn in their neighbors whom they suspect may be in violation of the IRS Code. When the IRS does audit on someone, and whether it was purposeful or nonpurposeful violation of the income tax code, they can pay the informer a bounty of up to 10 percent of the revenue received from the taxpayer who was then audited. What this does is make the taxpayers tax collectors and it makes tax collectors out of more and more citizens as they start turning in their neighbors, and it smacks of a police state activity which I think we should try to avoid.

Mr. PEYSER. If the gentleman will yield further, it seems to me one of the things we are all concerned with, and certainly the gentleman has expressed this many times, is that as taxpayers we all want to bear an equal burden by honestly filing our returns and paying what is due. If on the occasion when someone has reason to suspect that a law is being violated, why not turn them in?

Mr. SYMMS. I think the gentleman and I are in total agreement. A good citizen should want to see the laws of the land upheld anyway and do this voluntarily. But why should we have this extra encouragement to provide an incentive for those who would then work in this field and become head hunters or bounty hunters?

Mr. PHILLIP BURTON. Mr. Chairman, will the gentleman yield?

Mr. SYMMS. Yes, I yield to the gentleman.

Mr. PHILLIP BURTON. I would like to join with my colleague from Idaho in support of this amendment. I think bounty hunting or head hunting is more in the tradition of a totalitarian rather than a free society. I think the gentleman's earlier amendment was well-placed. I supported him on that one, and I do not want to spoil the gentleman's whole week by supporting him twice in a row, but he is right again this time and I intend to support the gentleman's amendment.

Mr. SYMMS. I would say to my distinguished friend from California on the House Interior Committee that it will not spoil the gentleman from Idaho's week to have him support me twice. The gentleman can support me any time he wishes.

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

Mr. SYMMS. Yes, I will yield to the gentleman from Texas.

Mr. KAZEN. I may have been out of the Chamber when this was discussed. I think the gentleman just touched on the point as to how much money has actually been paid for information. This would be my question, how much was paid out by the Government last year for this type of information?

Mr. SYMMS. I thank the gentleman for the question. In past years it was upwards of a half million dollars to a million dollars. According to the chairman of the committee, the distinguished gentleman from Oklahoma, this year it has been less than \$100,000.

The gentleman from Idaho did not offer an amendment to strike that \$100,000 from the bill, because he did not know what other contingencies the Secretary of the Treasury might have that he needed the \$100,000 in his contingency fund for. Rather than do that I have just limited it so that we can send a message down to the Internal Revenue Service to let us not have bounty hunting. We can have good citizenship, yes, but encouraging bounty hunting, no.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

(At the request of Mr. McCLODY and by unanimous consent Mr. SYMMS was allowed to proceed for 2 additional minutes.)

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

Mr. SYMMS. I yield to the gentleman.

Mr. McCLODY. The thing that I am concerned about is this: Informants are an extremely important part of law enforcement and the payment of informants for information, which is provided through law enforcement agencies, including the IRS or Department of Justice, should be a practice which we would want to continue and for which we would want to provide compensation. I assume that the IRS would continue to be eligible to have informants whom they could pay? This amendment of the gentleman's would not inhibit the continued use of informants by any and all law enforcement agencies, would it?

Mr. SYMMS. In no way would it. It would only inhibit the Internal Revenue Service.

Mr. McCLODY. And it would only inhibit the Internal Revenue Service with regard to persons who are not engaged as informants, but persons who volunteer as informants for a reward?

Mr. SYMMS. Yes.

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

Mr. SYMMS. I yield to the gentleman from Georgia.

Mr. McDONALD. I thank the gentleman for yielding. Let me ask a question. If there is an informant that perhaps turns his neighbor in and the neighbor goes through a very extensive and expensive audit, and it turns out that there is no money owed to the IRS, does the IRS then turn back and pay for the cost of that audit?

Mr. SYMMS. Unfortunately, as the gentleman from Georgia well knows, it is always a one-way street when dealing with the IRS. The poor citizen who has been unduly harassed by overzealous IRS agents must provide their own defense, and are not compensated for that.

Mr. McDONALD. I think the gentleman from Idaho has made a tremendous amendment and addition to the bill and I strongly support it.

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

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

Mr. DORNAN. I have a question on this superb amendment, which I certainly will support. Two years ago when I tried to research this I found that it was about 100 times easier to get top secret information out of the Defense Department than to find out the following facts, and I wonder if the gentleman had any luck.

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

(At the request of Mr. DORNAN and by unanimous consent Mr. SYMMS was allowed to proceed for 1 additional minute.)

Mr. DORNAN. Mr. Chairman, will the gentleman continue to yield?

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

Mr. DORNAN. The question is what is the percentage of failure in audits when a neighbor would instigate an audit for purposes of harassment, or just neighborly meanness? It is almost impossible to find out from the IRS, at least it was for me, what their percentage of failure was on these informers before they are paid, for these instigated audits? Has the gentleman been able to find out this information?

Mr. SYMMS. It is very difficult to say. I would say to the gentleman from the colloquy during the general debate it appears it has been difficult for members of this distinguished committee to find out how much of this goes on or what information takes place. I think what we have to do in this body is to be sure we send an unmistakably clear message to the Internal Revenue Service.

Mr. DORNAN. If the gentleman will continue to yield, I believe a unanimous vote would accomplish that and I look forward to a unanimous vote on this issue.

Mr. SYMMS. We do not then have citizens becoming tax-collecting agents as they had in Rome right before the fall of Rome.

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

Mr. Chairman, this could well be labeled an amendment in favor of the law violators. But let me make one thing clear before this red herring of the Internal Revenue misleads the Members. This is a general provision that applies to the entire Treasury Department. If this amendment is adopted, the ability of the Secret Service to combat counterfeiting and forgery will be eliminated, the ability of the U.S. Customs Service to fight smuggling across the border and work on the task forces of the Drug Enforcement Agency and other Government agencies will be eliminated, and also the ability of the Alcohol, Tobacco, and Firearms Agency to fight terrorism and bombings and that sort of thing.

□ 1340

This is a very dangerous amendment. It should not be adopted. In addition to

that, it probably was well known as one of the finest programs of any agency of the Government. That is the incentive awards program of the Treasury Department, where they get ideas from the employees that save thousands of dollars and improve efficiency. I cannot imagine anybody wanting to cause a program like that to be jeopardized.

So, I recommend that a thing as mischievous as this be defeated because any case they can make about abuses of the IRS are chickenfeed compared to the damage this amendment will do if it is adopted.

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

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

Mr. BADHAM. Mr. Chairman, I would be happy if the gentleman would yield for one question. Would the gentleman imply to the Members of this body that alcohol, tobacco, firearms, anticounterfeit, antidope smuggling and all of this can be handled by the mere expenditure of a hundred thousand dollars of reward?

Mr. STEED. That is just one part of it. There are other funds and other activities in which this whole program is involved. The opportunity to use this weapon will be totally eliminated. No one can benefit from the adoption of this amendment except law violators. That is as plain as the nose on your face, and I make no bones about it, that a vote for this amendment is a vote to encourage violation.

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

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

Mr. VANIK. Mr. Chairman, I would like to point out that if this amendment is adopted, what we are doing, in effect, is we are losing our chance to collect about \$50 billion in underground income upon which there are no taxes paid. If we want to balance the budget, if we want to make people in this country pay their fair share, and if we want to reach the billions of dollars of illicit income that pay no taxes, by voting for this amendment we are taking away one of the most effective tools the Treasury Department has.

I think it would be a very, very dangerous step to take. It is something that ought to be considered in the appropriate committees that deal with the collection of taxes, that deal with the responsibilities of Internal Revenue collectors, which will provide reports for the conduct of the collection of taxes. But, if we want to legalize the \$50 billion that escapes the Treasury, that is the gentleman's responsibility. It is a very dangerous step.

Mr. SYMMS. Mr. Chairman, would the chairman of the committee yield?

Mr. STEED. I yield.

Mr. SYMMS. Mr. Chairman, it was the intention of the gentleman from Idaho to limit this only to the Internal Revenue Service.

Mr. STEED. I say this to the gentleman: He puts it in a place in the bill

that applies to the entire Treasury Department, because it is a general provision under the whole Treasury Department. In the first place, if it only applied to Internal Revenue, it should not be adopted for more reasons than I will take the time to say here, because most of the Members are already aware of them, but the amendment applies to the entire Treasury Department and it cannot be interpreted any other way.

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

Mr. SYMMS. Mr. Chairman, would the gentleman yield for the purpose of a unanimous-consent request?

Mr. WEAVER. I wanted to take the floor to ask the gentleman from Idaho, does this apply only to IRS or to the entire bill?

Mr. SYMMS. I will say to the gentleman from Oregon, the gentleman from Idaho would ask unanimous consent, regarding this, that the amendment read:

In connection with income tax collection by the Internal Revenue Service.

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

Mr. GIBBONS. Mr. Chairman, I object. The CHAIRMAN. Objection is heard.

Mr. WEAVER. The question was, it does deal with the entire bill, is that correct?

Mr. SYMMS. If it is not amended, the gentleman is correct.

Mr. WEAVER. It does deal with the entire bill. Then I feel constrained to oppose the amendment, and I would like to ask the gentleman from Idaho one further question. It would constrain paying any amount by any of these agencies, including perhaps income tax refunds? It says, "pay any amounts".

Mr. SYMMS. Rewards for bounties. Mr. WEAVER. Or any amounts. Mr. SYMMS. The amendment does need an amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho (Mr. SYMMS).

The amendment was rejected. The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE II

U.S. POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for public service costs and for revenue foregone on free and reduced rate mail, pursuant to 39 U.S.C. 2401 (b) and (c), and for meeting the liabilities of the former Post Office Department to the Employees' Compensation Fund and to postal employees for earned and unused annual leave as of June 30, 1971, pursuant to 39 U.S.C. 2004, \$1,697,558,000.

AMENDMENT OFFERED BY MR. GLICKMAN

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

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN: On page 9, line 3, delete "\$1,697,558,000." and insert in lieu thereof "\$1,672,810,000: *Provided*, That no funds appropriated herein shall be available for implementing special bulk third-class rates for 'qualified political committees' authorized by Public Law 95-593."

Mr. ECKHARDT. Mr. Chairman, on this amendment I wish to reserve a point of order.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the amendment.

Mr. GLICKMAN. Mr. Chairman, the purpose of the amendment is quite straightforward. It will prohibit the continued implementation of authority granting certain qualified political committees the use of special bulk mail rates available to nonprofit organizations. According to Postal Service estimates, the amendment will save the American taxpayers \$24,748,000 in fiscal 1980. The subsidy amounts to 6 cents on each piece mailed, and it has been available since the enactment of Public Law 95-593, and about 150 different committees have qualified. The subsidy goes largely to the various State and national committees of our two major parties, but it also has benefited parties ranging from the Nazis to the Communists. Libertarian and Socialist Workers Party committees have also benefited.

First, I want to recount for you the process by which this expensive subsidy worked its way into public law. Last September, the House approved S. 703 under suspension of the rules. The bill was a broad piece of legislation designed to assure the voting rights of Americans living overseas, but the House Administration Committee had tacked on a provision amending title 39 of the United States Code to include these political committees in the definition of nonprofit organizations for purposes of bulk mailing rates. The committee report included a CBO estimate that the subsidy would cost between \$2.4 and \$4.5 million in each of the fiscal years between 1979 and 1983. Beyond a brief reference in the summary of the bill which was printed in the RECORD, this provision of the bill was never discussed during the debate in the House. When the Senate considered the question of concurring in the House amendments to S. 703, the only in-depth discussion of this provision came from former Michigan Senator Griffin who roundly criticized it. Senate concurrence was by unanimous consent; there was not even a recorded vote on the question there.

Another point that I think needs to be remembered is that the bill which authorized this subsidy was reported by the Committee on House Administration; it was not considered by the Committee on Post Office and Civil Service which has jurisdiction over the Postal Service. In fact, it is my understanding that, in spite of the fact that the idea for this subsidy has been around for a number of years, the Post Office Committee has never voted on the issue. I am sure that is largely thanks to the persistence of my colleague, Ed DERWINSKI, who I am glad to have cosponsoring this amendment. As far as I am concerned, the question of committee jurisdiction was reinforced by the fact that my bill to repeal this authority was referred not to House Administration, but

to the Post Office Committee where it rightly belongs.

Second, we need to consider the fiscal policy questions raised by this subsidy. There is no question about it, it is a very expensive plum for the political committees who benefit. We approved a supplemental appropriations bill for fiscal 1979 including \$18,233,000 to cover the revenue loss which the special rates are expected to cost the Postal Service for the 11 months of the year in which the bill has been in effect. The bill before us provides another \$24,748,000 for fiscal 1980. Those figures are a far cry from the \$2.4 million estimated for fiscal year 1979 and \$4.5 million for fiscal year 1980 when the authority was approved. The cost situation is made even worse by the fact that the expense of this subsidy is largely uncontrollable. Those committees, not the Congress and not the Postal Service, determine how much the taxpayers must pay to cover the costs of this subsidy as they decide how many mailings they want to make. It has not been so long since we debated the budget resolution and we found that our hands were tied on category after category because they were "uncontrollable." The authority we are considering here will only worsen that problem at a time when we need to be bringing it under control.

Before I leave the question of fiscal austerity, I want to remind my colleagues that both of our major parties have advocated bringing the Federal budget into balance by one means or another. And the rhetoric in support of reducing the Federal deficit has been echoed across the political spectrum. In light of that, I find it highly ironic that those same political parties are so anxious to maintain this little taxpayer-financed subsidy.

Finally, we need to look at the logic behind giving State and national political party committees the benefit of this low-cost, high-subsidy postal rate. Traditionally, the rate has been restricted to nonprofit organizations which fall into seven types: religious groups, educational organizations, philanthropic organizations, agricultural groups, labor organizations, veterans groups, and fraternal organizations. And I think it is instructive to look at the groups that currently do not qualify, in spite of the fact that they are nonprofit from a technical point of view: The American Automobile Association and its State clubs, Chamber of Commerce, Civic Improvement Organizations, Rural Electric Cooperatives, the Rotary, and Kiwanis Clubs, and the list goes on. As far as I am concerned, while I obviously believe that our political parties play a very important role in our free society, there is a clear distinction between groups like churches, the Heart Fund, the Cancer Society, and political committees.

And we need to give some thought to the question of how compelling is the need for the subsidy which is currently in effect. Both of our major political parties are well over a century old, and

they have managed for all that time without this break at taxpayer expense. That leads me to believe that—while I am sure that both of the major parties and a number of lesser ones are enjoying the benefit of this subsidy—they would continue to prosper without it.

At a time when the Congress is looking for ways to cut spending, including some like reductions in social security benefits which will have a real and serious impact on individual Americans hard hit by inflation, I think we need to look at priorities. My constituents sent me here to represent their best interests, not the best interests of any political party, and I intend to keep that in mind as I assess appropriations requests. I would hope my colleagues will share that commitment and support this amendment.

□ 1350

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

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

Mr. THOMAS. I thank the gentleman for yielding. Is the gentleman indicating by this amendment that the Democratic Party, the gentleman's party, never mails anything to its members of an educational nature which is not worthy of a nonprofit status?

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. GLICKMAN. The answer to the question of the gentleman is, of course not. Both political parties, the major parties, send matters of educational interest. But I am concerned here about process as much as anything else: That a provision slipped through that was not subject to full debate in this House, that was estimated to cost between \$2 and \$4.5 million a year and will cost \$25 million this year. I think we need to consider this matter in connection with other legislative priorities.

Mr. THOMAS. If the gentleman would yield further, if it is a legislative priority, if that is the problem, why do we not consider it in the legislative committee and not on an appropriations bill, because we cut off everybody else?

Mr. GLICKMAN. I have introduced that kind of bill, but, if we do not do it now, we are going to spend \$25 million this year. That is the reason for the amendment.

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

Mr. GLICKMAN. I will be glad to yield to the gentleman from Texas.

Mr. ECKHARDT. I thank the gentleman for yielding.

Do I understand the gentleman is saying that what he intends to do by this amendment is in effect strike out the provisions of Public Law 95-593 which state:

Section 3626 of Title 39, United States Code, is amended by adding at the end thereof the following new subsection:

(e) (1). In the administration of this section the rates for third-class mail matter mailed by a qualified political committee shall be the rates currently in effect under former Section 4452 of this title for third-class mail matter mailed by a qualified nonprofit organization.

Is that the point the gentleman is making?

Mr. GLICKMAN. That, together with other relevant provisions of the same public law.

Mr. ECKHARDT. As I read this section, what this section deals with is a reimbursement to the Postal Service fund which would include a reimbursement for mailing at a lower rate. Under that section, where these qualified political committees have received the benefit of third-class mailing, the Postal Department gets reimbursed for what it costs the Postal Department to reduce the rate. Is that correct?

Mr. GLICKMAN. They get reimbursed, I assume, through this appropriation or through prior appropriations.

Mr. ECKHARDT. So would it not be true that by the gentleman's amendment these various committees, including, as he mentions, the Communist Party, the Socialist Workers Party, and so forth, would still get the benefit but the Postal Service would not be reimbursed? Is that the effect of it, or is it not?

Mr. GLICKMAN. I would like to read a letter.

Mr. ECKHARDT. In other words, the gentleman gives the Socialist Workers Party cheap mail and the Government is required to do so, and the gentleman's amendment prevents the Postal Service from being reimbursed. Is that not the effect of the amendment?

Mr. GLICKMAN. I have a letter that was addressed to the Honorable Tom STEED by William F. Bolger that I would like to read because it addresses that point.

Mr. ECKHARDT. Surely.

Mr. GLICKMAN (reading):

JUNE 25, 1979.

DEAR MR. CHAIRMAN: This responds to your request that we advise you what would be the effect of a disallowance of the Postal Service's appropriations request for revenue foregone under Public Law 95-593, which authorized the special bulk third-class rate for qualified non-profit organizations to be extended to mailings of national and State political party committees.

Under 39 U.S.C. § 3627, if Congress fails to appropriate an amount authorized for revenue foregone appropriations, the Postal Service adjusts the rates involved to make up through postage revenues the amount that was not appropriated. This was done shortly after postal reorganization for regular-rate third class, which had been authorized 5-year phasing by 39 U.S.C. § 3636. When both Houses of Congress—

And this is the important point, I will tell the gentleman—

decided not to provide revenue foregone appropriations requested for this category, the Postal Service began charging the full, unreduced rate. This action was upheld by the U.S. Court of Appeals in *Ass'n of Am. Publishers, Inc., v. Governors of United States Postal Service*, 485 F. 2d 768 (D.C. Cir. 1973).

For the FY 1980 regular appropriation, the result of a disallowance of the \$24,748,000 revenue forgone request for political committee mailings would be that in FY 1980 these mailings would be charged the full unsubsidized bulk-third class rate instead of the lower non-profit rate.

POINT OF ORDER

Mr. ECKHARDT. Mr. Chairman, I am ready to make my point of order. The gentleman, I think, has already made it for me.

The CHAIRMAN. Does the gentleman wish to be heard on his point of order?

Mr. ECKHARDT. I do at this time, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ECKHARDT. My point of order is that the amendment places a burden on the Postal Department which would not exist but for this amendment. As the gentleman has so eloquently pointed out by the letter which he just read, if the amendment is passed, it does not merely withhold funds, but it requires the Postal Department to adjust the rates of the Postal Department in order to comply with the limitation contained in this amendment. Therefore, this is not a mere limitation on an appropriation but it is a limitation which requires the Postal Department, as the gentleman has stated in his letter, to adjust all rates, determine which rates need adjustments, which ones qualify or would not qualify under the provision, and, thus, reduce those rates to the figures that would permit the reduction in revenue. Therefore, it seems clear to me that this affords an extremely heavy burden on the Postal Department which would not otherwise exist but for the passage of the amendment. If this were not true, the situation would create an anomalous condition which I had pointed out in my initial question to the gentleman in the well and the author of the amendment. It would create a situation in which the benefits provided under section 3626 of title 39 would still be enjoyed by qualifying political committees, and yet the Postal Department would not be able to receive the adjustment due to the additional costs. It seems to me that in effect if the gentleman is correct and if adjustments are made in the rate, there is another change in substantive law occasioned by the adjustment in rates. That is, the adjustment in rates substantively changes Public Law 95-593 so as to deprive qualified political committees, including the Democratic Committee and the Republican Committee, and all others that qualify, of the benefits that we have enacted in another piece of legislation, not one that deals with the Postal Department but deals generally with the rates of political parties with respect to the use of the mails.

Mr. GLICKMAN. Mr. Chairman, may I be heard on the point of order?

The gentleman from Texas as usual gives a very scholarly but I would sug-

gest convoluted interpretation of the purpose of the amendment. The amendment is strictly one of limitation. It reduces funding by \$25 million and limits the use of that funding with respect to the charging of postal rates. I would state for the gentleman and for the Chair that section 3627 of title 39, United States Code is discretionary authority to adjust rates if the appropriation fails and is not mandatory authority and, therefore, I do believe that the amendment is merely a limitation and is germane.

□ 1400

Mr. DERWINSKI. Mr. Chairman, I would like to support the gentleman in the well and point out to the Chair this is a very carefully drawn amendment. It does specifically delete funds from the bill before us which is for the fiscal year 1980, the period covered by this appropriation bill, and it is a proper limitation of funds and I believe, therefore, the point of order should not be sustained.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

In the opinion of the Chair, the amendment constitutes a negative limitation on how funds in the bill are spent rather than being legislation on an appropriations bill. No new determinations are required. Even if the amendment should be considered as constituting legislation, it constitutes a retrenchment because it cuts the amounts in the bills and the legislative effect directly contributes to that reduction.

The Chair, therefore, overrules the point of order.

Mr. VANDER JAGT. Mr. Chairman, I move to strike the requisite number of words and will speak in opposition to this amendment.

Mr. Chairman, I rise in opposition to the amendment and I rise in support of the Democratic Party as well as the Republican Party.

I am sure there may be a few who might view with skepticism the assertion of a Republican campaign chairman that he is rising on behalf of the Democratic Party but I sincerely believe that this amendment in its present form would be even more injurious to the Democratic Party in the long run than it is to the Republican Party.

I am really rising this afternoon on behalf of both our great political parties and certainly on behalf of our two-party system.

I know that every Member, including the gentleman who offered the amendment, believes that our two-party system has served us well. In fact, it has served us so well that we take it for granted. We just think it will go on regardless of what we do to it. Obviously, that is not the case.

Our two-party system needs to be strengthened, revitalized, and nurtured. It needs to be helped, not hindered as this amendment would do. A couple of years ago the respected national columnist, Dave Broder, wrote a book entitled

"The Party Is Over," and in it he documented the decline in influence of both our political parties and he bemoaned the day that might soon be coming when our parties would lose any significant role whatever in impacting upon the American political decisionmaking process.

Obviously, this amendment would hasten the coming of that day. I cannot conceive of any Member of this House voting for an amendment which says, in effect: We are going to charge the Democratic Party and the Republican Party 2½ times as much to mail a letter as a labor union or a common cause or a gun group or an abortion group or whatever kind of group you have. That simply does not make any sense whatever.

Now, Mr. Chairman, the proponents of the amendment say, well, it is just taking a subsidy away from the political parties. No other group with a political message to communicate, just our political parties.

The issue here is not a subsidy issue. It is a fairness issue.

I do not pretend to be as expert as the distinguished chairman of the subcommittee and its members on the subject of postal subsidies but you do not have to be an expert to know that the determination of what is and what is not a subsidy for a given category of mail since the system already in place is an extremely complicated and controversial one.

One needs not be an expert to know that the Post Office overestimated the cost of the political party postal rate system by at least 5,000 percent. You need not be an expert to know that this amendment which comes to us without the benefit of any hearings or any testimony or any analysis at all simply cannot tell this body whether this rate system costs \$500,000 a year or \$1 million a year or, in fact, can be a moneymaker for the Postal System since it is a bulk-handling opportunity and because of the fact the mailman has to deliver the mail anyway.

There is another serious problem of deep concern to every Member of this body affected by this amendment and that is the rise of the single-issue group.

Every Member who serves here knows he can vote "right" 99 out of 100 times and then vote "wrong" once and a single-issue group can spring into action flooding the U.S. mails with hundreds of thousands of pieces of political propaganda.

Should our two political parties have any less access to the mails at the same cost and at the same rate? Obviously, they should not be discriminated against.

Mr. Chairman, to offer this amendment and to place that discrimination on our two parties and only our two parties, it seems to me, because of some concern down the line there is a possibility of minute, trivial helping of some fringe party, is to throw the baby out the window because you are dissatisfied with the bath water.

Mr. Chairman, I ask my colleagues not to place a penalty and a burden on

our two political parties which need help and not hindrance. I ask those of you who believe in the Democratic Party and believe that it is important to communicate what it stands for to the American people to join together on behalf of our two-party system and give this amendment the resounding defeat it so richly deserves.

AMENDMENT OFFERED BY MR. FORD OF MICHIGAN TO THE AMENDMENT OFFERED BY MR. GLICKMAN

Mr. FORD of Michigan. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. FORD of Michigan to the amendment offered by Mr. GLICKMAN: On page 9, line 3, delete "\$1,697,558,000." and insert in lieu thereof "\$1,676,810,000" and strike the period after "Public Law 95-593" and insert the following: ", other than the national, state or congressional committee of a major or minor party as defined in Public Law 92-178, as amended."

Mr. ECKHARDT. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order.

Mr. FORD of Michigan. Mr. Chairman, I think it should be made clear at the outset that the House has passed on this issue on more than one occasion in the past. The gentleman who offered the amendment unfortunately has been misinformed about the history of this provision in the law.

Mr. Chairman, it is true that the present language came into the law as part of an amendment to the Federal election statute. As a matter of fact, this House has acted on more than one occasion in the past, and a committee of this House with legislative jurisdiction, the Committee on Post Office and Civil Service, has acted with respect to this classification of the mail of the major and minor political parties.

The Postal Service has had a very special dislike for the idea of affording our political parties the same kind of treatment by the Post Office that almost every other group which attempts to influence public opinion in this country has available to them. A list of the kinds of organizations we are subsidizing, while denying it to our American citizens to speak through their organized political parties would make the hair stand on the back of your hand.

The real point here is that the Postal Service has once again demonstrated their totally irresponsible reaction to this concept. They did not give us figures like this when we passed the legislation in 1976 during the Ford administration and, as a matter of fact, we negotiated out the language of the act with the Ford administration, the Ford Budget Office, and they did not throw figures like this at us. They did not do it again when we came through here the last time with the postal reform bill. We have never heard this kind of figure in the Committee on Post Office and Civil Service.

In anticipation of this amendment we checked with the Congressional Budget Office.

□ 1410

The Congressional Budget Office in an official letter to Chairman FRANK THOMPSON, which I will be glad to share with you, I cannot insert it in the RECORD at this point because we are in the Committee, estimates that the cost for both political parties plus the State subsidiaries, plus the congressional campaign committees, could be \$2.4 million for fiscal year 1979.

Now, the gentleman says the Post Office says it is going to cost \$25 million. I suggest that all the political parties in the country are not going to spend \$25 million in total expenditures for all purposes during this fiscal year.

We are not talking about new subsidies. We are talking about the level of the subsidy. The political parties already qualify as third-class mailers. They do not qualify, strangely enough, as non-profit third-class mailers.

Is there anybody in this body that believes that the parties are in business for the purpose of making a profit for some private organization? It is possible that the Republican Party makes a profit, and in all deference to my colleague, the gentleman from Michigan, who spoke before me, I have never seen a profit on our side of the aisle.

It is patently ridiculous to go on for all these years continuing to assume that the political parties are something other than a nonprofit organization entitled to the same dignity and consideration in the dissemination of information as all the special one-interest groups that have been mentioned by my colleague and others that I could mention.

I think that we are at least entitled to the same dignity as other organizations that continue to enjoy this special status.

The letter that the gentleman read from the Post Office Department saying that everybody's rates would have to go up is the worst kind of a red herring, because the fact of the matter is what we are talking about is revenue foregone. We give the Post Office about \$950 million to cover this up front and that includes this year when they are going to have a surplus because of the big rate increase that has just gone into effect. If you have forgotten that they raised rates very dramatically this year, just talk to one of your constituents. I am sure you heard about it when we went up to the brand new first-class stamp. They are talking about a surplus this year, but they are talking about a surplus because of a rate increase.

There is no rate increase contemplated in anything we do with this kind of legislation.

The idea that this is going to be an excessively expensive item is wrong.

Finally, let me say this, that the gentleman's amendment should be adopted if it is amended by my amendment, because the result would then be that we would clarify a disagreement

that is going on now with respect to what was meant by the language in the Federal election code and make it clear that we did not intend that the American Nazi Party or the Communist Party, or anybody else that called themselves a political party could automatically walk in and get this privilege. It would make it clear that we are talking about a bona fide political party, because we adopt as a definition of a political party that which is already in the law, that which has been discussed by the Supreme Court in the Valeo case, in terms of the Federal election law that sets up the financing of the Presidential election.

We simply adopt the definition of a party. We do not rewrite the law that has already been in the law for some time. It has already been examined by many authorities.

The CHAIRMAN. The time of the gentleman from Michigan (Mr. FORD) has expired.

(At the request of Mr. CORCORAN, and by unanimous consent, Mr. FORD of Michigan was allowed to proceed for 3 additional minutes.)

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

Mr. FORD of Michigan. I promised the gentleman I would yield, and I yield to the gentleman.

Mr. CORCORAN. Mr. Chairman, I would like to congratulate the gentleman on this very helpful amendment. It does two things to the amendment which has previously been pending. One, it reduces the total appropriation from about \$25 million down to \$4 million, which is the amount of money which is needed in order to carry out this very worthwhile program.

Secondly, it does provide a definition as to what kind of parties will qualify. What we have done is following the precedent established in the 1971 act providing for support for the Presidential nominees; we have defined in the gentleman's amendment that only those political parties with 5 percent or more of the vote in a previous Presidential election will qualify.

I congratulate the gentleman. I think it is a helpful amendment and I hope it is adopted.

Mr. FORD of Michigan. Mr. Chairman, I thank the gentleman.

I yield to the gentleman from Kansas. Mr. GLICKMAN. Mr. Chairman, this amendment does go part of the way that I was concerned about in the problem, but I would like to ask two questions.

As I understand it, the gentleman's amendment cuts \$21 million from the bill, as opposed to my \$25 million; is that correct?

Mr. FORD of Michigan. Well, I would rather not say that, because I do not believe that this amendment with or without mine would ever cost \$25 million, but it cuts the figure that the gentleman was working with by \$21 million and is \$21 million less.

