HOUSE OF REPRESENTATIVES—*Tuesday, November 27, 1979*

The House met at 12 o'clock noon.

The Reverend Mr. Charles Mallon, Holy Family Church, Mitchellville, Md., offered the following prayer:

By the sweat of your face shall you get bread to eat until you return to the ground, from which you were taken; for you are dirt, and to dirt you shall return.—Genesis 4: 19–20.

Father, Your words clear our perspective. Through man's rebellion we lost both integrity and everlasting life. We now know death and prejudicial judgments.

We praise You Father, for in Your mercy You gave us a new law of love which restores this lost gift of integrity. Mercifully allow us to enact just and reasonable laws, which reflect this God-given wisdom. And allow our baser human interest to be subject to this restored integrity.

Father, we give You glory, for again in Your mercy You gave us Your Son. And through Him You restored this lost gift of eternal life. Again mercifully allow us to enact laws which will stand forever and allow these laws to unify us as a people of God forever and ever.

We ask this through Christ our Lord. 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.

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 bill of the House of the following title:

H.R. 1885. An act to amend civil service retirement provisions as they apply to certain employees of the Bureau of Indian Affairs and of the Indian Health Service who are not entitled to Indian employment preference and to modify the application of the Indian employment preference laws as it applies to those agencies.

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

S. 2031. An act to designate certain National Forest System lands in the State of Oregon for inclusion in the National Wilderness Preservation System, and for other purposes.

MAKING IN ORDER ON WEDNESDAY, NOVEMBER 28, 1979, OR ANY DAY THEREAFTER, SENATE CONCURRENT RESOLUTION 53, SECOND CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEARS 1980, 1981, 1982

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that it shall be in order on Wednesday, November 28, 1979, or on any day thereafter, to consider in the House the Senate concurrent resolution (S. Con. Res. 53) revising the congressional budget for the U.S. Government for the fiscal years 1980, 1981, and 1982, with 1 hour of debate to be divided equally between the gentleman from Connecticut (Mr. GIAIMO) and the gentleman from Ohio (Mr. LATTA). At the end of the debate the previous question shall be considered as ordered to the final adoption, without intervening motion, except one motion to commit with or without instructions.

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

Mr. BAUMAN. Mr. Speaker, reserving the right to object, am I correct in my understanding that this resolution, under the law, should have been passed by September 15?

Mr. WRIGHT. If the gentleman will yield, the gentleman is correct.

Mr. BAUMAN. I just wanted to ask the majority leader whether it is necessary now, do we really need this budget process if we can go until Thanksgiving and Christmas and do so without a budget resolution?

Mr. WRIGHT. In the judgment of the majority leader, we do need the budget process, with all of its flaws and mortal imperfections. I think it is the best we have and the best hope this House and this Congress has for containing spending in an orderly and systematic manner.

The occasion for this particular day, as I am sure the gentleman from Maryland is aware, arises from an insistence on the part of the other body for the adoption of a new and heretofore untested system which would require reconciliation, requiring each of the committees to go back and undo some of the things they already have done. The other body now has accepted in principle the House position and has retreated from the totality of its insistence, and comes forward with a compromise proposal which our conferees believe to be wholly acceptable, and which I think if the House will allow this unanimous-consent request, a majority of our Members will find quite acceptable.

Mr. BAUMAN. Further reserving the right to object, I had no reason to expect such an elaborate and eloquent explanation. Perhaps the majority leader will join with me in withdrawing from our official allotment calendars and sending them to each Member and staff member of the Budget Committee.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

CONSENT CALENDAR

The SPEAKER. Pursuant to the order of the House of November 16, this is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

J. CALEB BOGGS BUILDING

The Clerk called the bill (H.R. 5228) to designate the building known as the Federal Building in Wilmington, Del., as the "J. Caleb Boggs Building."

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

H.R. 5228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the building at 844 King Street, Wilmington, Delaware (commonly known as the Federal Building) shall hereafter be known and designated as the "J. Caleb Boggs Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to that building shall be held to be a reference to the J. Caleb Boggs Building.

Mr. LEVITAS. Mr. Speaker, I rise in support of H.R. 5228, a bill to designate the Federal Building in Wilmington, Del., as the "J. Caleb Boggs Building."

J. Caleb Boggs has served the people of Delaware in a variety of positions, including judge, U.S. Congressman, Governor, and U.S. Senator. He brought to government a rare combination of commonsense, compassion, and effectiveness which Delawareans came to appreciate over Senator Boggs' three decades of service to the First State.

While serving as a judge of Family Court of New Castle County, Caleb Boggs enlisted as a private in the Delaware National Guard, and later earned a commission with which he entered World War II. Serving in Europe, Senator Boggs was awarded the Legion of Merit, the Bronze Star with Cluster, and the Croix de Guerre with Palm.

Following his discharge, he was elected as Delaware's Representative to the 80th Congress in 1946, and reelected in 1948 and 1950.

In 1952, Caleb Boggs became Governor

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of Delaware. He brought the kind of fiscal responsibility to government of which his State can be proud. At the close of his second term as Governor, Caleb Boggs was offered the Republican nomination for the U.S. Senate. He accepted and was elected to the Senate on November 8, 1960, and reelected to a second term November 8, 1966. While serving in the Senate, he received high recognition for his work on the Appropriations, Public Works, and Post Office and Civil Service Committees.

J. Caleb Boggs is a great American and a great Delawarean. He continues to serve his country well.

Mr. HARSHA. Mr. Speaker, I rise in support of H.R. 5228, a bill to name the Federal Building in Wilmington, Del., the "J. Caleb Boggs Building." Senator Boggs has had a distinguished career in public life. "Cale" Boggs began public life early as a judge in New Castle County. After serving with distinction in Europe during World War II, he was elected to the 80th Congress as the Representative at large. In 1952, he became Governor of Delaware, where he served for two 4-year terms. In 1960, "Cale" became Senator and served in the U.S. Senate until 1972.

Senator Boggs served on the Committee on Appropriations, Public Works and Post Office and Civil Service. It was during his service on the Public Works Committee that I became acquainted with Senator Boggs. He was a strong advocate of water pollution control and held a strong interest in the interstate highway system. "Cale" is a very personable gentleman of the highest integrity and forthrightness. His word is his bond. He made many significant contributions to the deliberations of the Congress, but more importantly to the welfare of the people of Delaware and this Nation. It was a distinct pleasure to work and serve with "Cale" Boggs. I am priviledged to count Senator Boggs a friend. He returned to Wilmington following his service in the Senate to join a law firm, and is active in local and charitable organizations.

Senator Boggs served for 26 years in statewide office, 18 of which were in Federal service. It is fitting and proper that the Federal Building in Wilmington, Del., be named the "J. Caleb Boggs Building." I urge enactment of H.R. 5228.

Mr. EVANS of Delaware. Mr. Speaker, I rise in support of my legislation to rename the Federal building in Wilmington, Del., the "J. Caleb Boggs Building."

J. Caleb Boggs is one of Delaware's greatest public servants. He has served the people of my State in a variety of positions, including judge, U.S. Congressman, Governor, and U.S. Senator. He brought to government a rare combination of commonsense, compassion, and effectiveness which Delawareans came to appreciate over Senator Boggs' three decades of service to the First State.

While serving as the judge of Family Court of New Castle County, Cale Boggs enlisted as a private, rising in rank to colonel in the U.S. Army. Serving in Europe, Senator Boggs was awarded the Legion of Merit, the Bronze Star With Cluster, and the Croix de Guerre With Palm.

Following his discharge, he was elected as Delaware's Representative to the 80th Congress in 1946, and was reelected in 1948 and 1950.

In 1952, Cale Boggs became Governor of Delaware. He brought the kind of fiscal responsibility to government which we in Congress ought to be emulating today, while at the same time meeting the needs of our citizens. The voters returned him to the Governor's office in 1956 with a sizable majority.

At the close of his second term as Governor, Cale Boggs was offered the Republican nomination for the U.S. Senate. He accepted and was elected for two full terms, receiving high recognition for his work on the Appropriations, Public Works, and Post Office and Civil Service Committees.

Mr. Speaker, the people of Delaware know they have a close friend in Cale Boggs, and they have repeatedly honored him with the highest positions they could give.

J. Caleb Boggs is a great American and a great Delawarean. He continues to play an active and highly respected role in the Delaware community. It is, thus, particularly appropriate that we name the Federal building in Wilmington, Del., as the "J. Caleb Boggs Building" as a permanent tribute to the service of this outstanding man.

● Mr. JOHNSON of California. Mr. Speaker, I rise in support of H.R. 5228, a bill to designate the Federal Building at 844 King Street in Wilmington, Del., as the "J. Caleb Boggs Building."

Prior to his service in the Congress, J. Caleb Boggs served with distinction in various official positions in his native State of Delaware. He won Delaware's at-large seat in the House of Representatives in November 1946, initiating a career of 26 years holding statewide office. He was reelected to the House in 1948 and 1950. In 1952, Representative Boggs was elected Governor of Delaware and reelected in 1956. During his administration, particular emphasis was placed on matters involving health, education, and parks and recreation.

In 1960, Governor Boggs won election to the U.S. Senate, and was reelected in 1966. During Senator Boggs' tenure in the Senate, he served on the Committee on Public Works as ranking Republican on the Air and Water Pollution Subcommittee, working as a strong advocate for the control of air, water, and solid waste pollution. He also served on the Post Office and Civil Service Committee and the Committee on Agriculture, which he later dropped in order to become a member of the Appropriations Committee. The record established by this outstanding Delawarean was one of outstanding performance, worthy of praise.●

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

Mr. LEVITAS. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation be discharged from further consideration of the Senate bill (S. 1686) to designate the building known as the Federal Building in Wilmington, Del., as the "J. Caleb Boggs Building," and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the building at 844 King Street, Wilmington, Delaware (commonly known as the Federal Building) shall hereafter be known and designated as the "J. Caleb Boggs Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to that building shall be held to be a reference to the "J. Caleb Boggs Building".

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

A similar House bill (H.R. 5228) was laid on the table.

JOSEPH E. MONTOYA FEDERAL BUILDING—U.S. COURTHOUSE

The Clerk called the bill (H.R. 5259) to name a certain Federal building in Santa Fe, N. Mex., the "Joseph E. Montoya Federal Building—U.S. Courthouse".

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

H.R. 5259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal building located on Federal Place, in Santa Fe, New Mexico, shall hereinafter be known as, and is hereby designated as, the Joseph E. Montoya Federal Building U.S. Courthouse". Any reference in any law, regulations, document, record, map, or other paper of the United States to such a building shall be considered to be a reference to the Joseph E. Montoya Federal Building—U.S. Courthouse.

With the following committee amendment:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following: That the Federal building located on Federal Place, in Santa Fe, New Mexico, shall hereafter be known as, and is hereby designated as, the "Joseph M. Montoya Federal Building and U.S. Courthouse." Any reference in any law, regulation, document, record, map, or other paper of the United States to such building shall be considered to be a reference to the Joseph M. Montoya Federal Building and U.S. Courthouse.

The committee amendment was agreed to.

Mr. LEVITAS. Mr. Speaker, I rise in support of H.R. 5259, a bill to designate the Federal building located on Federal

Place in Santa Fe, N. Mex., as the "Joseph M. Montoya Federal Building and U.S. Courthouse."

Senator Montoya, a lawyer by profession, was actively engaged in various business enterprises at the time he was elected to the New Mexico House of Representatives in 1936 at the age of 21 while still in college. He was reelected in 1938 and named majority floor leader. In 1940, he was elected as the youngest member of the State senate and named majority whip. In 1944, he was reelected to the State senate and named chairman of the senate judiciary committee. Two years later the people of New Mexico elected him their Lieutenant Governor, reelecting him in 1948. In 1952, he was again elected to the State senate, but in 1954 the voters returned him to the office of Lieutenant Governor and reelected him to that post in 1956.

In the special election on April 9, 1957, that followed the death of Congressman Antonio Fernandes in 1957, Joe Montoya was elected to the 85th Congress and was reelected to the 86th, 87th, and 88th Congresses.

Joe Montoya was elected to the U.S. Senate November 3, 1964, to fill the unexpired term of Senator Dennis Chaves following his death. He was also elected to the full term ending January 3, 1971, and reelected November 3, 1970, for the term ending January 3, 1977. During his 16 years in the Senate, he was a member of the Senate Committees on Appropriations, Public Works, the Joint Committee on Atomic Energy, and the Joint Committee on Commemoration of the bicentennial of the U.S.A.

Because of Joe Montoya's untimely death on June 5, 1978, the State of New Mexico lost a distinguished leader. There was not an area in New Mexico that has not felt the impact of his efforts and accomplishments as a public servant. Senator Montoya was dedicated to bettering the lot of Spanish-Americans and others whose lives were burdened by poverty and whose spirits and hopes were smothered by lack of opportunity.

In recognition of his unparalleled service to his State and country, and his undiminished vigor in working in the people's behalf, we memorialize Joe Montoya by naming the Federal building in New Mexico the Joseph M. Montoya Federal Building and U.S. Courthouse.

● Mr. JOHNSON of California. Mr. Speaker, I would like to lend my strong endorsement to this legislation to designate the Federal Building and U.S. Courthouse in Santa Fe, N. Mex., as the "Joseph M. Montova Federal Building and U.S. Courthouse."

It was my great privilege to serve side by side during the 86th, 87th, and 88th Congresses with a great servant of the State of New Mexico and a great American, Joe Montoya. Throughout his 7 years of service in the House of Representatives and his 16 years in the Senate Joe Montoya fought for his people, his district, his state, and his country.

In his many years in public life in general, Joe Montoya revealed himself as one man in a million, a true and earnest friend of the people. Throughout his career, he was dedicated to bettering the lives of others who were burdened by poverty. Joe Montoya's public career is a model for all of us. This bill is a true tribute to a fine American.●

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

The title was amended so as to read: "A bill to name a certain Federal building in Santa Fe, New Mexico, the 'Joseph M. Montoya Federal Building and U.S. Courthouse'.".

A motion to reconsider was laid on the table.

CONSENTING TO THE AMENDED BEAR RIVER COMPACT BETWEEN THE STATES OF UTAH, IDAHO, AND WYOMING

The Clerk called the bill (H.R. 4320) to consent to the amended Bear River Compact between the States of Utah, Idaho, and Wyoming.

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

H.R. 4320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the amended Bear River Compact between the States of Idaho, Utah, and Wyoming. Such compact reads as follows:

"AMENDED BEAR RIVER COMPACT

"The State of Idaho, the State of Utah and the State of Wyoming, acting through their respective Commissioners after negotiations participated in by a representative of the United States of America appointed by the President, have agreed to an Amended Bear River Compact as follows:

"ARTICLE I

"A. The major purposes of this Compact are to remove the causes of present and future controversy over the distribution and use of the waters of the Bear River; to provide for efficient use of water for multiple purposes; to permit additional development of the water resources of Bear River; to promote interstate comity; and to accomplish an equitable apportionment of the waters of the Bear River among the compacting States.

"B. The physical and all other conditions peculiar to the Bear River constitute the basis for this Compact. No general principle or precedent with respect to any other interstate stream is intended to be established.

"ARTICLE II

"As used in this Compact the term

"1. 'Bear River' means the Bear River and its tributaries from its source in the Uinta Mountains to its mouth in Great Salt Lake;

"2. 'Bear Lake' means Bear Lake and Mud Lake;

"3. 'Upper Division' means the portion of Bear River from its source in the Uinta Mountains to and including Pixley Dam, a diversion dam in the Southeast Quarter of Section 25, Township 23 North, Range 120 West, Sixth Principal Meridian, Wyoming;

"4. 'Central Division' means the portion of Bear River from Pixley Dam to and including Stewart Dam, a diversion dam in Section 34, Township 13 South, Range 44 East, Boise Base and Meridian, Idaho;

"5. 'Lower Division' means the portion of the Bear River between Stewart Dam and Great Salt Lake, including Bear Lake and its tributary drainage;

"6. 'Upper Utah Section Diversions' means the sum of all diversions in second-feet from the Bear River and the tributaries of the Bear River joining the Bear River upstream from the point where the Bear River crosses the Utah-Wyoming State line above Evanston, Wyoming; excluding the diversions by the Hilliard East Fork Canal, Lannon Canal, Lone Mountain Ditch, and Hilliard West Side Canal;

"7. 'Upper Wyoming Section Diversions' means the sum of all diversions in second-feet from the Bear River main stem from the point where the Bear River crosses the Utah-Wyoming State line above Evanston, Wyoming, to the point where the Bear River crosses the Wyoming-Utah State line east of Woodruff, Utah, and including the diversions by the Hilliard East Fork Canal, Lannon Canal, Lone Mountain Ditch, and Hilliard West Side Canal;

"8. 'Lower Utah Section Diversions' means the sum of all diversions in second-feet from the Bear River main stem from the point where the Bear River crosses the Wyoming-Utah State line east of Woodruff, Utah, to the point where the Bear River crosses the Utah-Wyoming State line northeast of Randolph, Utah;

"9. 'Lower Wyoming Section Diversions' means the sum of all diversions in second-feet from the Bear River main stem from the point where the Bear River crosses the Utah-Wyoming State line northeast of Randolph to and including the diversion at Pixley Dam;

"10. 'Commission' means the Bear River Commission, organized pursuant to Article III of this Compact;

"11. 'Water user' means a person, corporation, or other entity having a right to divert water from the Bear River for beneficial use;

"12. 'Second-foot' means a flow of one cubic foot of water per second of time passing a given point;

"13. 'Acre-foot' means the quantity of water required to cover one acre to a depth of one foot, equivalent to 43,560 cubic feet;

"14. 'Biennium' means the 2-year period commencing on October 1 of the first odd-numbered year after the effective date of this Compact and each 2-year period thereafter;

"15. 'Water year' means the period beginning October 1 and ending September 30 of the following year;

"16. 'Direct flow' means all water flowing in a natural watercourse except water released from storage or imported from a source other than the Bear River watershed;

"17. 'Border Gaging Station' means the stream flow gaging station in Idaho on the Bear River above Thomas Fork near the Wyoming-Idaho boundary line in the Northeast Quarter of the Northeast Quarter of Section 15, Township 14 South, Range 46 East, Boise Base and Meredian, Idaho;

"18. 'Smiths Fork' means a Bear River tributary which rises in Lincoln County, Wyoming, and flows in a general southwesterly direction to its confluence with Bear River near Cokeville, Wyoming;

"19. 'Grade Creek' means a Smiths Fork tributary which rises in Lincoln County, Wyoming, and flows in a westerly direction and in its natural channel is tributary to Smiths Forks in Section 17, Township 25 North, Range 118 West, Sixth Principal Meredian, Wyoming;

"20. 'Pine Creek' means a Smiths Fork tributary which rises in Lincoln County, Wyoming, emerging from its mountain canyon in Section 34, Township 25 North, Range 118 West, Sixth Principal Meridian, Wyoming, and in its natural channel is tributary to Smiths Fork in Section 36, Township 25 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"21. 'Bruner Creek' and 'Pine Creek Springs' means Smith Fork tributaries which rise in Lincoln County, Wyoming, in Sections 31 and 32, Township 25 North, Range 118 West, Sixth Principal Meridian, and in their natural channels are tributary to Smiths Fork in Section 36, Township 25 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"22. 'Spring Creek' means a Smiths Fork tributary which rises in Lincoln County, Wyoming, in Sections 1 and 2, Township 24, Range 119 West, Sixth Principal Meridian, Wyoming, and flows in a general westerly direction to its confluence with Smiths Fork in Section 4, Township 24 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"23. 'Sublette Creek' means the Bear River tributary which rises in Lincoln County, Wyoming, and flows in a general westerly direction to its confluence with Bear River in Section 20, Township 24 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"24. 'Hobble Creek' means the Smiths Fork tributary which rises in Lincoln County, Wyoming, and flows in a general southwesterly direction to its confluence with Smiths Fork in Section 35, Township 28 North, Range 118 West, Sixth Principal Meridian, Wyoming;

"25. 'Hilliard East Fork Canal' means that irrigation canal which diverts water from the right bank of the East Fork of Bear River in Summit County, Utah, at a point West 1,310 feet and North 330 feet from the Southeast corner of Section 16, Township 2 North, Range 10 East, Salt Lake Base and Meridian, Utah, and runs in a northerly direction crossing the Utah-Wyoming State line into the Southwest Quarter of Section 21, Township 12 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"26. 'Lannon Canal' means that irrigation canal which diverts water from the right bank of the Bear River in Summit County, Utah, East 1,480 feet from the West Quarter corner of Section 19, Township 3 North, Range 10 East, Salt Lake Base and Meridian, Utah, and runs in a northerly direction crossing the Utah-Wyoming State line into the South Half of Section 20, Township 12 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"27. 'Lone Mountain Ditch' means that irrigation canal which diverts water from the right bank of the Bear River in Summit County, Utah, North 1,535 feet and East 1,120 feet from the West Quarter corner of Section 19, Township 3 North, Range 10 East, Salt Lake Base and Meridian, Utah, and runs in a northerly direction crossing the Utah-Wyoming State line into the South Half of Section 20, Township 12 North, Range 119 West, Sixth Principal Meridian, Wyoming;

"28. 'Hilliard West Side Canal' means that irrigation canal which diverts water from the right bank of the Bear River in Summit County, Utah, at a point North 2,190 feet and East, 1,450 feet from the South Quarter corner of Section 13, Township 3 North, Range 9 East, Salt Lake Base and Meridian, Utah, and runs in a northerly direction crossing the Utah-Wyoming State line into the South Half of Section 20, Township 12 North, Range 119 West, Sixth Principal Meridian, Wyoming.

"29. 'Francis Lee Canal' means that irrigation canal which diverts water from the left bank of the Bear River in Uinta County, Wyoming, in the Northeast Quarter corner of Section 30, Township 18 North, Range 120 West, Sixth Principal Meridian, Wyoming, and runs in a westerly direction across the Wyoming-Utah State line into Section 16, Township 9 North, Range 8 East, Salt Lake Base and Meridian, Utah;

"30. 'Chapman Canal' means that irrigation canal which diverts water from the left bank of the Bear River in Uinta County, Wyoming, in the Northeast Quarter of Section 36, Township 16 North, Range 121 West, Sixth Principal Meridian, Wyoming, and runs in a northerly direction crossing over the low divided into the Saleratus drainage basin near the Southeast corner of Section 36, Township 17 North, Range 121 West, Sixth Principal Meridian, Wyoming, and then in a general westerly direction crossing the Wyoming-Utah State line;

"31. 'Neponset Reservoir' means that reservoir located principally in Sections 34 and 35, Township 8 North, Range 7 East, Salt Lake Base and Meridian, Utah, having a capacity of 6,900 acre-feet.

"ARTICLE III

"A. There is hereby created an interstate administrative agency to be known as the 'Bear River Commission' which is hereby constituted a legal entity and in such name shall exercise the powers hereinafter specified. The Commission shall be composed of nine Commissioners, three Commissioners representing each signatory State, and if appointed by the President, one additional Commissioner representing the United States of America who shall serve as chairman, without vote. Each Commissioner, except the chairman, shall have one vote. The State Commissioners shall be selected in accordance with State law. Six Commissioners who shall include two Commissioners from each State shall constitute a quorum. The vote of at least two-thirds of the Commissioners when a quorum is present shall be necessary for the action of the Commission.

"B. The compensation and expenses of each Commissioner and each adviser shall be paid by the government which he represents. All expenses incurred by the Commission in the administration of this Compact except those paid by the United States of America, shall be paid by the signatory States on an equal basis.

"C. The Commission shall have power to:

"1. Adopt bylaws, rules, and regulations not inconsistent with this Compact;

"2. Acquire, hold, convey or otherwise dispose of property;

"3. Employ such persons and contract for such services as may be necessary to carry out its duties under this Compact;

"4. Sue and be sued as a legal entity in any court of record as a signatory State, and in any court of the United States having jurisdiction of such action;

"5. Co-operate with State and Federal agencies in matters relating to water pollution of interstate significance;

"6. Perform all functions required of it by this Compact and do all things necessary, proper or convenient in the performance of its duties hereunder, independently or in cooperation with others, including State and Federal agencies.

"D. The Commission shall:

"1. Enforce this Compact and its order made hereunder by suit or other appropriate action;

"2. Compile a report covering the work of the Commission and expenditures during the current biennium, and an estimate of expenditures for the following biennium and transmit it to the President of the United States and to the Governors of the signatory States on or before July 1 following each biennium.

"ARTICLE IV

"Rights to direct flow water shall be administered in each signatory State under State law, with the following limitations:

"A. When there is a water emergency, as hereinafter defined for each division, water shall be distributed therein as provided below.

"1. Upper Division

"a. When the divertible flow as defined below for the upper division is less than 1,250 second-feet, a water emergency shall be deemed to exist therein and such divertible flow is allocated for diversion in the river sections of the Division as follows:

"Upper Utah Section Diversions—0.6 percent,

"Upper Wyoming Section Diversions—49.3 percent,

"Lower Wyoming Section Diversions—9.6 percent,

"Lower Wyoming Section Diversions—9.6 percent.

"Such divertible flow shall be the total of the following five items:

"(1) Upper Utah Section Diversions in second-feet,

"(2) Upper Wyoming Section Diversions in second-feet,

"(3) Lower Utah Section Diversions in second-feet,

"(4) Lower Wyoming Section Diversions in second-feet,

"(5) The flow in second-feet passing Pixley Dam.

"b. The Hilliard East Fork Canal, Lannon Canal, Lone Mountain Ditch, and Hilliard West Side Canal, which divert water in Utah to irrigate lands in Wyoming, shall be supplied from the divertible flow allocated to the Upper Wyoming Section Diversions.

"c. The Chapman, Bear River, and Francis Lee Canals, which divert water from the main stem of Bear River in Wyoming to irrigate lands in both Wyoming and Utah, shall be supplied from the divertible flow allocated to the Upper Wyoming Section Diversions.

"d. The Beckwith Quinn West Side Canal, which diverts water from the main stem of Bear River in Utah to irrigate lands in both Utah and Wyoming, shall be supplied from the divertible flow allocated to the Lower Utah Section Diversions.

"e. If for any reason the aggregate of all diversions in a river section of the Upper Division does not equal the allocation of water thereto, the unused portion of such allocation shall be available for use in the other river sections in the Upper Division in the following order: (1) In the other river section of the same State in which the unused allocation occurs; and (2) in the river sections of the other State. No permanent right of use shall be established by the distribution of water pursuant to this paragraph e.

"f. Water allocated to the several sections shall be distributed in each section in accordance with State law.

"2. Central Division

"a. When either the divertible flow as hereinafter defined for the Central Division is less than 870 second-feet, or the flow of the Bear River at Border Gaging Station is less than 350 second-feet, whichever shall first occur, a water emergency shall be deemed to exist in the Central Division and the total of all diversions in Wyoming from Grade Creek, Pine Creek, Bruner Creek and Pine Creek Springs, Spring Creek, Sublette Creek, Smiths Fork, and all the tributaries of Smiths Fork above the mouth of Hobble Creek including Hobble Creek, and from the main stem of the Bear River between Pixley Dam and the point where the river crosses the Wyoming-Idaho State line near Border shall be limited for the benefit of the State of Idaho, to not exceeding forty-three (43) percent of the divertible flow. The remaining fifty-seven (57) percent of the divertible flow shall be available for use in Idaho in the Central Division, but if any portion of such allocation is not used therein it shall be available for use in Idaho in the Lower Division.

"The divertible flow for the Central Division shall be the total of the following three items:

"(1) Diversions in second-feet in Wyoming consisting of the sum of all diversions from Grade Creek, Pine Creek, Bruner Creek and Pine Creek Springs, Spring Creek, Sublette Creek, and Smiths Fork and all the tributaries of Smiths Fork above the mouth of Hobble Creek including Hobble Creek, and the main stem of the Bear River between Pixley Dam and the point where the river crosses the Wyoming-Idaho State line near Border, Wyoming.

"(2) Diversions in second-feet in Idaho from the Bear River main stem from the

point where the river crosses the Wyoming-Idaho State line near Border to Stewart Dam including West Fork Canal which diverts at Stewart Dam.

"(3) Flow in second-feet of the Rainbow Inlet Canal and of the Bear River passing downstream from Stewart Dam.

"b. The Cook Canal, which diverts water from the main stem of the Bear River in Wyoming to irrigate lands in both Wyoming and Idaho, shall be considered a Wyoming diversion and shall be supplied from the divertible flow allocated to Wyoming.

"c. Water allocated to each State shall be distributed in accordance with State law.

"3. Lower Division

"a. When the flow of water across the Idaho-Utah boundary line is insufficient to satisfy water rights in Utah, covering water applied to beneficial use prior to January 1, 1976, any water user in Utah may file a petition with the Commission alleging that by reason of diversions in Idaho he is being deprived of water to which he is justly entitled, and that by reason thereof, a water emergency exists, and requesting distribution of water under the direction of the Commission. If the Commission finds a water emergency exists, it shall put into effect water delivery schedules based on priority of rights and prepared by the Commission without regard to the boundary line for all or any part of the Division, and during such emergency, water shall be delivered in accordance with such schedules by the State official charged with the administration of public waters.