Mr. GLICKMAN. Now, what happens during the year if perchance the subsidy exceeds \$4 million?

Mr. FORD of Michigan. There is not any subsidy paid out, as such. It is revenue foregone.

Mr. GLICKMAN. All right. What happens if the revenue foregone exceeds \$4 million?

Mr. FORD of Michigan. Well, the same thing that happens with any other revenue foregone by the Post Office Department. If the Post Office ends this year with a deficit, they come to see Mr. STEED and we will subsidize that deficit.

Mr. GLICKMAN. Then what I am saying, we might have to come back with a supplemental for more money.

Mr. FORD of Michigan. Well, I do not know how we would identify it with this specific supplemental for the Post Office, but not this year because they are going to have a surplus.

Mr. GLICKMAN. All right, the second question I would like to ask the gentleman is this. The gentleman's amendment says that major parties and minor parties as defined in the Presidential election campaign matching act are eligible for the subsidy; but anything smaller than that is not.

For example, small either splinter or mainstream political parties that are very small in orientation. Now, my question to the gentleman is, do we not run into constitutional problems by saying that the Democratic Party is eligible for a 3-cent bulk rate postage, but the Bill Ford Independent Party of Michigan when it wants to mail out a letter to a thousand people must pay 8 or 9 cents.

Mr. FORD of Michigan. The Bill Ford Independent Party of Michigan, had I one, would not qualify under this; but the Democratic Party and the Republican Party clearly would and any other party that received as much as 5 percent of the popular vote in any preceding Presidential election.

Now, if there is a constitutional question with respect to the definition of a major or a minor political party in the Federal election law, that must be attacked by going after the Federal election law and, as we know, we probably will disburse something in the magnitude of \$80 million in 1980 for the purpose of financing candidates in both the Democratic and Republican primaries, and finally in the general election and we also will finance both of the national conventions out of that fund, about \$80 to \$82 million.

The CHAIRMAN. Does the gentleman from Texas (Mr. ECKHARDT) insist upon his point of order?

Mr. ECKHARDT. Yes, Mr. Chairman, I do.

The CHAIRMAN. The gentleman will state the point of order.

POINT OF ORDER

Mr. ECKHARDT. Mr. Chairman, the Ford amendment, is, indeed legislation on an appropriations act, because by limiting the amount available under the bill, the Postal Service will be required to establish two different rates; one for major and minor political parties entitled under the bill and another rate for political parties which do not qualify.

Unlike the discretionary authority under section 3627, this adjustment would be mandatory.

I would like to point out that the reference in the bill is to Public Law 92-178, which in its title VII deals with certain tax incentives for contributions to candidates for public office and which sets out certain definitions with respect to national committees of national political parties and State committees of a national political party as designated by the national committee of such party.

The Ford amendment says:

... And strike the period after "Public Law 95-593" and insert the following: "other than the national, state or congressional committee of a major or minor party as defined in Public Law 92-178, as amended."

Now, there are definitions here and those definitions must be addressed by another body besides the Post Office Department; but here the Post Office Department is going to have to determine whether a committee is a State committee of a national political party as designated by the national committee of such party and must apply the definitions as the result of additional duties attributed and ascribed to the Postal Department that are not previously attributable to that Department; so there is, indeed, an additional burden with respect to defining or establishing and applying the definition of a major or minor party as defined under this law and also with respect to establishing two separate rates in order to accomplish the objective sought here.

□ 1420

The CHAIRMAN. Does the gentleman from Michigan (Mr. FORD) desire to be heard on the point of order?

Mr. FORD of Michigan. Yes, Mr. Chairman, I do, briefly.

First, I believe that the gentleman from Texas (Mr. ECKHARDT) confuses the addition of duties to the executive branch that require the exercise of discretion and the imposition of an obligation to make determinations that would not otherwise have to be made.

What our amendment does is it simply refers them to a clearly defined interpretation, consistent with virtually everything else that is contained in the postal code, with respect to qualifying and non-qualifying people.

I might suggest to the gentleman that every time an employee of the Postal Service picks up a letter and handles it there is a duty involved to determine whether or not the sender of the letter qualifies for the class of mail that is being used to assess the cost to the Government through the payment of postage.

The second point is that I would refer to the gentleman's argument against the amendment offered by the gentleman from Kansas (Mr. GLICKMAN) on this point of order in which he pointed out that the effect of not adopting the amendment offered by the gentleman from Kansas (Mr. GLICKMAN) would be that the law would not be changed, and

that the Post Office Department would have a continuing duty to determine whether a political party was a political party for the purpose of giving them a subsidy, even without the Glickman amendment. I suggest that the effect of knocking out my amendment will be to leave the duty of the Postal Service to make that determination much broader and much more complex than it would with the narrowing effect of our amendment which requires that they need only pick up the telephone and call the Federal Election Commission and ask, "Who, if anyone, qualifies for this class of mail? We have got some people who are applying for a permit. Shall we grant them the permit?"

The way this discretion is exercised is not that you mail a letter and wait to see if the Post Office catches you; you go down to the Post Office first and you say, "I am representing the Democratic"—or the Republican—"National Committee. We wish to have a permit with a number assigned to us so that our mail is clearly identified and to entitle us to mail as a nonprofit organization third class bulk mail."

At that point the Postal Service makes a determination as to whether or not you qualify. They do not make a determination as to whether the Democratic Party or the Republican Party qualifies; they simply pick up the phone and call the FEC and find out.

Mr. ECKHARDT. Mr. Chairman, may I be heard further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ECKHARDT. Mr. Chairman, I have one response to that argument, and that is that I can find no place where the election agency determines what is a "congressional committee of a major or minor party."

So this would place a duty on the Post Office Department to determine what is a "congressional committee." I do not know what it is. It would seem to me very difficult to establish that question.

The CHAIRMAN (Mr. PREYER). The Chair is prepared to rule.

Exceptions to limitations or retrenchments permitted to remain in the bill are permitted if not constituting additional legislation. In the opinion of the Chair, the law already imposes a duty on the Postal Service, under Public Law 95-593, to determine whether any political committee is a National, State, or congressional committee of a political party.

Public Law 95-593 provides definitions of what constitutes political parties. Since these standards exist in the law, it is the opinion of the Chair that no additional burden is imposed by the amendment, or, in any event, the amendment remains a retrenchment, and the point of order is overruled.

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

Mr. Chairman, I rise specifically in support of the amendment offered by the gentleman from Kansas (Mr. GLICKMAN).

Mr. Chairman, this amendment overcomes, at least for 1 year, a hasty and ill-advised legislative action taken in the waning days of the 95th Congress. Its purpose is simply to deny in fiscal year 1980 the \$24,748,000 which would be used to subsidize mail generated by political organizations.

In the rush of closing business in the House last fall, a little-noticed and undebated amendment was skillfully attached to the Overseas Citizens Voting Rights Act. The amendment extended to political committees the preferential postal rate applicable to nonprofit organizations.

I suspect there were not more than a handful of Members on the floor that day who knew this nongermane amendment had been attached to an otherwise acceptable piece of legislation. The RECORD shows there was no debate or justification of this political subsidy. I think it was a serious breach of the rules, and of courtesy, for a committee lacking jurisdiction to assume the responsibility for bringing a postal subsidy issue before the House.

Unfortunately, our otherwise alert committee staff was not aware of the action taken by the House Administration Committee and so the members of the Committee on Post Office and Civil Service were not forewarned. My opposition to a subsidized postal rate for political organizations is well established in committee, and overtures in that direction have been successfully headed off in the past.

When the Senate took up and considered the overseas citizens voting rights bill on October 13, 2 days before adjournment, minor attention was given this windfall provision. It was contended that the cost of this postal subsidy would be \$2.4 million in fiscal year 1979 and \$4.5 million in fiscal year 1980—estimates we now know that are far off base.

The vagueness of the law allows any makeshift organization under the color of a political party to qualify for this postal rate subsidy, and it places an unreasonable burden on the American taxpayer. In fiscal year 1979, instead of \$2.4 million, the subsidy was \$18,233,000, which was contained in the 1979 Supplemental Appropriations Act. In the coming year, the subsidy calculated by the Postal Service is \$24,748,000 which is contained in the bill under consideration.

The overgenerous funding of Presidential elections and the income tax check-off, to name just two, already give political organizations substantial Federal benefits. There is no justification for any further incursions into the taxpayer's pocket.

Under the standing provisions of postal law, if the Congress fails to appropriate an amount authorized for any class of mail sent at reduced rates, the rate for that class may be adjusted by the Postal Service so that the increased revenues received from the users of that class of mail shall be equal to the amount Congress was to appropriate.

The effect of the amendment, therefore, is that the political groups that presently enjoy a healthy subsidy will be required to pay the full and regular postal rate on their mailings. Of course, the elimination of this subsidy is only for fiscal year 1980, but that should give the appropriate committee of the House the necessary time to deal in a practical manner with this important matter.

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

Mr. Chairman, I rise in the hope that I may add to some of the information my colleagues may want before they vote on these amendments. I can live with either one of these amendments. Personally, I prefer the Glickman amendment, but the other amendment would be much better than the situation as it now stands, so I hope that one or the other is adopted.

What happened was that, after this very well intended bill passed last year, the matter of issuing these mailing permits came up and the Postmaster General turned down several applicants. They immediately went over to the Department of Justice and got a ruling from the Attorney General that threw the whole thing into another posture. Under the ruling of the Attorney General, anybody can have a committee that qualifies under this bill, so as long as the law stands the way it is now, the sky is the limit.

So what is being done here today is to try to correct a situation no one intended to create in the first place. After some dealings with the other body, I thought the easiest way to do it would be to kill this off and start over again and make sure the next time we have a proposal that does exactly what the Members want to do and not anything else.

The Postmaster General has told us that if we do turn this down flat, he does have a loophole under which he can recover his funds, and he says that he would prefer it that way. But this other limitation here may work all right. This is something that has come up since the bill was brought on the floor, and I am not going to object to it either.

I just thought that the Members would like to know that what we are trying to do is to correct a mistake that was made in the language of the original bill, language that has been used by the Attorney General to put this thing in a focus that no one in the House wanted in the first place.

The problem is this: How do we pin down this program to these areas where we intended to help in the first place in order to make it possible for the political organizations in the country that are legitimate to bring the American people into a greater knowledge of the issues and to increase their interest in participating in Government?

So I am afraid that if the bill stands the way it is, without any amendment, we are going to be surprised and sadly disappointed as to what effects the bill would have if it stands the way it is now. As a matter of fact, if the bill is not

changed, I am very sure, after having gone through this same matter in the supplemental with the other body, that we are going to have a lot of trouble with them on this amendment as it now stands when we get over there, if we do not change it.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Michigan (Mr. FORD).

Mr. Chairman, I think the afternoon's discussion has been a good thing for this body, because all of our Members will be thoroughly aware of the reason behind the original law, the bill emanating from the Committee on House Administration. In addition, I think the criticisms leveled by the gentleman from Kansas (Mr. GLICKMAN) and the gentleman from Illinois (Mr. DERWINSKI) in their amendment are significant and they are responsible. It is well that they were heard, too.

However, I would hope that this body would endorse the Ford amendment, as has been suggested by the gentleman from Oklahoma (Mr. STEED), the distinguished subcommittee chairman.

Personally, I think its definition of party may be a little too tight. It may keep some parties out, or it may deny them a privilege which they ought to have. But, on the other hand, the committee of jurisdiction, in this case the Committee on House Administration, may, if it wishes, go back and look at those definitions, and loosen them if it feels that is necessary.

I would like to stress, however, that the Committee on House Administration, in first writing this law, did so because it was absolutely necessary. We looked at political parties, and we saw their estate falling around the country. Because our committee and this Congress had agreed to put limitations on political contributions, we have almost forced all people and parties seeking political contributions to go the route of direct mail. That meant that people who could use direct mail and get this subsidy—and many of those organizations have already been delineated on this floor—could do so at a cheap rate, but the parties, which are our principal political mechanisms in this country, were obliged to pay the regular high-priced postage rate.

So we were not trying to help the parties or to give them an undue advantage. We were just trying to bring them up to the advantages enjoyed by conservative groups, liberal groups, single-purpose groups, public citizen groups, and people who call themselves citizens' lobbies, or whatever, people who were seeking to impact the political process. It was absolutely necessary that we act, and we did so.

The distinguished gentleman from Michigan (Mr. VANDER JAGT) also made a fine statement on this matter in which he described the disadvantageous position into which the two major parties had fallen. It was his opinion, too, that the action of the House Administration Committee was necessary.

□ 1430

So if the law extended that privilege too far, if it has been extended to groups that it should not have been extended to, as alleged by the gentleman from Kansas (Mr. GLICKMAN) then the Ford of Michigan amendment does cut it back adequately, and guarantees that the original cost estimates will not be overrun.

So I would urge this body to accept the Ford of Michigan amendment as the reasonable compromise between the position of the Committee on House Administration and the position of the gentleman from Kansas and the gentleman from Illinois. I think we will have a responsible compromise that will allow the political processes of this country to move in the way we all accept and approve.

Mr. VANDER JAGT. Mr. Chairman, will the gentleman yield?

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

Mr. VANDER JAGT. I thank the gentleman for yielding.

Mr. Chairman, I want to compliment the gentleman on his fine statement. I join the distinguished chairman of the subcommittee on finding the Ford of Michigan amendment acceptable. I go a little further than the chairman goes in finding the Ford of Michigan amendment one that is very commendable indeed. I commend him for his statesmanlike resolution of the conflict which makes sure that the fears of runaway spending will not be there because there is a \$4 million cap and addresses specifically the fears of the distinguished chairman of the subcommittee and makes sure we will not be giving any benefit, however minute, to parties like the Communists or Nazis.

I commend the gentleman from Michigan for his statesmanlike resolution, and I urge that this body support it.

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I raised my points of order to indicate the dilemma we are in here. If indeed neither of these amendments alters the provision providing that in the administration of this section the rates of third-class matter mailed by a qualified political committee shall be the rates currently in effect under former section 4452 of this title, if indeed that section is not changed it is true that both amendments are only limitations on an appropriations bill. The gentleman from Michigan (Mr. FORD) argued that in opposition to my point of order against his amendments. The Chair ultimately ruled that this amendment does not affect substantive law. I agree with the gentleman from Michigan (Mr. FORD), and I certainly agree with the Chair that, under that interpretation, the two amendments are indeed merely limitations of funds to be expanded and do not alter that section.

But the gentleman from Kansas (Mr.

GLICKMAN) has been arguing that, in effect, his amendment removes this subsidy. It does not, as stated in the amendment remove the subsidy. The subsidy is mandated. It says that in the administration of this section, the rates of third-class mail by a qualified political committee shall be the rates currently in effect under former section 4452 of this title for third-class mail matter. What we are amending is a section in the appropriations bill which says: "for payment to the Postal Service fund for public service costs and for revenue foregone on free and reduced mail."

What the amendment offered by the gentleman from Kansas (Mr. GLICKMAN) does is simply limit funds for public service costs for revenue foregone under this section.

The result is that the section cannot be changed by the appropriations bill under the attack of a point of order, because if it did change that section, it would affect substantive law. If the ruling on the point of order is correctly founded, the only thing that this amendment can do is limit the money that flows to the Postal Service for public service costs and for revenue foregone on free and reduced mail. So that revenue foregone on free and reduced mail to political parties, within the limitations of the Glickman and Ford of Michigan amendments, cannot be replaced under this amendment to the appropriations bill. If the ruling on the point of order is correct, we are not doing anything in these amendments to alter the advantage granted to the political parties as provided in the previous legislation for, if we did, we would be acting existing law. All we are doing is saying that the Postal Department will not be reimbursed for these losses.

Mr. GLICKMAN. Mr. Chairman, will the gentleman yield on that point?

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

Mr. GLICKMAN. That is confusing, because that is different from what I interpreted the Postmaster General, Mr. Bolger, to say, and from what my conversations were with the chairman of the subcommittee, assuming my amendment passes. If we eliminate it all, then the preferred rate would not be given whatsoever beginning the next fiscal year period.

Mr. ECKHARDT. Mr. Chairman, if the gentleman will yield back to me, I can read the English language as well as the Attorney General or the Postmaster. It says under Public Law 95-593, in the administration of this section the rates for third-class mail matter mailed by a qualified political committee shall be the rates currently in effect under former section 4452.

The Chair has ruled that we do not alter substantive law, that the gentleman's amendment only limits an appropriation. If that is all it does, I think the ruling is correct. If all we do is limit an appropriation, we are simply depriving the Postmaster of a reimbursement

for the sending of mail at a reduced rate. I think that is a mistake. I do not think we ought to do that. I urge my colleagues that the other interpretation was absolutely foreclosed by the ruling of the Chair that no substantive change was affected.

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

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

The CHAIRMAN. The time of the gentleman from Texas (Mr. ECKHARDT) has expired.

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

Mr. VOLKMER. Does the gentleman have before him title 39, United States Code, section 3627?

Mr. ECKHARDT. I do not have that immediately before me, no.

Mr. VOLKMER. That section pertains to all of the rates, et cetera, and it provides that if Congress does not appropriate funds, then the Postal Authority has the right to increase the cost to pay for the lack of appropriation. And that has been held in a U.S. Court of Appeals decision under similar circumstances to this, when Congress has failed to appropriate the previous time. So even though that law is there, and it says that happens, as the gentleman well knows, you always have another part of this code that applies, and this is in the general authority of the Postal Authorities.

Mr. ECKHARDT. That may be so. If that be so, then the ruling of the Chair was incorrect; because the effect of the law is then very substantially changed by the amendment and a very substantial duty is placed upon the Postmaster in making such a determination.

Mr. VOLKMER. No. I disagree with the gentleman.

Mr. ECKHARDT. He has to change the administration of his office in order to retrench that money.

Mr. VOLKMER. That is presently the duty of the Postmaster right now, the commission right now.

Mr. ECKHARDT. But it would not have been triggered but for the withdrawal of the funds.

Mr. VOLKMER. That is correct.

Mr. ECKHARDT. That is the point I was making earlier. You have to go one way or the other, either this amendment induces a change in substantive law, or the Postmaster General's administration of it, or it is a mere limitation on appropriation in which case it merely withholds the payment to the Postal Service fund for public service costs and for revenue foregone on reduced mail.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Glickman amendment.

Mr. Chairman, I am in agreement that the \$25 million that is involved here can be seen and interpreted as being definitely a subsidy. I do not see how we can interpret it in any other way. There are a lot of us who have been frowning upon the subsidization and the financing

through the Federal Government, the financing of elections. I think this is not exactly the same, but it is somewhat similar. I think in the arguments I hear today, the one conclusion I come to, is that I have heard the best arguments for taking out of the hands of the Federal Government the mail delivery monopoly. Because of this monopoly and because it is controlled by political people here in the Congress, it is used as a subsidy that can be arbitrarily passed out to the different groups. The argument is given that we must receive this benefit because unions and other groups receive this benefit.

□ 1440

The question we must ask, do they deserve that subsidy, just because they receive the subsidy? Why do magazines, which are very, very heavy, get delivered per pound at a much lower rate than it costs us to mail first-class mail? There fore, those of us who mail first-class pieces of mail subsidize those industries that make money off shipping their products around the country.

This is a political football. This is subsidy run rampant, and all we are arguing here is who is to get the subsidies? First we come up, and try to find out which political parties are deserving of the benefits. We determine that those who are small are undeserving; therefore, we must discriminate against them. It is claimed we must protect the two-party system.

We reject the idea that the strength of the two-party system should be by a natural evolution but rather it should come about by suppressing any opposition to it.

I strongly supported the idea that the subsidy to the political parties through the Post Office should not continue. Someday I think we should strongly consider legalizing delivery of mail by private enterprise. We also should consider the removal of the other groups who benefit from this by indirect subsidization obtained at the expense of the ordinary taxpayer.

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

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

Mr. CORCORAN. Mr. Chairman, I would just point out to the gentleman that the revenue function we are dealing with here relates to third-class mail, for which there is no monopoly. The monopoly to which the gentleman refers only affects first-class mail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. FORD) to the amendment offered by the gentleman from Kansas (Mr. GLICKMAN).

The amendment to the amendment was agreed to.

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

The CHAIRMAN. Does the gentleman wish to speak on the Glickman amendment.

Mr. THOMAS. I wish to speak on the

Glickman amendment as amended by the Ford of Michigan amendment.

Mr. Chairman, I know some of my colleagues may think this is an unusual time, but I waited until this moment, hoping someone on the Democratic side would come forth and talk about what we are doing in terms of this appropriations bill.

The only argument we have received in opposition has been a narrow legalistic argument.

I asked the gentleman from Kansas, in terms of his amendment, which struck totally the appropriation for political parties mailings, if his party—and granted, the question was put somewhat facetiously—if his party had nothing to offer, in any mailings that could qualify it in terms of nonpartisan funding?

He said, "Of course not."

The same is true, of course, of my party.

The amendment offered by the gentleman from Michigan, because he could not legislate, and a point of order was raised on that question as to whether or not in fact he was legislating, and he was sustained, had to utilize some figures that were already in the law. The figure that he used was a 5-percent criterion.

He said the major party definition under this current law is 25 percent. There are only two parties that qualify, the Democrats and the Republicans.

There is a minority-party qualification, 5 to 25 percent. The irony of it is no parties qualify under this requirement.

The distinguished chairman said that no one wants what occurred under 95-593.

What is it that occurred that is so horrendous? What is it that is going to occur between now and the time we can legislate, that we can investigate through committee hearings as to what is an appropriate percentage, so not just the Nazi party and the Socialist Workers Party, which are always the examples brought up in terms of the minority parties, will not be allowed to use the mail because somehow they are going to come up with a letter, given the fact they can send it on a preferential rate, that will suddenly turn around, given a single mailing, the history of this country and ideology of this country, the society of this country and political history of this country. Somehow we are going to be jeopardized by these individuals through the mails.

To set a 5-percent criterion indicates that the Libertarian Party, which is an active party today, somehow constitutes a threat to the Democrats and the Republicans. I do not think it does. I think they ought to be qualified under the legitimate political party criterion.

As the appropriations is amended, a party that qualifies within a State is not even allowed to use this unless they had a 5-percent-for-President criteria.

My problem is that the Democratic Party, the party of the masses, the party of the people, apparently is willing to

cut off in a democratic society the opportunity for minority parties to utilize the mails. I am upset about that.

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

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

Mr. GLICKMAN. First of all, I think the gentleman has raised a good point. It is one that troubled me with the Ford amendment. That is, it sets an arbitrary criterion which favors big parties.

Mr. THOMAS. It does not favor big parties. It excludes all other parties.

Mr. GLICKMAN. Either way we look at it, it does prevent smaller parties from entering the picture, and whether it be ones I like or do not like, that is probably irrelevant.

The other side of the coin is that this amendment does reduce the appropriations by \$21 million, which is helpful in that process. I think the gentleman has raised an interesting point that causes me some personal anguish.

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

Mr. THOMAS. I yield to the gentleman from Iowa.

Mr. BEDELL. Mr. Chairman, I strongly commend the gentleman for his statement. I had already talked to the author of the amendment, and it is clear that if a new party was formed, and it was obvious that it had substantial support or if a present minority party obviously had substantial support, it would be placed at a disadvantage as compared to the parties that the gentleman and I represent.

I do not think that is what was meant by our democratic process, and I strongly supported the Glickman amendment, but I certainly am going to vote against the Ford amendment, because I believe it is terribly discretionary and self-serving for the two parties we represent.

Mr. THOMAS. I guess my primary concern is we mouth the concept of democracy over and over. My concern is that the minority parties, I think legitimately, will now be able to argue that we have ours. But have not allowed them to have theirs.

Yes, this is a Republic, but more importantly I think it is a democracy. Even though I know people are shouting for a vote, I think this is an important question.

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

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

Mr. ECKHARDT. Mr. Chairman, I want to compliment the gentleman in the well and join him in his statement. There have been minority parties that have greatly and beneficially affected the United States.

For instance, the Populist Party around the turn of the century, which had enormous influence on the passage of the antitrust acts. I think we should not predetermine the party because it is not one of the two biggest, and should not be supported at all.

Had that been done, the Republican Party may never have gotten started.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. GLICKMAN), as amended.

The question was taken; and on a division (demanded by Mr. BEDELL) there were—ayes 30, noes 9.

Mr. BAUMAN. 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. BAUMAN. Mr. Chairman, I withdraw my demand for a recorded vote and my point of order of no quorum.

The CHAIRMAN. The gentleman withdraws his demand and his point of order.

So the amendment as amended, was agreed to.

□ 1450

Mr. STEED. 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. PREYER, 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. 4393) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1980, and for other purposes, had come to no resolution thereon.

STRATEGIC AND CRITICAL MATERIALS STOCK PILING REVISION ACT OF 1979

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2154) to revise the Strategic and Critical Materials Stock Piling Act, to require that appropriations for acquisition of strategic and critical materials be authorized by law, to establish a National Defense Stockpile Transaction Fund, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 12, line 10, after "fund." insert "Such moneys shall remain in the fund until appropriated or until the end of the third fiscal year following the fiscal year in which they are received. Any such moneys remaining in the fund after the end of such third fiscal year that have not been appropriated shall be transferred to miscellaneous receipts of the Treasury. Any of such moneys that are appropriated shall be disbursed from the fund in the order in which they were covered into the fund."

● Mr. BENNETT. Mr. Speaker, the only change in the bill as passed by the House on March 19 is in section 9, which establishes the National Defense Stockpile Transaction Fund. In the House version

all moneys received from the sale of excess materials would remain in the fund for an indefinite period. The Senate amendment would require that moneys remaining in the fund without being appropriated for more than 3 years revert to the Treasury as miscellaneous receipts. The President has indicated he would veto the House version of the bill, and it seems certain that the Senate would sustain his veto. I believe the 3-year provision is a reasonable compromise between the two alternative positions. In addition, the Committees on Armed Services of the House and Senate will exercise control of the fund balance during their consideration of periodic commodity authorization legislation. There are such substantial needs for acquisitions of needed materials that I hope the trust fund will not be allowed to experience any substantial reversions to the general fund which could be used for needed materials. The 3-year limit also may spur us all to see that the needed materials are promptly acquired. Once this bill is signed into law, we can proceed to restructure the strategic stockpile by disposing of those materials in excess to defense requirements and acquiring those needed and in short supply. By accepting the Senate amendment we can eliminate the need for a conference on this one minor difference. The House Armed Services Committee has authorized me to move that the House concur in the Senate amendment to H.R. 2154.●

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

There was no objection.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR REMAINDER OF WEEK AND FOLLOWING WEEK

(Mr. ASHBROOK asked and was given permission to address the House for 1 minute.)

Mr. ASHBROOK. Mr. Speaker, I see our majority leader on the floor and I would inquire as to the schedule for the balance of this week and the schedule as proposed for the week of July 16. I would yield to my friend and colleague, the majority leader, for that purpose.

Mr. WRIGHT. Mr. Speaker, I will be happy to advise that plans for this week have been completed. The schedule is finished. Adjournment should occur momentarily.

On Monday we will meet at noon to take up the Consent Calendar and three bills are scheduled for consideration under Suspension of the Rules.

We would plan to postpone votes on those suspensions until after all three had been debated, but not to postpone them until the following day.

After that we would take up under a special district day one bill, H.R. 3951, to provide for the National Capital Transportation Act amendments. There-

after, the Treasury-Postal appropriation would be resumed and we would move until we completed consideration of that appropriation bill.

Following that we would hope to take up the District of Columbia appropriation bill again and complete its consideration. Then we will take up the conference report on H.R. 4289, the supplemental appropriations bill for fiscal 1979.

On Tuesday we meet at noon to consider the Private Calendar and go immediately to H.R. 4473, the Foreign Assistance Appropriation Act for fiscal 1980.

On Wednesday we will be meeting at 10 o'clock as we will on Thursday and Friday also and begin with the Amtrak Reorganization Act under an open rule providing for 1 hour of general debate.

Then the Transportation appropriations bill, followed by the Health Planning and Resources Development amendments under an open rule of 1 hour of general debate.

We will then go to the Monetary Control Act of 1979, also 1 hour of general debate.

Then we will go to the disapproval resolution of the President's recommendation to extend certain waiver authority under the Trade Act of 1974 with respect to Romania.

Then we would hope to take up the Department of Defense authorization for fiscal 1980 and the Export Administration Act amendments of 1979. On the latter a rule has already been adopted. On the Department of Defense Authorization it will be necessary to grant a rule.

On Thursday and the balance of the week we hope to consider the maritime authorizations for fiscal 1980 under a 1-hour rule and the Nurses Training Amendments of 1979 under a 1-hour rule, the Disability Insurance Amendments of 1979 under a modified 1-hour rule, the Consolidated Farm and Rural Development Act amendments under a 1-hour open rule, the unemployment compensation regarding per diem compensation subject to the granting of a rule.

Also subject to the granting of a rule, the Postal Service Act of 1979 and a measure to increase the Coast Guard enforcement of laws on the importation of controlled substances.

I think it is important to call to the Members' attention the fact that the House will be in session until at least 7 p.m. on all days except Friday. We will adjourn by 3 o'clock on Friday.

Mr. ASHBROOK. I notice that my friend, the majority leader, has outlined a very extensive schedule. I noticed also his voice had a certain amount of inflection and emphasis when he said at least 7 o'clock every evening. It would seem we have a very long workweek ahead. Do we have any indication how late we will work on Wednesday, our normally late working day?

Mr. WRIGHT. I would suggest it would be somewhat later than 7 o'clock. We do have a busy schedule to complete. I think the gentleman recognizes that

the Congress faces the responsibility to complete a great range of activities before the beginning of the statutory August recess or home district work period. It is incumbent upon us I think, therefore, to stay on the job and do our duty.

There are obviously going to be some recommendations made to the Congress by the President of the United States next Sunday evening, and some of this undoubtedly may claim priority for our actions before the adjourning of the Congress for the August break. So we do have a full slate and I think Members really ought to expect that we will be in session until late every evening except Fridays.

Mr. ASHBROOK. I thank my colleague and friend, and I guess the old adage applies to be forewarned, we do know we have a lot of work ahead as our schedule indicates.

I thank the majority leader for giving us that information.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DULY PASSED, NOTWITHSTANDING ADJOURNMENT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Monday, July 16, 1979, the Clerk be authorized to receive messages from the Senate, and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

**ADJOURNMENT TO MONDAY,
JULY 16, 1979**

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 noon on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that any business scheduled for consideration under the Calendar Wednesday rule shall be dispensed with on Wednesday next.

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

There was no objection.