"B. The Commission shall have authority upon its own motion (1) to declare a water emergency in any or all river divisions based upon its determination that there are diversions which violate this Compact and which encroach upon water rights in a lower State, (2) to make appropriate orders to prevent such encroachments, and (3) to enforce such orders by action before State administrative officials or by court proceedings.

"C. When the flow of water in an interstate tributary across a State boundary line is insufficient to satisfy water rights on such tributary in a lower State, any water user may file a petition with the Commission alleging that by reason of diversions in an upstream State he is being deprived of water to which he is justly entitled and that by reason thereof a water emergency exists, and requesting distribution of water under the direction of the Commission. If the Commission finds that a water emergency exists and that interstate control of water of such tributary is necessary, it shall put into effect water delivery schedules based on priority of rights and prepared without regard to the State boundary line. The State officials in charge of water distribution on interstate tributaries may appoint and fix the compensation and expenses of a joint water commissioner for each tributary. The proportion of the compensation and expenses to be paid by each State shall be determined by the ratio between the number of acres therein which are irrigated by diversions from such tributary, and the total number of acres irrigated fom such tributary.

"D. In preparing interstate water delivery schedules the Commission, upon notice and after public hearings, shall make findings of fact as to the nature, priority, and extent of water rights, rates of flow, duty of water, irrigated acreages, types of crops, time of use, and related matters; provided that such schedules shall recognize and incorporate therein priority of water rights as adjudicated in each of the signatory States. Such findings of fact shall, in any court or before any tribunal, constitute prima facie evidence of the facts found.

"E. Water emergencies provided for herein shall terminate on September 30 of each year unless terminated sooner or extended by the Commission.

"ARTICLE V

"A. Water rights in the Lower Division acquired under the laws of Idaho and Utah covering water applied to beneficial use prior to January 1, 1976, are hereby recognized and shall be administered in accordance with State law based on priority of rights as provided in Article IV, paragraph A3. Rights to water first applied to beneficial use on or after January 1, 1976, shall be satisfied from the respective allocations made to Idaho and Utah in this paragraph and the water allocated to each State shall be administered in accordance with State law. Subject to the foregoing provisions, the remaining water in the Lower Division, including ground water tributary to the Bear River, is hereby apportioned for use in Idaho and Utah as follows:

"(1) Idaho shall have the first right to the use of such remaining water resulting in an annual depletion of not more than 125,000 acre-feet.

"(2) Utah shall have the second right to the use of such remaining water resulting in an annual depletion of not more than 275,000 acre-feet.

"(3) Idaho and Utah shall each have an additional right to deplete annually on an equal basis, 75,000 acre-feet of the remaining water after the rights provided by subparagraphs (1) and (2) above have been satisfied.

"(4) Any remaining water in the Lower Division after the allocations provided for in subparagraphs (1), (2), and (3) above have been satisfied shall be divided; thirty (30) percent to Idaho and seventy (70) percent to Utah.

"(B) Water allocated under the above subparagraphs shall be charged against the State in which it is used regardless of the location of the point of diversion.

"C. Water depletions permitted under provisions of subparagraphs (1), (2), (3), and (4) above, shall be calculated and administered by a Commission-approved procedure.

"ARTICLE VI

"A. Existing storage rights in reservoirs constructed above Stewart Dam prior to February 4, 1955, are as follows:

"Idaho	324 acre-feet
"Utah	11,850 acre-feet
"Wyoming	2,150 acre-feet

"Additional rights are hereby granted to store in any water year above Stewart Dam, 35,500 acre-feet of Bear River water and no more under this paragraph for use in Utah and Wyoming; and to store in any water year in Idaho or Wyoming on Thomas Fork 1,000 acre-feet of water for use in Idaho. Such additional storage rights shall be subordinate to, and shall not be exercised when the effect thereof will be to impair or interfere with (1) existing direct flow rights for consumptive use in any river division and (2) existing storage rights above Stewart Dam, but shall not be subordinate to any right to store water in Bear Lake or elsewhere below Stewart Dam. One-half of the 35,500 acre-feet of additional storage right above Stewart Dam so granted to Utah and Wyoming is hereby allocated to Utah, and the remaining one-half thereof is allocated to Wyoming.

"B. In addition to the rights defined in Paragraph A of this Article, further storage entitlements above Stewart Dam are hereby granted. Wyoming and Utah are granted an additional right to store in any year 70,000 acre-feet of Bear River water for use in Utah and Wyoming to be divided equally; and Idaho is granted an additional right to store 4,500 acre-feet of Bear River water in Wyoming or Idaho for use in Idaho. Water rights granted under this paragraph and water appropriated, including ground water tributary to Bear River, which is applied to beneficial use on or after January 1, 1976, shall not result in an annual increase in depletion of the flow of the Bear River and its tributaries above Stewart Dam of more than 28,000 acre-feet in excess of the depletion as of January 1, 1976. Thirteen thousand (13,000) acre-feet of the additional depletion above Stewart Dam is allocated to each of Utah and Wyoming, and two thousand (2,000) acre-feet is allocated to Idaho.

"The additional storage rights provided for in this Paragraph shall be subordinate to, and shall not be exercised when the effect thereof will be to impair or interfere with (1) existing direct flow rights for consumptive use in any river division and (2) existing storage rights above Stewart Dam, but shall not be subordinate to any right to store water in Bear Lake or elsewhere below Stewart Dam; provided, however, there shall be no diversion of water to storage above Stewart Dam under this Paragraph B when the water surface elevation of Bear Lake is below 5,911.00 feet, Utah Power & Light Company datum (the equivalent of elevation 5,913.75 feet based on the sea level datum of 1929 through the Pacific Northwest Supplementary Adjustment of 1947). Water depletions permitted under this Paragraph B shall be calculated and administered by a Commission-approved procedure.

"C. In addition to the rights defined in Article VI Paragraphs A and B, Idaho, Utah and Wyoming are granted the right to store and use water above Stewart Dam that otherwise would be bypassed or released from Bear Lake at times when all other direct flow and storage rights are satisfied. The availability of such water and the operation of reservoir space to store water above Bear Lake under this paragraph shall be determined by a Commission-approved procedure. The storage provided for in this Paragraph shall be subordinate to all other storage and direct flow rights in the Bear River. Storage rights under this Paragraph shall be exercised with equal priority on the following basis: six (6) percent thereof to Idaho; forty-seven (47) percent thereof to Utah; and forty-seven (47) percent thereof to Wyoming

"D. The waters of Bear Lake below elevation 5,912.91 feet, Utah Power and Light Company Bear Lake datum (the equivalent of elevation 5,915.66 feet based on the sea level datum of 1929 through the Pacific Northwest Supplementary Adjustment of 1947) shall constitute a reserve for irrigation. The water of such reserve shall not be released solely for the generation of power, except in emergency, but after release for irrigation it may be used in generating power if not inconsistent with its use of irrigation. Any water in Bear Lake in excess of that constituting the irrigation reserve may be used for the generation of power or for other beneficial uses. As new reservoir capacity above the Stewart Dam is constructed to provide additional storage pursuant to Paragraph A of this Article, the Commission shall make a finding in writing as to the quantity of additional storage and shall thereupon make an order increasing the irrigation reserve in accordance with the following table:

"Additional Storage (Acre-feet)	Lake surface elevation, Utah Power and Light Company, Bear Lake datum
5,000	5,913.24
10,000	5,913.56
15,000	5,913.87
20,000	5,914.15
25,000	5,914.41
30,000	5,914.61
35,500	5,914.69
36,500	5,914.70

"E. Subject to existing rights, each State shall have the use of water, including groundwater, for ordinary domestic, and stock watering purposes, as determined by State law and shall have the right to im-

pound water for such purposes in reservoirs having storage capacities not in excess, in any case, of 20 acre-feet, without deduction from the allocation made by paragraphs A, B, and C of this Article.

"F. The storage rights in Bear Lake are hereby recognized and confirmed subject only to the restrictions hereinbefore recited.

"ARTICLE VII

"It is the policy of the signatory States to encourage additional projects for the development of the water resources of the Bear River to obtain the maximum beneficial use of water with a minimum of waste, and in furtherance of such policy, authority is granted within the limitations provided by this Compact, to investigate, plan, construct, and operate such projects without regard to State boundaries, provided that water rights for each such project shall, except as provided in Article VI, paragraphs A and B, thereof, be subject to rights theretofore initiated and in good standing.

"ARTICLE VIII

"A. No State shall deny the right of the United States of America, and subject to the conditions hereinafter contained, no State shall deny the right of another signatory State, any person or entity of another signatory State, to acquire rights to the use of water or to construct or to participate in the construction and use of diversion works and storage reservoirs with appurtenant works, canals, and conduits in one State for use of water in another State, either directly or by exchange. Water rights acquired for out-of-state use shall be appropriated in the State where the point of diversion is located in the manner provided by law for appropriation of water for use within such State.

"B. Any signatory State, any person or any entity of any signatory State, shall have the right to acquire in any other signatory State such property rights as are necessary to the use of water in conformity with this Compact by donation, purchase, or, as hereinafter provided through the exercise of the power of eminent domain in accordance with the law of the State in which such property is located. Any signatory State, upon the written request of the Governor of any other signatory State for the benefit of whose water users property is to be acquired in the State to which such written request is made, shall proceed expeditiously to acquire the desired property either by purchase at a price acceptable to the requesting Governor, or if such purchase cannot be made, then through the exercise of its power of eminent domain and shall convey such property to the requesting State or to the person, or entity designated by its Governor provided, that all costs of acquisition and expenses of every kind and nature whatsoever incurred in obtaining such property shall be paid by the requesting State or the person or entity designated by its Governor.

"C. Should any facility be constructed in a signatory State by and for the benefit of another signatory State or persons or entities therein, as above provided, the construction, repair, replacement, maintenance and operation of such facility shall be subject to the laws of the State in which the facility is located.

"D. In the event lands or other taxable facilities are acquired by a signatory State in another signatory State for the use and benefit of the former, the users of the water made available by such facilities, as a condition precedent to the use thereof, shall pay to the political subdivisions of the State in which such facilities are located, each and every year during which such rights are enjoyed for such purposes, a sum of money equivalent to the average of the amount of taxes annually levied and assessed against the land and improvements thereon during the ten years preceding the acquisition of such land. Said payments shall be in full reimbursement for the loss of taxes in such political subdivision of the State.

"E. Rights to the use of water acquired under this Article shall in all respects be subject to this Compact.

"ARTICLE IX

"Stored water, or water from another watershed may be turned into the channel of the Bear River in one State and a like quantity, with allowance for loss by evaporation, transpiration, and seepage, may be taken out of the Bear River in another State either above or below the point where the water is turned into the channel, but in making such exchange the replacement water shall not be inferior in quality for the purpose used or diminished in quantity. Exchanges shall not be permitted if the effect thereof is to impair vested rights or to cause damage for which no compensation is paid. Water from another watershed or source which enters the Bear River by actions within a State may be claimed exclusively by that State and use thereof by that State shall not be subject to the depletion limitations of Articles IV, V and VI. Proof of any claimed increase in flow shall be the burden of the State making such claim, and it shall be approved only by the unanimous vote of the Commission.

"ARTICLE X

"A. The following rights to the use of Bear River water carried in interstate canals are recognized and confirmed.

"Name of Canal	Date of priority	Primary right second-feet	Lands irrigated Acres	State
Hilliard East Fork	1914	28.00	2,644	Wyoming.
Chapman	8-13-86	16.46	1,155	Wyoming.
	8-13-86	98.46	6,892	Utah.
	4-12-12	.57	40	Wyoming.
	5- 3-12	4.07	285	Utah.
	5-21-12	10.17	712	Utah.
	2- 6-13	.79	55	Wyoming.
	8-28-05	[1] 134.00		
Francis Lee	1879	2.20	154	Wyoming.
	1879	7.41	519	Utah.

[1] Under the right as herein confirmed not to exceed 134 second-feet may be carried across the Wyoming-Utah State line in the Chapman Canal at any time for filling the Neponset Reservoir, for irrigation of land in Utah and for other purposes. The storage right in Neponset Reservoir is for 6,900 acre-feet, which is a component part of the irrigation right for the Utah lands listed above.

"All other rights to the use of water carried in interstate canals and ditches, as adjudicated in the State in which the point of diversion is located, are recognized and confirmed.

"B. All interstate rights shall be administered by the State in which the point of diversion is located and during times of water emergency, such rights shall be filled from the allocations specified in Article IV hereof for the Section in which the point of diversion is located, with the exception that the diversion of water into the Hilliard East Fork Canal, Lannon Canal, Lone Mountain Ditch, and Hilliard West Side Canal shall be under the administration of Wyoming. During times of water emergency these canals and the Lone Mountain Ditch shall be supplied from the allocation specified in Article IV for the Upper Wyoming Section Diversions.

"ARTICLE XI

"Applications for appropriation, for change of point of diversion, place and nature of use, and for exchange of Bear River water shall be considered and acted upon in accordance with the law of the State in which the point of diversion is located, but no such application shall be approved if the effect thereof will be to deprive any water user in another State of water to which he is entitled, nor shall any such application be approved if the effect thereof will be an increase in the depletion of the flow of the Bear River and its tributaries beyond the limits authorized in each State in Articles IV, V and VI of this Compact. The official of each State in charge of water administration shall, at intervals and in the format established by the Commission, report on the status of use of the respective allocations.

"ARTICLE XII

"Nothing in this Compact shall be construed to prevent the United States, a signatory State or political subdivision thereof, person, corporation, or association, from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under State or Federal law or under this Compact.

"ARTICLE XIII

"Nothing contained in this Compact shall be deemed:

"1. To affect the obligations of the United States of America to the Indian tribes;

"2. To impair, extend or otherwise affect any right or power of the United States, its agencies or instrumentalities involved herein; nor the capacity of the United States to hold or acquire additional rights to the use of the water of the Bear River;

"3. To subject any property or rights of the United States to the laws of the States which were not subject thereto prior to the date of this Compact;

"4. To subject any property of the United States to taxation by the States or any subdivision thereof, nor to obligate the United States to pay any State or subdivision thereof for loss of taxes.

"ARTICLE XIV

"At intervals not exceeding twenty years, the Commission shall review the provisions hereof, and after notice and public hearing, may propose amendments to any such provision, provided, however, that the provisions contained herein shall remain in full force and effect until such proposed amendments have been ratified by the legislatures of the signatory States and consented to by Congress.

"ARTICLE XV

"This Compact may be terminated at any time by the unanimous agreement of the signatory States. In the event of such termination all rights established under it shall continue unimpaired.

"ARTICLE XVI

"Should a court of competent jurisdiction hold any part of this Compact to be contrary to the constitution of any signatory State or to the Constitution of the United States, all other severable provisions of this Compact shall continue in full force and effect.