□ 1500

**CONFERENCE REPORT ON H.R. 2729,
NATIONAL SCIENCE FOUNDATION
AUTHORIZATION ACT FOR FISCAL
YEAR 1980**

Mr. BROWN of California. Mr. Speaker, I call up the conference report on

the bill (H.R. 2729) to authorize appropriations for activities of the National Science Foundation, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Pursuant to the provisions of clause 2, rule XXVIII, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 10, 1979.)

The SPEAKER. The gentleman from California (Mr. BROWN) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. ASHBROOK) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. BROWN).

Mr. BROWN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House and Senate conferees have resolved the differences in the House and Senate versions of H.R. 2729, the National Science Foundation Authorization Act for fiscal year 1980.

When the Senate acted on the original House version, it struck all after the enacting clause and substituted new language. This substitution produced a number of differences for the conferees to resolve.

The conference report and statement of managers on the bill were printed in the RECORD on Tuesday, July 10, and give the detailed results of the many agreements reached. Since the details are in print, I will not repeat them, but I will give a very brief summary that highlights those features of the compromise that deserve emphasis.

First, however, I want to thank my colleagues on the committee of conference for the genuinely constructive attitude that made reasonable and equitable resolution practical. I especially recognize the distinguished chairman of the Committee on Science and Technology, the gentleman from Florida (Mr. FURQUA), the ranking minority member of that committee, the gentleman from New York (Mr. WYDLER), and the ranking minority member of the Subcommittee on Science, Research, and Technology, the gentleman from New Jersey (Mr. HOLLENBECK).

The compromise bill retains all provisions of either bill. Where dollar amounts differed, the compromise amount lies between the two proposed figures. The House total was \$999.34 million, the Senate total was \$1,009.5 million, and the conference total is \$1,007.7 million. I have a table here summarizing action on the major line items, and, without objection, I will submit it for the record.

The House had made increases from the NSF request in several items intended to apply science to practical problems. The House version included modest increases to counter the hazards of earthquakes, to improve the lives of the handicapped, to encourage appropriate technology, and to stimulate the use of science resources in policymaking by State governments.

The House increases were more than offset by small decreases from the request in two basic research categories, and a \$15.5 million decrease in biological, behavioral, and social sciences. The Senate, on the other hand, feeling strongly about the biological sciences and science education, made increases in these areas; in all other areas it approved the Foundation's original budget request.

The overall result of the various compromising adjustments made by the conferees was that the House retained half or more of each of the additions it had made, while the Senate obtained assurance that important programs in physiology, cellular and molecular biology, and neural science, would not be severely cut.

The individual line item adjustments left intact the U.S. Antarctic program, and the NSF planning and management budget. They added somewhat to the directorate that manages science policy, to the applied science directorate and to science education. The rest of the programs, all representing basic research, were cut below what the President had requested. Nevertheless, these cuts still leave a margin over last year's appropriation to absorb some of the impact of inflation.

I believe that the bill, as modified in conference, represents a realistic and sensible compromise, and I urge its adoption by the House.

*NSF authorization—conference fiscal year 1980 broad categories**

[Dollars in millions]

Category	House	Senate	Conference
Mathematical and Physical Sciences and Engineering	\$293.37	\$295.65	\$293.4
Astronomical, Atmospheric, Earth and Ocean Sciences	241.47	243.35	241.5
Biological, Behavioral, and Social Sciences	158.0	175.5	170.0
U.S. Antarctic Program	55.0	55.0	55.0
Science Education	86.2	86.2	86.2
Applied Science and Research Applications	70.9	62.4	68.7
Scientific, Technological and International Affairs	28.8	25.8	27.3
Program Development and Management	59.6	59.6	59.6
Special Foreign Currency	6.0	6.0	6.0
Total	\$999.34	\$1009.5	\$1007.7

* Floors and ceilings are not included in this table.

NOTE.—NSF request is same as Senate amount, except the request for BBS is \$173.5 million, the request for science education is \$84.7 million, and the total request is \$1006 million.

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

Mr. BROWN of California. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, the gentleman from California has shown me courtesies on many occasions, and I appreciate that. I can understand his ability to speak for the minority on his committee, but there are many Members who have left the Chamber some time ago under the impression that legislative business had been concluded. The majority leader made that statement only a few moments ago. I am not sure that some Members might have some interest in what the gentleman has proposed.

Mr. BROWN of California. The gentleman is quite correct. I thought I had adequately cleared that. If I made a mistake, I would be happy to withdraw my request.

Mr. BAUMAN. The gentleman from Maryland has no way of knowing what other Members have been discommoded by this being brought up. The disruption of the schedule is bad enough.

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

Mr. BROWN of California. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, as a general matter we have known this conference report was filed since last week. Has it not been available since that time? I know I have had it in my possession. I forget whether it was Tuesday or Wednesday of last week.

Mr. BROWN of California. It was filed on Tuesday.

Mr. ASHBROOK. So, I would simply say, as in the past, I think many of our amendments lose a little bit in conference. On balance, I think it is fair to say that there is a cut that has been made, not as deep as the gentleman from Ohio might like, and probably not as deep as my colleague from Maryland might like, but the conference committee did go halfway.

While my amendments were basically to one section, as I understand it, some of the cuts are spread throughout the bill. I have no objection to that. I would have cut them a little bit deeper, but I recognize the circumstances under which the gentleman operates. While I would not vote for the conference report, I certainly understand.

Mr. BROWN of California. I appreciate the gentleman's courtesy in this matter, and I apologize to the gentleman from Maryland.

Mr. BAUMAN. There is no need to apologize to the gentleman from Maryland. The only point I was making was that the Members were under the impression that when 3 o'clock came business was concluded. I think a lot of the Members were under that impression. I do not think anyone was disturbed by this, but the point is, that we have had a tough week and there is another tough week coming up. I am not addressing my remarks to the gentleman from California, but obviously the Members should be given better notice.

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

Mr. Speaker, I rise in opposition to this conference report. When this bill was before the House earlier this year this Chamber wisely limited the increase in the biological, behavioral, and social sciences. The margin of support for that limit was a decisive 45 votes. We now have the conference report that shows that \$12 million has been restored to the increase in this part of the bill.

I fail to see what the National Science Foundation has done in the last few months to merit any change of this House's opinion on increasing their funding. I would like to share with my colleagues some projects that have been approved just since March of this year.

THE SHADOW KNOWS

In April the NSF signed away \$52,739 to study "person perception and social behavior." This is an extension of a research project that has been funded since 1976. The project is concerned with a person's view of himself/herself and others as psychological beings. The startling interim conclusion is that "An individual's view of people is essentially the commonsense psychology each of us has developed as a result of our experience with people." I am certainly glad to know that whether we like someone or not has something to do with our experiences with them.

The project goes on to ask such major questions as "Will a gentle and kind person also be thought to be sincere?" The project hopes to use new scaling methods to come up with what associations we make with each trait, even using free association based in works of literature. I think we can all wait for this "exciting research" to be completed.

DIVORCE AS A CHANGE IN LIFESTYLE

In March 1979 the NSF approved a \$60,584 project to study changes in the lifestyles of people who are divorced. The project will try to show that there is a linkage between changes in taste and changes in patterns of time use and consumption patterns. This is quite a new concept. Can you imagine that without the NSF spending \$60,000 we might not realize that consumption might change with taste, and that changes in marital status might have some impact on this? The project is called "crucial." I think it is time for the NSF to study their use of adjectives in their project descriptions.

INCUMBENCY INSURANCE

The NSF is now in the business of helping State legislatures to meet the growing demands of legislation. In what is called a "staff weak" situation the NSF is shipping \$30,000 to New York so that "legislative leaders could get quick response to their emergency calls for help in meeting legislative energy crises, and providing a consultative and training service for legislators concerned with energy programs. I cannot believe that we are now placing the American taxpayers in a position of having to bail out overburdened legislatures through the NSF.

We have revenue sharing, and we have other grant programs for the States, to help local governments meet their needs. To say that incumbents need issue back-up to appear more knowledgeable to the voters is one thing, to say that we should

use Federal tax dollars so these legislators can avoid going back to their own voters for the money is quite another.

IT IS CALLED COLLEGE

In May 1979 the NSF sent off \$39,996 to help develop "A Multidisciplinary Program To Improve Reasoning of Freshman." In the old days this was known as a 4-year liberal arts undergraduate school. Now it is called a freshman abstract reasoning program (FAR) and is based on the theories of psychologist Jean Piaget. This project implements a common interdisciplinary problem solving experience. I do not argue that some innovation in education techniques is desirable.

However, for the NSF to honor one college's innovation over another is to say that they have some magical way of knowing ahead of time which trend in education will contribute the most to the educational development of this Nation. I submit that to use tax money for this purpose subverts the parental prerogative of supporting the colleges of their choice.

In these cases and others I have mentioned, whenever the NSF funding comes before the House, I have tried to show that tax dollars are not being used wisely. I am not against the search for knowledge, nor am I opposed to the Government assisting in such major programs as space exploration or the fight against cancer. However, I think we can draw the line on those areas where the course of history has shown that individuals, not Government grantsmanship experts, have built the base for modern thought.

The evolution of philosophy, of economic theory, of psychology, and of many of the other social sciences has come from individual or joint private initiatives. The vitality of the history of thought is based on its diversity and its freedom.

To think for a minute that review boards and grants can outdo the actions of one person coming up with a new thought is to discount what mankind is all about. We do not have the luxury of unlimited resources to support the thinking process of a select few. Every time we spend an additional dollar of tax money we are limiting, either through increased taxation or government-induced inflation, the freedom of someone else to have the leisure to do things instead of just making ends meet.

Most of our citizens would love to get just a little ahead on payments or to build up some savings so they could have the leisure time to help their community, spend time with their families, or even write that short story that has been in the back of their mind. It is through these actions that a civilization moves forward. It should not be up to the Government to anoint one person over another to reach this position in life.

We must also recognize that, no matter what the social scientists say, the social sciences are not objective. There is controversy in each of its fields about what is the "right" position. There are different economic theories, different interpretations of history, and now even differing views on what is normal be-

havior. For the Government to fund projects in these fields is to inevitably subsidize one view over another.

In effect, we use tax dollars to stack the academic deck. To be blind to this situation would be just as dangerous as to consciously decide in favor of one set of views over another. Thought control is a very dangerous concept, but we all know that those researchers with the connections and the resources have the upperhand in academia. So Federal subsidy is a subtle form of this type of control. It is a questionable activity for this government to be involved in and it is one we can put a stop to by cutting back on its lifeline of tax dollars.

In closing I would like to call my colleagues' attention to two items that came across my desk just yesterday. One is something every office receives, the "Daily Congressional Notification of Grants and Contracts Awarded" by the National Science Foundation. In that notification was a grant to the Center for Philosophy and Public Policy for \$89,113 to study "Intergenerational Ethics and National Energy Policy."

In just driving to work each day I can see that this energy crisis is affecting people of all ages. The gas lines have created probably the best integrated and cross-cultural event in recent history. If the Government's answer is to spend \$89,113 to study it, then we should say that the Congress answer is to stop it.

Another item was a letter from Mr. Atkinson with a clipping on social science exchanges with China. The theme of the article is how valuable the Chinese experience with social issues is to the future developments of the social sciences in this country. I fail to see how the slaughter of millions of people by the Communist Chinese has applications in the United States. If America's social scientists feel the Chinese method of population control can contribute substantially to our own policy then I suggest the NSF fund some study on why this Congress continues to support such nonsense.

● Mr. HOLLENBECK. Mr. Speaker, I rise in support of the conference report to the National Science Foundation Act of 1980 and would like to associate myself with the remarks made by my colleague from New York (Mr. WYDLER).

As was noted, for three of the five Directorates for which there was a difference between the House and the Senate bills the conferees accepted or favored the House's recommendations. With regard to the Directorate of Biological, Behavioral, and Social Sciences—where the conferees adopted the bulk of the Senate figures—I would concur with my colleague's point that this compromise reflects the intent of the House as expressed in the debate of the original bill. At that time, it was clearly the intent not to detract from the biological and behavioral sciences. Yet, the House bill as passed would have unfairly penalized these programs within the Directorates.

Let me illustrate the importance of the programs which would have been severely affected by the original bill. One such program within that Directorate is the environment biology program which undertakes a major study of the carbon

dioxide production and transformation in the atmosphere and the relationship to the biological carbon cycle represented by the photosynthesis in trees and other plants. The resolution of the carbon cycle issues will have a tremendous impact upon future energy and agricultural policies.

For example, should the research implicate fossil fuels as a causal agent in worldwide climate change through the "greenhouse effect," we could be forced to drastically cut back the use of fossil fuels. In particular coal, which is our major untapped domestic energy source, would be drastically affected. If, on the other hand, it turns out that land clearing of tropical forests and deforestation worldwide is a major cause of increased carbon dioxide, then we may have to drastically revise our estimates of potential world agricultural production because of the above-mentioned climate change.

However the research turns out, the results will be of enormous importance in the middle- and long-term future. If only we had those answers now. Imagine the tremendous effect that it would have in helping to prepare our current energy and agricultural policies. Unfortunately, in our ignorance we must proceed by guess and good luck until the answers are provided by such research conducted by the National Science Foundation. Yet, this program would have been severely affected by the original House NSF authorization.

Mr. Speaker, as one of the managers in this conference, I want to point out that in no way is this bill a "sellout to the Senate." We succeeded in reducing the Senate authorization levels in several cases and the tradeoff we received by accepting a compromise nearer the Senate figure on the Biological, Behavioral, and Social Science Directorate makes it possible to continue some enormously important research.

Still, I think that the National Science Foundation should look at the passage of the Ashbrook amendment as a clear warning. There are a lot of crazy titles for research projects which are not easily understood or appreciated. The classic example is the project entitled "The Sex-life of the Screwworm." Time and again on the House floor we have reiterated the importance of that study demonstrating that as a result of the research a very costly cattle parasite in Texas has been virtually eliminated.

From its title alone, however, it is not easy for a nonscientist to comprehend the importance of that study. Scientists must learn to write titles and the language for their projects in a clear fashion. This is perhaps particularly true in the social sciences, where appalling jargon creeps into what is used to describe essentially commonplace situations for which perfectly good simple English words are readily available. I am in no way denying the importance of social science research. However, I would think that, considering some of the more outrageous jargon that social scientists use, it would be appropriate for the NSF to recommend or require a basic English course for many of its grantees.

One must also recognize that many

times the subjects that are dealt with are highly technical, necessitating the use of specialized languages that have been developed to describe specific situations with greater precision than is attainable through ordinary expressions and phrases. Given this situation, it is of great importance that the NSF take a much stronger initiative in getting these important new concepts across to the public.

These important subjects can and should be appreciated by nonscientists. But the scientific community is asking society to dip into its pocket and support its activities, without being provided with a clear and simple explanation of what these projects are, why they should be supported, and what long-term intellectual and economic benefits may be obtained. As I see it, this function should be a primary role of the National Science Foundation. They should serve as a bridge between the scientific community and the general public.

In conclusion, I would like to point out that while basic research is enormously important for the future health of our economy, we must also recognize that we all have to learn to live with a little bit less during this time of economic recession.

It will not be easy for anyone and the scientific community must share in this general austerity as much as any other sector of the economy. Research projects must be carefully chosen and I would agree with my colleague from New York that the NSF must take particular care to assure that its projects have great promise for the highest long-term benefits, both in intellectual and economic capacities.

Basic research is tremendously important but frivolous research concepts cannot be supported when we are making major adjustments and changes in the long-term direction of our economic and social environment. We are moving into a generation of limited world resources, while, at the same time, we are confronted with growing world demands. This provides us with tremendous opportunities in the field of research.

Mr. Speaker, let me just say that I believe that this compromise with the Senate is sound. It does, I believe, truly reflect the wishes of the House. I urge my colleagues to adopt the report of the conference committee.●

● Mr. FUQUA. Mr. Speaker, I recommend adoption of the conference report for H.R. 2729, the National Science Foundation authorization for 1980. Despite the very significant difference between the House and Senate versions of the bill, the conferees achieved a realistic and fair compromise. The compromise retained all of the applied science mandates in the House bill, but reduced the sums provided for them. I believe we can accept those cuts in lieu of removing the programs altogether and by this means gain a second opportunity to review the programs after a year of operation.

The gentleman from California (Mr. Brown) has briefly described and characterized the compromise. I would like to add a few remarks on some of the specific program adjustments made in

report language that will affect the budgeting of funds.

The House instruction regarding scientific instrumentation was preserved. It requires the Foundation to develop objective measures of the status of scientific equipment in the United States and the need for equipment updating. In exchange, the Senate provision was preserved for setting aside \$3 million worth of instrumentation funds specifically for grants to 2- and 4-year colleges for small research equipment.

The Senate also recognized the concern expressed by House conferees over any sudden restructuring of the science faculty professional development program. As a result, they receded from their support of an NSF request to redirect the program grants for research sabbaticals. The Foundation wished to substitute a whole new program of institutes and conferences and give a larger group of much shorter research sabbatical awards.

In the compromise, it was agreed that 80 percent of the faculty development budget would be retained for the customary year-long grants and only 20 percent for a pilot project of the sort described by the Foundation. This pilot program will be tried and evaluated before any further attempt is made to change the nature of the larger program.

Finally, I wish to call attention to the Resource Centers for Science and Engineering. The purpose of these centers is to promote increased entry into science careers by minorities and low-income citizens. One center has already been established, and a second will be started with 1979 funds. The Foundation requested funds to start a third in 1980.

The Senate had authorized a third center but agreed with the House conferees that an evaluation of the three centers would be performed before any further support is contemplated beyond 1980. We want to determine how well the concept is working before committing money that could be used in alternative science programs designed for minority citizens.

Mr. Speaker, it is gratifying to observe that the tradition of treating science and engineering as a nonpartisan subject has been well preserved in these negotiations, and I wish to pay particular respect to the wisdom and objectivity of my minority colleagues, the gentleman from New York (Mr. WYDLER) and the gentleman from New Jersey (Mr. HOLLENBECK) and to their counterparts on the Senate conference delegation. With their assistance and advice, we have obtained a balanced and workable authorization document. ●

● Mr. WYDLER. Mr. Speaker, I urge the House to accept today the conference report on H.R. 2729, the National Science Foundation Authorization Act for fiscal year 1980 of which I was one of the managers. Let me say that I believe we have reached a sound compromise between the provisions of the bills passed by the two separate Houses and, as usual in this situation, we had to yield on some points but many of our central recommendations were accepted.

Mr. Speaker, as I emphasized in my floor remarks when this bill was orig-

inally debated, research is very important to the fundamental economic health of this Nation. In the interim, since we debated that bill, our economy has turned steadily downward. Admittedly, research will not immediately turn this situation around, but it does have the potential to cure the fundamental ills which are plaguing our economic system at this time.

While it is important to continue support for basic and applied research through agencies such as the National Science Foundation, at the same time we must recognize that this is a time of fiscal austerity. Projects chosen for support must be chosen carefully so as to provide the maximum long-term payoff. I would urge the Foundation, even as we support its basic mission here, to fully review its mission so that as a society we continue to get the maximum social benefits from this research over the long term. While we cannot afford to stop supporting research, neither can there be any fat in our research budget.

Mr. Speaker, I urge the House to adopt the compromise represented in the conference report. For the reasons I explained earlier I believe that as a body we have more than gained an even bargain with the Senate. ●

GENERAL LEAVE

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report under consideration.

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

There was no objection.

Mr. BROWN of California. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

JULIA K. ARRI, NATIONAL PRESIDENT-ELECT OF BPW

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

Mr. LLOYD. Mr. Speaker, on Thursday, July 26, a good friend and constituent, Julia K. Arri, will be installed as president of the National Federation of Business and Professional Women's Clubs, Inc. It would be very difficult to live in the Pomona Valley area for very long without knowing about Julia. She has not only made her mark as a very active community leader, but has also worked hard on issues that transcend her own locality. Her amazing vitality and determination have put her on the front line, and while her many involvements have been personally rewarding for her, they have meant even more to the people, and particularly the women, she has helped—from Girl Scouts to highly successful professional women.

BPW is very fortunate to have Julia at the helm, as she brings an impressive history of experience and success to the office. As the following account of her career indicates, her term is bound to be an exciting one, marked by progress, achievement, and a lot of hard work.

An article follows:

JULIA K. ARRI, NATIONAL PRESIDENT-ELECT

Julia K. Arri, a Claremont, California, business woman is President-elect of The National Federation of Business and Professional Women's Clubs, Inc. (BPW). She was elected at BPW's National Convention in July 1977 and sits on BPW's National Board of Directors as well as the Board of Trustees of the Business and Professional Women's Foundation.

The owner of her own firm specializing in accounting, financial planning and taxation, Mrs. Arri attended the University of California and has continued her education through management seminars, leadership courses, economics seminars and a liberal arts colloquium at Claremont College Graduate School.

Since she joined BPW in 1951, Mrs. Arri has served in many capacities at the local and state levels and has held four national offices prior to her election as President-elect. A past president of the Pomona BPW Club and the California BPW Federation, she has served on National Convention Committees, as National Personal Development Chairman, and on the National Equal Rights Amendment Ratification Fundraising Committee.

Through her BPW involvement, she has been instrumental in instituting personal development programs, leadership development courses, and vocational guidance clinics for teenage girls. During her activities as a national officer Mrs. Arri has worked with local clubs to motivate women to change careers, upgrade their abilities and take advantage of continuing education for new careers.

Mrs. Arri served as at-large delegate to the first National Women's Conference in Houston during November 1977.

She served on the Advisory Board for Continuing Education at Claremont College and is a past chairman of the board. She serves on the Attorney General's Voluntary Advisory Council, is a past president of the Quota Club and Executive Secretaries, Inc., and is a member of the National and California Association of Parliamentarians and the League of Women Voters. She is a member of the Board of Directors of the Spanish Trails Girl Scout Council and the YWCA.

Mrs. Arri entered California politics in 1972 as a candidate for the 49th District Assembly seat and has served on the Democratic State Central Committee. She has conducted political action seminars throughout the United States.

In 1959 and 1970, Mrs. Arri was selected as "Woman of the Year" by the Pomona BPW Club and in 1977 she received the Woman Achiever Award from the San Gabriel Valley, California, Club. She appears in the Bicentennial Edition of "Community Leaders and Noteworthy Americans." ●

THE RISE IN HOSPITAL COSTS

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

Mr. WALGREN. Mr. Speaker, as the Ways and Means Committee seems almost deadlocked over the issue of hospital cost containment, I thought two bills sent to me by a constituent would be interesting for other Members to see.

They are hospital bills for identical operations—only 19 months apart—for the extraction of wisdom teeth first for his son and then his daughter. Each had two teeth removed.

In the 19 months, the hospital bill had risen from \$658 to \$985—an increase of 50 percent.

The only difference in service provided between these two hospital stays was the addition of a \$50 fee for inhalation therapy.

A letter and copies of the bills follow:

MT. LEBANON, PA.,
May 10, 1979.

OFFICE OF CONSUMER AFFAIRS,
Reporter's Building,
Washington, D.C.

GENTLEMEN: For whatever purpose it may serve, enclosed, herewith, copies of four hospital bills. I am sending you these to show the comparison of what has happened to hospital charges in just two years for basically identical situations.

Each of the two bills represents charges for the same operation—extraction of two wisdom teeth. The first two were for my daughter, the second two for my son.

Each involved taking the child in on a Thursday afternoon and having him discharged by 9:00 a.m. Saturday.

Except for "Inhalation therapy" the categories are all the same.

The surgeon's bill, of course, was over and above these charges. His bill remained constant for all the operations. He charged \$250 per twenty minute operation, \$1,000 for eighty minutes of basic mechanics. If we had not had Blue Shield's "Prevailing Fee Plan" his charge would have been \$300. No comment.

Hope this has been of some value to you. As much as I am opposed to socialized medicine, this strains my principles.

Very truly yours,

Summary of payments	1.00CR	
Summary of charges:		
Telephone	1.00	.100
Lab	81.00	81.00
X-ray	20.00	20.00
Operating room	120.00	120.00
Anesthesia	159.60	159.60
Med-surg suppl	4.86	4.86
Pharmacy	19.50	19.50
Med-surg suppl	2.90	2.90
R. & C.: 2 days in S-4605 at 125/day, 2 total days	250.00	250.00
Subtotal of charges	658.86	657.86 1.00

Increase in 19 mo.

Summary of payments	1.20CR	
Summary of charges:		
Telephone	1.20	.20 1.20
Lab	81.50	81.50 .50
X-ray	30.00	30.00 10.00
Operating room	155.00	155.00 35.00
Anesthesia	315.00	315.00 179.00
Pharmacy	39.90	39.90 12.50
Inhalation therapy	50.00	50.00 150.00
Med-Surg suppl	2.90	2.90 0
R. & C.: 2 days in S-6631 at 155/day, 2 total days	310.00	310.00 32.00
Subtotal of charges	985.50	984.30 1.20

¹ New.

ADMINISTRATION SEEKS TO PREVENT HOUSE FROM WORKING ITS WILL ON H.R. 4040

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

Mr. WHITE. Mr. Speaker, I want to take this opportunity to acquaint the Members of the House with a recent letter from the Director of the Office of Management and Budget, Mr. James T. McIntyre, Jr., to the chairman of the Rules Committee. Mr. McIntyre, acting for the administration, has in effect asked the Rules Committee to prevent the House from considering H.R. 4040, the defense authorization bill for fiscal year 1980, even under the open rule requested, because the administration opposes certain portions of the bill that relate to Selective Service registration, the nuclear carrier, and contracting out. The clear implication of Mr. McIntyre's letter should be disturbing to the House as an institution.

I will place Mr. McIntyre's letter in the RECORD hereafter, as well as chairman PRICE's letter to Mr. McIntyre on this matter. I ask unanimous consent to include this material at the end of my remarks.

I am not concerned that this intrusion will influence the members of the Rules Committee to act in a manner other than they consider appropriate. What does disturb me is this effort by the administration to prevent the House from having an opportunity to work its will on legislation reported by the Committee on Armed Services by a vote of 36 to 2.

I hope each Member of the House will take the opportunity to review this unusual correspondence.

Thank you.

The correspondence follows:

COMMITTEE ON ARMED SERVICES,
Washington, D.C. July 10, 1979.

HON. JAMES T. MCINTYRE, JR.,
Director, Office of Management and Budget,
Executive Office of the President, Washington, D.C.

DEAR MR. MCINTYRE: I am in receipt of the copy you forwarded to me of your letter to the Honorable Richard Bolling, Chairman, Committee on Rules, concerning H.R. 4040, the Department of Defense authorization bill for fiscal year 1980.

While I can appreciate your desire to present the Administration's position forcefully, particularly in those cases where the stated opinions of important Executive Branch officials are divided, such as on selective service registration, I must say that I was surprised by your letter.

The intent of the final paragraph of your letter is not completely clear. It appears that you are asking the Committee on Rules to prevent the House from considering the bill, even under an open rule.

If, indeed, that be the case, I know of no prior example of a Director of the Bureau of the Budget or the Office of Management and Budget attempting to intercede officially and directly with the Rules Committee in a way that could prevent House consideration of legislation recommended by the Armed Services Committee. Such could only be perceived as an unwarranted intrusion into the procedures of the Legislative Branch.

It may be that the staff of your office is insufficiently familiar with the rules of the House. The open rule requested by the Committee on Armed Services would allow full debate on all provisions of the bill and would allow deletion of the nuclear aircraft carrier, the selective service registration provision, or any other items—if a majority of the House so voted. I cannot believe that the President or you would take the position that a majority of the House should not be entitled to work its will on the legislation.

H.R. 4040 must be acted on promptly

since under the law funds cannot be obligated or expended for major defense programs without enactment of an authorization bill. Delay in granting a rule can only delay passage of a bill. I am confident that selective service registration and the other issues raised in your letter will be addressed reasonably and fairly during normal floor debate and the amendment process.

At a time when the President is trying to rally support for a unified approach to pressing national problems, your letter will make more difficult efforts by responsible Democrats to achieve a better working relationship between Congress and the Executive Branch. I hope the letter will not be a precedent.

Sincerely,

MELVIN PRICE, Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., July 6, 1979.

HON. RICHARD BOLLING,
Chairman, Committee on Rules,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: It is our understanding that the Rules Committee will resume consideration of the FY '80 Department of Defense Authorization Bill, H.R. 4040, shortly after the Fourth of July recess.

The Administration is deeply concerned about three provisions contained in this bill.

The first is the authorization of \$2.094 billion for a fifth nuclear aircraft carrier. As we stated last year and as our budget this year demonstrates, the Administration is committed to a strong, modern Navy as an essential element of our national defense. We do not believe that yet another nuclear carrier is helpful in reaching that objective. In fact, it would have just the opposite effect as it diverts resources from other more pressing Navy needs.

Second, we object to the provisions regarding reinstatement of registration for the draft. The Administration is opposed to registration. It is not necessary to impose this burden on our nation and its youth when there are effective ways to improve the capability of the Selective Service system so that it can meet current needs.

Because reinstatement of registration raises issues of national importance, we believe that it deserves comprehensive consideration and debate by both the Armed Services Committee and the full House. This is made more difficult in our judgment, so long as registration is tied to the military program authorizations contained in H.R. 4040 which should be acted upon promptly, in light of the Congressional calendar and the approach of the new fiscal year.

Third, we object to the serious management impediments which would be caused by Sections 801 and 805. Section 801 would legislate an exemption for R&D activity from the provisions of Circular A-76. We have already suspended application of A-76 to these activities while we review the many elements of R&D programs and capabilities more fully, and we do not believe that Section 801's blanket exemption is consistent with sound management of this complex subject. Section 805 requires advance notification and a 30 legislative day waiting period for any conversion from DOD to contractor of commercial and industrial type functions. While the committee's concern about locality impact is certainly appropriate, past experience in DOD has demonstrated that there is no significant economic impact on the community when work is converted from government to contract performance at the same location. Because we would anticipate more than a thousand such actions (and associated cost studies, which are now and would continue to be provided independent to Section 805), this new provision would conflict with orderly management and procurement activities, particularly when Congress is not in session.

Thank you for allowing me the opportunity to raise these issues at this time and for the careful consideration that I know you and your Committee will give to them. Obviously, we would appreciate any appropriate assistance you can give to help alleviate these concerns.

Sincerely,

JAMES T. MCINTYRE, JR.,

Director.

SOLAR LEGISLATION INTRODUCED

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

Mr. OTTINGER. Mr. Speaker, Congressman FISH and I today are introducing legislation which will enact the recommendations of the President's new domestic policy in favor of solar energy. This is legislation which goes no further than the legislative recommendations that he makes.

He incorporates the very fine legislation offered by the gentleman from North Carolina (Mr. NEAL) to establish a solar energy bank, and includes the tax credit recommendations of the President.

Mr. Speaker, over the past year or so, Congress and the American people waited for the President to announce his new solar policy direction as a result of the Cabinet level "Domestic Policy Review of Solar Energy." On June 20, 1979, the President announced a solar goal for the Nation, along with a series of administrative actions and some legislative proposals to achieve that goal. We applaud this goal of deriving 20 percent of our energy needs by the year 2000 from the Sun.

During joint hearings on June 21 before our Subcommittee on Energy Development and Applications and the Energy and Power Subcommittee, my friend and New York colleague, Congressman HAMILTON FISH, Jr., and I stated our pleasure that the President has finally acted and in a positive fashion. The initiatives he has proposed are a good first step toward achieving the goal he has set for the Nation. We are very optimistic about the role which solar energy can play in reducing our reliance on uncertain foreign oil supplies. Solar energy offers us a virtually inexhaustible energy source that can be developed in a manner consistent with our environmental goals. In fact, it might just be the deciding factor in whether we can truly ever become energy independent.

Shortly, we intend to introduce, with a number of our colleagues, legislation which will go the next step—further than the President's proposals—and authorize programs which will, if implemented, actually meet the goal of 20 percent of our energy being supplied by solar by the year 2000.

However, as an interim step, and to insure against further long delays in the introduction of the President's program, we are today introducing legislation, the "Accelerated Solar Energy Utilization Act of 1979," which we believe represents the President's proposals as set forth in his address and in Department of Energy testimony.

We believe that by beginning congressional action immediately on these initiatives, we will demonstrate our energy problems in a responsible way and with dispatch. Further, we have specifically avoided tying these initiatives to the windfall profits tax or any specific fund proposed to be set aside.

Included in this package is the solar energy bank bill introduced by the gentleman from North Carolina (Mr. NEAL) and which has been acted upon favorably by his Banking, Currency, and Housing Committee Subcommittee. He deserves great credit for his creative work and for the great efforts he has made to enact this legislation over the past 3 years.

If we are serious about a commitment to solar energy, we cannot hamstring these programs by unwisely making their future dependent upon congressional action on the windfall profits tax.

THE LATE KATHRYN ELIZABETH GRANAHAN

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

Mr. LEDERER. Mr. Speaker, I rise today for the sad but honored task of noting the passing of the first woman Member of Congress from my home city of Philadelphia.

Kathryn Elizabeth Granahan died Tuesday, July 10, at the age of 84. She was first elected to Congress to fill the unexpired term of her husband, William T. Granahan, and went on to establish her own reputation in her 6 years here serving on the Government Operations and Post Office and Civil Service Committees. As chairman of the Postal Operations Subcommittee, she spoke out vigorously against pornographic material in the mails and other abuses of the postal system. When her seat was lost in the redistricting of the 1960's, she was appointed by President Kennedy as Treasurer of the United States. She served as Treasurer through November 1966 under President Johnson.

This was the formal public official the books will always tell us about. But I knew her as a Philadelphian and a local leader much more significantly. As a ward leader of the 52d ward, she became a self-styled "mad hatter" waging her own campaign to improve the image of politicians in the City of Brotherly Love. This fell in line with her pitched battles here in the Congress. At her ward meetings, she refused to serve alcoholic beverages and, instead, served tea and cookies. She represented her people and the people of Philadelphia both in Washington and back home in the highest traditions of our political system and the Congress.

Mr. Speaker, fellow Members, today we mark the passing of a leader and a true representative of our ideals and American way of life. Kathryn Granahan's career and life will serve as a guide to younger Americans, especially young women seeking their careers in our reforming society. But she also served in her life and will continue to serve as a

strength to all of us who should and try to do our jobs the best way we know how for those who elected us.

I ask the House to observe a moment of silence to honor the passing of this great Philadelphian and great American.

PERSONAL EXPLANATION

Mr. CORCORAN. Mr. Speaker, last night when the House voted on the final passage of H.R. 4392, making appropriations for the Departments of State, Justice, and Commerce, and the Judiciary, and related agencies for the fiscal year ending September 30, 1980, I was unavoidably absent. If I had been present, I would have voted for the bill.

THE ADMINISTRATION ARMS CONTROL NEGOTIATIONS JEOPARDIZE U.S. SECURITY

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

● Mr. KEMP. Mr. Speaker, although the current hearings in the U.S. Senate on the strategic arms limitation talks dominate congressional attention, other negotiations with the Soviet Union are proceeding. Recent developments in one of these negotiations, the comprehensive test ban negotiations reveal that the administration is willing to take grave risks with long-term American security interests to reach quick agreement with the Soviet Union to maintain the momentum of détente.

Negotiations leading toward a comprehensive test ban have been underway for several years. One of the elements negotiated with the Soviet Union to facilitate verification of Soviet compliance with the terms of the agreement has been an arrangement where American seismic sensors—devices designed to detect small tremors initiated by underground nuclear explosions—would be placed on Soviet territory to record seismic events on instruments American experts could be confident would faithfully record whether or not the Soviet Union was complying with the terms of the agreement. The Soviets have recently renounced this agreement. Instead, they insist that only Soviet equipment be installed for the benefit of the verification of Soviet compliance for the United States.

Despite the Soviet renunciation of terms previously accepted, the Carter administration refuses to cancel a visit by Soviet scientists next month to study—although espionage would be a more appropriate term—American seismic technology. In view of the Soviet attitude toward verification expressed in their rejection of the emplacement of American seismic technology, it is essential that the Soviet visit be terminated. Failure to do so will result in a comprehensive test ban which is irrevocably flawed rendering it incapable of congressional ratification. Should the Soviet delegation be allowed to collect information on the technical character of American seismic sensor technology, the opportunity to assure that we can verify

Soviet compliance with a CTB will be lost.

This episode reflects that casual attitude toward verification of arms control agreements I have witnessed as a member of the congressional delegation to the strategic arms limitation talks. I urge the President to terminate Soviet scientific collection activities in connection with the CTB negotiations until such time as the Soviets see fit to support a reasonable plan for the verification of compliance with the terms of CTB. ●

SYNTHETIC FUELS DANGER TO CLIMATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon, (Mr. WEAVER) is recognized for 10 minutes.

● Mr. WEAVER. Mr. Speaker, synfuels will sharply increase the amount of carbon dioxide in our atmosphere, a danger to the world climate. Trees use carbon dioxide, trees take carbon dioxide from the atmosphere. So it makes sense to plant more trees when we develop synfuels.

Therefore, I will propose legislation imposing royalties on minerals from Federal lands to create a reforestation fund to promote a measure to plant trees in America.

I place in the RECORD the following newspaper story on this subject:

[From the Washington Post, July 11, 1979]

SYNTHETIC FUELS DANGER TO CLIMATE, SCIENTISTS SAY

(By Joanne Omang)

Synthetic fuels might help solve the gasoline problem, but their use would accelerate the carbon dioxide buildup that is threatening to overheat the earth's atmosphere, the Council on Environmental Quality warned yesterday.

In a report to the council, four environmental scientists said the danger from carbon dioxide is such that it should be considered as "an intrinsic part of any proposed policy on energy."

Large amounts of carbon dioxide are produced in the burning of any carbon fuel, such as oil, gas or coal. In the atmosphere, carbon dioxide absorbs infrared radiation and prevents it from escaping into space, the scientists' report explained. This process is often referred to as the greenhouse effect.

Although many complex factors affect the climate, it is generally thought that the result of continued carbon dioxide production will be a warming of the atmosphere "that will probably be conspicuous within the next 20 years," the report said. "If the trend is allowed to continue, climate zones will shift and agriculture will be displaced."

Gordon J. MacDonald, environmental studies professor at Dartmouth College, who is one of the authors, said in an interview that large-scale use of synthetic fuels—made from coal or oil shale—could cut the time involved by half.

"We should start seeing the effect in 1990 without synthetic fuels . . . but if you use them, the effect would be much more pronounced by 1990," he said.

Synthetic fuels produce more carbon dioxide than regular fuel because the amount generated in their manufacture has to be counted as well, MacDonald said. The report estimated that for the same amount of heat, synthetic fuels put out 1.4 times as much carbon dioxide as coal, 1.7 times as much as oil and 2.3 times as much as natural gas.

Synthetic fuels are enjoying a popularity boom on Capitol Hill, where legislation is pending that would boost their production with funding of \$2 billion and more.

A Department of Energy environmental impact study of synfuels, not yet made public, notes the high carbon dioxide emissions but does not relate them to the climate question. In fact, the study says there is "no absolute environmentally related constraint" on fuel conversion processes now known. DOE is studying carbon dioxide buildup but not in this context.

The relationship to climate is controversial. MacDonald, along with scientists George M. Woodwell, Roger Revelle and C. David Keeling, said in the CEQ study that the warming trend is sure even without synthetic fuels and that it could result in the melting of the west Antarctic ice cap in about 200 years. That would raise the sea level worldwide by about 20 feet, flooding most coastal areas.

Other scientists are more cautious. "We're still not completely sure there is a carbon dioxide problem," said Lester Machta, director of the air resources laboratory at the National Oceanic and Atmospheric Administration. It is known that carbon dioxide is increasing at the rate of 3 to 4 percent per year now and at that rate will double its concentration in the atmosphere by about 2030, he said.

"But we don't know how much gets absorbed into the ocean . . . we're not sure of our climate [computer] models . . . and then if there is a warming maybe it's an advantage," Machta continued. Although the CEQ group and other scientists said world agricultural patterns could be disrupted as the weather changes, Machta noted that the growing season would be lengthened in some areas, such as Canada and central Russia.

Scientists agree that if there is a warming trend from carbon dioxide buildup, it could still be reversed if enough of mankind cut back on burning fossil fuels soon enough.

"If we wait to prove that the climate is warming before we take steps to alleviate the carbon dioxide buildup, the effects will be well under way and still more difficult to control," the CEQ scientists said.

They recommended that the United States embark on a four-part program: acknowledge the problem and relate it to all future energy decisions; pursue conservation of fossil fuels; choose natural gas or other low-emitting fuels, such as nuclear power or solar energy, over coal or synthetics, and promote extensive reforestation to increase the amount of carbon dioxide taken out of the air by plants.

CEQ acting chairman Gus Speth said the report was "very important and cannot be ignored." He added that the council "takes the carbon dioxide problem very seriously and intends to pursue it."

The CEQ is a three-member commission set up in 1969 to advise the president on environmental problems and to recommend measures to deal with them. ●

AIR BAGS SAVE LIVES

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

● Mr. NELSON. Mr. Speaker, the National Association of Insurance Commissioners—NAIC—the organization for State insurance regulatory officials held its annual meeting last week in Chicago. This yearly event provides the commissioners with a forum to debate and take positions on issues which relate to insurance. From time to time the NAIC adopts resolutions which bear on Federal

matters. In one of the resolutions enacted last week, the commissioners agreed among themselves to convey to their congressional delegations the NAIC's strong support for the Department of Transportation's passive restraint standard. This standard provides for the installation of automatic crash protection—air bags or passive seat belts—in passenger cars beginning in model year 1982. The standard has been subjected to exhaustive administrative, congressional, and judicial review.

The NAIC resolution was drafted and introduced by Bill Gunter, Florida insurance commissioner and former Member of Congress from Florida's Fifth District. It is especially noteworthy that Gunter chairs the NAIC's auto insurance cost containment task force since the passive restraint standard will do much to assist insurers in keeping down costs.

I am pleased that the insurance commissioners, with their unique perspective as regulators have joined the list of those groups who have concluded that automatic crash protection is the most reliable and cost effective means to reduce both the frightening death toll and the staggering economic waste associated with auto crashes.

I attach the NAIC resolution on passive restraints so that each of you will be prepared to discuss this matter when contacted by your State insurance commissioners:

NAIC AUTOMOBILE INSURANCE (D3) SUBCOMMITTEE RESOLUTION ON PASSIVE RESTRAINT

Whereas, on January 20, 1976, the NAIC adopted a resolution urging the Department of Transportation to promulgate, without further delay, Motor Vehicle Safety Standard 208 requiring passive restraints to be installed in all new cars at the earliest possible date; and

Whereas, in May of 1977, the Department of Transportation adopted the passive restraint standard, finding that full implementation thereof will save 9,000 lives each year and prevent hundreds of thousands of serious injuries; and

Whereas, the Department of Transportation found that in addition to the life saving and injury reducing benefits of the passive restraint standard, implementation thereof would produce substantial benefits to society, generally, including insurance cost savings; and

Whereas, many insurers currently offer discounts on first party injury coverages for passive restraint equipped cars because of the economic benefits attributable to the standard; and

Whereas, bodily injury liability costs will be reduced substantially over the period of time during which the passive restraint requirement is being implemented; and

Whereas, in October of 1977, the United States Congress refused to overturn the standard under veto authority granted to it in the Motor Vehicle Safety Act, with two-thirds of the Senate endorsing the DOT decision; and

Whereas, on June 12, 1978, the NAIC adopted the findings and resolutions of the Cost Containment Task Force of the Automobile Insurance (D3) Subcommittee which included, among other things, a finding that the lack of adequate crashworthiness and occupant protection had significantly contributed to the 49,000 vehicle accident deaths and 1.9 million disabling injuries in 1977, and a resolution urging that passive re-

straints be made available to the public earlier than required by the DOT, and that DOT continue to work to improve occupant protection in high speed crashes; and

Whereas, special interest groups have continually attacked the standard and its life saving benefits in the false name of "deregulation"; and

Whereas, notwithstanding strong government and public support for passive restraints, these efforts on the part of a few special interests will likely continue; and

Whereas, the NAIC must restate its strong support for passive restraints and communicate that support to the United States Congress and the public; now, therefore, be it

Resolved, That the National Association of Insurance Commissioners hereby reaffirms its historical support for the passive restraint standard of the DOT and commits to recommend to each of its members that this policy be communicated to their individual state delegations to the United States Congress. ●

PERSONAL EXPLANATION

The SPEAKER. Under a previous order of the House, the gentleman from Connecticut (Mr. DODD) is recognized for 5 minutes.

● Mr. DODD. Mr. Speaker, I was unavoidably detained and unable to vote on rollcall No. 309 on the passage of H.R. 4537, the Multinational Trade Agreements Act.

Mr. Speaker, I would like the record to show that had I been present, I would have voted "aye."

During the vote on final passage of H.R. 4392, the State-Justice-Commerce-Judiciary appropriations bill, I was unavoidably absent from the House Chamber.

Mr. Speaker, I would like the record to show that had I been present, I would have voted "aye." ●

CONGRESSMAN AU COIN SUPPORTS SALT II

The SPEAKER. Under a previous order of the House, the gentleman from Oregon (Mr. AU COIN) is recognized for 5 minutes.

● Mr. AU COIN. Mr. Speaker, I want to take this opportunity today to express my support for the Strategic Arms Limitation Treaty, SALT II, now under consideration by the U.S. Senate. I do so on the eve of a visit to my home State of Oregon by Vice President WALTER MONDALE who will address a forum of concerned citizens in Portland on the importance of ratifying SALT II.

SALT II deserves ratification because it is a hope for peace. It does not trumpet our retreat; it signals our progress on the long road toward a safer world, a world in which the risk of nuclear terror has been curtailed.

At its heart, SALT II is a life and death issue and a bread and butter issue.

The life and death issue requires little explanation. The United States and the Soviet Union possess unthinkable capabilities of mass destruction. Statistics inadequately capture the magnitude of the violence we can unleash.

But perhaps more alarming than the actual weapons themselves are the serious strategies of how to wage nuclear

war—and win. These strategies are possible because military planners enjoy the detachment of sterile environments far from the stench of any battlefield and out of sight of the grotesque rubble mankind and Earth would be reduced to in the event of nuclear warfare. SALT II might not be needed if we were simply stockpiling nuclear weapons. What makes it necessary, to secure our collective well-being and sanity, is the possibility of a remote control war.

SALT II will not halt the arms race, but it is our only hope to curb it. SALT II will not remove the cloud of terror from overhead, but it is a beginning step, a small one, to get out from under it. Some critics say SALT II does not go far enough, but I say that without SALT II we go backwards, which is far worse.

SALT II is fundamentally an economic issue, too. Worldwide, more than \$400 billion of the world's resources were consumed last year by the global arms race.

At a time when we in the United States are trying to balance the Federal budget and curb inflation, we need to look skeptically at nonproductive expenditures of Federal tax dollars—which is what military spending amounts to. A recent study shows that for each \$1 billion in additional military spending, 11,600 potential jobs evaporate. The ratio is worse for spending on exotic weapons, where 22,000 potential jobs are sacrificed per \$1 billion expenditure.

Just as Americans do not buy the principle of "peace at any price," they also do not buy the idea of deterrence at any price. Take, for example, the MX missile, which experts predict will cost a minimum of \$30 billion to develop, and compare that to the fiscal year 1980 budget for timber reforestation and improvement of \$67.8 million. Even if that amount were doubled, enabling the U.S. Forest Service to come close to meeting the cut recommended by the Resources Planning Act, it would still be just 5 percent of the cost of developing the MX missile. The difference: Money spent on reforestation in a few years would pay dividends in forests for recreation and for harvesting to meet our wood products needs. Money spent on the MX missile would be the equivalent of burying \$30 billion deep in the sod in silent silos we pray will never have to see the light of day.

Simply put, America and the world cannot afford the arms binge we are bent on. We talk of conserving oil, and that is important. But what we really need is a more fundamental conservation of our resources, concentrating them on means that will lift the standard of living of all people, not the curtain of terror.

I submit that SALT II is not evidence of decay in the American will. Rather it is a manifestation of our Nation's growing maturity.

SALT II, to work, relies not on unilateral deterrence, but on mutual deterrence, a shared risk-taking by the United States and the Soviet Union.

Mutual deterrence implies rough equivalency in military capability.

For some this concept equals surrender. For me it is the product of careful and sound reasoning, and reflects the sober realization that world stability will only result when the United States and the Soviet Union find a means to end competition through an arms race.

In this context, SALT II is an unmistakable affirmation that nuclear war is unwinnable, that brinkmanship is inhumane and that mankind possesses the capacity to work out disagreements in ways less destructive than warfare.

SALT II, then, should not be loaded with one-sided advantages because that is destabilizing. A one-sided advantage always triggers an urge on the other side to overcome the advantage, and a process is begun that never ends.

It is precisely because we have fundamental differences with the Soviet Union that SALT II is imperative.

We are at a pivotal time in our dealings with the Soviet Union. Moderates are in control. Not long from now they may not be, especially if adventurist elements within the Soviet government are handed the ammunition of U.S. bad faith in defeating SALT II. It is here American leaders have a real opportunity to help shape the future of Soviet leadership and avoid a return to Stalinist thugery.

But perhaps the greatest benefit for the United States offered by SALT II is an often overlooked one. In all our self-flagellation, Americans forget that our own greatness, our own ability to innovate, to compete and to win. Diverting competition between ourselves and the Soviet Union from building more powerful armaments to building a stronger economy works greatly to the advantage of the United States. Herein lies our greatest strength, and the way to a better world for all of us.

We must be careful not to overload SALT II with all our fears or hopes. SALT II will not end all war. It will not remove all conflicts. It will not secure freedom for all. But SALT II is an alternative to suicidal arms competition; it is a step forward, not backward. We have no other options that offer even that much promise. ●

SOUND AS A DOLLAR

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

Mr. LEWIS. Mr. Speaker, time was when a buck was a buck. An expression of strength was: "Sound as a dollar." Hefting a U.S. silver dollar once gave a person a feeling of value and strength.

By contrast, when one looks at and feels the new silver dollar in his hand, he must wonder if the Carter administration has not minted a sad tribute to its own inability to sustain the value of the U.S. dollar both domestically and internationally.

Far be it from me to downgrade the reputation or contribution of Susan B.

Anthony that the coin purports to honor, but the style with which she has been remembered is just short of a national disgrace. The new silver dollar, because of its diminished size and value, may soon become known as the "Carter quarter."

The coin is poorly designed to represent the U.S. dollar. It is of a size that will easily be confused with the U.S. quarter. At a time when national frustration with inflation, energy shortages, and general lack of leadership has reached mammoth proportions, do we really need a dollar that will go in many a 25-cent vending machine and at best will not buy much more than a quarter would a few short years ago?

The difficulty with the new silver dollar extends beyond the fact that its size bears a striking resemblance to that of a quarter. The domestic purchasing power of the U.S. dollar is declining at an alarming annual rate of 14 percent. At this rate, by the end of Mr. Carter's 4 years in office, the dollar will be worth 21 cents less than it is today.

The impact of such high inflation is felt by all Americans. Those who feel it the most are, unfortunately, those who can afford it the least. Individuals living on fixed incomes are seeing their real purchasing power decline at an alarming rate. Their dollars are rapidly becoming "Carter quarters."

It is ironic that the administration of James Earl Carter has chosen to carve in silver so vivid a reminder of just how devastating its economic policies have been. While the administration talks in lofty terms about caring for the old and infirm, its economic policies are designed to undermine the basis of their security.

I submit that the Nation does not need a new silver dollar of smaller size and even smaller value. What the Nation does need is someone who can lead the country with sound economic and domestic policies that will restore the value and integrity of the U.S. dollar both at home and abroad.

MEDICAL BENEFITS FOR INDIVIDUALS REQUIRING ENTERAL OR PARENTERAL ALIMENTATION

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

● Mr. HANLEY. Mr. Speaker, yesterday I introduced a bill, H.R. 4742, to provide medicare benefits for individuals who require enteral or parenteral alimentation.

When a patient's nutritional needs cannot be met by "ordinary means," physicians have a variety of alternatives with which to supplement or replace the patient's food intake. For patients who have had intestinal disorders, surgery, or certain trauma or disease which makes normal feeding and digestion impossible, TPN—total parenteral nutrition—best understood as intravenous feeding, has been considered the most appropriate. This method of nutritional support, although effective, is both expensive and

risky. Since TPN is classified as drug therapy and is covered under medicare for hospital patients, it is often the method of feeding chosen.

In recent years, however, an alternative called enteral alimentation has been developed and widely used. Essentially, this feeding system provides nutrition, such as an elemental diet, to these special patients through a more natural route—the gastrointestinal tract by a small tube through a nasal opening or directly into the stomach or small intestine.

This elemental amino acid diet requires no digestion and is completely absorbed in the system. Patients are more comfortable than with intravenous feeding, and can even be ambulatory if their physical condition permits. They are no longer forced to rely on the more dangerous and expensive TPN feeding. The estimated daily cost of intravenous feeding is \$150, while enteral alimentation costs approximately \$20 to \$40 per day.

Considerable published medical data supports the fact that enteral alimentation accelerated wound healing, smooth postoperative recovery, and shortens hospital stays. For example, a 70-year-old man was hospitalized with an intestinal obstruction due to a tumor, which had continued to recur following three operations over a 7-year period. His obstruction was cleared and he was placed on an elemental diet. When conventional food was given, he reobstructed. This readily cleared with the elemental diet, which became his sole source of nutrition for over a year.

Ironically, Mr. Speaker, the one thing that is keeping patients from taking advantage of this medical advancement is the fact that it is not covered under medicare. Because of this, thousands of patients are forced to be nutritionally supported by the costlier and more dangerous form of care, intravenous feeding.

Mr. Speaker, I have introduced a bill which would amend the Social Security Act to provide medicare coverage for individuals who could benefit from enteral alimentation. The benefits of this bill would be twofold. First, it would make a safer and less expensive alternative to intravenous feeding available to more people. Also, many patients' hospital stays would be considerably shorter because of this treatment's speed in increasing the strength of the postoperative patient. The second benefit would be in the savings to the Federal Government. Because enteral alimentation is less expensive and does not require specially trained personnel to administer, patients can often treat themselves at home at a considerable savings. This, combined with the shorter hospital stays, creates substantial savings in medicare benefit payments.

Mr. Speaker, we have before us an opportunity to relieve the burden of thousands of people who have had their lives radically changed and, in the process, save the Government a considerable amount of money. I urge my colleagues to support this legislation, making thousands of lives simpler, safer, and better. ●

ST. ELIAS ORTHODOX CHURCH

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

● Mr. HANLEY. Mr. Speaker, in mid-July 1979, on a majestically rising hill overlooking the city of Syracuse, N.Y., the people of St. Elias Orthodox Church will give thanks to God for 50 years of growth and development centered around their parish church.

The setting, in a strikingly modern edifice in a pleasant suburban area, is a far cry from the beginnings in 1929.

A sense of community and need for spiritual direction had stirred itself among the Arab-speaking people who had settled in the Syracuse area in the early part of this century. At the urging of the visiting Bishop His Grace Victor Abu Assaly, the Middle Eastern natives began to organize and to plan a parish. The first meeting was held November 10, 1929, in the home of Michael Morris. A second meeting in the home of Joseph Seikaly resulted in the formation of the first parish committee headed by Habeeb Rezak.

In 1930, the former Lafayette Methodist Church on West Lafayette Avenue was purchased for \$9,000, and the parish established itself physically.

Weathering organizational problems, a serious fire in 1936 and numerous obstacles, the annual St. Elias Mahrajan was instituted in 1937, and became the social event of the year for the Arab-speaking community of central New York. This proved to be the catalyst which allowed the parish to stabilize and to grow.

In 1955, weekly pledge envelopes were begun, replacing the old system of annual dues which had averaged only \$12 per family. St. Elias had moved from providing the minimal requirements of a small immigrant neighborhood in 1929 into a spiritual center of orthodox people of Arabic heritage serving those as far away as 70 miles.

In 1963, the present site on Onondaga Hill was acquired, and by July 20, 1969, the first services were held in the new facility.

On July 14, 1979, under the kind pastoral leadership of Father Hanna Sakkab, St. Elias will give thanks for its 50 years of successful growth, and give special honor to the Metropolitan of All North America Philip Saliba.

These final words from the history of St. Elias are most fitting:

As with any organization, there must be a purpose first, then a driving force to keep it alive and functioning. Our purpose, the Church, our Faith, the Sacraments, and finally, our Lord's saving grace of salvation, are only too evident to us all. These, we seek, receive, and embrace, as the expectations of all Orthodox Christians. The driving force—the desire to create and nurture, that ingredient so necessary for fulfillment of the purpose—remains for us, ourselves, as a commitment, a labor, a sacrifice. Our forebears, in that "small immigrant neighborhood," created and nurtured a desire so intense, that neither foreign land, financial sacrifice, personalities nor any other adversity could restrain it. Their contributions, of-

ferred by many whose names do not appear in this record, are indelibly written in our hearts, minds, and memories. The preservation and perpetuation of our Faith had become a demanding need to them. We pray that future generations will write a record as great, having received the solid foundation upon which to continue building.●

RESTRICTIVE REGULATORY PROCEDURES

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

● Mr. PRICE. Mr. Speaker, what is being done to preclude generation of energy to reduce our dependence on petroleum is incredible. An article in this morning's Washington Post summarizes regulatory procedures which will restrict the operation of a constructed and previously successfully operated nuclear powerplant for at least a year. The energy which will be lost in this period is equivalent to over 10 million barrels of oil. The financial loss involved in procurement of replacement energy is estimated to be over \$150 million.

The reactor involved is the undamaged Three Mile Island No. 1 reactor. The Nuclear Regulatory Commission proposes a series of administrative actions and regulatory procedures involving filing of petitions, prehearing conferences, discovery activities, hearings, and so forth, estimated to total at least a year during which time no energy will be generated.

Such actions are completely at cross purposes with a serious effort to obtain control of the energy dilemma we face. There is completely no excuse in getting the plant back in operation. If professional judgment indicates interim operating restrictions should be imposed to control any unevaluated concerns about safety such restrictions can easily be imposed which will satisfy any reasonable person's concern. Administrative activities must be made secondary to getting control of our energy supply problem.

Following is the Washington Post article which summarizes the administrative and regulatory activities which preempt the use of this powerplant.

UNDAMAGED PENNSYLVANIA ATOM PLANT REACTOR TO BE OUT A YEAR FOR NRC HEARINGS (By Joanne Omang)

Public hearings on whether to reopen the undamaged Three Mile Island 1 reactor, will take at least a year, further jeopardizing the parent company's already shaky financial status, the Nuclear Regulatory Commission learned yesterday.

A spokesman for General Public Utilities, which owns both Three Mile Island 1 and 2 in Pennsylvania, said the company had been counting on the unit unaffected by the March accident coming back on line by Jan. 1. The delay could be "a significant financial problem" if short-term credits are withdrawn as a result, the spokesman said.

Three Mile Island 1 was closed along with several other plants for changes in the wake of the March 28 breakdown of Three Mile Island 2. Cleanup of unit 2 will not begin for several years and it is not known when, if ever, it will resume operation.

The commissioners decided last week to rule personally on whether unit 1 could reopen and to do it only after a full public hearing. Other units that were closed, including Rancho Seco in California and Davis Besse in Toledo, Ohio, will be allowed to operate while hearings on their status continue.

Kenneth McKee of GPU estimated that the utility is spending \$22 million to replace lost nuclear power with more expensive oil-fired power for every month the two units are out of action. Costs involving unit 1 alone are about \$13 million, he said.

The NRC staff said the year's proceedings will break down as follows: 20 calendar days for filing petitions to participate in the hearings, 15 days for the commission to answer the petitions, 25 days for the petitions to be amended and for issues of the hearing to be refined, 15 days for the petitions to be examined and for a special prehearing conference, and five days to set the agenda. That is 80 days.

Then there are 60 days for discovery of information, during which a staff safety evaluation comes out, and on the 60th day there is the main prehearing conference that sets dates and priorities. There are five more days to the issuance of the prehearing conference order, 20 days to file testimony and 15 days to the start of the hearing. We are now at Day 180.

Sixty days later the hearings end. Parties file proposed findings by 40 days later, replies are filed in 10 days and a decision is reached by the Atomic Safety and Licensing Board in another 10 days. That is 335 days. Then the NRC itself has four months to review the decision and issue its order.

"This is the shortest feasible schedule," said Guy Cunningham, assistant chief counsel for the hearings. "In practice most schedules include extensions of time."

The NRC also voted to ask for public comment on its intention to require more stringent state and local emergency planning as a condition of issuing future operating licenses to nuclear reactors. General Counsel Leonard Bickwit said that procedure could take as little as six months.●

SOUND ADVICE ON SOLVING OUR ENERGY PROBLEM

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

● Mr. PRICE. Mr. Speaker, the president of the Soviet Academy of Sciences has given us some sound advice on what must be done to solve our energy problem. In an interview published in the July 4 issue of the Washington Star he stated:

Nuclear powerplants must be built all over the world since gas and oil deposits are running out.