"ARTICLE XVII

"This Compact shall be in effect when it shall have been ratified by the Legislature of each signatory State and consented to by the Congress of the United States of America.

Notice of ratification by the legislatures of the signatory States shall be given by the Governor of each signatory State to the Governor of each of the other signatory States and to the President of the United States of America, and the President is hereby requested to give notice to the Governor of each of the signatory States of approval by the Congress of the United States of America.

"IN WITNESS WHEREOF, the Commissioners and their advisers have executed this Compact in five originals, one of which shall be deposited with the General Services Administration of the United States of America, one of which shall be forwarded to the Governor of each of the signatory States, and one of which shall be made a part of the permanent records of the Bear River Commission.

"Done at Salt Lake City, Utah, this 22nd day of December, 1978.

"For the State of Idaho:
"(s) Clifford J. Skinner
"(s) J. Daniel Roberts
"(s) Don W. Gilbert
"For the State of Utah:
"(s) S. Paul Holmgren
"(s) Simeon Weston
"(s) Daniel F. Lawrence
"For the State of Wyoming:
"(s) George L. Christopulos
"(s) J. W. Myers
"(s) John A. Teichert
"Approved:
"Wallace N. Jibson
"Representative of the United States of America
"Attest:
"Daniel F. Lawrence
"Secretary of the Bear River Commission."

● Mr. MCKAY. Mr. Speaker, the Bear River is a lifeline which pumps sustenance into dozens of farm and mountain communities in the intermountain West. It is the largest stream in North America which does not ultimately reach an ocean, in an area of the country in which no property right is held more valuable than water.

When you match these facts up with another—that the river meanders 500 miles from beginning to end, crossing State boundaries five times—you have got potential chaos and a script for interstate conflicts on a grand order.

Therefore, it has been a great pleasure for me to have participated in the settlement of a new compact between the three States of Utah, Idaho, and Wyoming for the use of water from the Bear River.

This compact has been a model of cooperation among the three States and the Federal Government.

I speak for all of the people of our intermountain region when I express appreciation to Chairmen UDALL and KAZEN and the committee for their prompt and sensitive attention to H.R. 4320, the bill I have introduced to provide Federal recognition of this landmark Bear River compact.

This agreement is the product of 10 years of earnest and painstaking tripartite negotiation, local hearings, and the assent of the respective State legislatures.

This compact, which supersedes the Bear River compact of 1958, is more complete in every way than that document and will serve as a blueprint for future planning and growth of the valleys of the Bear River.●

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

PERMITTING NATIONAL PARK SERVICE TO ACCEPT PRIVATE DONATED FUNDS AND TO EXPEND SUCH FUNDS ON PROPERTY ON NATIONAL REGISTER OF HISTORIC PLACES

The Clerk called the bill (H.R. 126) to permit the National Park Service to accept privately donated funds and to expend such funds on property on the National Register of Historic Places.

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

H.R. 126

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That (a) the Secretary of the Interior in his administration of the National Park Service may accept money which may be donated for the purpose of acquiring, restoring, or preserving any building, structure, or site which is maintained on the National Register established under section 101 of the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966 (80 Stat. 915; 16 U.S.C. 470a)); and owned by a local government or a corporation not organized or operated for profit and no part of the net earning of which inures to the benefit of any private shareholder or individual.

(b) Any money accepted by the Secretary as a donation under subsection (a), and which is specified by the donor of such money for a purpose which meets the requirements of subsection (a), and which is available to be obligated for such purpose when so specified shall be expended in accordance with the purpose specified for such money which meets the requirements of subsection (a).

With the following committee amendment:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following:

That the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966 (80 Stat. 915; as amended, 16 U.S.C. 470a), is further amended by adding a new section 109 as follows:

"SEC. 109. (a) In furtherance of the purposes of this Act, the Secretary may accept the donation of funds which may be expended by him for projects to acquire, restore, preserve, or recover data from any district, building, structure, site, or object which is listed on the National Register of Historic Places established pursuant to section 101 of this Act, so long as the project is owned by a State, any unit of local government, or any nonprofit entity.

"(b) In expending said funds, the Secretary shall give due consideration to the national significance of such project, its historical value to the community, the imminence of its destruction or loss, and the expressed intentions of the donor. Funds expended under this subsection shall be made available without regard to the matching requirements established by section 102 of this Act.

"(c) The Secretary is hereby authorized to transfer unobligated funds previously donated to the National Park Service, with the consent of the donor, and any funds so transferred shall be used or expended in accordance with the provisions of this Act.".

The committee amendment was agreed to.

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

CHESAPEAKE AND OHIO CANAL DEVELOPMENT ACT AMENDMENTS

The Clerk called the bill (H.R. 5182) to amend the Chesapeake and Ohio Canal Development Act to change the termination date of the Chesapeake and Ohio Canal National Historic Park Commission from the date 10 years after the effective date of such act to the date 20 years after such effective date.

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

H.R. 5182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y–4(g)) is amended by striking out "ten years" and inserting in lieu thereof "twenty years".

● Mr. BARNES. Mr. Speaker, as the author of this legislation, I strongly support passage of H.R. 5182, which will extend the life of the C. & O. Canal Advisory Commission. This Commission was created with a 10-year life when the C. & O. Canal National Historical Park was established in 1971. It is comprised of citizens who represent the counties and States that surround the 185-mile canal, and its role is to advise the National Park Service in the job of managing the park. H.R. 5182 would extend the life of the Commission for another 10 years; without such an extension, the Commission would go out of existence in January 1981.

The original rationale for establishing the advisory commission stemmed from the unique nature of the canal. Unlike most parks managed by the Park Service, the C. & O. Canal runs along a 185-mile stretch of river shoreline, and is flanked by a major city (Washington, D.C.), suburban communities, and numerous small towns. I believe that these circumstances clearly warrant continuation of this mechanism which enables those who live along or near the canal to share a voice in its management. This is a view that is shared by the bill's cosponsors, Representatives BEVERLY BYRON, JOSEPH FISHER, and WALTER FAUNTROY.

The Commission, technically called the "Chesapeake and Ohio National Historical Commission," is composed of 19 members: 2 each from the Maryland counties of Montgomery, Frederick, Washington, and Allegany; 2 each from the States of Maryland, Virginia, West Virginia, and the District of Columbia; and 3 who are appointed by the Secretary of the Interior, 2 of whom must be members of conservation organizations. The members of the Commission serve without compensation.

The Congressional Budget Office has reported that the total costs of the Advisory Commission, including stenographic and secretarial support, travel, and occasional lodging of commission

members on official business, and other related expenses are minimal. Considering the value of the C. & O. Canal Park as a natural resource and the fine track record of the Advisory Commission, the American taxpayers are clearly getting their money's worth.

The C. & O. Canal is a very special part of Maryland's Eighth Congressional District, which I represent. It occupies the entire western border of Montgomery County, serves as a buffer between a busy suburban area and the quiet, unspoiled shoreline of the Potomac River, and is a familiar haven for the thousands who hike or bike along the towpath, or canoe in the canal itself. Those who visit or reside nearby the canal today, along with future generations—for whom a place of quiet refuge and recreation will become increasingly important—share a stake in the proper management of this natural resource.

There is no doubt in my mind that the C. & O. Canal Advisory Commission has done its job well, and I expect that it will continue to perform its responsibilities in the same fashion over the coming years.●

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

PROVIDING FOR ALLEVIATION OF HIGH GROUND WATER CONDITIONS, MOSES LAKE, WASH.

The Clerk called the bill (H.R. 552) to provide for the allevation of high ground water conditions in and adjacent to the town of Moses Lake, Wash., and for other purposes.

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

H.R. 552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to undertake further engineering studies to determine the cause and the extent of the high ground water levels which developed in and adjacent to the town of Moses Lake, Washington, following the initiation of irrigation of the lands in and adjacent to the town, and to design and construct the drainage works necessary, as determined by the studies authorized herein, to resolve the problems caused by the high water levels in the area.

SEC. 2. Funds are hereby authorized to be appropriated for engineering studies to determine the cause and the extent of the high ground water levels in and adjacent to the town of Moses Lake, Washington, and for the design and construction of the drainage works determined to be necessary by the studies authorized herein.

SEC. 3. All funds to be appropriated pursuant to this Act shall be nonreimbursable and nonreturnable.

With the following committee amendment:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following:
That the Secretary of the Interior is hereby authorized to undertake feasibility studies to determine the cause and extent of the high ground water levels which developed in and adjacent to the town of Moses Lake, Washington, following the initiation of irrigation of the lands in and adjacent to the town and determine by the studies authorized herein measures to resolve the problems caused by the high water levels in the area.

The committee amendment was agreed to.

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

EXTENDING SERVICE AREA FOR SACRAMENTO VALLEY CANALS, CENTRAL VALLEY PROJECT, CALIFORNIA

The Clerk called the bill (H.R. 2111) to extend the service area for the Sacramento Valley Canals, Central Vallejo project, California, and other purposes.

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

H.R. 2111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of September 25, 1950 (64 Stat. 1036), as amended, is further amended by striking the phrase "Tehama, Glenn, and Colusa Counties" and inserting in lieu thereof the phrase "Tehama, Glenn, and Colusa Counties, and the Yolo-Zamora Water District".

With the following committee amendment:

Committee amendment: Page 2, line 1, delete "Counties' and" and insert in lieu thereof 'Counties or' and".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to extend the service area for the Sacramento Valley Canals, Central Valley project, California, and for other purposes.".

AUTHORIZING SECRETARY OF THE INTERIOR TO ENGAGE IN FEASIBILITY STUDY

The Clerk called the bill (H.R. 2757) to authorize the Secretary of the Interior to engage in a feasibility study.

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

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

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

There was no objection.

ACCOUNTABILITY AND RESPONSIBILITY FOR PROPERTY OF UNITED STATES ISSUED TO NATIONAL GUARD

The Clerk called the bill (H.R. 5748) to amend title 32, United States Code, to modify the system of accountability and responsibility for property of the United States issued to the National Guard.

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

H.R. 5748

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (b) and (c) of section 710 of title 32, United States Code, are amended to read as follows:

"(b) The Secretary of the Army shall prescribe regulations for accounting for property issued by the United States to the Army's National Guard and for the fixing of responsibility for that property. The Secretary of the Air Force shall prescribe regulations for accounting for property issued by the United States to the Air National Guard and for the fixing of responsibility for that property. So far as practicable, regulations prescribed under this section shall be uniform among the components of each service.

"(c) Under regulations prescribed by the Secretary concerned under subsection (b), liability for the value of property issued by the United States to the National Guard that is lost, damaged, or destroyed may be charged (1) to a member of the Army National Guard or the Air National Guard when in similar circumstances a member of the Army or Air Force serving on active duty would be so charged, or (2) to a State or territory, Puerto Rico, the Canal Zone, or the District of Columbia when the property is lost, damaged, or destroyed incident to duty directed pursuant to the laws of, and in support of the authorities of, such jurisdiction. Liability charged to a member of the Army National Guard or the Air National Guard shall be paid out of pay due to the member for duties performed as a member of the National Guard, unless the Secretary concerned shall for good cause remit or cancel that liability. Liability charged to a State or territory, Puerto Rico, the Canal Zone, or the District of Columbia shall be paid from its funds or from any other non-Federal funds.".

(b)(1) The section heading for such section is amended to read as follows:

"§ 710. Accountability for property issued to the National Guard.".

(2) The item relating to such section in the table of sections at the beginning of chapter 7 of title 32, United States Code, is amended to read as follows:

"710. Accountability for property issued to the National Guard.".

SEC. 2. The amendment made by subsection (a) of the first section of this Act shall apply to liability for property issued by the United States to the National Guard that is lost, damaged, or destroyed on or after October 1, 1980. Liability for such property that is lost, damaged, or destroyed before such date shall be governed by the provisions of section 710 of title 32, United States Code, as in effect on the day before the date of the enactment of this Act.

Mr. WHITE. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, H.R. 5748 is a clean bill which amends section 710 of title 32, United States Code, that applies to accountability and responsibility for U.S. property issued to the National Guard. The effect of H.R. 5748 is to make property accountability standards for the National Guard consistent with those of other Reserve components and the Active Forces, and permit the State to be relieved of liability when the loss occurs during performance of a Federal mission.

Currently, if U.S. property assigned to the National Guard is lost, damaged, or destroyed through negligence, the Secretary of the service concerned has the option of either charging the State for the amount of the loss, or charging the individual National Guardsman. In the case of active and reserve personnel, however, liability can be canceled in whole or in part as the Secretary deems

appropriate. This is a more reasonable approach in light of the expense of current equipment. For example, the Army limits the liability of its active duty personnel to 1 month's pay.

Further, many of the missions of National Guard units to today's total force are Federal in character and are performed outside of State control, and often outside its boundaries. It is not appropriate to hold the States liable for equipment lost or damaged while the National Guard is performing a Federal mission. H.R. 5748 will only require a State to reimburse the Federal Government for lost or damaged property when the loss occurs while the National Guard is performing a State mission, such as during a natural disaster.

Mr. Speaker, the Department of Defense supports this legislation and the costs associated with it are insignificant according to the Congressional Budget Office.

Mr. Speaker, I urge the passage of H.R. 5748.

● Mrs. HOLT. Mr. Speaker, I also rise in support of H.R. 5748.

The statutes are currently not consistent in their treatment of National Guard personnel and other Reserve and Active personnel with respect to responsibility for lost or destroyed U.S. Government property. With the total force concept a reality today, there is simply no reason not to apply the same property accountability standards to the National Guard as is the case for Active and Reserve personnel. H.R. 5748 will equalize the property accountability standards for all military personnel.

This legislation will also recognize that in many of its functions the National Guard is performing a Federal role not a State mission and the States should not be held liable for losses occurring during the performance of Federal duties.

H.R. 5748, the principal sponsor of which is my distinguished colleague from Maine (Mr. EMERY), is sensible legislation that should be favorably considered in the House.●

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

GENERAL LEAVE

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

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

There was no objection.

PERMITTING SALES OF REAL PROPERTY BY EMPLOYEES OF THE UNITED STATES TO INDIANS

The Clerk called the bill (H.R. 3979) to permit sales of real property by employees of the United States to Indians and to permit certain sales of real property by Indians to such employees.

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

H.R. 3979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to modify the provisions of section 14 of the Act of June 30, 1834, and section 10 of the Act of June 22, 1874, relating to the Indians", approved June 19, 1939 (53 Stat. 840), is amended—

(1) by inserting "(1)" before "to purchase from any Indian"; and

(2) by inserting after "furnished by any Indian or Indian organization" the following: ", (2) to purchase from any Indian or Indian organization any real property if such employee intends at the time of such purchase to use such real property as his principal residence, and (3) to sell to any Indian or Indian organization any real property owned by such employee".