If this is not done, wars will be between capitalist nations, since the Soviet Union will lead in the development of nuclear energy as a substitute while the United States is not moving ahead as it should in this field.

It is truly ironic that the Soviets are telling us what we and the rest of the world should be doing. We were the first to study the energy supply and demand problem and in the early 1960's came up with the consensus that nuclear was the only practical solution to our growing energy supply problem. No one knowl-

edgeable or interested in the long-range supply of energy disagreed.

To summarize, as indicated in the 1962 report to the President, it was agreed that we must find a new basic source of energy and that the only practical source was nuclear energy. It was also agreed that our only significant domestic source of fossil energy—coal—had to be utilized at increasing rates while we bought time to make the conversion to nuclear energy. Since we have fallen behind in this effort, as Anatoly P. Alexandrov, president of the Soviet Academy of Sciences said, we are headed for more and more severe energy and economic problems until we can increase our utilization of nuclear energy.

In contrast, the Soviets, after recognizing the fact that their petroleum resources would peak out in the early 1980's, adopted our plan and are moving out with the exploitation of nuclear energy in the Soviet Union and its satellites.

It is, indeed, discouraging to reflect on the fact that we, clearly and correctly recognizing in the 1950's that our petroleum production would peak out in 1970, developed a detailed plan to supplement our basic energy sources and did not follow the plan; the Soviet Union and other industrialized nations are following the plan. Nothing basic has changed in the energy equation except that we have fallen behind. Unfortunately, there is no shortcut. We must make up for lost time.

Since Alexandrov in his interview covers a number of other important points, I am including the complete article in the RECORD at this point.

ENERGY SCRAMBLE SEEN RISKING WAR (By Henry Brandon)

Moscow.—Without the development of nuclear power as a source of energy, the competition for energy sources in the world could ultimately lead to war, the president of the Soviet Academy of Science warns.

Resistance to the development of nuclear power as an energy source, Anatoly P. Alexandrov said in an exclusive interview, poses more danger for mankind than the original splitting of the atom.

Alexandrov, a nuclear physicist and director of the I.V. Kurchatov Institute for Atomic Energy, blamed regulations in the United States, inadequate safety standards, incompetent supervisory personnel and the news media for the harm done to the use of nuclear energy.

Also present at the interview was Nikolai Inozemtsev, the director of Moscow's prestigious Institute for World Economics and International Relations.

A member of the Academy of Sciences and, like Alexandrov, a member of the Communist Party's Central Committee, Inozemtsev cautioned that a shift of priorities from military to civilian production cannot even begin until the SALT II treaty has been ratified by the U.S. Congress.

The influence of scientists in the Soviet governmental decision-making process, Inozemtsev said, exceeded that of their counterparts in the United States.

Alexandrov was interviewed in his spacious office at the headquarters of the Academy of Sciences, located in a well-kept 18th century mansion built for Catherine the Great.

On the future of nuclear power plants, Alexandrov opened his discussion with a reminder that even early in the Middle East

conflict, when there was no energy crisis, the United States began talking about the possibility of having to protect its oil imports by force of arms.

"You know that all gas and oil deposits are likely to run out in 30 to 50 years—Russia's may last close to 50 years—but in 30 years it is impossible to reorganize the world in terms of energy from coal," Alexandrov said.

"We must therefore build nuclear power reactors in all parts of the world, otherwise wars will one day be fought over the remnants of oil and gas deposits. And there will be wars, however peculiar this may sound, between the capitalist countries, because the Soviet Union will have concentrated on the production of nuclear power and be ahead of everybody else," the Soviet scientist declared.

Alexandrov suspects opponents of nuclear power fear it because they believe a nuclear power plant failure can lead to an atomic bomb explosion akin to that of Hiroshima.

"They have no real idea of the modern safety devices imposed on the risks involved," he said.

Alexandrov voiced strong criticism of the handling of the Three Mile Island nuclear accident, claiming that from the beginning there were faults with the operating methods which accounted for the trouble: negligence regarding security measures taken by the plant management, inferior operating personnel and inadequate technical safeguards built into the plant against accidents.

He said that only specially trained engineers are allowed to operate Soviet nuclear plants, and that at the central control panel two men must always be on duty.

"I can't imagine the kind of (accident) in the Soviet Union, where pump valves remain closed when they were supposed to be open."

(Among other problems, a pump valve remained closed at Three Mile Island and prevented cooling of the reactor.)

Alexandrov added: "And yet, despite all that happened, there was no serious danger, and whatever danger might have existed, was exaggerated."

On the issue of storing radioactive waste, one aspect of the nuclear power problem that troubles the American public, he said he was certain this could be solved.

"There are many ways to go about it because there exist 'hermetic structures' in the outer layer of the earth which are safe storage places," Alexandrov said.

In a reference to the youthful character of the anti-nuclear movement in the United States, Alexandrov countered that he had three sons who were all in favor of it.

The Soviet scientist insists that nuclear energy production is safer than coal mining or production of chemicals.

"People in the vicinity of nuclear power plants are not exposed to greater radiation than that which comes from natural radiation sources. And a worker in a nuclear power plant does not absorb more radiation in a year than you get from one X-ray examination," he said.

"For all practical purposes, we in the Soviet Union have today the same technical know-how as the United States. The United States was ahead at the start, but her nuclear energy development has slowed down, while ours has accelerated," Alexandrov contended.

"All people with common sense should realize that by the end of the century the United States will be compelled to create new great nuclear production facilities, possibly nuclear fusion plants, otherwise she will find herself desperately short of energy. There is no other way to preserve the modern way of scientific development," Alexandrov said.

Inozemtsev, the Soviet economist, was asked whether the Soviet Union would begin shifting the economic emphasis from mili-

tary to civilian production now that the SALT II agreement has been signed.

Without hesitation, he seized on the occasion to sound still another Soviet call for the U.S. Senate to ratify the agreement.

His reply: "We live in a very important period when decision as regards industrial production can move in either direction. The Vienna meeting opened the way for decisions to be taken in favor of civilian production, certainly.

"But the history of the last years tells us that progress in the field of armaments can be swift and that newer and newer types of weapons are being invented.

"The only way we can protect ourselves from surprises and a further escalation is through the SALT process, which now includes not only quantitative but also qualitative restrictions."

TRIBUTE TO AMBASSADOR ROBERT STRAUSS

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

Mr. SCHEUER. Mr. Speaker, earlier this week the House approved by a margin of 395 to 7 the massive trade liberalization agreement that the United States signed in Geneva in April after 5 years of negotiation. This lopsided vote was this body's best way of paying tribute to a remarkable man, Ambassador Robert Strauss and to his virtuoso performance of negotiation, accommodation, and compromise of a myriad of conflicting and vying interests both at home and abroad. Ambassador Strauss negotiated with infinite patience and resourcefulness with a wide variety of regional interests, industry-by-industry, and trade group-by-trade group, and simultaneously negotiated an equally complex equation of delicate balances with a myriad of foreign economic interests around the globe. Indeed, he has perfected the skills of negotiation, accommodation, and compromise to the level of a new high art form.

Having completed this extraordinarily difficult juggling act with remarkable success he has now been asked to undertake the even more difficult task of representing the President in the Middle East, a region in which no President or administration within memory of living man has ever been able to produce the harmony, and the interface of competing national interests, essential both to the interests of that region or to the interests of the United States.

Elizabeth Drew of the New Yorker has written an excellent profile of Ambassador Strauss. I think my colleagues will find it valuable to read this thoughtful description of the complete diplomat undertaking this crucial assignment. I commend this article to my colleagues:

PROFILES

One day in late March, I went to see Robert S. Strauss, officially the United States' Special Representative for Trade Negotiations—he has the title, which he relishes, of Ambassador, and is in charge of our participation in the current trade negotiations among ninety-nine nations, and of guiding the result through Congress—but also the Administration's kibitzer, political adviser, fund-raiser, pinch-hitter on all sorts of matters, and conduit to all manner of people. In addition to all this, a few weeks

after my visit he was named Ambassador-at-Large for the Middle East negotiations—a job he is to begin after Congress has acted on the trade bill. By the time I reach his office, which is a few blocks from the White House, at eleven o'clock, Strauss has already: talked to Hamilton Jordan, the President's chief political adviser, about Carter's recent trip to Texas, during which he attended a luncheon for some hundred and fifty people at Strauss's home in Dallas (Strauss also has a penthouse apartment at the Watergate), about a forthcoming decision to close certain military bases, and about the next of the bi-weekly Monday breakfasts that Strauss and Jordan attend with Vice-President Walter Mondale and Cyrus Vance, the Secretary of State; spoken with an assistant to Alfred Kahn, who is in charge of the Administration's wage-and-price program, about the current wage negotiations between the Teamsters union and the trucking companies (Strauss is the conduit between the Administration and Frank Fitzsimmons, the Teamsters' president); spoken with Henry Owen, who handles international economic matters for the National Security Council; spoken on the phone with Mike O'Callaghan, a former governor of Nevada, who is now executive vice-president of the Las Vegas Sun, and who called to thank Strauss for arranging an invitation for Hank Greenspan, the editor and publisher of the Sun, to the recent White House dinner honoring Israeli Prime Minister Menachem Begin and Egyptian President Anwar Sadat; and worked out a difficult problem involving Senators Edward Kennedy, Democrat of Massachusetts, and Robert Dole, Republican of Kansas, which threatened to hold up progress on the trade legislation.

"That's a pretty good morning," Strauss says. "I'll tell you something. I am going to pass a trade bill, and I'm going to make it so easy they won't know what happened." During our talk, he places a call to the office of Senator Harrison Williams, Democrat of New Jersey, and tells an aide to Williams that Fort Dix, in New Jersey, is going to be virtually shut down, that he tried to help but couldn't, and that he is giving Williams advance warning so he can be prepared. Then he talks on the phone to Cyrus Vance about a number of matters. One of them is Strauss's backing of the appointment as Ambassador to Mexico of Robert Krueger, a former Democratic congressman from Texas who lost an election to the Senate last year. He has been arguing that the appointment of Krueger, a moderate Democrat who has had support from the oil industry, would be good politics for the President in Texas. Some of the career foreign-service officers are opposed, and Strauss has suggested, typically, that Texas might do the President more good in 1980 than the foreign service can.

Strauss, who is sixty, is, as always, dressed immaculately. He is wearing a dark-blue suit with pinstripes about an inch apart, and a blue shirt with "RSS" embroidered on the cuffs and with the spread collar that he favors. He has olive skin and almond-shaped somewhat soulful hazel eyes, and his hair, grayish white, sweeps back in waves. He speaks with a strong Texas accent, and his voice is nasal—he sometimes sounds as if he were honking at you rather than speaking to you—and can reach a squeak when he becomes agitated. Strauss talks fast, and a lot.

His particular problem with the trade negotiations and legislation at the moment is to get a bill through Congress extending the authority of the Treasury Department to waive what are known as "countervailing duties"—duties that are to be imposed on imports that have been subsidized by foreign governments. He needs to get the bill through Congress in the next few days, he explains to me, so that the negotiations with the European Communities, or E.C.—nine

European nations that form a customs union and negotiate on trade with one voice—which are a prerequisite to reaching a worldwide agreement in the multilateral trade negotiations, or M.T.N., can be wrapped up. Last year, the bill became hostage to some members of Congress seeking protection of certain interests. One of those members was Russell Long, chairman of the Senate Finance Committee—which handles, among other things, trade—whose concern was for his sugar-growing constituents in Louisiana. So this year Strauss was instrumental in getting the Administration to support legislation to raise prices for United States sugar producers. If the countervailing-duty bill does not pass, the European Communities might not sign the trade agreement, because it would mean that the United States would have to impose a duty on Danish butter cookies. And one of Strauss's negotiating counterparts, Finn Gundelach, is from Denmark. (Butter cookies have become the symbol of the countervailing-duty issue, but, in fact, if the bill does not pass, import duties may have to be imposed on a number of European exports.) These are among the thousands of equations that Strauss must keep in his head as he tries to work out the trade issue. His problem this morning is that Dole wanted to attach an amendment to the countervailing-duty bill, which has already been passed by the House, to repeal a tax reform passed in 1976. "That meant that the President would have had to veto my countervailing bill," Strauss explains to me. "So I said to Dole, 'Attach your amendment to something else.'" Dole decided to attach it to a minor tax bill that the House had passed, and Strauss promised Dole that that bill could be voted on before the countervailing-duty bill was brought up. But then Kennedy objected to that, because he wanted more time for debate on Dole's amendment, which he opposed. So each senator then had Strauss' countervailing-duty bill hostage. Strauss talked to Kennedy and to Dole and to Long and got an arrangement under which all parties were satisfied, and the bill is now expected to be taken up and passed by the Senate this afternoon. "We've had fifty things like that," Strauss says.

Strauss's office, which is large, is decorated in beige and gold velours and has print wing-back chairs, a French Provincial desk, a conference table, a flag, and a large globe; and on a table next to Strauss's desk there is a sign that says, in gold on maroon leather, "IT CAN BE DONE." Averell Harriman, who backed Strauss for his previous job, as chairman of the Democratic National Committee, gave him the sign. Strauss shows me some letters he has written in longhand. "I do something other people in government don't do," he says. "I write my own letters, in longhand. I get them out quicker that way, and people appreciate them more. I don't know anybody in the bureaucracy that writes in longhand." Pause. "I don't know anybody in the bureaucracy that writes."

He decides to check with one of Russell Long's aides, to be sure that all is in order on the countervailing-duty bill and that it will go through the Senate this afternoon. Strauss has taken the time to cultivate this particular staff member (the number of people he has taken the time to cultivate is staggering)—an exercise that yields him, among other things, information when he needs it. And he and Long are old friends (Long also lives at the Watergate) and are worthy of each other as bargainers. "There's always some staff jerk up there who thinks of something he wants to add at the last minute," Strauss says.

He reaches Long's aide, and asks him, "Did you talk to Russell?" There is a momentary silence, and then Strauss says, "Oh, for Christ's sake. Who thought of that goddam brilliant idea?" Clearly, someone wants to add something to his bill. He listens again.

"Well, is there any controversy in this sonof-a-bitch?" He continues, stressing his efforts, which have been successful so far, to keep either chamber from adding an amendment to his bill. That way, once the Senate passes the bill, it can become law. Strauss says to Long's aide, "We've just got to keep that bill clean. I can't stand that. I better talk to Russell. He's got to put that on something else. I've only got three or four days to move in. This would have to go back to the House, and then we're dead. It would free up some time for me. I'll get out of the government this afternoon. I'm going to have to talk to Long. Where is the sonof-a-bitch now?"

While he waits for Long to come to the phone, he explains to me that the latest hitch is that Long wants to attach to the bill an amendment to extend child-support and day-care programs.

Now Strauss says into the phone, slowly and sorrowfully, "Russell, I can't take that child-support thing. It'll have to go back over to the House, and this is my last shot before the April 2nd E.C. meeting." Silence. Then Strauss's voice rises, nearing its squeak. "Godalmighty, Russell, you're wearing me out. You ———. I'm putting myself in your hands. If that amendment goes through, I'm getting out of the government tomorrow, because that will louse it all up." Silence. "Trust me, Russell, let me tell you something. I've worked out problems with Dole; I've worked out problems with Kennedy; I've worked out problems with the Japanese. I just can't work out this one, too. There just isn't enough time." Now Strauss is getting truly agitated—or acting as if he were truly agitated—and he talks very fast. "Russell, if this thing goes through, the trade bill is through, and that's good for me—I'll be practicing law and making more money." Then he laughs, and says, "And the first thing I'll do is come down to Louisiana and get someone to run against you. Don't give me that 'little old noncontroversial amendment' stuff." Pause. Then, sorrowfully again, "But Russell, how'm I going to get the House to act on this? Let me tell you this, Russell, if we can't get this waiver by April 2nd, I'm dead. I'm not kidding. I've got to get it before the E.C. by April 2nd. Then we can get the trade bill through Congress by July 15th. I don't want to go down on crap like this. We've got Dole in place. Isn't there some other bill of yours we can put this on? I know it sounds simple to you. It doesn't sound simple to me." Now he squeaks, "I know I'm a tough ———. You're a tough ———. I've solved every problem. I've worked these guys on the Finance Committee to death for two years." He is silent while Long talks. Then: "Russell, don't get me against day care and child support. I'm for 'em. Russell, it isn't right to do this. I know I'm right. This is the first time I've said, 'This time I'm right and you're wrong.' I just can't have this. Now go and get another bill to attach that thing to." Pause. "All right."

And then Strauss hangs up, and says to me quietly, somewhat wrung out, "He'll go along."

Robert Strauss is a peculiarly Washington phenomenon, and even within the context of Washington he is a phenomenon. He arrived on the scene in 1970, at the age of fifty-one, as the treasurer of the Democratic National Committee and a protégé of John Connally (then a Democrat), became chairman of the Party in late 1972, and, through a combination of force of personality, a special set of talents, and circumstance, established himself as a major power in the city—and the nation. Strauss is not simply a "fixer" or "wheeler-dealer." He can fix and he can wheel-and-deal with the best (or worst) of them, but he is also a man who takes on big, awesome problems—like put-

ting the Democratic Party together again, like negotiating a highly complex trade package—and stays with them and throws himself into working them out. He is not a miracle man, and he does not accomplish everything that he sets out to do, or as much as he would sometimes have people believe, but he does accomplish a great deal.

He was not notably successful in running what there was of the Administration's anti-inflation program, which he was asked to do, on top of his trade job, for a few months last year. His is a particular kind of power: it is not tangible, as a corporation chairman's or a military commander's or a President's might be, and it is not transferable. When the head of a Cabinet department or a White House official or a President assumes his job, he assumes a large amount of transferable power—to make of it what he can. Strauss's power is peculiar to Strauss and is his own creation. He parleys just about every situation into more than most others could make of it, charms more people, and works harder at it all than just about anybody around. He has a long memory, a special skill at negotiating among conflicting groups, and a very strong drive to show the world just what Bob Strauss—he often refers to himself that way—can do. He is an almost classic story, even a cliché, of the poor boy out of a small Texas town who made it big, first in Texas politics, business, and law, and then in the nation's capital. In the process, he has also made himself a controversial figure. There are people who are put off by his bluster, his bravado, his self-promotion; there are people who think that he consistently gets in over his head and that he will do almost anything to make a deal. Strauss is a self-promoter, and that is part of his effectiveness. He reads Washington very well: he understands that to be seen to have power in Washington is to have it, and to get more of it. Power is the ability to influence others' behavior; if people think someone has power, they act toward him as if he has, and therefore he is powerful. The more people who think that Bob Strauss can get things done, the more likely he is to be able to get them done. He has a very wide range of contacts, which causes him to have an even wider range of contacts, as word spreads that Bob Strauss is the man to be in contact with.

All of this is of value in an Administration that is not exactly filled with people who know how to get things done or who have a gift for reaching out. In a Johnson Administration, a Strauss would be an addition; in the Carter Administration, he may be crucial. But, whatever the Administration, such people are essential in Washington. Strauss' value is that he can deal with the numberless conflicting elements in a political transaction. He does not preoccupy himself with substance—he makes a big point of not appearing to do so. There are many people around who concern themselves with the substance of issues, but not all that many who can work them out. If the political process is to function, somewhere among the people of ideas and the people (in Congress, in the law firms, and in the lobbying organizations) whose sole role is to take home all the coonskins they can there must be a few who can piece things together. People who do this well do it through a complex combination of winning trust, threatening, rewarding, and conveying—accurately—an impression of power. It becomes firmly fixed in thousands of minds that these are people who know what they are doing, that they have a kind of competence that can be trusted.

Strauss's method of operation is characterized by native intelligence, a shrewd understanding of people, flexibility, a willingness to go by instinct, and humor. He disarms people and defuses situations with his humor. One White House aide who has at times been at odds with Strauss says, "It's

very hard to get mad at Strauss, and if you do it's hard to stay mad at him." Strauss himself has said to me of one political figure, "He can't get his hand on me as long as I keep kidding him." He also disarms people with put-downs and sheer effrontery. In the recent trade negotiations, at a particularly sticky moment he threw an arm around a presumably startled Nobuhiko Ushiba, his Japanese counterpart, and said, "Brother Ushiba, you're crazy as hell." After the Canadians, in a negotiation with Strauss, put forward their trade proposals, Strauss looked at them and said, "That's nice. Real nice. You have as much chance of getting that as I have of going to bed tonight with Farrah Fawcett-Majors." And he disarms through self-exaggeration: he turns his substantial ego and love of success, and even his clear need for applause, into a joke.

His network is probably as large as any around, and he works hard to keep it. One of his friends says, "His network is everywhere. It ranges from bookies to bank presidents." (Strauss is a devotee of the race track—he got to know Frank Fitzsimmons at the track at Del Mar, California, where Strauss and his wife, Helen, go each summer—and also of poker.) Hamilton Jordan said to me recently, "Strauss is all over the damn place. He's got contacts on the Hill, he's got contact in the states, he's got contacts in the business community, he's got contacts in the press. There's just nobody quite like him." Someone else who has observed Strauss for years says, "It's not just his contacts; he knows how to use his contacts." One of Strauss's friends said, after telling me of an instance in which Strauss got in touch with Attorney General Griffin Bell on behalf of a Washington lawyer, "He runs a lot of errands like that for friends, and then he can go back. So when he needs things he can go get them. He's been doing that all his life." Washington is a city of channels—front channels and back channels. The front channels are the normal processes and meetings by which things get done. The back channels consist of people getting in touch with other people who can put them in touch with other people or can relay a message. A great deal of Washington's business gets done in the back channels, and Strauss is often there. He seems to find time to make innumerable phone calls to "keep in touch;" he cultivates secretaries as well as senators; he will befriend a middle-level White House aide whom other important officials won't bother with. Every few months, he sends candy to the White House switchboard operators. There is a genuine warmth to him. He performs more acts of kindness—of the type that people aren't likely to forget—than most people far less busy than he. He also seems to know the value of having other people's gratitude. He is highly skilled at dealing with the press. And he appears to be the only person in Washington to have established a kidding relationship with Jimmy, and even Rosalynn, Carter.

When I asked people about his ubiquity, his involvement in so many matters, it was explained to me that this stems in large part from the way he approaches problems. He will listen for a while and then say, "I don't know much about the substance of this, but one thing I do know about is politics, and here's what I think will work politically." Sometimes, I'm told, he will say of someone else in a meeting, "So-and-So was just saying, 'Bob, you don't know about the substance of this, but the thing you do know about is politics,'" when So-and-So has said no such thing. Appearing to be uninterested in substance can provide a certain safety—keeping one from getting caught in details—and also a credential for coming at questions politically. And Strauss is not bashful about injecting himself into all kinds of situations. His advice having been valuable a certain

percentage of the time, his contacts being known to be of a certain range, he is likely to be listened to. Some say that he will be flexible within the confines of the problem he is dealing with but there are limits to how far he will go. One man has observed him closely, and who does have a moral base, says, "He's one of these guys who like through their gruff exterior to imply they're manipulative and unprincipled. But I think he has principles—he just wouldn't attribute them to values. He always explains that it's the political thing to do—he covers his decent values with that sort of language." Barbara Mikulski, a Democratic representative from Baltimore who was part of the Democratic Party's reform movement and headed a reform commission while Strauss was Party chairman, says of his chairmanship of the Party, "I thought he was absolutely fantastic. I consider him to be my political mentor. One of the things you learn when you work with Strauss is how you broker conflict, which is the essence of government. He doesn't look for A's or F's—whether it's the Democratic Party of the M.T.N. He's an absolute genius negotiator. I've found him very straight, very straightforward. He's factual, and if that doesn't work he charms, and if that doesn't work he arm-twists." Strauss uses an expression about himself that is instructive: he says, "I'm a closer." One man who has seen him in negotiations says, "He almost cultivates an air of superficiality, remains above the battle, until the crucial moment, and then he comes in and closes the deal." One man in the State Department—which is traditionally suspicious of trade negotiators—says, "He's able to seize the political issue quickly. He can say, 'Here's who you have to talk to and here's how you have to put it to him.' He's a master. He's the only person who could get the M.T.N. through Congress—the only one." And when the Administration wanted someone to take over the continuation of the Middle East negotiations after the peace treaty between Egypt and Israel was signed, it turned to Strauss.

A few days after my visit to Strauss, I accompany him to Boston, where—at the request of Kennedy—he is to address a luncheon of the New England Council, Inc., an organization of businessmen from the six New England states. ("Teddy can deliver me pretty well where he wants to.") Strauss does a great deal of travelling, to attend political fund-raisers, to drum up support for his trade bill, to pay back favors, to earn new favors, and often combines several of these purposes in one trip.

As we rush from his office into his waiting car, I ask Strauss where, exactly, in Boston we are going. Last week, he was in New York and Columbus, Ohio; this week he was also in Chicago; next week he will be in Tucson.

"I don't know," Strauss replies. "It's all Indianapolis to me. Every other goddam day, one of these trips. Next week, East Lynne." He gets in the front seat, next to his driver, Nat Brannum, picks up the telephone beside him, and calls his wife. The Strausses are famously close. He talks of her quite often ("I was saying to Helen," "Helen and I were talking about . . ."), and she travels with him on most of his trips in the country and overseas. They have three children, with whom they are constantly in touch, and six grandchildren. The Strausses try to return to their Dallas home at least once a month. Helen Strauss is short, dark-haired, warm, and very intelligent, and seems to understand her husband quite well. The Strausses have a good time. On the way to the airport, Brannum makes a somewhat chancy turn, and Strauss says, "Nat, I don't want my obituary to say that he was hit on a half-green light. I want to go down in style." Brannum laughs. Next, Strauss calls Henry Owen at the White House. He says, "Tell them I'm as stretched out as I can be—I can't go any further. I'm

losing some friends of mine and I'm fighting the Japanese as hard as I can. Just press on. Good. Goodbye." He tells me a story "When I first came into this government, I wrote a memorandum to the President and I didn't get an answer. Another day went by. After about five days, I said to someone over there, 'What happened to my memo?' He said, 'We didn't think it should go to the President.' I said, 'Let me tell you something, you sonofabitch. Any time I send something to the President of the United States, you make goddam sure it goes in there. You can put on top of it 'This is crap' or 'Strauss is crazy,' but you get it in there, or I'll walk out of here or get you thrown out of here, or both.' Other people in the White House heard about that, and it helped."

In the airport, we encounter a political reporter, who asks Strauss where he is going. "New Hampshire," Strauss shoots back. "To see what's going on. I couldn't tell from reading your story." The reporter laughs.

On the plane, Strauss studies some material for the luncheon, and talks. "God, I'm tired," he says. "I must have thought a half hour in the shower this morning. I always think through my problems of the day in the shower—and I also lick my wounds." By seven o'clock each morning, Strauss has read the Washington Post, the New York Times, and the Wall Street Journal, and at some point in the day he also reads the Dallas Times Herald and the Los Angeles Times. Today, Strauss is particularly interested in how the papers played the story about a meeting he held with Japanese negotiators yesterday afternoon. At the meeting, Strauss broke off the negotiations with Japan on the question of government procurement of telecommunications equipment, complaining that Japan's offer to relax its restrictions on access to its market was "wholly inadequate." The issue was which equipment Nippon Telegraph & Telephone, a government-owned utility, might open to bidding from foreign countries. The Japanese offered to allow bidding on contracts for such things as steel telephone poles but not on those for any sophisticated equipment. ("Now, how many steel telephone poles do you think we'll sell in Japan, with their steel business," Strauss says. "What the hell good does that do us?") There is reason to believe that Strauss actually did not want the Japanese to be more forthcoming as yet—that he did not mind having an opportunity to criticize the Japanese, whose restrictive trade policies have become a political issue (one that John Connally, now running for the Republican nomination, is using against Carter), and that he saw breaking off the talks as a good move after he had got the countervailing-duty bill through Congress. He thought about how the story would play both in Japan and in the United States, and he assumed that the Japanese would want to talk about the matter again.

That sort of thing Strauss refers to as "instincts without evidence." One man who has observed Strauss as a trade negotiator has told me, "I've never seen him do anything that hasn't been thought through, even when it doesn't appear to be. Even when he's throwing a temper tantrum, he's thought through the effect and he's usually planned the next move—when he's going to call the other guy back in and smooth things over." Someone else involved in the trade negotiations says, "Strauss is a master of theater." I have been told by others that Strauss's standing is actually very high in Japan, that the government there believes he is the one to deal with—the one who can make the deals—and also believes he is a kingmaker in the United States.

Strauss tells me, "The reason my credibility has gotten so high in Japan—and it is—is, number one, I haven't lied to them and, number two, when they've negotiated responsibly I've gone and told that to the

Congress, and that's not a particularly politically popular thing to do." He explains the problem with the Japanese over telecommunications equipment and then he says, "Two years ago, I wouldn't have been able to deal with these things. I'm not an intellectual, but I learn fast."

I ask him what else he has been doing in the last day or so.

He tells me that he has been talking to someone in New York about playing a major role in Carter's reelection effort; talking to Hamilton Jordan about two or three matters, including the Mexican Embassy and "the kind of people we ought to use in the campaign next year;" talking to Alfred Kahn and his aide about the Teamsters negotiation.

Then he talks about his wife, and says, "Little ole Helen is a hell of a woman. She knows who she is and what she's about, and she knows who I am and what I'm about. I bore easily; my attention span is not great. Helen doesn't bore me."

Then he talks about his mission today. "My basic problem up in New England is that people don't really understand what trade means to them. It's such an easy subject to demagogue. It's so easy to say shut our doors to imports, and they don't realize what that would do to us, and how desperate they are to shop for the best products. They're all protectionist until they go out to shop. The first thing I did when I came on this job was to cut back on the imports of Japanese TVs. This fellow back in Dallas came up to me and said, 'By God, Bob, I knew when you came on this job you'd put the thing in shape and you'd tell it like it is.' I said, 'You know what I really did over there?' He said, 'No.' I said, 'You got a TV set?' He said, 'Yeah, got two or three.' I said, 'How much you pay for them—about four hundred dollars?' He said, 'Yeah.' I said, 'I'll tell you what I really did. The Japanese government's been subsidizing that set, and it would otherwise cost five hundred dollars. I cut out that foolishness. I stopped those Japanese from cutting down on the cost of that TV set.' He said, 'Is that what you did?' Actually, he used a little rougher language. He said, 'I guess it's a little more complicated than I thought.'"