With the following committee amendment:

Committee amendment: Strike out all after the enacting clause and insert on page 2, line 13:

That section 437 of title 18, United States Code, is amended to read as follows:

"§ 437. Federal employees contracting or trading with Indians

"(a) Except as provided in subsection (b), whoever, being an officer, employee, or agent of the Bureau of Indian Affairs or the Indian Health Service has (other than as a lawful representative of the United States) any interest, direct or indirect—

"(1) in any contract made or under negotiation with any Indian, for the purchase or transportation or delivery of goods or supplies for any Indian, or

"(2) in any purchase or sale of any service of real or personal property (or any interest therein) from or to any Indian, or colludes with any person attempting to obtain any such contract, purchase, or sale, shall be fined not more than $5,000 or imprisoned not more than six months or both, and shall be removed from office, notwithstanding any other provision of law concerning termination from Federal employment.

"(b)(1) Notwithstanding the provisions of subsection (a) and in accordance with paragraph (2) of this subsection, the President or his designee may prescribe rules and regulations under which any employee of the Bureau of Indian Affairs or of the Indian Health Service may purchase from or sell to any Indian any service or any real or personal property or any interest therein.

"(2) No rule or regulation prescribed pursuant to paragraph (1) of this subsection shall permit any employee referred to in that paragraph—

"(A) to make any purchase from or sale to an Indian for the purpose of engaging directly or indirectly in commercial selling, reselling, trading, or bartering activities; or

"(B) to have any interest in any purchase or sale involving property or funds which are either held in trust by the United States for Indians or which are purchased, sold, utilized, or received in connection with a contract or grant to an Indian from the Bureau of Indian Affairs or the Indian Health Service, if such employee is employed in the office or installation of such Bureau or Service which recommends, approves, executes, or administers such transaction, grant, or contract on behalf of the United States: Provided, that such employee may engage in such a purchase or sale if such purchase or sale is approved by the Secretary of the Interior in the case of a Bureau of Indian Affairs employee, or by the Secretary of Health, Education, and Welfare in the case of an Indian Health Service employee, or a designee of such Secretary who is not employed at such office or installation; or

"(C) to acquire any interest in property held in trust, or subject to restriction against alienation imposed, by the United States unless the conveyance or granting of such interest in such property is otherwise authorized by law.

"(c) Except as provided in subsection (b)(2), nothing contained in this section shall be construed as preventing any employee of the Bureau of Indian Affairs or the Indian Health Service who is an Indian, of whatever degree of Indian blood, from obtaining or receiving any benefit or benefits made available to Indians generally or to any member of his or her particular tribe, under any Act of Congress, nor to prevent any such employee who is an Indian from being a member of or receiving benefits by reason of his or her membership in any Indian tribe, corporation, or cooperative association organized by Indians, when authorized under such rules and regulations as the Secretary of the Interior or the Secretary of Health, Education, and Welfare, or their designee shall prescribe.

"(d) For purposes of this section, the term 'Indian' means any member of an Indian tribe recognized as eligible for the services provided by the Bureau of Indian Affairs who is residing on a Federal Indian Reservation, on land held in trust by the United States for Indians, or on land subject to a restriction against alienation imposed by the United States. The term shall also include any such tribe and any Indian owned or controlled organization located on such a reservation or land.".

SEC. 2. Section 2078 of the Revised Statutes (25 U.S.C. 68) and the Act of June 19, 1939 (53 Stat. 840; 25 U.S.C. 68a and 441), are hereby repealed.

SEC. 3. The Secretary of the Interior may review any transaction occurring prior to the effective date of this Act and, if the Secretary finds that such transaction would have been valid had the provisions of this Act been in effect at the time of such transaction, the Secretary may declare such transaction to be valid. The Secretary may issue or execute such documents as may be necessary or desirable to evidence the validity of such a transaction. A declaration of validity of a transaction pursuant to this section shall be conclusive evidence of such validity notwithstanding the provisions of section 437 of title 18, United States Code; section 2078 of the Revised Statutes; section 14 of the Act of June 30, 1834 (4 Stat. 738); and section 10 of the Act of June 22, 1874 (18 Stat. 177), which may have been in effect at the time of such transaction.

SEC. 4. The provisions of this Act shall take effect sixty days after the date of enactment of this Act."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to repeal and amend certain laws regulating trade between Indians and certain Federal employees.".

A motion to reconsider was laid on the table.

□ 1210
PRIVATE CALENDAR

The SPEAKER. Pursuant to the order of the House of November 16, this is a Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MARIA CORAZON SAMTOY

The Clerk called the bill (H.R. 948) for the relief of Maria Corazon Samtoy.

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

H.R. 948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Maria Corazon Samtoy may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Doctor and Mrs. Henry Samtoy, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

JOHN A. TOWNSLEY

The Clerk called the bill (H.R. 901) for the relief of John A. Townsley.

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

H.R. 901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John A. Townsley is relieved of liability to the United States in the amount of $581.28, representing overpayments of compensation paid due to administrative error to John A. Townsley prior to July 1, 1960, while employed in the National Park Service of the Department of the Interior. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Townsley, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

CLARENCE S. LYONS

The Clerk called the bill (H.R. 3818) for the relief of Clarence S. Lyons.

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

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

There was no objection.

RELIEF OF OHIO WESLEYAN UNIVERSITY, DELAWARE, OHIO

The Clerk called the bill (H.R. 3317) for the relief of Ohio Wesleyan University, Delaware, Ohio.

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

H.R. 3317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall admit free of duty one organ (including all accompanying parts and accessories) for the use of Ohio Wesleyan University, Delaware, Ohio, such organ being provided by Johannes Klais Orgelbau K.G., Bonn, Federal Republic of Germany.

SEC. 2. If the liquidation of the entry for consumption of the article subject to the provisions of the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendments:

On page 2, line 4, strike out "the" the first time it appears, and insert in lieu thereof "any".

On page 2, line 6, strike out "made." and insert in lieu thereof "made, notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514).".

The committee amendments were agreed to.

● Mr. CONABLE. Mr. Speaker, H.R. 3317 is similar to several bills we have approved in the past providing duty-free treatment for the importation of musical instruments to be used by churches, educational institutions, or other nonprofit organizations. This particular bill would allow duty-free entry of one pipe organ, including all accompanying parts and accessories, for use by Ohio Wesleyan University in Delaware, Ohio.

H.R. 3317 was approved by the Ways and Means Committee by voice vote. Furthermore, the committee in the near future will be reviewing the possibility of a permanent elimination of the duty on this type of item so that private relief bills will not have to be approved on a case by case basis. The one-time loss in customs revenue associated with the bill is $19,500.

I urge that H.R. 3317 be approved.●

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

RELIEF OF ST. PAUL'S EPISCOPAL CHURCH, RIVERSIDE, CONN.

The Clerk called the bill (H.R. 3755) for the relief of St. Paul's Episcopal Church, Riverside, Conn.

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

H.R. 3755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall admit free of duty the components of the tracker pipe organ which were built (pursuant to contract with Gerhard Hradetzky of Austria) for St. Paul's Episcopal Church, Riverside, Connecticut, and which entered at New York, New York, on January 19, 1979 (entry number 266710).

SEC. 2. If the liquidation of the entry for consumption of any article subject to the provisions of the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendments:

Page 2, line 7, strike out "made." and insert in lieu thereof "made, notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514).".

The committee amendment was agreed to.

● Mr. CONABLE. Mr. Speaker, H.R. 3755 is another of the several bills we have considered regarding duty-free treatment for the importation of particular musical instruments for individual churches, colleges, and universities and other nonprofit organizations. It is usually the case that there is little, if any, objection raised against this type of bill.

H.R. 3755 would permit duty-free entry of the components of a tracker pipe organ which was built by a company in Austria for St. Paul's Episcopal Church in Riverside, Conn. The bill was approved by the Ways and Means Committee by voice vote. Approval of the bill would result in a very negligible loss in customs revenue of about $5,250.

I urge my colleagues to approve the bill.●

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

COL. (DR.) PAUL A. KELLY

The Clerk called the bill (H.R. 2148) for the relief of Col. (Dr.) Paul A. Kelly.

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

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

There was no objection.

BALL STATE UNIVERSITY AND THE AMERICAN ASSOCIATION OF COLLEGES FOR TEACHER EDUCATION

The Clerk called the bill (H.R. 3872) for the relief of Ball State University and the American Association of Colleges for Teacher Education.

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

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

There was no objection.

MORRIS AND LENKE GELB

The Clerk called the bill (H.R. 4285) for the relief of Morris and Lenke Gelb.

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

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

There was no objection.

CERTAIN EMPLOYEES OF THE NAVAL ORDNANCE SYSTEMS COMMAND

The Clerk called the bill (H.R. 5156) for the relief of certain employees of the Naval Ordnance Systems Command.

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

H.R. 5156

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated—

(1) to Donald L. Francke of Bloomington, Indiana, the sum of $442.98;

(2) to J. Keith Crane of Bloomfield, Indiana, the sum of $677.84;

(3) to Alvin E. Gilmore of Bloomington, Indiana, the sum of $1,755.02;

(4) to Charles H. Horrell of Bedford, Indiana, the sum of $1,755.02; and

(5) to Allan Hamilton of Spencer, Indiana, the sum of $560.98,

in full settlement of their claims against the United States for premium pay due them for services rendered, during an emergency situation, upon orders given by the Naval Ordnance Systems Command. Such pay has been denied them pursuant to section 5547 of title 5 which currently limits aggregate biweekly pay without regard for emergency situations requiring extended services by specialized personnel.

No part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 8: Strike "$1,755.02" and insert "$852.67".

The committee amendment was agreed to.

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

JERRY W. MANANDIC AND CEFERINO W. MANANDIC

The Clerk called the Senate bill (S. 151) for the relief of Jerry W. Manandic and Ceferino W. Manandic.

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

S. 151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jerry W. Manandic and Ceferino W. Manandic may be classified as children within the meaning of section 101 (B) (1) (F) of the Act, upon approval of a petition filed in their behalf by Mr. and Mrs. Jose Manandic, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

JANET ABRAHAM, ALSO KNOWN AS JANET SUSAN ABRAHAM

The Clerk called the Senate bill (S. 170) for the relief of Janet Abraham, also known as Janet Susan Abraham.

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

S. 170

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Janet Abraham, also known as Janet Susan Abraham, shall be classified as a child within the meaning of section 101 (b) (1) (E) of such Act, upon approval of a petition filed on her behalf by Mr. and Mrs. Vicente T. Abraham, citizens of the United States, pursuant to section 204 of such Act. The natural parents, brothers, or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

GINA MARIE S. HERNANDEZ

The Clerk called the bill (H.R. 894) for the relief of Gina Marie S. Hernandez.

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

H.R. 894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Gina Marie S. Hernandez may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Baltazar P. Hernandez, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

GRACE MARIA SALAZAR SANTOS

The Clerk called the bill (H.R. 900) for the relief of Grace Maria Salazar Santos.

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

H.R. 900

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Grace Maria Salazar Santos may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Dora Salazar, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act: *Provided further,* That any fee received by any agent or attorney on account of services rendered relating to the introduction of this bill shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

PANG CHONG AE

The Clerk called the bill (H.R. 1283) for the relief of Pang Chong Ae.

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

H.R. 1283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of sections 203(a) (1) and 204 of the Immigration and Nationality Act, Pang Chong Ae shall be held and considered to be the natural-born alien daughter of Daniel and Roslyn Schwartz, citizens of the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

MARIANA DE JESUS ROCA AND FRANCISCO RUBIRA ROCA

The Clerk called the bill (H.R. 2593) for the relief of Mariana de Jesus Roca and Francisco Rubira Roca.

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

H.R. 2593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mariana de Jesus Roca and Francisco Rubira Roca may be classified as children within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in their behalf by Raul Roca, citizen of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

On page 2, line 2, after the name "Raul Roca" insert ", a".

The committee amendment was agreed to.

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

RODOLFO JOSE KOZUL

The Clerk called the bill (H.R. 3234) for the relief of Rodolfo Jose Kozul.

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

H.R. 3234

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Rodolfo Jose Kozul may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed on his behalf by Robert Berrellez citizen of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

On page 1, line 6, after the name "Robert Berrellez" insert ", a".

The committee amendment was agreed to.

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

EILEEN FERRAREN FAIR

The Clerk called the bill (H.R. 3320) for the relief of Eileen Ferraren Fair.

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

H.R. 3320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Eileen Ferraren Fair may be classified as a child within the meaning of section 101(b)(1)(F) of the Act (8 U.S.C. 1101(b)(1)(F)), upon approval of a petition filed in her behalf by Ilia Fair and Clarence E. Fair, citizens of the United States, pursuant to section 204 of the Act (8 U.S.C. 1154): *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

JUNG-SOOK MUN

The Clerk called the bill (H.R. 4483) for the relief of Jung-Sook Mun.

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

H.R. 4483

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Jung-Sook Mun shall be classified as a child within the meaning of section 101(b)(1)(F) of such Act, upon approval of a petition filed in her behalf by Robert White and Patricia White, citizens of the United States, pursuant to section 204 of such Act. The natural parents, brothers, and sisters of Jung-Sook Mun shall not, by virtue of their relationship to her, be accorded any right, privilege, or status under such Act.

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

MARYROSE AND ROSEMARY EVANGELISTA

The Clerk called the bill (H.R. 918) for the relief of Maryrose and Rosemary Evangelista.

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

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

There was no objection.

ROLANDO R. GAZA, TERESITA C. GAZA, AND ROLYNNE THERESE GAZA

The Clerk called the bill (H.R. 1619) for the relief of Rolando R. Gaza, Teresita C. Gaza, and Rolynne Therese Gaza.

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

H.R. 1619

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Rolando R. Gaza, Teresita C. Garza, and Rolynne Therese Gaza shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct the required numbers from the total number of immigrant visas and conditional entries which are made available to natives of the country of each alien's birth under section 203(a) of the Immigration and Nationality Act and, if applicable, from the total number of such visas and entries which are made available to such natives under section 202(e) of such Act.

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

JESUS REVELES Y RIVERA

The Clerk called the bill (H.R. 2477) for the relief of Jesus Reveles Y Rivera.

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

H.R. 2477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jesus Reveles y Rivera may be classified as a child within the meaning of section 101(b)(1(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Cliff Rodrigues, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 2, line 3, strike out the word "Act." and insert in lieu thereof the following: "Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.".

The committee amendment was agreed to.

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

LUNETTE JOYCE CLARKE

The Clerk called the bill (H.R. 2594) for the relief of Lunette Joyce Clarke.

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

H.R. 2594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the Administration of the Immigration and Nationality Act, Lunette Joyce Clarke may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Maud Lyn Clarke, a citizen of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

KENNETH AND JACQUELINE TRAYLAR

The Clerk called the bill (H.R. 1888) for the relief of Kenneth and Jacqueline Traylar.