There are those in the United States government—professional bureaucrats who do not share Strauss's outlook or style—who give him the credit for keeping the international trade negotiations alive at all. He is dealing in a world that has become increasingly protectionist. The current round of trade negotiations was decided upon at a meeting of more than ninety countries in Tokyo, in 1973, under the General Agreement on Tariffs and Trade (GATT)—the set of rules and arrangements adopted for the purpose of reducing trade barriers. (It is called the Tokyo Round; some people used to refer to it as the Nixon Round, but times have changed.) The countries pledged not only to cut tariffs but also to try to get at the increasing number of non-tariff barriers to trade—subsidies, quotas, government procurement policies, varying standards for applying tariffs, and so on. The current round amounts to the most ambitious trade negotiations in history.

But after the Tokyo meeting came the oil embargo of 1973-74, and a worldwide recession—and a change in the political atmosphere surrounding trade. The Tokyo Round became an exercise as much in staving off a wholesale retreat to protectionism as in freeing up trade. There was also Watergate and then there was the 1976 American election, and the trade talks were essentially moribund. Strauss likes to say that until 1977 the talks, which were taking place in Geneva, did little except "produce a bunch of fine skiers." A number of people say that it was the sheer force of Strauss's personality that got the talks going again.

On the plane to Boston, Strauss tells me, "The first thing I had to do was establish credibility, so that we could move these talks. The European Communists and the Japanese didn't think we could move—because of protectionism, a fragile world economy, the attitude in our Congress. The first thing I did was, I had several meetings with the E.C. and Japan and said that either we move forward or, protectionism was so strong, we'd move backward—that the status quo was not one of our options. Then I had to go and convince them that I was the one who could move them. I had a pretty good press ahead of me. One day in Europe, I told them a story: The first fellow who held my job was Christian Herter, a former Secretary of State, governor of Massachusetts—As a matter of fact, I'm glad I thought of that—I think I'll tell that story today. When John Kennedy was President, he called Herter in and said we need some people with a proper State Department background who might be able to fill this job. Herter said, 'Mr. President, you don't need a diplomat to fill this job. You need someone with a political background, someone who understands the Congress, who understands what the country's all about and makes it tick, and who particularly understands the political process on the Hill.' Kennedy said, 'I'll be damned, Christian. I hereby appoint you America's first trade representative.' I told that story over there. I said, 'President Carter has appointed such a man and I can make this thing move'—and we started talking. The next thing I did was make a decision that the Europeans were scared to death that someone was going to use this negotiation to destroy the Common Agricultural Policy—something they couldn't stand politically." The Common Agricultural Policy, or CAP, is the system by which the European Communities supports the agricultural prices of its members, and it includes trade restrictions. "I told them that we weren't going to try to destroy it, that we would protect it if they would let us get our nose under the tent. It was silly for us to bay at the moon and get nothing—a third of a loaf is better than none, and we were getting none. That's the way we were able to get concessions on tobacco, rice, poultry, and many others. At the same time, we didn't give up too much in the way of cheese." (Strauss is currently negotiating with members of Congress who represent dairy areas—the dairy industry is very strong politically in this country—an arrangement to allow a certain additional amount of cheese into this country.)

In exchange for allowing more of some cheeses into the United States, the dairy industry has won a proviso that the price of imported cheese cannot undercut that of domestic cheese. (Strauss and members of Congress are now haggling over how this proviso will be enforced.) Strauss continues, "We have a very delicate market on cheese. The Europeans will take all the grain we can ship them, but they'll put it in the mouth of a cow and they'll make cheese. So the process had to stop. We're sending more grain than we have been sending, but there's no point in screaming 'Take it all' when we know it will end up as cheese." At bottom, American trade policy is a massive, complex political problem. Nothing is simple when it comes to trade; if one button on the console is pressed, twenty lights are likely to go on. Each bilateral arrangement involves other products, other countries, their domestic politics, our domestic politics. Strauss has had to proceed with all this in mind. He is, says one of his aides, "a walking political computer."

Now Strauss tells me, "I kid a lot, but I don't kid myself. I know what my strengths and my weaknesses are, and one of my strengths is people. You have to develop personal relationships, credibility. You do what you say you'll do." One's "word" is

crucial in politics, and members of Congress have told me that Strauss keeps his word. "You have to remember that my background is rather broad. I have a bit of experience in business as well as law, in government as well as politics. My business touched on banking and real estate and communications." Strauss is, by any measure, a very wealthy man. "I understand a little bit about a lot of things. That's what I bring to the government. Some people have a better intellectual background. I have a lot of common sense. And I'm not timid. I have a lot of confidence in myself and my judgments. I come to decisions easily. I may not always be right, but I make them."

Strauss tells me that once the negotiations were under way he invited a number of senators and congressmen to Geneva to receive briefings on them. "It paid off," he says. "When you can get them over there, and the buzzers aren't going for votes, and they don't have meetings to attend, and reporters aren't calling them up for interviews, they get a chance to see what the problem is and what we're doing. I make at least five calls to the Hill a day. It's a habit. Also, we take any partisanship out of it. We treat a Republican call and a Democratic call the same. It doesn't take long for word to get around about that. Then I started inviting senators and congressmen and their staffs to the White House Mess for briefings. I paid for it myself. No one had ever brought the staffs in. We gave them some briefings on what the trade bill would mean for their states and districts. The first thing you know, you have some action going." He befriended his European counterparts—even staged a post-Thanksgiving dinner for them in his Washington apartment. "When the countervailing-duty bill failed last year, it created an international crisis," Strauss says. "I jumped in a Concorde, got to Paris, and jumped in a plane and went to six capitals in two days. Meanwhile, I talked to London along the road. I was trying to show that we cared, that we'd do what we could."

At the Boston airport, Strauss is met by Robert Griffin, his special assistant. The presence of Griffin on Strauss's staff is indicative of how Strauss functions. Griffin is the deputy administrator of the General Services Administration whom Jay Solomon, then the administrator, fired in July of last year, thus enraging House Speaker Thomas P. O'Neill, whose protégé Griffin had been. This put the White House in a fix. Whereupon Strauss offered to give Griffin a high-ranking, well-paid job on his staff. A number of people in Washington laughed, but Strauss had, in one stroke, relieved the White House of a problem, ingratiated himself with O'Neill, and added someone to his staff who could be useful to him.

At a reception at the Copley Plaza Hotel, where the luncheon is to be held, Strauss, as they say, "works the room," and it is clear that the people here want to get his ear. He greets John Gikas, who runs a laundry business in New Hampshire and Canada. Gikas has been described to me by a friend of Strauss's as "one of those guys who if Strauss whistles they come with checks." The friend said, "They're the guys who kept Strauss going in the Democratic Party in terms of money. Whenever he's raising money, he can always count on John Gikas." I asked this friend how many such people Strauss had around. He laughed, and replied, "Scores. There are a few more now than there were five years ago, obviously." Strauss still involves himself in raising money for candidates and for the Party, and few whom he calls upon could be unaware of his importance, or of his potential for making decisions, or arguing for decisions, that involve their interests. As he introduces me to Gikas, Strauss says, "Right after I went to the Democratic Committee as chairman, I wrote a letter to about eight hundred,

a thousand people and said, "This thing is a mess—a bunch of fools, pot smokers, have been running it. I'm going to give it a ten-month shot to see what I can do. This is the year '73, and if you'll send seventy-three dollars a month for ten months, I'll send you a progress report to tell you how it's going." One of the first checks that came in was from John. John raised more than ten thousand dollars. He's never said no. I try never to call him unless I need him."

Several New England congressmen are here, as well as a number of businessmen. Strauss spots Representative James Shannon, Democrat of Massachusetts and member of the Ways and Means Committee's Trade Subcommittee and says to him, "I want to move the trade bill by the August recess, and I want you to help me. I want to come up to the Hill and see the New England Caucus." (Many think that Strauss's intention, or stated intention, of getting the trade bill through Congress by this summer is optimistic.) John Wasserlein, a division manager of Boise Cascade, introduces himself to Strauss. Strauss says, "I want Boise Cascade off their ———. I don't want you for the trade bill passively. I want you for it actively. You write to me, Bob Strauss, the White House. I'm glad you came up." Strauss, holding a glass of white wine in his left hand, continues to circulate. A man comes up to him and complains that he has offered to help the President's reelection effort in New Hampshire and hasn't heard from anyone. Strauss, who knows all too well, replies, "I know. These things happen."

They slip between the cracks. We'll get back to you. The President needs and deserves your support. They're good boys, but occasionally they don't follow through. But we do in our office. We'll be in touch." Strauss, obviously enjoying the attention, jokes, "I might come up here and run for office. Against Shannon or Kennedy. Kennedy up any time soon? I might come up and run against him." People laugh appreciatively. Strauss asks some of the people what is going to happen in New Hampshire in 1980.

A man comes up to Strauss and introduces himself as representing Wang Laboratories, in Lowell, Massachusetts. Strauss asks him, "What does Wang Laboratories do?" The man tells him that it is in the computer-processing business and that about forty-five per cent of its business is outside the United States. "Then you have a big stake in this trade bill," Strauss says. The man complains about what he describes as a tax problem, and starts to go into a complicated explanation. Strauss stops him. "That's not a tax problem," he says. "It's a customs-evaluation problem. You've got a real problem: you just don't know how to explain it. We're going to deal with it. You're right to be concerned, and we're taking care of it in a very constructive way." He talks to Rob Trowbridge, the publisher of Yankee Magazine and the New England Business Magazine. Strauss tells him, "The people of your region have a big stake in this trade bill, and only a few people understand it. They only hear from those who oppose. The great trouble in America is that only those who are opposed write in. With your subscribers, you can do a lot of good." Another man reminds Strauss that they met at Kennedy's home one Sunday afternoon, when Kennedy was meeting with about ninety Japanese. Strauss says, smiling, "Kennedy delivered me. He was selling Massachusetts pretty effectively. I was trying to sell the country. I don't know how to spell Massachusetts. I know you're a significant state." Pause. "Not a major one, but a significant one."

Kennedy comes into the reception. Strauss fingers Kennedy's shirt collar and, referring to one of Kennedy's brothers-in-law, says, "You wearing Steve Smith's shirt?" He tells me that this is an old joke between them.

Kennedy laughs, and says to Strauss, "You got some good news for us?"

Strauss replies, "I'm going to survive." Kennedy laughs again, and says, "What about Massachusetts? You've looked after Texas beef and oranges in Japan."

Strauss says, "I know what you're trying to preach, you sonofabitch." Then he grows serious for a moment and talks about the problem that was worked out recently with Kennedy and with Dole so that the countervailing-duty bill could be got through Congress. Kennedy says that he understood Strauss' problem and was satisfied with the solution. "You're a good man," Strauss says to Kennedy.

Kennedy bows slightly, smiles, and says, in mock humility, "Thanks, Bob."

New England is just one area that Strauss keeps in his brain-computer, but it is an important one, as it has been for some time in the matter of trade. Also in that brain-computer is the fact that New Hampshire and Massachusetts hold Presidential primaries that are among the earliest. The area's particular trade concerns have to do with textiles, footwear, high-speed electronics, and even clothespins, and Strauss has taken steps to see that these concerns are handled. What he is trying to do is to "pre-cook" the trade bill so that the members of Congress will be satisfied with it when it comes before them. He hopes to have the trade talks wound up shortly, to submit the trade package to Congress by May, and to get it passed by this summer. (In accordance with special rules for the trade bill, it is subject only to an up-or-down vote, and cannot be amended. An amending process could, of course, set off a logrolling jamboree such as has seldom been beheld.) To this end, Strauss and his staff have been meeting with members of the Ways and Means and the Finance Committee (in closed sessions) and with other members of Congress, to hear their complaints and suggestions. And, also to this end, Strauss has been making deals. The most complicated deal, having to do with textiles, involved, in effect, quintilateral negotiations, with the textile industry, labor, foreign governments, the executive branch, and Congress. The industry and its associated labor groups wanted, of course, a cutback in the amount of textiles imported into this country—and that industry is well represented in Congress, having plants in virtually every state, and constitutes the largest industrial lobby on the subject of trade. Last year, on Strauss's recommendation, the President vetoed a bill passed by Congress to remove textiles altogether from the M.T.N. (The Kennedy Administration, in order to get its trade bill through Congress in 1962, also made a deal with the textile industry.) But Strauss's theory was that he must neutralize the industry, and that the way to do that was to slow the growth of textile imports. The State and Treasury Departments, which (unlike the Commerce and Labor Departments) usually take positions in favor of liberalized trade, and also some of the President's economic advisers were unhappy with the way Strauss was proceeding. Strauss negotiated over a period of several weeks with leaders of major textile firms and unions, and, on the basis of outcries from this or that participant (outcries that some observers believe he anticipated), renegotiated—balancing off the political questions, international questions, employment questions, inflation questions. Eventually, the State Department swallowed hard and accepted the arrangement Strauss worked out, as essential for the larger purposes of trade. (Treasury was never reconciled. Relations between Strauss and Treasury Secretary Michael Blumenthal are not good—a situation that has its origins in differences of style, of philosophy, and of policy, and in simple rivalry.) Strauss and Treasury are also at odds over proposals, backed by Strauss, to speed up the procedures for imposing countervailing duties.

Strauss is currently working on tightening existing restrictions on shoe imports, which affect not only New England but also such states as Georgia and Tennessee. There was the Administration's support for legislation to protect the sugar industry. Only sparing cuts have been made by the United States on imports of steel, and that industry is also protected through other pricing arrangements. Strauss's office recommended temporary import relief—which can be provided under the existing trade law—for the clothespin industry, which is concentrated in New England but is also situated in certain other areas of the United States. The clothespin industry is labor-intensive and does not require sophisticated technology or much capital investment; therefore, a number of developing countries—in particular, China—are going into the clothespin business and threatening American companies. Strauss also recommended that import restrictions be placed on "metal fasteners"—nuts and bolts and the like—which are made in plants in, among other places, Ohio, Pennsylvania, Illinois, and New York. One official has told me that this was done not so much because the metal-fastener industry is important politically as because Strauss wanted to demonstrate that the President would use the current trade laws to protect American industry.

A number of people around Washington argue that Strauss has given away the store; that he is paying too much to get a bill, any bill, that is called a trade bill. Others argue that the prices he has been paying are probably necessary. One State Department official says, "I feel uncomfortable about textiles, but Strauss is closer to the Hill than I am. Whenever I feel critical of something he's done, I look at it this way: Strauss is getting through a bill that is essentially, though not totally, a liberalization effort. Some of the deals that are made to get the bill through can be seen as protectionist, but the bill will improve the system—and in a period of incredibly strong protectionist pressure, here and everywhere." One man involved in trade policy says, "It's the classic problem with trade: sometimes you have to take one step backward to get two steps forward over all; sometimes you have to abandon ideals with respect to a particular sector where your political problems are great, so as to preserve the fragile consensus needed to move trade forward." The effects of what Strauss has been doing are hard to judge. One can look at this particular arrangement or that and find reason for discomfort about it, but he is working with so many pieces at once that any single move on the checkerboard tells you little. And the full implications of the M.T.N. agreement, should an agreement finally be approved, will probably not be known for at least a decade. It is also argued that if there were not a revision of the rules of trade, which is a major part of the current negotiations, the whole system could collapse.

Another thing Strauss has been doing is hearing out what trade concessions members may want for industries they represent and seeing what he can do. For example, Eastman Kodak is said to be pleased that Strauss, at the behest of Barber Conable, a Republican from upstate New York, got an easing of Japanese tariff restrictions on color film.

He did get the Japanese to open their markets a bit to beef and to citrus crops. He moved quickly to mollify small business and minorities after the news broke that his staff had negotiated agreements which might have impinged on special arrangements for their bidding on United States government contracts. When Strauss was informed by a member of the White House staff that this could cause a political problem, he quickly went back to the Europeans and told them he had to have the decision reversed, and fast. (He paid for this by making another concession to the Europeans.) He thereupon got

credit for having undone this terrible thing that his own office had done in the first place.

After Kennedy has introduced Strauss at the luncheon ("He has the reputation of being the top designated hitter of this Administration. I have found him accessible; I have found him willing to listen to legitimate concerns"), praised the arrangements that Strauss has made on footwear and textiles ("very sensitive to our needs"), warned him that New Englanders "are going to read very carefully the small print" of the trade agreement, and demanded to know what Strauss is going to do to increase exports, Strauss goes to the rostrum, puts on halfglasses, and begins in a subdued manner. He thanks Kennedy for his "generous" comments. He says, "I appreciate them and as a matter of fact I believe them." Then he tells a story—he tells it often: "Helen and I came home a few weeks ago after I'd given a long speech. It was good, if I say so myself. I said, 'Helen, let's have a drink,' and then we had another one and another one, and after the third one I said, 'You know, Helen, there aren't but a handful of great leaders in this country today.' And she said, 'I know you're right, and I believe there is one less than you're thinking right now.'" The audience laughs. Then Strauss tells the story he told me on the plane about President Kennedy's appointment of Christian Herter. He says, "This job does require someone who knows Congress, who knows the people in this country." He says, "It's nice to have been a bit of a lawyer and a businessman and been a bit of a success at each"—Strauss wants them to understand that he knows about the real world—"and someone who has been a bit of a politician, without taking cheap shots. Because trade is a bipartisan effort." He says that President Carter deserves "tremendous, tremendous credit" for what he has done to push the trade talks along. Strauss is always careful to praise the President: for one thing, he appears to genuinely believe that those who serve the President should give him the credit—he often makes this point in Cabinet meetings—and, for another, the fact that he does praise the President publicly does not hurt his standing with the President and his closest aides. They believe that, as one of the President's top aides put it to me "Strauss would do anything for Carter."

Now, speaking from "talking points" that have been prepared for him, he tells this audience of New England businessmen that one out of seven manufacturing jobs in the country depends on our ability to export, that one out of three acres produces for exports. He tells the businessmen that worldwide trade is worth about a trillion dollars a year and that "one hundred and twenty billion belongs to us—and we ought to raise that figure." He says, "The trade deficit we have now is a terribly debilitating thing for this country; it weakens the value of the dollar, it increases inflation, it weakens world economies." Then he does something else that is typical: he tries to establish the fact that he is not promising excessively. He says, "The trade deficit accumulated over twenty years and it can't be cured with a magic wand. Anyone who tells you that Bob Strauss is going to solve this overnight is kidding you." Then he talks about the government's various efforts to increase exports. "In the meantime, what's Bob Strauss doing?" he asks. And he answers, "He's trying to do those things; he's looking into those things; he's talking to President Carter; and mainly he's negotiating in what's called the Tokyo Round." Then he explains what the Tokyo Round is, and explains that the efforts to revise the trade codes are far more important than the efforts to cut tariffs ("a tempest in a teapot"). The United States is expected to cut tariffs by an average of about thirty to thirty-five per cent. He explains the non-tariff barriers to trade in very simple terms, and he explains the importance to New England

of what he is doing. "The Northeast has some six hundred and fifty thousand textile jobs. We got the textiles business not in good shape—we got it in exquisite shape. Shoes. We've got a lot of work to do on shoes. We've almost doubled our shoe exports in the last two years, and that's pretty good." He talks about what he is doing to try to increase the purchase of American electronics equipment by foreign governments ("We'll open up twenty billion dollars in contracts") and he talks about his meeting yesterday with the Japanese. "We had trouble with the Japanese yesterday. We called off the negotiations. Why did we do it? We don't like to be tough with people. It's a lot easier to tell people to go to hell than to get them there. But on the telecommunications area we gave up. Those are things that are very important to you." He gets a laugh with a reference to the outlook for sales of steel telephone poles in Japan. Then he urges the businessmen to write to their congressmen in support of his trade bill. "You all write and tell them how unfair it would be to vote against Bob Strauss." He continues, again trying to indicate that he is not a man who oversells, "Loss of jobs? Sure there is a loss of jobs. It's a very serious problem. One of the ways we solve that is to improve our exports. . . . Will it cure all our problems?"

"Of course not. Will it solve our balance-of-payments problems? Of course not. It's the first chapter in a long, long book called trade." And he says he needs their support, "given the strong protectionist climate." He ends with a little pep talk, saying that "we have a great habit in this country of looking at what's wrong, with the President, with the Congress, with your city government," but that "we need a little more look at what's right in this country." He says, "We have a job to do in this country, my friends. We've been lazy and we've been indolent," and he quotes Walter Lippmann on the necessity for sacrifice, and he calls for sacrifice, without which, he says, paraphrasing Lippmann, "there is nothing, but nothing, for America any longer." When he has concluded, he is presented with a New England Council tie, and he remarks, "I hope it looks better than Kennedy's tie." Kennedy and the audience laugh.

After Strauss holds a brief press conference, we are in a car on the way to the airport, to return to Washington. He comments that the luncheon crowd seemed attentive. He says, "It wasn't a very hot crowd, but they were attentive. I always listen to the cough level. There wasn't a cough in the crowd. I wish I'd had time to warm them up more. I didn't get enough time. They were running twenty-three minutes behind—they lost fifteen minutes in the serving. I watch that like a hawk." Strauss is nervous about making the plane, which is scheduled to depart at two-fifty. "I got to be at the White House at five o'clock." We're now in a traffic jam. Griffin, who is returning to Washington with us, assures the driver, Joe Lawless, that we can make it. Strauss says, "Good thing we had Paul Revere instead of you and old Joe. We'd all be British today." As we approach the airport, Griffin points out that we are near it now, and can actually see it. Strauss says slowly, "Those things between here and there are cars."

On the plane, Strauss becomes reflective for a moment. "You can go just so far being just a 'flippant politician.' It's almost a cover, being a politician—it serves you in good stead. I get by with a lot of murder playing a nonsubstantive person, who doesn't care about the issues. The heart of the matter is, I know more about the substance than most of the people I work with."

I ask Strauss to tell me some of his views on what makes for effectiveness in Washington.

He replies, "It's amazing how people go to the Hill with a problem—whether it's a piece of legislation they're for or whether it's a

piece of legislation they're against. They go on their issue, cold. What I always do is to figure out what the bottom line is: How do you come up with a profit for the guy you're going to? You have to figure out what does he want, how does what you want help his constituents. It's damn rare you get something on the Hill without their getting something in return. The guy's got to see that it helps his constituents—or, at least, that it's a draw, that it doesn't hurt his constituents. His bottom line is how does it affect his constituents. I keep seeing people take things up there in a capsule—isolated from what's good or bad for a congressman, how does it play in his district, how does it play to his prejudices. We all have prejudices, preconceived notions. I know darn well that, as much as a congressman or a senator may like Bob Strauss personally, if I go up there with something detrimental to his district or his state I've got a problem. So I always try to show, number one, how minor the minus is—and it's never minor enough—and, number two, what are the offsetting gains for his area. Whenever I found a region that had to give up something on trade, we quickly looked up what we could come up with for it that would be a plus. If you look at this package when it gets up to the Hill, that's what it's going to have in it." He talks about a particular political problem he is having now on something called the "wine-gallon" issue, which has to do with the duties that are levied on imported liquors. In this instance, Strauss made a concession to the Europeans, and a large segment of the American liquor industry is upset. "Now, why did we give up on the wine-gallon issue?" he says. "The Europeans really wanted it and they were willing to pay." (The major concession was on agricultural products.) Strauss continues, "The bourbon industry will be hurt, so I'm trying to find a tax advantage for them. We've got the Heublein industries in Connecticut and the bourbon industry in Kentucky that are upset. Probably the tobacco industry in Kentucky is going to gain as much as any by this package. The package, first of all, has to be fair to those areas and, second, has to enable the people from those areas to support us."

Strauss eats the snack that is served on the plane, and says, "I don't eat before I speak. They say, 'Aren't you going to eat, Mr. Strauss?' I tell them I don't eat before I speak because it makes the blood rush to my head. They say, 'It makes the blood rush to your head?' I say, 'Yeah.' Now, how many people know much about that issue? It always works. I bet there are a hundred people before you speak makes the blood rush to your head.' It's better than hurting their feelings."

Strauss tells me about a group of economists, lawyers, lobbyists, and former congressmen which he has assembled to help him lobby for the trade bill. Among its members are Strauss's great friends Lloyd Hackler, president of the American Retail Federation and former aide to Senator Lloyd Bentsen, Democrat of Texas, and Robert Keefe, who has long worked in Democratic politics and is now a "government-affairs consultant;" Washington lawyers such as Berl Bernhard, Harry McPherson, and Thomas Boggs (son of the late Majority Leader of the House); former Representatives Wilbur Mills, who was, of course, chairman of the Ways and Means Committee, and Joe Waggoner, a conservative from Louisiana who served on the Ways and Means Committee; William Timmons, who worked in the White House in the Nixon and Ford Administrations and is a Washington lobbyist; Charles Walker, the lobbyist; and Robert McNeill, who is an official of a group representing multinational corporations. Typically, soon after Strauss formed the committee he leaked it to a Washington columnist, thus establishing for all to know that Strauss had assembled a powerful

group to help him on the trade bill. He says to me now, "There never has been a group put together with the political sophistication and clout that that group has. It's gotten to be almost a prestige symbol to be in that group. People are bombarding us to get in." He continues, "Not many people know all those people well enough to ask them to help. I like the idea that I know them. It's a people thing. That's why Washington is my kind of town—it's a people town. The law is not a people profession. It's a tremendous asset to be able to make people comfortable with you. That's what I'm good at—the people thing. What I plan to do with that group is get them informed enough—this is a very complicated issue—so that they can talk to people on the Hill and so that every senator and every congressman has someone he can talk to on the trade package, in May, June, July, someone who can answer his questions, so he can vote for it. It's a tough vote. I don't want them to walk the plank for me. I want them to vote for it because they see it in their interest—and in the national interest."

Strauss continues, "Another thing that's important in Washington—everything that goes on in the streets of Washington comes in to us, comes in to me, comes in to Vera." Vera Murray is Strauss's executive assistant, and she served in the same capacity when Strauss was the chairman of the Democratic National Committee. When Strauss got to the D.N.C., in March, 1970, Vera Murray was a relief receptionist; now she is an important person in Washington.

People know that if they can get a message to her it is as good as getting one to Strauss, and that she has her own channels of information and a great deal of wisdom. Between them, Strauss and Vera Murray talk to governors and ex-governors, senators and ex-senators, state party chairmen and ex-state party chairmen, to congressmen and reporters and congressional staff members and lobbyists and Washington lawyers. If some lieutenant governor he met years ago needs a hotel room for Mardi Gras, Strauss will get it. When it is announced that the President is going to make a speech, Strauss will get at least a dozen calls from people in Congress, from governors, saying that they hear the President is going to say such-and-such and don't let him do this or that. Strauss says, "I'm in a position to be a second-guesser. I take the complaints. I really run the complaint department. Unfortunately, I have no authority to give refunds."

Now Strauss tells me, "Very few people have as many agents out as we do. Bob Keefe knows more about what's going on in Washington than the next three people. Same thing with Lloyd Hackler. They're just like appendages. They bring in information that So-and-So is mad about this issue, and that they're going to try to move this piece of legislation or take on the President that way, or who's going to run against who; squabbles that take place within a state delegation. All this gets out in the streets in Washington, and it flows within a very carefully defined group of people, and pretty quickly it comes across my desk." There is reciprocity in Strauss's relationships, just as there is in so many in Washington. When Hackler's Retail Federation holds its annual meeting in Washington in early May, Strauss will host the dinner. Keefe's clients include some in Japan and a number in the United States, and it cannot hurt him to be known as Strauss's great friend. And not only has Strauss made himself a good source for the press but he has made some members of the press a good source for him. He places great value on knowing what goes on in "the streets" in Washington. When the Carter Administration was foundering after some months, Strauss talked about how the people in the White House should talk more to people who were "in the streets." Early in

1978, at his Watergate apartment, he held a meeting of White House aides—Hamilton Jordan and Jody Powell, the President's press secretary, and other political aides—and such people as Hackler, Keefe, McPherson, and Bernhard. "It was a funny meeting," one of the participants (from "the streets") told me. "Some people there were talking as if Lyndon Johnson were President and some were talking in terms of Jimmy Carter as President, so there were a lot of cross-cultural problems."

The idea was to get across to the Administration group that they ought to put more political thinking into what they were doing; one, to get across that they should, and, two, how to do it. I think we got further on the first point than on the second." One idea that came out of that meeting was that White House aides should hold the biweekly meetings they now do with people from "the streets"—lawyers, such as Robert Barnett and McPherson; and Hackler and Keefe. When I ask him about this, Strauss says, "I talk to all the participants, but I don't participate."

One of Strauss's friends says, "He's always telling the White House people to think about where they won the last election, and check whether they will have that base and what they can do politically and governmentally to protect that base and, hopefully, add to it."

Hamilton Jordan said to me, "He brings to bear the perspective of the traditional Democrats and people on the Hill. That's something we need." I'm told that Strauss bridges the world between the traditional party elements and the White House by giving the White House such advice and then saying, "Hell, you beat all those bastards, but you need them involved." Strauss will also pass along to the White House information he has picked up himself, or through his agents. Jordan says, "He goes to a dinner party and hears something, and he'll pass it on. He goes to the Hill and hears that the President did something well or something stupid, and he'll pass it on."

Jody Powell says, "He'll call you up and just chat, and make a suggestion or observation along the way. I find him persuasive but not heavy-handed. He's not going to insist on something. He realizes he comes at things from a different way of looking at them than we do. But he doesn't pretend he's playing a different sort of game. That's what makes him so appealing. When he's making a political argument, he doesn't cloak it with some rationalization. He knows more about a lot of the Democratic Party groups; he has a personal relation with a lot of them and is instinctively concerned with their interests." Powell says that Strauss will tell him that a certain reporter feels this way or that. "He'll say, 'I hear this reporter is extremely close to that politician—you'd better keep that in mind.' He knows what web of relationships, biases, and quirks that influences the way business gets done around Washington—and that we were in no position to know about, because we hadn't been around to see them."

Another man in the White House says, "Strauss will not be reticent about telling anyone around here when he thinks they've done something dumb, and we always take it well, because it usually is dumb and he always does it with humor."

After a certain Carter appointee, of whom Strauss had disapproved in the first place, denounced the President publicly, Strauss called Hamilton Jordan and said he thought that Jordan, Strauss, and the President ought to get together. Jordan asked him why. Strauss said, "Now that X has been appointed to the Y and has denounced the President, I think he should get a really big job." Strauss, who had taken pains to reestablish the Democratic Party's ties to businessmen after the

1972 election, brought important people into the White House for meetings, and that was good for the President—and good for Strauss. Strauss will warn people at the White House of impending trouble. It was he, I have been told by Powell, who got through to them that they had to deal with Billy Carter's seemingly anti-Semitic behavior earlier this year. And thus there appeared in the newspapers stories saying that the President had told Robert Strauss that he was "terribly concerned with the whole situation of Billy." The stories went on to say that the President had said, "You know, Bob, I just totally disassociated myself from his comments."

White House officials call Strauss in to help them get votes on a piece of legislation that is causing them difficulty. I ask him on the plane what he did, for example, to help get Senate approval last year for the Panama Canal treaties—which the White House succeeded in getting by a very narrow margin.

"I got votes," he replies. "It had nothing to do with the issue. I just cold-bloodedly got votes."

I ask how.

"By using all the skill I had, pulling out all the due bills I had. Yessir, I got votes. Just like on the energy bill, I got votes, a lot of votes. I always described the energy bill as a C-minus bill all the time I was trying to get votes on it, and I was right. That's all it was. But that was all we could get."

People in the White House say that Strauss was particularly effective with the various groups that were brought into the White House to be lobbied on the energy bill, though some White House aides would have preferred that he not describe it as a C-minus bill. Strauss called in some members of his network to help out the Panama Canal vote. He lobbied Democratic governors. He knew that Senator Henry Bellmon, a Republican of Oklahoma, owed Lloyd Bentsen a favor, and he made use of that sort of intelligence. (Bellmon voted in favor of the Panama Canal treaties.) Strauss was among those who did things to try to help Paul Hatfield, a Democrat who had recently been appointed to a Senate seat from Montana, in his effort to win the nomination for that seat, in order to get his vote for the treaties. Hatfield lost, but he supported the treaties. Strauss did fall to "deliver" the vote of Wendell Ford, Democrat of Kentucky, whom he is particularly close to. Strauss is said by his friends to have helped in the handling of Senate Minority Leader Howard Baker and to have soothed Majority Leader Robert Byrd when he grew unhappy with the White House in the course of the Panama Canal effort, and he helped secure the vote of Russell Long for the treaties.

Someone who observed much of this says, "He would say, 'O.K., here's a guy you've got trouble with. What can you do?' Strauss could deal with business interests, could generate their concern about keeping the Canal open. He could point out to the grain people and the oil people that Panama meant a lot to them, that they needed that shipping route. He talked to businesses that invest in Latin America."

All of this is not to say that Strauss and the Carter White House have a blissful relationship. Strauss can be quite critical of members of the White House staff, particularly of what he sees as their political naïveté—and they must know this—and some of them resent his penchant for taking credit. He will occasionally let it be known that Carter sometimes makes it difficult to drum up support for him. When Carter was shutting around the Middle East in March, Strauss told a group of reporters—on the record—at a breakfast, "I think he'd better come right back and sit down and figure out how to make something cost less." Occasionally when Strauss does some interesting chore for the White House, he will let it be known—ostensibly in the most confidential

manner ("Here's a real cute story. Now, I don't want you to print this")—until it makes its way into print. Some are amused at the way he sometimes exaggerates his role. Some will point out that, while he will make an argument within the White House circles about which way things should go, he will be alert to which way they are going. One man in the White House, who definitely likes Strauss, and who takes a relaxed view of all this, said to me recently, with amusement, "Strauss has three predictable flaws: one, he's never kept a secret beyond the first edition of the Washington Post as far as anyone can tell; two, he'll give a background briefing when he's not clear on the facts and it takes a day to tidy up; three, he'll always arrive where the victory is—if he hears there's a success coming up, he'll be the first to arrive and claim credit for it. But it's a good deal for us. He knows how to put things together. He's a good bargainer around here. And he's got more contacts than anyone." It was Strauss's contacts in the steel industry that helped the Administration get a settlement of the coal strike last year. The settlement was inflationary, and disturbed some of the Administration's economists, but a White House man has told me that the White House wanted the settlement and that Strauss is not to be blamed for its cost. Nevertheless, one Administration official suggests that if the President does everything Strauss suggests that he do in order to get reelected, the result may be so inflationary that Carter will be defeated.

The fact that Strauss has a good relationship at all with the Carter White House is remarkable, considering where the various parties began. Jimmy Carter certainly was not Robert Strauss's choice to be the Party's candidate in 1976, and Carter and the people around him knew that. Strauss's first allegiance was to Henry Jackson—and Carter—and the people around him knew that, too—who had helped make him chairman of the Party, and then to Hubert Humphrey and Lloyd Bentsen and almost anyone but Jimmy Carter. Strauss did represent those elements of the Party that Carter was running against. Strauss had selected Carter to run the Party's congressional effort in 1974—which Carter, for his own reasons, had wanted to do—and later, when Carter began to do well in the early primary period, Strauss wondered what he had wrought. Early in 1976, he was involved in getting expression of distaste for Carter from Democratic governors, who were meeting in Washington and among whom Carter, the former governor of Georgia, was quite unpopular, but essentially he was neutral in deed. For some time in 1976, Strauss apparently believed—he told a number of people—that the Democrats would hold a brokered Convention, that the nomination would be settled in a room. He talked about how that room would have in it representatives of all segments of the Democratic Party. This dispelled the idea of a "smoke-filled room" and encouraged a number of people, who were led to believe they would be in that room, to cooperate with Strauss.

Then things changed. After the Pennsylvania primary, in late April, when it was clear that Jackson was out of the picture and it seemed clear that Carter would be the nominee, Strauss discouraged Hubert Humphrey from entering the race for the nomination. In several conversations with both Humphrey and Humphrey's wife on the eve of his decision, Strauss argued that Humphrey would be seen as a "spoiler," that he could not get nominated, and that his entry at that point would hurt him, hurt Carter, and hurt the Party. Strauss had decided that he wanted his legacy to the Party to be a unified Convention—as compared with the fractious one held in Miami four years earlier. From that point on, he did a number of things to help Carter. After Humphrey announced that he would not enter the New Jersey primary—

the last one he could enter—Strauss had people called who were holding blocks of uncommitted delegates, to urge them to get in line behind Carter. And he revelled in the fact that he produced a harmonious Convention.

He was delighted that Carter's acceptance speech began at ten-thirty-eight and eleven seconds; he had been determined that his Convention's nominee would go on as close to ten-thirty as possible. In 1972, George McGovern gave his acceptance speech shortly before three in the morning. Vice-President Mondale recalls that Strauss came into the room where he was waiting to give his own acceptance speech, and said, "Fritz, I'm going to tell you something that's going to shock you. Nobody's going to listen to you out there. That might upset you, but those TV cameras are going to be on you, and the TV audience won't know nobody is listening to you, so you get all excited and just pour it on."

Though some in the Carter entourage were opposed to the idea, Carter asked Strauss to remain as chairman for the course of the campaign. (Ordinarily, a nominee selects a new chairman.) Hamilton Jordan explained to people at the time that it was a marriage of convenience—that Strauss knew people they didn't know, and things they didn't know and didn't have time to learn. But Strauss was not at the center of the Carter Presidential campaign, and from time to time he let reporters know that he thought the Carter people were not doing a very good job. After the campaign, Strauss was not offered a job in the Administration, and he made a big point of saying that he did not want one, which convinced a number of people that he did. He returned to the practice of law, in the Washington office of his Dallas law firm (the office had been opened in 1971 with two lawyers and now has a total of sixty-two lawyers), and, by all accounts, quickly became bored. The new Carter Administration ran into a problem in filling the job of special trade representative—various candidates were unacceptable to one important group or another—until it hit on the idea of appointing Strauss, which it did in March of 1977. Strauss has spoken of how he had to be talked into taking the job, but there is evidence that he was interested and ready. Once he became a part of the Administration, he became more and more a part of it. I recently asked Jody Powell how Strauss had ended up being on the inside. He replied, "By sort of having something that we needed and being there when we needed it."

One the plane back to Washington from Boston, I ask Strauss why he ran for the chairmanship of the Democratic National Committee, which promised to be a difficult job at best.

"I don't know," he replies. "I suppose I was offended by the way I was treated at the '72 Convention. You got to remember I raised all the money to put that thing on; I made it possible to put that thing on. All of a sudden, I woke up and I had no role. I got treated like a step child. That was a little contrary to anything that had happened to me in my whole life. Helen was offended, too." According to others, he was simply shunted aside by the people around George McGovern, who became the Party nominee, and by the people around Lawrence O'Brien, who was then the Party chairman. Strauss continues, "I remember when we flew out of there I said, 'Helen, I'll never be as vulnerable again. I've learned a lot. I'm going to take that thing over and show those — a thing or two.' I was mad, and I wanted to get even. Even more than I wanted to put the Democratic Party back together again, I wanted to show those —. That may not have been the best motivation, but that was it. The next Convention I went to was in New York in '76, and I assure you I wasn't vulnerable."

After the 1972 Convention, Strauss volun-

teered to help the Senate and House Democratic campaign committees; he raised a good deal of money for them, and took Carl Albert, then the Speaker of the House, and Mike Mansfield, then the Senate Majority Leader, all over the country for appearances. The congressional leaders were worried about the outlook for their party that fall. As a result of his work, Strauss created congressional support for his effort to become chairman of the Party and also for his activities as chairman.

In our conversation on the plane, Strauss continues, "After the Convention, I still might have backed out of running for the chairmanship. I was doing the Democratic congressional-re-election thing; I was getting some mentions as chairman, and I was encouraging that. And then they started planting some stories about this 'right-wing —' who wanted to take over the Party. I remember having dinner with Helen and Vera, and I say, 'The only way to get out of this is to win our way out,' and Helen said, 'Here we go again,' and we won our way out." Bob Keefe and some others ran the Strauss-for-chairman campaign out of Henry Jackson's office. (Keefe later served as an assistant to Strauss at the D.N.C.) Jackson was part of a group that came out of the '72 Convention determined that after the election, which McGovern was expected to lose, they would put the Party back together. Others in the group were labor leaders, governors, and other people who had backed Humphrey or Edmund Muskie. Strauss was also part of the group, and though apparently he did not begin as Jackson's candidate, the group finally settled on him as the man most eager for the job and most likely to be able to win it.

Strauss remembers getting a phone call from Averell Harriman offering his help. "Then Tip O'Neill came out for me and Mike Mansfield came out for me, and all of a sudden the 'right-wing Texan' had a liberal constituency."

Strauss's triumph of winning the chairmanship in December of 1972 was a narrow one, but then Strauss, being Strauss, made the most of it—more of it than most other people would have been able to. First, characteristically, he made a number of moves to show that despite his narrow victory he was in charge. Through carefully calibrated appointments to the Party's Executive Committee, he appeased elements of the liberal wing which had opposed his selection. Over the next four years, the great majority of the votes in the Executive Committee, which included representatives of all elements of the Party from very liberal reformers to conservative labor anti-reformers, were unanimous. One person who observed Strauss during that period recalls, "Everyone got taken care of; everyone had a stake in the compromises. It's a great skill. Strauss never dealt with a discrete matter—he'd always deal with a package. He'd say, 'You want A? I'll go with you on A, but you have to support me on B and C. It's a deal? O.K., it's a deal. Next case, Judge.'" One time that this technique failed was at the Party's first midterm conference, in Kansas City in 1974, when the Black Caucus refused to buy his deal on new rules on affirmative action. Finally, after the conference threatened to come apart—a prospect that upset Strauss very much—and the proceedings hard to be recessed for a while, Strauss, with important help from some of the governors, got it worked out. Some Party reformers say that Strauss turned out to be an ideal chairman for them, because he was so anxious to establish his credentials with them and so desperate for "unity." And he was flexible. The reformers say that if they screamed loud enough Strauss would move in their direction just to shut them up. Like as not, if he saw himself losing a battle he would manage to end up with the winners. One of the reformers says, "We were

almost always on opposite sides. He never rubbed it in if he won, and if he lost he immediately adopted the winning position and went on from there. Sometimes he would jump to the other side with the greatest alacrity I ever saw. I admired him a great deal." In the end, the rules were not changed so substantially from those that obtained at the '72 Convention as to upset the reformers but were changed enough to pacify labor and other Party regulars.

Some say that the Party was ready to be united after the bruising period between 1968, when it divided over the war, and 1972. But the divisions of that period carried over—divisions over who was where on the war when, divisions over the symbols, and sometimes the realities, of the reform rules. Strauss played off the reformers against the opponents of reform (who had helped put him in office and at times considered him a traitor), and accomplished what he had his heart set on accomplishing: he delivered a united party to the nominee in 1976. One person who went through those battles says, "He had no beliefs, at least within the world in which he was negotiating. He was utterly pragmatic." Another says, "I don't know if he has an ideology." It is also true that it took a certain kind of person to deal with the illusions, the postures, the symbols, and the mythology—that there are all sorts of people who cannot deal with such things. Someone caught up in symbols—or ideology—could not do it. It took a certain kind of negotiator. When I asked Barbara Mikulski about some people's assertion that Strauss has no beliefs, she said, "I don't accept that. I think he always operates from a very firm base of what he wants to achieve. In terms of the Democratic Party, it was to rebuild a coalition and elect a Democratic President. If he had to do a lot of ballet dancing to keep us happy, so be it. If he thought we were screwing that up, he'd resist. I'm a firm believer in openness, affirmative action, process, and all that, but process is not an end in itself. There are some people who would still be caucusing in Iowa. He thought it was more important to elect a Democratic President than to please any particular constituency. That was his value. It's the same thing with trade. There are those of us who are concerned about steel, or about textiles. He's trying to get the best deal for the United States of America. For him, it is not a game. He relishes the game and the wheeling and dealing, like a lot of us do, but deep down he's got a sense of what's best for the country and for the Party. When you take him out of his fancy suits, he's an old-fashioned Democrat."

When we reach the airport terminal in Washington, Nat Brannum, Strauss's driver, is holding the receiver of a pay telephone and hands it to Strauss. "They don't wait a minute, do they?" Strauss says. It is his office, with some messages.

As soon as he gets in his car, he places a phone call to Robert Byrd. "Hi, how you, Robert?" Strauss says. "I missed you yesterday. How'd you do with Ushiba? I hit him hard. He was supposed to give you a little more coal. Did he give you more coal?" This presumably means that Strauss was pressing Nobuhiko Ushiba, the Japanese trade negotiator, to agree to import more coal from the United States; coal is, of course, mined in Byrd's state, West Virginia. Strauss continues, "I want to talk to you Monday or Tuesday. We've got the Foreign Minister coming in. The problem is that those concerns are buying cheaper coal in Australia. That's what makes it difficult for you, Bob. Did he offer you just a little more coal this year than last year? That's what he said he'd do. I told him it wouldn't be enough to satisfy you. I want to keep it outside the trade talks, and there's a way to do it. I know how. We'll talk about it. All right, my friend."

He hangs up, and says, "That's the next one. They're going to create problems for me. They'll get the coal states mad and next the steel states." He urges Brannum to hurry, so that he can get to his office and then the White House.

Some time later, Strauss and I have dinner in Washington. (Helen Strauss is in Texas for a wedding.) As we enter the restaurant, where Strauss dines frequently, the maitre d' starts joking with Strauss, and after a few minutes Strauss cracks, "Show me a table, will you? If I'd wanted humor, I'd have gone to the Catskills." Strauss tells me that when he went to the race track recently, with Brannum, about four people came up and introduced themselves to him. He tells me that the fourth one said, "This must drive you crazy," and that he gave the old reply, "Yes, but about a third as crazy as when they stop coming up." Strauss has talked frequently about how he planned to leave the government after he got the trade bill through, and it seems that, as usual, there were several purposes in saying what he did: to try to convince others that there was no job he coveted, and that he was independent; to try to convince himself that he really wanted to leave. Just about everyone who knows him well thinks that he would be miserable if he were very far removed from the excitement, and that what he would like most is a new challenge. Strauss has said he told the President that he planned to leave and that he could help Carter more with his reelection from the outside.

Which is not to say that he was not helping from the inside. Or that he really wanted to leave. Strauss orders a vodka Martini—he also had one, as he usually does, before he went out—and tells me that he spoke with Vice-President Mondale earlier this evening. "It was about a political problem we had in a certain state concerning an appointment," he says. "Mondale can play that role, too. Mondale and I don't have to talk to each other forever; Mondale and I talk in shorthand. I'm a Texas conservative and he's a Minnesota liberal, but on matters like this we agree completely. And it's nice to have a man like Arnie Miller, who's in charge of personnel at the White House, that I can call and say, 'I've got this problem. Can you help me?' Miller's smart enough to know when a problem's coming up and get it treated. Political problems aren't cured, the way people think they are; they're treated and contained until you can get back and cure them over a period of time. A lot of people make the mistake of trying to cure a political problem right away. If you appoint someone that the governor or senator from his state despises, you don't cure it; you treat it and contain it for a few minutes, and you cure it over a period of months and years."

I ask Strauss how he keeps in his head all the political data that he draws upon.

"I don't keep track of it all," he replies. "I don't know what I know. I have a pretty good encyclopedia of America, but I couldn't recite it. If you mention a town to me, I know who the mayor or the sheriff or the commissioner is, and whether he is reliable or unreliable. If you ask me to write what I know, I could maybe fill a page. But if you ask me a hundred questions, I could tell you the answers. I could tell you who matters where and what he's like. When you mention Gary, Indiana, or Newark, New Jersey, I've got a recall on it. I haven't paid any attention to Ohio politics in over two years—haven't thought about it—but when I spoke at a state dinner in Columbus recently I was shocked at how quickly it all came back. I was amazed at how many people I knew. Something may come up and I may say, 'Let's do something for So-and-So.' I may say to Vera, 'Vera, the next state dinner, let's try to get So-and-So invited.' Or someone might not get some appointment, and I

might say, 'When something else comes up, that's something So-and-So might get appointed to.' Or Bob Keefe or Loyd Hackler might say So-and-So is hurt, and then I'll call Eleanor"—Eleanor Connors, Hamilton Jordan's executive assistant—"and say, 'Why don't you have Hamilton call?' Or Eleanor may call Vera and say, 'Why doesn't Strauss call So-and-So?' Hamilton and Eleanor and Vera and I are four people who work together very closely."

Strauss also spends a great deal of time talking to Stuart Eizenstat, the President's assistant for domestic affairs. Strauss is aware that Eizenstat is likely to have a strong impact on the President's substantive decisions on domestic policy, and also that Eizenstat, like Strauss and like Mondale, believes that the President must work to maintain a base among the constituent groups of the Democratic Party. Strauss says, "Stu and I talk about everything from taxes to energy to sugar. We talk about everything—everything. Try to keep in mind that there's a tremendous amount of stuff that comes over my transom that maybe ought to be brought to his attention. Stu is the best I've ever known for his age and weight. If I say that to him, I also say, 'And you're pretty young, and you don't weigh much, Stu.'" Strauss makes a point of praising others; he knows that, as he says, it "gets around" that he's doing so. He continues, "Stu Eizenstat and his staff now understand that sugar is politics, not sugar—that it's steeped in politics, that it affects the chairman of the Senate Finance Committee and it affects the chairman of the Senate Foreign Relations Committee." Both Russell Long and Frank Church, Democrat of Idaho, who is the chairman of the Foreign Relations Committee, represent states where sugar is grown. "In a town like this, you have to find out what their business is, what they want out of the way—not what you want out of the way. Then you piggy-back your business on top of theirs. Just remember that Frank Church is chairman of the Senate Foreign Relations Committee and the Administration has a lot on his committee's plate and Frank Church is up for reelection in 1980 and his interest is in seeing that his constituents' interests are properly represented. You have two very powerful chairmen interested in sugar, and properly interested, I might say. They represent their constituents very well."

I ask him about the period in which he was in charge of the anti-inflation program.

There is a long silence, and then he shakes his head sorrowfully. It clearly is not something he chooses to remember or talk about. Not only was he strained just about to his limits—he looked ashen during much of that period—but also it was not one of his triumphs (a failure in which he has company). Finally, he tells me about how the President in April of last year asked him, while he was in Europe working on the trade negotiations, to take on the inflation problem until the Administration could get a program in place. There was no program at the time, and the President apparently thought that it would be reassuring to businessmen if he announced that Strauss was in charge of fighting inflation. Now Strauss says, "I travelled the country with little more than a smile and a shoeshine. I didn't have a program." Alfred Kahn, who was put in charge of the new wage-and-price program last October, has said sympathetically, "His program was to pick up the phone and swear—and he was very good at it." Strauss continues, "We did pretty good."

We didn't solve inflation, obviously, but we did alert the country. Finally, they got a program and they got Alfred Kahn in there. He's the kind of fellow they need. I felt guilty about talking him into it. The President didn't ask me to work on the inflation thing but for a few months. I was in

there as a holding action until the President got a program and a person."

The conversation turns to Strauss's position in Washington.

"I have power in this town for four reasons," he says. "One, there are people on the Hill who I'll go out of my way to help and they'll go out of their way to help me. Two, I have power in this town because I have the kind of relationships I have with the Bob Keefes and the Lloyd Hacklers and the Harry McPhersons. There, I have power in this town because I have a base in Texas. People in government and politics forget—you got to keep your base. If you lose that base, every son of a gun thinks he can knock you over. You can get blown away. I keep my base in Texas. I got my friends there, I like them and they like me. Four, I have power in this town because people think I'm close to the President. They think I see him all the time. I don't see him that much, but people think I do, and that gives me power. People think I'm closer to the President than I am. They think I talk to him every two, three days. It's not my fault that people think that." But Strauss doesn't strain to dispel any such impression.

Strauss may in fact be as close to the President as anyone who has not been around Carter for many years can be, and that is in part because he has proved his loyalty, and in part because it is recognized that he brings a certain practical wisdom to the White House, and in part because the President, who does not have many friends and does not give the impression that he enjoys the company of many people other than his wife, enjoys Strauss. The President has an earthy streak that Strauss appeals to. A joking relationship has developed between them: Carter once gave Strauss a blown-up picture of Strauss's mother-in-law, and Strauss, at a Cabinet meeting, once presented Carter with a blown-up picture of Carter with a fly on his nose; subsequently, Carter presented Strauss with what purported to be a credit card of a place in Europe with a shady reputation, and suggested that Strauss must have lost it during his travels there. Strauss even kids Rosalynn Carter—about her figure (which is good) and about her husband, and one cannot imagine anyone else with the nerve to do this. Or the wisdom: Strauss understands that these people are virtually trapped in their public roles, and need some humor and human contact in their lives. By giving them that sort of contact he gives them pleasure—and makes himself welcome.

The President is said to seem pleased when Strauss comes into a room. The Carters very rarely go out socially, but the world knew that in the first year Carter was in office they and their daughter, Amy, went to the Strausses' Watergate apartment for a dinner of barbecued shrimp. Strauss persuaded the President to go for dinner one night last year with him, Byrd, and O'Neill at Paul Young's, a restaurant where a number of political people hang out. (O'Neill didn't show up; he was under the impression that the dinner was scheduled for the following night.) One White House aide says, "Strauss is the only one who could get Carter to do that." After the recent lunch that Carter attended at Strauss's home in Dallas, a White House aide remarked to Strauss, in the presence of a number of White House aides, that it was a good thing he didn't have yet another home to arrange a Presidential visit to. Strauss replied, at once, "Listen, you squirt, Carter's only the third most popular President I've had in my home."

Strauss gets people's number—figures out what is important to them, to their lives. His interest seems genuine enough, and probably is—there is a real humanity and compassion about the man—and it leaves people with a good feeling about Bob Strauss.

In a city where so many personal transactions are impersonal, where there is a good deal of abrasion in daily life, where so many people are simply manipulative, Strauss is both manipulative and kind; he establishes human contact.

After talking about something else for a while, Strauss suddenly says, "When you start as low as I did, you don't realize where you've come to."

I ask him to tell me more about that. He grows reflective, and says, "You play your hand; that's what I always say."

He tells me that he was born in Lockhart, a small town in south Texas, and that when he was eight his family moved to Stamford, in west Texas. He goes on, "My father was a musician—a pianist—and he spoke three or four languages. As a matter of fact, he played every instrument there was. He was a cultivated man—impoverished and cultivated both. He would have been a successful musician; he wasn't a successful businessman. He ended up with a little drygoods store in a town of two, three thousand people in west Texas. My mother was strong and had drive and ran the business and made a good living for us. My father liked books and music. My mother got up and worked in the store all day and came home and fixed supper at night." He continues, "After I got through high school, I went to the University of Texas."

I ask him what happened to him there. He replies, "Not many things happened to me at the University of Texas. I discovered I was Jewish, which meant that you were ostracized from certain things. That wasn't the case in the town where I grew up, because it was so small. I'd have been elected president of the Baptist Young People's Union if the local Baptist minister hadn't thought it was a bum idea because I didn't belong to the church."

"Later on, I also discovered I could compete with people, which is a very important discovery. I really learned I could compete when I got in the F.B.I. It's a very important thing to learn you can compete. After college and before I joined the F.B.I., I went to law school. My mother thought the way for me to get out of that store was to be a lawyer. She always thought I could have a public career, and she thought the law was the way to get at it. She was determined that I do that. She dreamed dreams for her son, the way every mother does. She knew you had to bottom your dreams on something, and she thought the law was something to bottom them on." Strauss has one brother, who is a successful banker in Dallas and is leading an effort to make Dallas the site of the 1980 Democratic Convention. "The truth of the matter is, everybody in my law-school class applied for the F.B.I. In those days, the F.B.I. got the cream out of the universities. That was just before the Second World War—June of 1941. It was a way of not getting drafted. There were people with much better records than I had, but the interviews were important, and I interviewed well. I didn't do very well in the F.B.I.—I wasn't a very spectacular fellow. I was all over the country—in Iowa, Ohio, Washington, Texas. I was lazy, a bit shiftless, but I had enough confidence, or whatever it took, to get along. I was about a C-plus—that's an overstatement. After I left the F.B.I., after four years, I became successful. The truth of the matter is, I've been successful. I love the fact that I'm rich. I've earned it, honorably. I built a good law firm. I built a good bank. I had a measure of success in other economic matters. I started in politics by handing out circulars for politicians when I was nineteen, in college, and ended up being chairman of the Party." (One of the first politicians Strauss handed out circulars for was Lyndon Johnson, who was conducting his first campaign for Congress.)

Something else that happened to Strauss

at the University of Texas was that he met John Connally, and later, as Connally rose in Texas politics, so did Strauss. When Connally became governor, Strauss was appointed to the state banking board, on which he served for six years, and then he became national committeeman from the state, and was on his way, playing his hand. Strauss continues, "The Party had an almost nine-and-a-half-million-dollar debt when I took over as treasurer and a debt of less than three million when I left that job, and I cut that debt down further when I was chairman. Helen and I have worked hard, and we've been successful. God damn, I do have a lot of fun. I'm one lucky sonofabitch."

We talk about the fact that Strauss will attend some fund-raisers in Washington next week. He attends about six to eight a week when fund-raisers are in season. I have been told by others that the knowledge that Strauss will be present at such affairs helps draw the lobbyists and lawyers who have access to campaign contributions and seek access to power. By turning up, Strauss earns the gratitude of the politician who is seeking to raise money. (On occasion, he holds a fundraiser himself, at his Watergate apartment. He held one last year for Robert Krueger—to which the President came—and he is planning to hold one soon for a Democratic senator who is up for reelection in 1980.) "The things you earn on the Hill are not free, you know," he says. "You earn them. The reason I can get some things done up there isn't because of my personality; it's because I worry about their business. A personality will carry you only so far. You have to deliver. If you can show the average person in Congress how he can vote right—no way in the world an average member of the House and Senate can know what the issue is all the time, they're so torn apart—they'll go with you. No way in the world they can know what the issue is. If you can show them where the national interest is, they want to be on that side. If it's going to cost them reelection, they shouldn't vote that way. Nobody does anything just to do it for me. I've had some awfully good friends turn me down on things I've asked for. Maybe somebody else could go up there and get a lot more votes by making an intellectual presentation of the case. But if I have any unique ability it's that I know how to present a case in a way that makes it possible for members to vote the way I want them to, and is a way that they would want to vote. Most of those guys don't expect you to get them to Heaven on a tough issue; they just want you to keep them from going to Hell. If you can show them how to vote the right way and stay alive, that's all they want. That's what people don't understand: they'll make the right vote if you show them how to do it without getting defeated. They correctly say, 'If I get defeated on this issue, I won't be around to vote on other issues.' The truth of the matter is that every Cabinet officer is up there on what he thinks is the most important issue, and the senator or congressman is looking at ten other issues. Just because I think my trade issue is the most important issue in the world doesn't mean that it is. It's a watershed vote to me. It's not to a congressman, and he's not going to make it and he shouldn't make it if it's going to cost him his job."

"If SALT is important, and I think it is, if hospital-cost containment is important, and I think it is, and if the trade bill is important, and I think it is, then a President is entitled to take certain steps to keep enough political muscle to do these other things. The press doesn't write about that. They say he did these things as political acts, and that's where they're right, but they don't go on to say he did it for the larger goals. That's where the press is wrong, and that's where the Administration has failed—in explaining the over-all political context,

that they did certain things for the good of the country. You'd say, 'You did this for clothespins and this for textiles,' and you're goddam right. The way you get the canoe to shore is you feed the sharks a little this and a little that until you get to shore."

At three o'clock on a Tuesday afternoon in early April, Strauss is talking to a group of about sixty California bankers in the family movie theatre in the East Wing of the White House. He stands at the front of the room, which has pale-green walls and pale-green drapes; the bankers are seated in rows of chairs. Already today, he has addressed representatives of the Kansas Farm Bureau (at 7:30 a.m.), testified before the Senate Small Business Committee's Subcommittee on Government Procurement, spoken to a luncheon of the National Democratic Club (which is made up largely of congressional Democrats and lobbyists), had his picture taken with a congressman from Louisiana, and attended a session of the Ways and Means Committee's Trade Subcommittee on the M.T.N. Before Strauss began to speak, he told me that he was very tired, that he had a lot on his mind, that he had had a long talk with the President yesterday after a Cabinet meeting, and that the trade negotiations in Europe were near-multilateral negotiations to be concluded shortly, and he had been up most of the night talking to negotiators in Europe, and thinking and worrying.

Now Strauss points out to the bankers that he has followed Mondale and Kahn in appearing before them: "You see, we're improving the quality as we go along." The bankers laugh. He tells them, "I'm just in the final hours, maybe minutes, as to whether they're going to accept our package in Europe. They're asking for changes. We've been negotiating back and forth and back and forth, and there comes a time when you make a deal or you don't. Sometimes in this country, we reach too far to make a deal. I can tell you we're not going to reach too far. You don't get something without giving something. I'm no genius, and neither are you." He is talking somberly and seems preoccupied and he rambles, but he remembers that his purpose here is to persuade these bankers that his trade package is a good one. He talks about his "excellent staff." He says, establishing his credentials once again, "I bring some different skills: I've been a bit of a businessman, a bit of a banker; I've been a lawyer, a politician. I've been dealing with the Congress and I've been having a hell of a time."