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

H.R. 1888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Kenneth Traylar and Jacqueline Traylar may each be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in their behalf by Louise Traylar of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, after the word "may" on line 4, strike out the remainder of the bill and insert in lieu thereof the following: "be classified as children within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Jerome and Louise Traylar, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.".

The committee amendment was agreed to.

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

NAOMI CHEN

The Clerk called the bill (H.R. 1889) for the relief of Naomi Chen.

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

H.R. 1889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Naomi Chen may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Jacob and Yolanda Chen, citizens of the United States, pursuant to section 204 of the act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 5, strike out "section 101(b)(1)(F)" and insert in lieu thereof "section 101(b)(1)(E)".

On page 2, line 2, strike out the word "citizens" and substitute in lieu thereof the words "lawful permanent residents".

The committee amendments were agreed to.

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

JOHN H. R. BERG

The Clerk called the bill (H.R. 2782) for the relief of John H. R. Berg.

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

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

There was no objection.

JAN KUTINA

The Clerk called the bill (H.R. 3873) for the relief of Jan Kutina.

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

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

There was no objection.

JOZEF SWIDERSKI

The Clerk called the bill (H.R. 4013) for the relief of Jozef Swiderski.

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

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

There was no objection.

IN SUN PINEIRO

The Clerk called the bill (H.R. 1489) for the relief of In Sun Pineiro.

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

H.R. 1489

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, In Sun Pineiro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, from the total number of such visas and entries which are made available to such natives under section 202(e) of such Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

That, in the administration of the Immigration and Nationality Act, In Sun Pineiro, the widow of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of such Act shall not be applicable in this case.

The committee amendment was agreed to.

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

SOLOMON MANI

The Clerk called the bill (H.R. 1887) for the relief of Solomon Mani.

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

H.R. 1887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Solomon Mani may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

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

DIRK VIERKANT

The Clerk called the Senate bill (S. 132) for the relief of Dirk Vierkant.

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

S. 132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Dirk Vierkant shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by the required number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

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

□ 1220

ROCIO EDMONDSON

The Clerk called the Senate bill (S. 214) for the relief of Rocio Edmondson.

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

S. 214

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Rocio Edmondson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by one number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

That, in the administration of the Immigration and Nationality Act, Rocio Edmondson shall be held and considered to be a returning resident alien as defined in section 101(a)(27)(A) of that Act, as of the date of the enactment of this Act.

The committee amendment was agreed to.

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

EMIKO OKUMA COLONA

The Clerk called the bill (H.R. 1827) for the relief of Emiko Okuma Colona.

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

H.R. 1827

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

administration of the Immigration and Nationality Act, Emiko Okuma Colona may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. George S. Colona, Junior, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

On page 2, line 3, strike out "citizens of the United States," and substitute "a citizen and a lawful permanent resident of the United States, respectively,".

The committee amendment was agreed to.

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

PERMISSION TO FILE REPORTS ON H.R. 4532, DESIGNATING THE "HENRY D. PARKINSON FEDERAL BUILDING"; H.R. 4845, DESIGNATING THE "KENNETH B. KEATING FEDERAL BUILDING"; H.R. 5781, DESIGNATING THE "FRANCES PERKINS DEPARTMENT OF LABOR BUILDING"; AND H.R. 5794, DESIGNATING THE "WINFIELD K. DENTON BUILDING"

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation may have until midnight tonight, November 27, 1979, to file reports on the following bills:

H.R. 4532, to designate the U.S. Post Office and Federal Building in Scott City, Kans., as the "Henry D. Parkinson Federal Building";

H.R. 4845, to designate the Federal Building in Rochester, N.Y., the "Kenneth B. Keating Federal Building";

H.R. 5781, to designate the building known as the Department of Labor Building in Washington, D.C., as the "Frances Perkins Department of Labor Building"; and

H.R. 5794, to designate the building known as the Federal Building in Evansville, Ind., as the "Winfield K. Denton Building."

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

There was no objection.

ISRAEL CRITICALLY IMPORTANT TO AMERICA'S MIDEAST SECURITY

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

Mr. GLICKMAN. Mr. Speaker, in considering our options in Iran, it is clear that the United States would be severely restricted without the presence of our ally, Israel. As the most stable, independent, and democratic nation in the Middle East, and as an unfailing ally for over 30 years, the existence of a strong and independent Israel clearly buttresses and strengthens America in that area of the world where we seem to be becoming more and more alone and isolated. While I recognize that Egypt and Saudi Arabia, among others, have been supportive of our position in this tense time, our options in dealing with the release of the hostages for instance, and our future dealings with Iran, clearly and unequivocally depend on the existence of at least one stable ally in the region. Israel is that ally, and we should never forget that its strength and security is paramount to America's strength and security in the Middle East and is tremendously significant to the rest of the world.

STAND UP FOR AMERICA ON ALL ESSENTIAL PRODUCTS

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

Mr. ATKINSON. Mr. Speaker, like many Americans, I am encouraged by the willingness of citizens from all walks of life to "stand up for America" during the present crisis in Iran. But just as that crisis once again points up our dependence on foreign oil, we should be aware of conditions that could make our Nation dependent on foreign sources for other essential products. And we should be every bit as willing to "stand up for America" when it comes to insuring continued domestic production of essential items.

A case in point is our domestic primary metals industry. I recently received word that United States Steel is considering closing its fabricating plant in Ambridge, Pa., possibly resulting in the loss of 1,200 jobs. And St. Joe Minerals Corp. is weighing the shutdown of its Monaca, Pa., plant, also in the 25th District, employing more than 1,500 workers. Aside from the blow these potential closures would deal to the economy of western Pennsylvania, they outline all too clearly more fundamental problems facing our domestic metal industries in general.

Job loss figures like these should act as a warning to us—a warning that we need to act in areas like capital formation, environmental regulations, and fair trade. I plan to bring more such warning signals to the attention of the House in the coming days.

OUR HUMANITARIAN OBLIGATION TO CAMBODIA CONTINUES

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

Mr. CARR. Mr. Speaker, no one here is oblivious to the sufferings of the Cambodian people. We are all aware of the frightful magnitude of this suffering, aware that 3 million, 3 million, Cambodians now face death through starvation and disease. We have heard the reports that as many as 200,000 men, women, and children are dying monthly.

In the last several months we have been warned that unless the response to the plight of the Cambodian people is massive and immediate, the world will witness a catastrophe as large and as terrible as the holocaust of Nazi Germany. And we have acted accordingly; we have responded to the appeals of UNICEF, the International Committee of the Red Cross, and other nonpolitical humanitarian relief organizations by authorizing $99 million in Federal aid, of which $69 million has been appropriated. It is estimated that approximately $110 million is needed to meet the basic needs of the Khmer people in the next 6 months, so surely we have contributed more than our fair share to this initial relief effort. We should now be able to sit back in peace, proud that we have helped save a nation, a race of people, from total annihilation.

At this time, however, I for one feel none of this smug complacency. The figures I quoted may be reassuring, but this fact remains: The Cambodian people are still starving, still suffering, still dying.

For the month of November, only 20,000 tons of relief supplies will actually reach Cambodia, 30 percent less than estimates say is needed just to meet the most basic needs of the people. Each day of delay translates into thousands of deaths and immeasurable suffering.

Furthermore, not only are the necessary supplies not reaching Cambodia, the necessary money is not, according to UNICEF officials, yet reaching the various relief organizations. As of last Friday, only 4.5 million U.S. Government dollars had actually reached the UNICEF, and only $2.5 million in Federal aid had reached the International Committee of the Red Cross. Both of these organizations maintain that they are experiencing serious cash flow problems, and fear that the relief effort will be plagued by a $45 million deficit by the end of December.

Congress is often accused of just throwing money at problems. We must be sure that the money we have appropriated for the Cambodian relief effort is directed at its target quickly and efficiently.

Our humanitarian obligation to the Cambodian people did not end when the emergency aid legislation was signed into law by the President. It will end only when this aid has served its purpose by alleviating their horrible suffering.

WE SHOULD TERMINATE IMMEDIATELY ALL PARTICIPATION BY IRANIAN PERSONNEL IN U.S. PROGRAM OF MILITARY TRAINING

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

Mr. SKELTON. Mr. Speaker, in recent days, particularly last night and this morning, Iran's Ayatollah Khomeini has sounded increasingly threatening. He has been quoted as saying that a state of war exists between the United States and Iran and he has called upon his country to get military training and to take up arms.

In light of this situation, it seems clear we should terminate immediately all participation by Iranian personnel in the U.S. programs of military training. To date only flight training has been suspended. Frankly, it concerns me very much that we are giving our excellent military training to members of the Iranian Armed Services who may some day be employed to use that training against the interests of the United States.

In addition, Mr. Speaker, it has come to my attention that there is a large number of Iranian students enrolled in ROTC programs in various colleges throughout this country. This is particularly true of the Naval ROTC. I ask Mr. Speaker, this question: Are we training these students to be future possible adversaries, and where does their loyalty lie? I think it is a serious question.

I am addressing a letter to the President raising these issues today. I think it is of utmost importance that we take this into consideration and terminate this participation if it is in the best interests of this country.

I supply for the RECORD a copy of my letter to President Carter:

WASHINGTON, D.C.,
November 27, 1979.

HON. JIMMY CARTER,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The takeover of the U.S. Embassy in Iran is a violation of international law, an infringement upon United States sovereignty, and a threat to our nation's security. In recent days, the Ayatollah Khomeini has sounded an increasingly martial note. He has been quoted as saying that a "state of war" exists between the United States and Iran, and he has called upon his country to get military training and take up arms.

In light of this situation, it seems clear that we should terminate immediately all participation by Iranian personnel in United States programs of military training. Frankly, it concerns me very much that we are giving our excellent military training to members of the Iranian Armed Services, who may some day employ that training against the interests of the United States.

In addition, it has come to my attention that there are a large number of Iranian students enrolled in ROTC programs at various U.S. colleges and universities. This is a matter of some urgency, and I urge you, through the Department of Defense, to review the participation of Iranian students in ROTC programs. If this participation is not in the best interests of the United States, it too should be terminated immediately. I ask you to consider the possibility of whether we are training possible future adversaries. I also ask you to take into consideration the issue: where does the loyalty of these students lie?

Please let me assure you of my support for your efforts to bring about the safe release of all American hostages held in Iran, and a peaceful resolution of this crisis.

Yours truly,

IKE SKELTON,
Member of Congress.

DEWEY JACKSON SHORT

Mr. ICHORD. Mr. Speaker, all of us who knew him are joined today in mourning at the recent death of one of the most distinguished former Members of this body, the redoubtable Dewey Jackson Short, born in Galena, Mo., on April 7, 1898.

This great statesman and educator, known as the "silver-tongued orator of the Ozarks," served in the U.S. Congress from 1929–31 and from 1935–57 and was Assistant Secretary of the U.S. Army from 1957–61.

Dewey Jackson Short was a brilliant and learned man, a student of the classics who could recite Shakespearean dramas from memory, a professor of ethics, psychology, and political philosophy who attended Harvard, Heidelberg, and Oxford Universities, and a pastor who served the Grace Methodist Episcopal Church in Springfield, Mo. in 1927.

No one was more devoted or indefatigable in his service to his country. Dewey Jackson Short served as a delegate to the Inter-parliamentary Union at Oslo, Norway in 1939 and at Cairo, Egypt, in 1947; congressional delegate to inspect atrocity camps in Germany in 1945; alternate delegate to the signing of the United States-Japanese Security Pact in 1951; president emeritus, National Rivers and Harbors Congress; delegate to the Republican National Convention in 1932; recipient of 108 votes for the Vice Presidential nomination at the Republican National Convention in 1940.

During the First World War, former Congressman Short served in the infantry and then graduated from Baker University in 1919 and from Boston University in 1922. He taught at Southwestern College in Winfield, Kans., from 1923 through 1924 and from 1926 through 1928.

All Missourians are deeply grateful for Dewey Jackson Short's superb contributions to our State and national lives and I am deeply grateful for his friendship and the counsel he gave me over the years. His works and memory are a cornerstone of America's 20th-century heritage.

PRESIDENT SIGNS LOW-INCOME ENERGY ASSISTANCE ACT

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

Mr. BIAGGI. Mr. Speaker, I just returned from a most important event—the President's signing of the $1.35 billion Low-Income Energy Assistance Act of 1979.

The signing of this crucial measure into public law culminated an extraordinary legislative effort involving the full cooperation of the House, Senate, Secretary of HEW, and of course, the President.

With this legislation, we have protected older Americans, and the poor from the dreaded dilemma of choosing between heating and eating this winter.

President Carter had preferred, as I did, that the windfall profit tax pay for the low-income energy assistance program. However, in an act of statesmanship, the President recognized the urgency of the situation and chose to sign this bill without final resolution of the windfall profit tax issue.

By enacting this measure, we have averted a short-term crisis. However, at the same time, this situation has focused our attention on the real problem—this Nation's dangerous reliance on foreign energy sources.

We must be as aggressive in seeking energy independence for the future as we were in providing emergency assistance this winter.

The elderly and poor of this Nation should be grateful to the President for his exemplary leadership in addressing their needs.

□ 1230

ASSISTANCE TO CAMBODIA

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

Mr. OBERSTAR. Mr. Speaker, future generations will judge us not only by our actions in times of great prosperity but by our response to adversity and to the suffering of our fellow human beings.

The savagery of events in Cambodia has troubled the hearts of all Americans. Our colleagues in the Congresswoman's Caucus have undertaken a mission of mercy to that troubled country and have begun the process of opening the Cambodian borders to the offered assistance of a concerned world.

Hundreds of private citizens, such as Sister Joan Gared from my hometown of Chisholm, Minn., have volunteered their services in personal missions of mercy to relieve the suffering of the Cambodian people.

As Americans, we are troubled and angered by the events in Iran. The America which rejects the brutality of the violation of an embassy and government sanction of kidnaping is the America which must continue to lead world relief efforts for the starving people of Cambodia.

Let us persevere and renew our determination to aid this stricken nation.

SUPPORTING THE PRESIDENT ON THE SUBJECT OF IRAN

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

Mr. GOODLING. Mr. Speaker, I take this minute merely to assure the hoodlums, anarchists, or whatever you may want to call them, students, perhaps who are holding the American hostages in Iran, that there is only one elected official who speaks for the American people on international affairs. There is but one elected American official who is elected by Americans all across this country. The rest of us are elected by a few in a small area. I would not want those students to think that anyone else is speaking for the American people. The President is speaking for the American people. He is doing the negotiating and he is making those determinations with the support of 99 percent of all Americans.