The group laughs, and Strauss changes his tone. "The narrowness of the Congress has to do with you fellows—you complain all the time and put those poor devils under terrible pressure." And then he seems to realize how far he has gone, and he says, "I'm going to talk straight to you, whether you like it or not. I'm tired. I worked until three last night and sneezed from three to four, for some reason. I'm rambling a bit because I've a lot on my mind." He tells them the Christian Herter story and says, "Having lived with the Congress and having lived with the international community and having lived with the business community and the farming community, I have some experience. What are we really about? Well, we're really trying to write for the first time a set of rules to guide the game of trade." And he explains the new codes that the negotiators are writing. He mentions citrus ("from your state") and says that the negotiators are trying to write a new code covering subsidies, so that California crops "don't have to compete with an orange or an almond that comes into a country from a third country and has been subsidized." He talks about the new government procurement rules. "I'm catching hell because we're opening a little bit of our markets up, but in return we're getting the opportunity to bid on twenty billion dollars'

worth of foreign-government purchases. We have a thirty-billion-dollar trade deficit in this country. Now, that shouldn't be. This country has the know-how. This country has the technological capacity. We've been lazy. My gosh, I'll bet there are one thousand two hundred and fifty Japanese people in New York today knocking on doors and selling products, and they can speak English as good as you. And I'll bet there aren't but thirty Americans over there in Japan and there aren't but two of them who can speak Japanese."

He tells them about his schedule today and then he says, "Hell, if you want to be in style, take a kick at the President—it's cheap, it's easy, but it's a ——— outrage. Is President Carter perfect? Nyuh. He's made mistakes and he's going to make more mistakes. The trade package is going to be good. One reason it's going to be good is that I'm negotiating it." The group laughs. Strauss continues, "Another reason it's going to be good is that Carter's fought for it and he's taken political scars for it." He talks a bit more about the trade bill, and then he says, "The problem is people on the Hill only hear from the naysayers. Is the trade bill A-plus? No. It's B-plus. But if it doesn't get support it's going down the drain, and it's your own ——— fault. There is enough political influence in this room right now to contact every member of the California delegation and tell them to be for this. If you care enough to come here, you ought to get off your duffs. If you don't care enough to do that, then you're not worth a tinker's damn. I'm tired of businessmen who do nothing but complain." Now he's getting worked up. "There are people who complain about the President and about everything." Pause. Silence. "And, I'll tell you, they also complain about bankers." The bankers laugh and applaud.

Strauss concludes, and then takes a few questions. The first is about what he thinks of California Governor Jerry Brown's Presidential prospects in 1980. Strauss explains that he had a very cordial relationship with Brown in the course of 1976, and then he says, "I think he's going to run. I think he's going to be defeated. That's all she wrote." Through his answers to questions, he explains that the European government he is negotiating with have political problems, too. He says, "We needed a wheat agreement, but I couldn't get the right kind of bottom on that agreement, so I left it on the table. Sometimes it's harder not to take a deal than to take it." He tells the bankers about the problems with the Japanese and telecommunications equipment, and uses his line again about the steel telephone poles.

As he is talking, a telephone in the room rings, and Strauss remarks to an aide, "If that's for me, I'll take it." The group laughs. But it is for him, and Strauss gets on a white phone in the front of the room, saying to the audience, "Y'all make a little noise while I take this." He ducks behind a curtain and talks on the phone. After a few minutes, he comes back out with the phone still in his hands and turns to the bankers and, trying to get rid of them, waves goodbye and says, "Thanks a lot, good to see you," and they take the hint and leave the room. Now Strauss shouts into the phone, "If it blows today, we're in big trouble. You get it, Stevie—you make those ——— stay and make a deal." "Stevie" is Viscount Etienne Davignon, who is in charge of the E.C.'s industrial policy; he is talking to Strauss from Luxembourg. After Strauss hangs up, he says to me, "They're still negotiating. Somebody always chokes in these things."

We return to Strauss's office. Strauss talks to some staff members about where the negotiations stand; returns a call to Frank Moore, the White House assistant for congressional liaison; makes plans to attend the Kentucky

Derby in May; calls Theodore Brophy, the chairman of the board of General Telephone & Electronics (from whom he received a letter today commending him for his position in the negotiations with the Japanese on telecommunications equipment. Strauss tells him, "You made my day," and after he completes the call he tells Vera Murray, "He's going to come see me." He meets with Lee Kling, a St. Louis banker, who attended the meeting at the White House and was finance chairman of the Democratic National Committee when Strauss was chairman, and is now involved in fund-raising for Democrats. He meets with some staff members about a problem on the wine-gallon issue which came up in his meeting with the Ways and Means Trade Subcommittee this afternoon.

All the while, Vera Murray, a remarkably calm woman, is taking calls (they are screened by two other aides before they get to her) from people who have urgent messages for Strauss about the wine-gallon issue, about Presidential politics, about the trade bill; who want appointments with Strauss; who want to arrange a White House tour for someone. She places a call to a congressman whose help Strauss is seeking on the wine-gallon issue, and sees to it that a certain memo gets delivered to the White House. An aide gives her a memo for Strauss about cheese, so that Strauss can talk to Gaylord Nelson about the matter sometime before the Finance Committee meets tomorrow. Strauss is still working on the Krueger question; now it has been decided that the present Ambassador to Mexico will remain there, and Strauss is pushing Krueger for a position that is to be created—Ambassador-at-Large for U.S.-Mexican relations.

Vera Murray tells me that Strauss—she refers to him as "Strauss"—has already spoken to about forty people on the phone today. She says that he gets from seventy-five to a hundred "legitimate" calls a day, that he tries to return every call before he leaves the office, and that if he cannot he takes the remaining message slips with him and makes the calls from his car or his home. She says that he insists that calls be returned within a day and that mail be answered in three days.

Now it is nearly six o'clock, and Strauss talks on the phone to an old friend from Texas, which relaxes him. Strauss is to be at the first of two receptions by six, so that he can be at the second one, at the Averell Harrimans', by six-forty-five. As he leaves the office, he receives a message that Wilbur Mills has talked to some people in the domestic liquor industry about the wine-gallon issue. He tells Vera Murray that he wants to talk to Mills in the morning, and he says to me, "The point is that Wilbur talked to them. He knows more about trade by accident than most people in this town ever learn." He is told that a certain congressman wants to talk to him. He considers whether he should return the call this afternoon and decides, given his state of fatigue, that he will not. "I might say something I shouldn't," he says. "I try not to make decisions at the end of the day."

In the car on the way to the first reception, he places a call to James McIntyre, the director of the Office of Management and Budget. He gets on the phone and says, "Jim McIntyre, please, this is Ambassador Strauss." There is a brief silence, and then Strauss brightens and says, "I'm fine, darlin', how are you?" And then he says to Brannum, "Nat, we mustn't forget to send those Easter flowers to the White House switchboard people." And then he talks briefly to McIntyre.

The first reception, in the Chancellery Room of the Sheraton-Carlton Hotel, is for Senator Donald Stewart, Democrat of Ala-

bama, who won election last November to fill out the last two years of a Senate term, and who is now trying to pay off his campaign debt. Often politicians run up campaign debts and then try to raise money to pay them off; the winners have an easier time raising the money than the losers do. When Strauss enters the room, a waiter, who recognizes him, asks, "Can I get you a drink, Mr. Ambassador?" Strauss replies, "You damn sure can," and he orders a vodka Martini. This fund-raiser, which costs five hundred dollars per person, is being attended, according to one of Senator Stewart's staff members, essentially by representatives of groups that have business in Alabama—steel, trucking, dairy, insurance, agriculture, rural electric—and about fifty people are expected to show up. Strauss greets Stewart and after talking to him briefly he says, "Let's go meet your guests. If you and I stand here lobbying each other, we're wasting our time." Strauss tells a man who is wearing a diamond stickpin and is a lobbyist for sugar interests, "The Administration is hitched. If they get unhitched, you let me know."

A representative of the International Paper Company tells Strauss that his company has a letter supporting the trade bill ready to send to every member of Congress. The man says, "It's pretty strong."

Strauss says, "Good. Let's make it stronger." The paper industry is not entirely pleased with the trade package thus far; Strauss was able to get concessions from the Japanese but less satisfactory ones from the Europeans. The man offers to go get the letter, saying that this will take a few minutes, and Strauss looks at his watch and says, "Why don't you get it? Let's get some work done." He talks to someone about energy. He jokes to someone else, "I imagine if you looked around this room you could find a lobbyist or two." The International Paper man comes back with the letter. It refers to the support by the company's chairman, J. Stanford Smith, for the M.T.N. agreement. Strauss reads it, gets out a pen, plunks the letter down on a buffet table, between a platter of cold hors d'oeuvres variés and a chafing dish filled with squares of quiche, and writes, "Bob Strauss has negotiated firmly, tenaciously, and aggressively for the United States. He didn't get everything he wanted or we wanted but he has negotiated a set of agreements that are in the best interest of our nation. We urge your support of the Trade Agreement when it reaches the Congress." He gives the letter back to the man, saying, "That kind of language in there makes it more direct."

He says, to another man, "How's the beef business—you robbin' sons of bitches, those prices you're charging us consumers." And then he asks, "The beef people going to be all right on this trade thing?"

The man replies, "We can't promise our support until we see the full package."

Strauss says, "I understand that. We have to encourage people to keep their herds up. There isn't enough beef in the world." Then he talks to the sugar lobbyist again, and says, "We have a position. You people have to get together. If you push for more, you'll get nothing. You act like a bunch of damn fools. The Administration has a reasonable package and it's going to stay hitched. The President won't move. You're going to make it difficult for Russel Long, and he's trying to help you." Strauss is using this opportunity to get a message to the sugar industry.

It's now six-thirty-seven, and Strauss says his goodbyes and leaves the reception. He got a lot accomplished in a short time. Branum drives us to the Watergate to pick up Helen Strauss, and from there we go to the Harrimans, in Georgetown. On the way, Helen Strauss kids Strauss about his speech to the National Democratic Club luncheon

today—which she attended—and makes some objective remarks about it. Then she laughs, and says how sick she is of hearing the story about how she once told him there was one fewer great man than he was thinking. Strauss tells her that they are going to the Middle East on the day after Easter, because the President has asked him to lead a trade mission of government, business, and labor people to Egypt and Israel, and to "get to know Begin and Sadat a little better."

The reception at the Harrimans is to encourage support for the annual fund-raising dinner for congressional campaigns, to be held in May; Strauss has talked Pamela Harriman into being cochairman of the dinner. He has also helped persuade Senator Wendell Ford and Representative James Corman, of California, to head the Senate and House Democratic campaign committees. And now a number of senators up for reelection and a few members of the House leadership and several Washington lawyers and lobbyists are gathered at the Harrimans' home. Strauss mingles for a while, and shortly after seven he is called to the phone. After a brief time, he returns and, smiling and speaking slowly, tells his wife and a few others, "The Council of Ministers just approved a trade package in Luxembourg."

Then, after several people have made formal remarks to the gathering, it is Strauss's turn, and holding a drink, he says, "This is my second Martini and I'm tired and I'm going to take my time." He tells them that a friend of his once said, "Bob Strauss has spent a lifetime taking money from the rich and votes from the poor and assuring both he's protecting them from each other." He tells them, "I think that what you do the Senate makes a difference in the quality of life in this country. I don't agree with everything that happens in the House and the Senate. I sometimes disagree philosophically. But I really think it does make a difference."

Strauss is clearly exhausted, but after his speech he mingles a little longer, working all the while. A man who represents the insurance industry introduces himself to Strauss. Strauss tells him, "I need help with the Connecticut liquor people." His brain-computer has said insurance-Connecticut-Heublein. A reporter asks him how he squares the increased price of tickets to the Democratic congressional dinner—they cost five hundred dollars last year and will cost a thousand dollars this year—with the Administration's fight against inflation, and Strauss, as he sometimes does, especially when he is tired, answers an unwanted question with bluster: "I don't know anything about it. I've been working my ass off and here we are in this nice home and you're asking me a stupid question like that." After going on for a while, Strauss—not one to leave anyone angry with him if he can help it—tries to jolly the reporter, and then he says, "We've both learned something tonight. I've learned that I'd better hold my temper better, and you've learned not to ask a question like that. I'm very sorry. I'm tired." And without another word he walks away.

Now all that Strauss wants to do is go home. As he and his wife head for the door, he is cornered by a man who proceeds to tell him about how he had always wanted to meet "Dick Nixon" and how he finally met Dick Nixon last weekend and spent an hour with him and how he and Dick Nixon had such a good conversation. Strauss, now leaning against a wall for support, his eyes closing with fatigue, says, "It figures."

Finally, Strauss leaves the reception and returns to the Watergate, where he will have scrambled eggs with his wife, return some more phone calls, and try to get some sleep.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CHARLES H. WILSON of California (at the request of Mr. WRIGHT), for July 13 and 16, on account of official business.

Mr. RODINO (at the request of Mr. WRIGHT), for today, on account of illness in the family.

Mr. RITTER (at the request of Mr. RHODES), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CORCORAN) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 5 minutes, today.

(The following Members (at the request of Mr. FAZIO) to revise and extend their remarks and include extraneous material:)

Mr. WEAVER, for 10 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. NELSON, for 5 minutes, today.

Mr. DOBB, for 5 minutes, today.

Mr. AU COIN, for 5 minutes, today.

Mr. CAVANAUGH, for 5 minutes, today.

Mr. FLORIO, for 60 minutes, on July 16, 1979.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SCHEUER, and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$3,957.

(The following Members (at the request of Mr. CORCORAN) and to include extraneous material:)

Mr. PAUL in three instances.

Mr. BADHAM.

Mr. EVANS of Delaware.

Mr. ROTH in two instances.

Mr. LEWIS in four instances.

Mr. DERWINSKI.

Mr. BURGNER in two instances.

Mr. HOLLENBECK.

Mr. ARCHER.

Mr. DICKINSON in two instances.

Mr. COLLINS of Texas in two instances.

Mr. MICHEL in two instances.

Mr. GRASSLEY in two instances.

Mr. RAILSBACK.

Mr. WYDLER.

Mr. SHUSTER.

Mr. BETHUNE.

Mr. BOB WILSON in two instances.

(The following Members (at the request of Mr. FAZIO) and to include extraneous material:)

Mr. BOLAND.

Mr. MAZZOLI in two instances.

Mr. MOAKLEY.

Mr. HAMILTON.

Mr. LELAND.

Mr. ALBOSTA.

Mrs. SCHROEDER.
Mr. EARLY.
Mr. OTTINGER.
Mr. WIRTH.
Mr. CONYERS.
Mr. WAXMAN.
Mr. OBERSTAR in two instances.
Mr. ADDABO.
Mr. VENTO.
Mr. LaFALCE in two instances.
Mr. CAVANAUGH.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on July 12, 1979, present to the President, for his approval, a bill of the House of the following title:

H.R. 3978. To amend the Federal Trade Commission Act to exempt savings and loan institutions from the application of certain provisions contained in such act.

ADJOURNMENT

Mr. FAZIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until Monday, July 16, 1979, 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:

2006. A letter from the Vice President for Government Affairs, National Railroad Passenger Corporation; transmitting the financial report of the Corporation for the month of March 1979, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

2007. A letter from the Assistant Secretary of the Treasury for Legislative Affairs, transmitting the first annual report on fishery allocations, permits, and foreign import barriers, pursuant to section 201(f) of the Fishery Conservation and Management Act of 1976, as amended; to the Committee on Merchant Marine and Fisheries.

2008. A letter from the Administrator of Veterans Affairs, transmitting a report on the agency's computer matching programs; to the Committee on Veterans' Affairs.

2009. A letter from the Executive Secretary, Agricultural Policy Advisory Committee, transmitting the committee's report on the Multilateral Trade Negotiations Agreements initiated in Geneva on April 12, 1979, pursuant to section 135(e)(1) of the Trade Act of 1974; to the Committee on Ways and Means.

2010. A letter from the Chairman, Agricultural Technical Advisory Committee for Trade Negotiations on Oilseeds and Products, transmitting the committee's report on the Multilateral Trade Negotiations Agreements initiated in Geneva on April 12, 1979, pursuant to section 135(e)(1) of the Trade Act of 1974; to the Committee on Ways and Means.

2011. A letter from the Comptroller General of the United States, transmitting a report on management improvements and legislative amendments needed for effective implementation of the Endangered Species Act, as amended; jointly, to the Committees

on Government Operations, and Merchant Marine and Fisheries.

2012. A letter from the Secretary, Federal Trade Commission, transmitting a report on the study and evaluation of the rulemaking procedures prescribed by the Magnuson-Moss Warranty—FTC Improvement Act, pursuant to section 202(d) of Public Law 93-637, as amended; jointly, to the Committees on Interstate and Foreign Commerce, and the Judiciary.

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. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 3942. A bill to provide assistance to airport operators to prepare and carry out noise compatibility programs, to provide assistance to assure continued safety in aviation, and for other purposes; with amendment (Rept. No. 96-203, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 4514. A bill to amend title III of the Comprehensive Employment and Training Act to provide for the assessment of manpower needs for the full development of domestic energy resources; with amendment (Rept. No. 96-333). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. Report pursuant to section 302(b) of the Congressional Budget Act of 1974 (Rept. No. 96-334). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. Legislative savings report of the Committee on Ways and Means pursuant to section 4(b) of House Congressional Resolution 107, First Concurrent Budget Resolution for Fiscal Year 1980 (Rept. No. 96-335). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 3275. A bill to amend the Small Reclamation Projects Act of 1956, as amended; with amendment (Rept. No. 96-337). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 4591. A bill to make technical corrections and miscellaneous amendments in certain education laws contained in the Education Amendments of 1978; with amendment (Rept. No. 96-338). Referred to the Committee of the Whole House on the State of the Union.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. ULLMAN: Committee on Ways and Means. House Resolution 317. Resolution disapproving the President's recommendation to extend certain waiver authority under the Trade Act of 1974 with respect to Romania. Reported adversely, without amendment (Rept. No. 96-336). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DRINAN:

H.R. 4780. A bill to extend for 2 years the existing suspension of duty on synthetic tantalum/columbium concentrate; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 4781. A bill to amend the Internal Revenue Code of 1954 to encourage the production of alcohol for use as a fuel or petroleum substitute by allowing the amortization based on a 60-month period of facilities producing alcohol for those uses; to the Committee on Ways and Means.

By Mr. JONES of Tennessee (by request):

H.R. 4782. A bill to amend further the Farm Credit Act of 1971 to permit Farm Credit System institutions to improve their services to borrowers, and for other purposes; to the Committee on Agriculture.

By Mr. LEWIS:

H.R. 4783. A bill to amend the Coinage Act of 1965 to change the size and weight of the \$1 coin; to the Committee on Banking, Finance and Urban Affairs.

By Mr. OTTINGER (for himself, Mr. FISH, and Mr. FAZIO):

H.R. 4784. A bill to increase the use of solar energy and energy from other renewable resources by establishing a Solar Energy Development Bank, and by providing certain tax and housing benefits to encourage the use of such energy; jointly, to the Committee on Banking, Finance and Urban Affairs and Ways and Means.

By Mr. PATTERSON:

H.R. 4785. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain fees imposed by State and local governments with respect to municipal services; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 4786. A bill to amend the Internal Revenue Code of 1954 to allow individuals a deduction for certain transportation and meal expenses; to the Committee on Ways and Means.

H.R. 4787. A bill to amend the Internal Revenue Code of 1954 to exempt all interest received by individuals from Federal income tax; to the Committee on Ways and Means.

By Mr. ROBERTS (for himself, Mr. JOHNSON of California, Mr. HARSHA, and Mr. CLAUSEN):

H.R. 4788. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. ROE:

H.R. 4789. A bill to stimulate research and development aimed at the production of gasoline as an alternative energy source by establishing national demonstration facilities for the conversion of garbage and other solid wastes into fuels, to be constructed by the Secretary of Energy under the Federal Nonnuclear Energy Research and Development Act of 1974; to the Committee on Science and Technology.

By Mrs. SNOWE:

H.R. 4790. A bill to authorize the Campfire Girls of Cundy Harbor, Maine, to erect a monument on Maine Avenue in the District of Columbia; to the Committee on House Administration.

By Mr. STAGGERS (for himself, Mr. PRICE, Mr. UDALL, Mr. FUQUA, Mr. RODINO, Mr. REUSS, Mr. BROOKS, and Mr. MURPHY of New York) (by request):

H.R. 4791. A bill to amend the Department of Energy Organization Act to encourage the domestic development and production of synthetic fuels; jointly, to the Committees on Banking, Finance and Urban Affairs, Interior and Insular Affairs, and Interstate and Foreign Commerce.

By Mr. WRIGHT:

H.R. 4792. A bill to name a certain Federal building in Houston, Tex., the Bob Casey Federal Building—U.S. Courthouse; to the Committee on Public Works and Transportation.

By Mr. UDALL:

H. Con. Res. 162. Concurrent resolution providing for the printing of the final report of the Indian Claims Commission as a House document; to the Committee on House Administration.

By Mr. KEMP:

H. Res. 356. Resolution to express the sense of the House of Representatives that the leaders of the Communist nations in Eastern Europe should release certain Christian political prisoners who have committed no crimes against the state according to the provisions of Basket One of the Helsinki Accords; to the Committee on Foreign Affairs.

By Mr. WAXMAN (for himself, Mr. RANGEL, Mr. PEPPER, Mr. PREYER, Mr. MAGUIRE, Mr. WALGREN, Mr. LELAND, Mr. CARTER, Mr. STOCKMAN, Mr. LEE, Mr. FORD of Tennessee, Mr. DRINAN, Mr. BONKER, Mr. RATCHFORD, Mr. STACK, Mr. MICA, Mr. ABDNOR, Mr. MARKS, Mr. REGULA, Mr. HOLLENBECK, Mr. WHITTAKER, and Mr. GRASSLEY):

H. Res. 357. Resolution relating to the report by the Secretary of Health, Education, and Welfare with respect to home health and other in-home services; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

MEMORIALS

Under clause 4 of rule XXII,

253. The SPEAKER presented a memorial of the Legislature of the State of California, relative to human rights' atrocities; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 4793. A bill for the relief of Simon Ifergan Meara; to the Committee on the Judiciary.

By Mr. CORRADA:

H.R. 4794. A bill for the relief of Olga Alicia Fernandez de Recanatini; to the Committee on the Judiciary.

By Mr. PATTERSON:

H.R. 4795. A bill for the relief of Ghassan Y. Cotta; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1173: Mr. DANIEL B. CRANE.

H.R. 1177: Mr. SHELBY.

H.R. 2249: Mr. BONIOR of Michigan, Mr. MARKEY, Mr. BEDELL, Mr. ERLBORN, Mr. WEISS, Mr. GRISHAM, and Mr. MOFFETT.

H.R. 2540: Mr. McCLOSKEY.

H.R. 2658: Mr. SYMMS.

H.R. 3335: Mr. EARLY.

H.R. 3542: Mr. SHUMWAY.

H.R. 3766: Mr. GILMAN, Mr. GOODLING, Mr. LUNGREN, Mr. McHUGH, Mr. STOKES, Mr. COURTER, and Mr. McEWEN.

H.R. 3905: Mr. COURTER and Mr. FROST.

H.R. 3908: Mr. STOKES.

H.R. 3957: Mr. STEED, Mr. ENGLISH, Mr. SEBELIUS, Mr. ICHORD, and Mr. VOLKMER.

H.R. 4093: Mr. LELAND, Mr. PEASE, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania,

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Mr. LEACH of Louisiana, Mr. STUDDS, Mr. MITCHELL of Maryland, Mr. EDWARDS of California, Mr. LaFALCE, Mr. FAZIO, Mr. HUGHES, Mr. WEISS, Mr. RICHMOND, Mr. DRINAN, Mr. EDGAR, Mr. HAWKINS, Mr. MOFFETT, Ms. MIKULSKI, Mr. FLOOD, Mr. NOLAN, Mr. WHITEHURST, Mr. DOWNEY, Mr. GRAY, Mr. SEIBERLING, Mr. PHILLIP BURTON, Mr. DOUGHERTY, Mr. MINETA, Mr. STARK, Mr. THOMPSON, Mr. BARNES, Mr. JOHN L. BURTON, Mr. MAUROLES, Mr. STOKES, Mr. BEDELL, Mrs. CHISHOLM, Ms. HOLTZMAN, Mr. LUKEN, Mr. BONIOR of Michigan, Mr. MAGUIRE, Mr. BRODHEAD, Mr. LEHMAN, Mr. McDADE, and Mr. OBERSTAR.

H.R. 4312: Mr. YOUNG of Florida, Mr. SCHEUER, Mr. STOKES, Mr. DORNAN, Mr. WEISS, Mr. COUGHLIN, and Mr. RINALDO.

H.R. 4329: Mr. LUNGREN.

H.R. 4514: Mr. BAILEY, Mr. NICHOLS, Mr. BEVILL, Mr. HUBBARD, Mr. CARTER, Mr. HOPKINS, Mr. WAMPLER, Mr. MAZZOLI, Mr. JONES of North Carolina, Mr. WILLIAMS of Montana, Mr. NOWAK, Mr. STOKES, Mr. RAHALL, Mr. RATCHFORD, Mr. MILLER of California, Mr. SNYDER, Mr. FLOOD, Mr. BURGNER, Mr. ERDAHL, Mr. GUDGER, Mr. WYLIE, Mr. SHELBY, Mr. LEHMAN, Mr. ERTEL, Mr. YATRON, Mr. JOHNSON of Colorado, Mr. EVANS of the Virgin Islands, Mr. QUILLLEN, and Mr. LATTI.

H.R. 4548: Mr. DORNAN, Mr. LAGOMARSINO, Mr. ERDAHL, and Mr. CHARLES WILSON of Texas.

H.R. 4549: Mr. MCKAY.

H.R. 4747: Mr. REGULA.

H. Res. 293: Mr. STOKES.

H. Res. 347: Mr. DRINAN, Mr. YATES, Mr. BRODHEAD, Mr. MOAKLEY, Mr. RANGEL, Mr. AU-COIN, Mr. STACK, Mr. LAGOMARSINO, Mr. HARKIN, Mr. WOLPE, Mr. LEDERER, Mr. CONTE, Mr. GRADISON, Mr. McHUGH, Mr. BUCHANAN, Mr. VAN DEERLIN, Mr. BEDELL, Mr. PHILIP M. CRANE, Mr. QUAYLE, Mr. MINETA, Mr. SOLOMON, Mr. MITCHELL of Maryland, Mrs. HECKLER, Mr. WIRTH, Mr. JEFFORDS, Mr. BENJAMIN, Mr. BLANCHARD, Mr. WILLIAMS of Montana, Mr. LEVITAS, Mr. DANIEL B. CRANE, Mr. FASCELL, Mr. BOLAND, Mr. OBERSTAR, Mr. LONG of Maryland, Mr. HARRIS, Mr. WAXMAN, Mr. D'AMOURS, Mr. CORRADA, Mr. BEILENSON, Mr. STEWART, Mr. FROST, Mr. CORMAN, Mr. HORTON, Mr. HUGHES, Mr. HALL of Ohio, Mr. BARNES, Mr. GORE, and Mr. LEHMAN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2462

By Mr. CORRADA:

—Page 4, after line 5, add the following new section:

Sec. . . . Until the Secretary of the Treasury determines that there is sufficient service on vessels of the United States to carry the passenger trade between ports on the east and gulf coasts of the United States and ports in Puerto Rico, the Secretary of the Treasury may issue permits annually to foreign-flag vessels authorizing such vessels to transport passengers between such ports. No foreign-flag vessel issued a permit under this section shall be subject to section 81 of the Act of June 19, 1886 (24 Stat. 81; 46 U.S.C. 289) during the period such permit is in effect.

H.R. 2471

By Mr. GUARINI:

—Page 3, after line 10, add the following new section:

SEC. 4. CHECKS ON QUANTITY OF IMPORTED PETROLEUM.

The Secretary of the Treasury shall take such action as may be necessary to insure that employees of the United States Custom Service (rather than licensed public agents

or other individuals not employees of the United States Custom Service) check the quantity of all petroleum and petroleum products imported into the United States.

H.R. 3996

By Mr. DUNCAN of Oregon:

—Page 72, line 19, strike out "subsection" and insert in lieu thereof "subsections".

Page 72, line 20, insert "(1)" immediately after "(d)".

Page 73, line 3, strike out "(1)" and insert in lieu thereof "(A)".

Page 73, line 7, strike out "(2)" and insert in lieu thereof "(B)".

Page 73, line 23, strike out the closing quotation marks and the following period.

Page 73, after line 23, insert the following:

"(2) Where reductions in operating expenses can be obtained, the Corporation shall operate rail passenger service over any short distance route which is recommended for discontinuance by the Secretary pursuant to section 4 of the Amtrak Improvement Act of 1978, with or without any restructuring of such route to serve major population centers as end-points or principal intermediate points, in order to maintain a national intercity rail passenger system, if—

"(A) the short-term avoidable loss per passenger mile on such route, as calculated by the Corporation and projected for the fiscal year ending September 30, 1980, is not more than nine cents per passenger mile; and

"(B) the passenger mile per train mile, as calculated by the Corporation and projected for the fiscal year ending September 30, 1980, is not less than 80.

"(e) (1) In order to preserve regional balance in the national intercity rail passenger system and to ensure that long distance routes recommended for discontinuance by the Secretary pursuant to section 4 of the Amtrak Improvement Act of 1978 which provide service to regions with few population centers in a large geographic area have equal opportunity to qualify for continued operation, the Corporation shall operate a long distance route in each section of the United States (with sections being determined by dividing the United States into four quadrants) if—

"(A) service is not maintained on any long distance route in that section under the criteria set forth in subsection (d) (1) of this section; and

"(B) the Corporation determines that (1) a long distance route exists in that section which has shown and will show improvements in performance under the criteria set forth in subsection (d) (1) of this section, and (2) such route shows potential, under such criteria, to warrant maintenance in the system.

"(2) The Corporation shall not continue to operate any route under this subsection if service is provided on a significant part of that route by any other route."

"(3) Service operated on a route under this subsection shall continue to be operated after October 1, 1981, only if such route meets the criteria set forth in subsection (d) (1) of this section."

Page 80, line 17, strike out "\$35,000,000" and insert in lieu thereof "\$50,000,000".

Page 80, line 18, strike out "\$36,000,000" and insert in lieu thereof "\$52,000,000".

Page 80, line 19, strike out "\$37,000,000" and insert in lieu thereof "\$55,000,000".

Page 89, line 9, after "tions." insert the following: "Substitute service provided over an existing route under this paragraph shall continue to be operated after October 1, 1981, only if such route meets the criteria set forth in section 404(d) (1) of the Rail Passenger Service Act."