THE COMING WINDFALL PROFIT TAX CONFERENCE

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

Mr. CONABLE. Mr. Speaker, I am concerned about the situation which appears to be developing with respect to the so-called windfall profit tax. Either by leadership planning or by failure of planning, we are likely to find ourselves in a position where we will be going to conference with the other body on this measure, with the joyous pressures of Christmas distracting us, and without a House position on many of the provisions which will be included in the Senate version of the bill.

Months ago we passed a bare excise tax on the various types of oil. We expected later to come back with a separate measure which would establish the division of the proceeds of this tax, possibly including appropriate tax credits to encourage energy conservation. The Senate is sweeping all such provisions into one bill.

A deliberate conference might give the House adequate time in which to work its will with respect to such important proposals, even though no advance work were done on them beforehand; but the role of the House in initiating tax legislation has been substantially subverted if we allow ourselves to take up a much wider bill than we sent the Senate during the last few days of the preholiday season. Do we allow this sort of thing to happen because we have no competence ourselves, or because our leaders lack confidence in us, or because we want to give a larger role to the administration in negotiating the final result?

The last time this happened, during the 1978 Tax Reform Act, the pressure of time was so great and so many issues were unresolved that the conferees had to be kept apart, with separate rooms for each set of conferees, for fear someone would make a speech and delay the decision; and there was no true negotiation between the Houses. I do not want to see us get into such a frustrating condition again, because I want a prepared and instructed House membership to have its full impact on the ultimate legislation.

PROMPT ACTION BY THE UNITED NATIONS ON THE IRANIAN SITUATION

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

Mr. BROOMFIELD. Mr. Speaker, I was pleased that the United Nations has agreed to consider the Iranian situation. I would hope that they would do so promptly.

As much as we are all appalled at the tragedy that occurred in the relationship between our country and Iran, it is much more than a bilateral problem.

What has occurred in Tehran goes to the very heart of the principles of diplomacy.

Today it is our Embassy that is occupied and Americans who are held prisoners. Tomorrow, it could be someone else's problem.

This is the sort of worldwide calamity that the United Nations was created to resolve. If it is to serve any useful purpose on the world scene, if the U.N. is to be anything more than a debating society, it has an obligation to act, and act promptly and forcefully, to resolve this crisis and in doing so set clear guidelines for future diplomatic conduct between nations.

HOLDING DOWN FEDERAL SPENDING

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

Mr. ROTH. Mr. Speaker, I would like to commend the leadership on its efforts to bring up for a vote legislation that will hold down the amount of Federal spending.

Federal spending has been increasing enormously in the past decade and it is the responsibility of Congress to do something about it. More and more people across the country are becoming concerned about governmental spending and the rising amount of the Federal debt. We are all aware of the remedy, called proposition 13, which the voters of California so enthusiastically passed to halt the State's governmental spending.

I am pleased to be a cosponsor of this current legislation, which would limit Federal spending to a fixed percentage of gross national product, 21 percent for the next fiscal year and 20 percent thereafter. In addition, I am pleased by the provisions which have as congressional goals to cut taxes by fiscal year 1982 and to balance the Federal budget.

They are all excellent ideas and I support them. The Congress has a responsibility to the American people to live within its means and any proposal to bring about that result deserves our utmost attention.

MEXICO CAN HELP REPLACE IRANIAN OIL

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

Mr. RUDD. Mr. Speaker, the Director of Mexico's National Oil Company, PEMEX, has publicly announced and made known to U.S. officials that Mexican oil production will reach its 1982 goal of 2.25 million barrels a day 2 years early—by next month.

PEMEX Director Jorge Diaz Serrano has also stated that Mexico's current oil production is sufficient to help the United States replace the Iranian supply of 700,000 barrels per day, if our Government and Mexico can reach a suitable agreement.

Mexico is already exporting 650,000 barrels a day to the United States, Israel, and Spain.

PEMEX officials are certain that they will soon find another giant oil deposit with more than 10 billion barrels of proven reserves in the Gulf of Mexico.

Mexico could become a more stable and reliable international supplier of oil very soon, if given proper encouragement by our Government.

The current situation in Iran demands that the President do everything possible to arrange oil export agreements with Mexico.

I hope all my colleagues in the Congress will join me in urging the President to do so without delay.

HON. CHARLES E. POTTER

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

Mr. DEVINE. Mr. Speaker, a former colleague and friend of many here in this House, Charles E. Potter, passed away the day after Thanksgiving, Friday, November 23. Charles was a Member of the House from 1947, when he won a special election in the 11th District of Michigan, until 1953, when he took his seat in the Senate of the United States, having won the seat formerly held by Senator Arthur Vandenberg.

During Charley's first year in the House, the Chowder and Marching Society was formed, and he was a founding member. Jerry Ford was taken into the group the following year after the 1948 election when he first came to Washington to represent the Fifth District of Michigan.

In those early days, the House Un-American Activities Committee presented a remarkable opportunity for public notice, and Charley was appointed to that committee. From this activity, his name and reputation became statewide and contributed considerably to his chances to capture the Senate seat in 1952.

Charley was also well known for his campaign against the lamprey, that predator which divested the Great Lakes of its fine sport and commercial fish. There was always one of the ugly little creatures pickled and in a glass jar in evidence in his office to remind all visitors of the war he was waging against the critter. One day the jar toppled from the shelf and sprawled the thing on the floor to the consternation of all present.

Everyone knew Charley Potter, the gutsy veteran who walked with two canes. He was like the bumblebee which aerodynamically cannot fly, but since no one has told the bumblebee, he goes ahead and flies anyhow. Charley was not supposed to walk either, but he went ahead and did it. In later years, Charley had to give up his canes for a three-wheeled, electrically powered cart called an Amigo. He could be a menace if you did not see him coming. At one local restaurant to which he repaired often for lunch, he was referred to as "Ironsides."

It was not Charley's accomplishments as a legislator, and later as a legislative consultant, for which he will be remembered by those of us in Congress who knew him. He was a towering monument to determination. His affability was

never quenched by additional physical or personal problems. He did not complain of his lot, and when things were bad, he made light of them. And over the years, he had more afflictions than most of us would find the strength to endure.

Living on the Eastern Shore of Maryland during the last few years in a beautiful spot called Wyemoor, Charley became the country gentleman and genial host. No one would turn down an invitation to visit Charley and Betty Potter.

One could go on for hours reciting anecdotes about the man and the long and useful life he led on borrowed time, starting from a January night in 1944 when a German landmine ripped his legs to shreds. He knew for the rest of his life that he was enjoying a reprieve from resting in one of our overseas cemeteries which, as vice chairman of the American Battle Monuments Commission, he helped oversee for many, many years.

He once said that he would never let his personal security be a factor in important decisions. And he did not. The likes of Charley Potter will not be seen hereabouts again, and the place and the world will be the poorer for it. Those of us who knew Charles E. Potter, hero, Congressman, Senator, and Washington personality, will miss him, and we extend our deepest sympathy to his widow Betty, his daughter Wendy, and his sister Frances.

HIGH INTEREST RATES AFFECTING SMALL BUSINESS

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

Mrs. SNOWE. Mr. Speaker, I would like to take this time to call my colleagues' attention to the serious problems being faced by many small businesses as a result of extraordinarily high interest rates.

During the Thanksgiving recess, I had an opportunity to talk with an automobile dealer in my district who has been in business for 50 years. He related to me that he and other small business people are faced with the prospect of closing their doors in the near future unless some form of relief is in sight.

This is not a problem which the Congress can put aside until next year. Many of these small businesses may not be around to see next year. With the prime interest rate now in the range of 15½ to 15¾ percent, businesses with large inventories or those who rely on credit to pay costs until accounts are received will not be able to sustain themselves because they cannot raise prices enough to pay for the increased cost of credit.

We all realize that something must be done to curb inflation and certainly we all must contribute to the fight. But some mechanism must be found to protect small businesses from bearing a disproportionate share of the burden. Therefore, as a member of the Small Business Committee I urge the leadership of that committee to hold hearings on this problem before the adjournment of the 1st session of the 96th Congress.

PROPOSED INCREASES IN DEFENSE SPENDING

(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, apparently the administration, in response to Senator NUNN and his allies, has schizophrenic plans to raise the defense budget a real 5 percent a year for the next half decade, while working hard to get the SALT treaty passed. In 1980 alone, with 1979's inflation rate, that is at least $25 billion more. Combined with SALT, this means less defense and more spending, when it could be just the opposite.

We ignore defensive weapons, negotiate away our technological advantages, and give more billions to the bureaucrats to finance the Irans, the Nicaraguas, and the South Vietnams of this world.

More than 50 percent of the defense budget is spent on the defense of other countries, including ones like West Germany and Japan that have more money and stronger economies than we do.

The Carter-Nunn plan would give us less defense and more inflation and taxes. Let us cut overall Pentagon spending, develop missile and laser ABM's on a crash basis, stop pouring billions down foreign ratholes, end subsidies to ungrateful "allies," defeat SALT, and devote a leaner DOD budget to defending America and Americans. That is one way we can have a much stronger defense, and less spending, which are exactly what we need for the 1980's.

□ 1240

HEW HAS DEFEATED ITS OWN GOALS

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

Mr. SHUMWAY. Mr. Speaker, in its zeal to integrate the Nation's public schools through mandatory busing, HEW has ironically defeated its own goals. Moreover, it has done so at great expense, not only in dollars but in violence and tragedy.

Six years after court-ordered busing began in Prince Georges County to eliminate predominantly black schools, more schools than ever—almost half—are more than 50 percent black.

In 1974, Boston was ordered to implement a desegregation plan involving the busing of almost half the city's students. Today, black students make up 45 percent of Boston's public school enrollment, violence is a daily occurrence, and a 15-year-old boy lies paralyzed from the neck down as the result of a sniper's bullet.

Not content with these bitter "victories," HEW has now urged the Justice Department to file suit against the city of Chicago for its failure to develop a busing plan. Since the public school population is already only 20 percent white, this is clearly expecting the impossible.

An obsession with facts, figures, and racial quotas is counterproductive to the goals of integration, education, and harmony. There is now more segregation between inner cities and suburbs than ever before, and certainly there is far more bitterness. It is my hope that the Justice Department will realize that equal rights and sound education are goals which deserve more than an inflexible commitment to numbers, and will thus deny HEW's appeal for a suit.

DEATH OF THE HONORABLE DEWEY SHORT, AMERICA LOSES A DISTINGUISHED SON

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

Mr. TAYLOR. Mr. Speaker, it is with deep regret that I inform my colleagues of the death of the Honorable Dewey Jackson Short, a former Member of this body, who passed away at his Washington, D.C., home on November 19, 1979. He was buried in the family plot on a hill overlooking his beloved hometown of Galena, Mo., on Saturday, November 24.

Dewey, who was my close personal friend and political mentor, gave 24 years of distinguished service to his district, State, and Nation as a Member of the House of Representatives, culminating his career as the chairman of the Committee on Armed Services during the 1953–54 session. He was later named by President Eisenhower to be an Assistant Secretary of the Army, a post he held from 1957 until his retirement in 1961.

Dewey was known far and wide as the silver-tongued orator of the Ozarks. As a young man growing up in southwest Missouri my father used to take me to hear him speak on many occasions. He was a spellbinder. When the word went out that Dewey planned to address the House, the gallery was always filled. He never disappointed his listeners.

Springing from humble surroundings in Stone County, Mo., Dewey was extensively educated at Baker University, Boston University, Harvard, the University of Berlin, Heidelberg University, and Oxford. However, he never lost his love for the Ozark hills and the people of rural Missouri who loved him in return.

In a recent interview, Dewey stated that he always kept two books on his desk, the Bible and a dictionary, adding that he read both every day.

He leaves his wife Helen and two sisters, Fan Vineyard of the home in Galena, Mo., and Helen Pauley, a former administrative assistant to former Congressman O. C. Fisher of Texas. His nephew, Bill Short, recently retired as a staff member of the Armed Service Committee.

I am sure that those of you who knew Dewey well will miss his sharp wit, his gifted oratory, and his great intellect.

America has indeed lost one of her most brilliant and dedicated sons.

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

Mr. TAYLOR. I would be happy to yield to the distinguished minority leader.

Mr. RHODES. Mr. Speaker, I would like to associate myself with the remarks

of the gentleman from Missouri. In the passing of Dewey Short, the country has lost a truly great citizen. We have lost a truly great former colleague. As the gentleman from Missouri has said, he was not only one of the most capable, but one of the most popular Members of the House. We will all miss him.

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

Mr. TAYLOR. I would be happy to yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, let me commend the gentleman for bringing this matter up at this time. I would like to say that while in the last 15 years I have been a member of the Armed Services Committee, it was not my pleasure to serve it under Dewey, because he retired shortly before; but he has come back many times and made many speeches, including the dedication of the portrait I believe of the last two chairmen of the Committee on Armed Services. I got to know him and I can say that he is one of the most interesting and colorful people I have ever known. Certainly his passing is a loss to the country.

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

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

Mr. SKELTON. Mr. Speaker, I wish to associate myself with the gentleman's most appropriate remarks regarding the late Congressman Dewey Short. He was truly a fine and outstanding Missourian and a fine and outstanding American. We in Missouri are proud that he was one of us. I compliment the gentleman on his statement.

Mr. TAYLOR. Mr. Speaker, I thank my colleague, the gentleman from Missouri.

"KARMA"

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

Mr. DORNAN. Mr. Speaker, a word about the Shah. Rudyard Kipling gave us the timeworn observation that "East is east and west is west and never the twain shall meet," but I find that statement misleading if not totally untrue. The eternal verities hold true for every culture and every citizen throughout this world. Although we should not negotiate while a gun is held at the head of any American citizen anywhere in the world, I think we should recognize the grievous flaws of the deposed royalist, the Shah, and recall that the eastern word, the expression "Karma" is also understood in our Nation by the folksy saying, "The chickens shall come home to roost." The Shah's disregard for human life came back to haunt him.

I would like to remind all my colleagues why I have spent my 3 years here in Congress criticizing the Shah in or out of power. We all remember the fabulous intelligence breakthrough when a young Soviet lieutenant named Victor Blenko flew a Mig-25 to Japan, and asked for and got asylum in the United States. The date was September 6, 1976. Only 3 weeks later, actually 19 days later, on September 25, 1976, another young Soviet officer, also, a Mig pilot, also a young lieutenant named Valenin Zasimov, flew a mail plane, alone, to the free world. Unfortunately, he chose the wrong country in the so-called free world. He flew to Iran. It cost him his life and his family has been imprisoned in Soviet Gulag concentration camps ever since. The Shah rebuffed all pleas from the United Nations, from Lt. Victor Blenko, from the Pope, and from dozens of other religious leaders and from the President of the United States and our State Department and from Sakharov and other Helsinki Watchdog Committee members, literally from thousands of people around the world who had been fortunate enough to have sought asylum from understanding governments and leaders on every continent. They all begged the Imperial Shah for mercy. The Shah's answer to the free world's pleas to save the life of young Lieutenant Zasimov, "Mind your own business." The emperor of the now defunct Peacock throne on October 25, 1976, had the Soviet officer, after a degrading month of keeping him in chains in an Iranian prison cell, dragged across the Soviet border to certain death and probable torture. I have confirmed on several occasions from our intelligence forces both here and behind the Iron Curtain that young Valenin Zasimov was swiftly executed, with threats to eventually "get" Lt. Blenko expressed on the day of Valenin's murder. And the Shah? He got his farm tractors from Russia. Oh, yes, he got his "Karma" 2 years later, also.

□ 1250

WORMING ON RESPONSIBILITY

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

Mr. FINDLEY. Mr. Speaker, there are obviously valid questions about why the Carter administration did not take special precautions to assure the security of U.S. Embassy personnel in Tehran prior to the Shah's arrival in New York for medical treatment.

I hope that the administration does not try to avoid answering these questions by blaming former Secretary of State Henry Kissinger for the current tense situation and the plight of the American hostages. Dr. Kissinger and, indeed, others may well have recommended that the United States admit the Shah temporarily for humanitarian reasons. In fact, the administration probably heard recommendations which were both for and against admitting the Shah. But ultimately, it was the Carter administration's responsibility to make a decision on the Shah. That decision and responsibility remain President Carter's. It is unseemly and unwarranted for his administration to attempt to worm out of it now. To do so is no favor to the President. When the administration tries to blame Dr. Kissinger for the decision to admit the Shah the administration makes the President himself look like a nullity—a weak, wishy-washy figure easily pushed around by outsiders. Such statements and attitudes provide one more example of why world perception of U.S. will and determination has sunk so low in the past few years.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. The Chair recognizes the gentleman from California (Mr. DELLUMS), chairman of the Committee on the District of Columbia.

EXTEND BORROWING AUTHORITY FOR THE DISTRICT OF COLUMBIA

Mr. DELLUMS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5537) to amend the District of Columbia Self-Government and Governmental Reorganization Act with respect to the borrowing authority of the District of Columbia, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 723(a) of the District of Columbia Self-Government and Governmental Reorganization Act (D.C. Code, sec. 47-241 note) is amended by striking out "October 1, 1979" in the first sentence and inserting in lieu thereof "October 1, 1980, or upon enactment of the fiscal year 1981 appropriation Act for the District of Columbia government, whichever is later".

GENERAL LEAVE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in explanation of the bill under consideration.

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

There was no objection.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of H.R. 5537 is to extend for 1 additional year the authorization for the District of Columbia to borrow from the U.S. Treasury such sums as are required to complete capital projects for which construction and construction services funds have been authorized or appropriated by Congress prior to October 1, 1979.

Ever since 1950, the government of the District of Columbia has borrowed from the U.S. Treasury to construct buildings and buy capital assets. This bill allows that practice to continue for 1 more year.

In the Home Rule Act, Congress gave the city authority to go into the private credit markets and float its municipal

bonds for capital projects. That authority has not been used by the city, largely because Congress has urged the city to adopt a new financial management system and have its books audited before trying to sell its bonds on the market. The Commission, which Congress created to help set the city's finances in order, reports that the first part of the city's new management system went into effect on the first of this month, and, that a complete audit of the city's books will be completed by next year at this time.

In the meantime, the city will need the authority of this bill to finance its current capital projects. Congress has approved these projects in the fiscal year 1980 Appropriations Act for the District of Columbia which cleared Congress on October 22, 1979 and has been signed into law by the President. These projects, which will be financed under this bill, H.R. 5537, include the District's share of metrorail construction; air quality control equipment; D.C. Fire Department pumping engines; street, sewer, and water improvements; and other capital improvements set out in the Appropriations Committee report and conference report which were passed by the House in recent weeks. The total amount of the capital improvements, stated in the Appropriations conference report, is $157,531,300 and these can only proceed if the bill before the House is passed.

Similarly, the city will need this authority to finance projects which are now in the budgeting process and will be approved by Congress in the fiscal year 1981 appropriation bill for the District of Columbia. After that, it is expected that future borrowing for capital improvements will be on the bond market just as in other cities.

The city has an excellent record for repaying its loans from the Treasury Department. And I would suggest that interested Members would take note that on page 5 of the committee report, accompanying the bill before the House, there is a record of the experience of the city in borrowing from the Treasury and a schedule of the payments that will have to be made during the coming years.

Mr. McKINNEY. Mr. Speaker, I move to strike the last word.

Mr. Speaker, H.R. 5537 is a very simple bill. The issue before us concerns a simple extension of the borrowing authority of the District of Columbia allowing it to continue to borrow funds from the U.S. Treasury in order to finance capital improvement projects. This issue is noncontroversial, it will cost the Federal Government nothing, and hopefully, we will not have to bring further extension legislation before the Congress next year.

The legislation before us today might actually be referred to as "son of home rule." When the 93d Congress passed the original D.C. Self-Government and Governmental Reorganization Act (home rule), we terminated the District's permanent authority to borrow funds from the U.S. Treasury to finance capital improvement projects and authorized the District to issue tax-exempt general obligation bonds to finance future capital projects. To cover the period between the time the District entered the bond market, Congress provided interim authority by which the District could continue to borrow from the U.S. Treasury.

The time for the District to enter the bond market happened to coincide with New York City's financial plight in 1974–75 and to assure that the District did not face similar problems in future years, Congress quite properly established the Temporary Commission on Financial Oversight of the District of Columbia. This Commission is overseeing a complete revamping of the District's financial management system, and its work is continuing on schedule. Unfortunately, the Commission's final report is not due until at least next year and that brings us back to the problem we face today, we need an extension of that original authority to borrow from the Treasury to get the moneys most cities acquire through selling bonds.

Mr. Speaker, this is one of those bills where the solution sounds simpler than the problem. Actually that is the case and will probably often be the case until the Congress lifts many of the restrictions it imposed on the District government. Once the District of Columbia government finally gets out from under the "catch 22" umbrella it must live under, it should be able to operate in a manner customarily enjoyed by all of the other large cities in the United States. Until then, I hope that my colleagues will recognize the unique problems of the District and actively support H.R. 5537.

Mr. KAZEN. Mr. Speaker, will the gentleman yield for a question?

Mr. McKINNEY. I am delighted to yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, let me ask the gentleman, what interest does the District pay when it borrows from the Federal Treasury?

Mr. McKINNEY. It is the prevailing rate.

Mr. KAZEN. And what is that?

Mr. McKINNEY. I would have to talk to counsel to be certain. It is 14 or 15 percent, I believe.

Mr. KAZEN. That is the interest that they pay the Treasury for the money borrowed under this bill?

Mr. McKINNEY. That would be the interest the city would pay to the Treasury. Bonds would be cheaper, however.

Mr. KAZEN. In other words, it would be comparable to what other cities pay for their borrowed money?

Mr. McKINNEY. Absolutely.

Mr. KAZEN. There is no difference?

Mr. McKINNEY. It is really the same vehicle, except it is through the Treasury.

Mr. BAUMAN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I am opposed to this legislation because I think it is an easy out for the District of Columbia. It is one that Congress has given them now for several years.

The gentleman from Connecticut (Mr. McKINNEY) referred to the need for complete home rule, and the gentleman indicates that the need for this legislation is in part due to the Congress of the United States because of the action of the other body in disapproving a proposed District of Columbia bond issue several years ago.

The truth of the matter is that the reason the District of Columbia does not issue bonds on the public market is because nobody wants to buy its bonds. The fiscal house of the District is in constant chaos. It has in fact one of the highest per capita debts in the United States, and home rule for the Federal City has proven to be disastrous fiscally for the taxpayers of the District and the United States. This bill perpetuates the fiscal disaster for the citizens of the United States who are required to bail out the District for these capital improvements.

Mr. Speaker, I urge defeat of this legislation so the District will have to live with the economic realities that exist for other cities and so that they will not be given a special status that this borrowing authority grants them for 1 more year.

My experience in 6 years here is that the District avails itself of the Federal Treasury for almost every project it thinks it needs, including such white elephants as the Convention Center that will undoubtedly go broke before it is even built.

Mr. Speaker, I suspect that our perpetuation of this easy money policy for the District is nowhere better embodied than in this legislation.

1300

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

Mr. BAUMAN. I yield to my friend and champion of the District of Columbia, the gentleman from Connecticut.

Mr. McKINNEY. Mr. Speaker, it grieves me to disagree with my fellow sponsor of many District bills, but I would suggest to the gentleman that we are not doing the District any favor.

Let us just look at a couple of things. The District cannot go into the bond market until it has got a set of books. When we set up the Audit Commission we set it up for two reasons: One was that we did not want the District to end up like New York City did, with no books. I would suggest to the gentleman that the reason that there were not any books for the District of Columbia was because this body, the other one down the hall, and the White House ran the District of Columbia. And everyone knows how well we keep books here. I think the gentleman commented earlier on our budget expertise this year.

Mr. BAUMAN. Mr. Speaker, if I may reclaim my time at this point, at least Congress has a budget process and we know what our deficit and what our revenues are. The District apparently does not even have that information nor a process to obtain it.

The gentleman refers to this commission. We have had to extend that for several years now. It is way behind in its report and they do not even seem able to carry out the simple task of getting their house in order fiscally and putting their books together.

Mr. McKINNEY. If the gentleman will yield further, this is an outside group that is doing this. They are highly respected. They will be finished next year. I would suggest the District of Columbia probably will be one of the only large cities with a good bookkeeping system.

Mr. BAUMAN. It may also be one of the only large cities with its own State Department. I read in the press now that Mayor Barry is planning an International Relations Office so that he can apparently pursue his activities around the world, as we have heard in recent days other elected officials sometimes do.

Mr. McKINNEY. We seem to have our own State Department in the House and the Senate.

Mr. BAUMAN. I do not know which is worse or better.

Mr. McKINNEY. But I do want to make one very clear point. We are not doing any favor by letting the city go to the Treasury. They are paying far more for the money they borrow from the Treasury than they would if they were to issue bonds on the market. It has never been proven that their bonds would not sell. In fact, this Member has been told many times by bond counselors that they would sell, and that if the city of Washington would come into the market with a clearly defined budgetary process, that would be the case. And that will be the case. I, for one, will take a great deal of pride in the fact that I think that the chairman and myself have forced the issue of preaccounting, preauditing, and an economically viable system as well as I did when I was helped, I am sure, by the gentleman from Maryland, in passing New York City's legislation in this body.

Mr. BAUMAN. The gentleman is consistent in his support of losing causes fiscally.

I am not sure that anybody who has money in his mattress ought to take it out and invest it in any D.C. municipal bonds. I do not know what Standard & Poor's rating is for D.C. bonds, or if there even is one, but it has got to be far more poor than standard.

At this point I include an article from the Baltimore Sun of November 20, 1979, which places the District of Columbia's affairs in an interesting perspective.

[From the Baltimore Sun, Nov. 20, 1979]

THE OTHER WASHINGTON

The largest single item in the budget is a $453 million outlay for the Department of Human Resources and its 200,000 clients. The payroll for DHR's staff of 6,330 accounts for 47 cents of every dollar spent by the department; the rest is dispersed to DHR clients in direct payments. Such high administrative costs defy the best congressional efforts to curb them. In 1972 the welfare fraud rate for D.C. had reached 40 percent, the highest in the nation. The chairman of the Senate D.C. Appropriations Committee, Patrick Leahy of Vermont, authorized a special allocation for an additional 45 permanent investigators to stem the flow of fraudulent payments. Today, 27 such positions have been filled; each year the city simply shifts funds for the remaining positions to other projects, despite a $457,000 monthly recovery rate from the limited investigations. The latest six-month Department of Health, Education, and Welfare review of D.C.'s welfare payments revealed overpayment errors totaling $8 million.

Health care in the city fares no better. The tuberculosis rate for the District is second only to Newark's; infant mortality is the highest in the nation. In 1978, live births totaled 9,372. Of these, 5,186 were out of wedlock. Abortions, which sparked brief congressional interest, totaled 12,718; of these, 5,692 were city-financed. These statistics obtain despite an outflow of hundreds of millions of dollars on what DHR describes as health care, family programs and social services. On the other hand, the agency admits that 35 elementary and six secondary public schools have no nursing services whatsoever. The agency is under multiple court orders because of its inability to meet statutory obligations.

The District's public school system represents the second largest single budget item. In 1979, it spent $297 million on an enrollment of 104,200 students, or $2,356 per pupil. Baltimore spent $1,865 per pupil in 1978. None of the fewer than 5,000 seniors who will graduate next spring will be required to pass any standard city or national test in any given subject to receive a diploma. Most will be lucky if they can read a cereal box label.

Yet salaries of the city's 6,114 teachers and 580 administrators rank third among the nation's 14 largest cities. (Baltimore's salaries rank 11th.) Criticism of the system's high expenditures and low quality is labeled racism in this city where the school population is 95 percent black and the school administrators, teachers and school board members are black. D.C.'s population is 502,000 blacks; 174,000 whites.

The excesses of the school system and DHR reflect a fair picture of the entire city government. The House District Committee estimates the District employs 146 persons for every 100 persons employed by the average state, county or city. In March, 1979, D.C. had 48,653 persons on the payroll. The federal government paid the salaries of 8,000 of these. Baltimore, with a population of some 850,000, employs 39,000 municipal workers.

Mayor Marion Barry acknowledges the bloated city payroll reflects the policy of the city as employer of last resort. D.C.'s labor department, for instance, has 14 separate and individual youth programs. "People are hired without skills or training. People are doing the same job, with duplicate programs," he admitted at congressional hearings. The city's Comprehensive Employment and Training Act (CETA) program—a federal program designed for the poor—ranks No. 2 nationally among the states and other jurisdictions in number of staff members per capita and 50th in its success in placing job applicants.

As for the unemployed, D.C. has established one of the most generous compensation benefit programs in the nation. Beneficiaries can voluntarily quit their jobs and receive fully two-thirds of their pay up to a maximum of $172 a week for as long as 34 weeks, unlike 26 weeks in most states; and an "extended benefits" program can stretch payments to 39 weeks. (Among people filing claims for unemployment in 1978 were 1,104 people who were employed by the city government at the time their claims were filed.)

The city's new director of Housing and Community Development was hired away from Houston, (population two and a half times the District's) where he had a staff of 650. Here he has 1,550 people on his staff and an additional half million dollars was put in the 1980 budget to hire 262 more HCD employees.

What are the chances for change? Mayor Barry was elected a year ago after a decade of Walter Washington's administration. Mr. Barry spent most of the 1970s either as school board president or as a City Council member. Neither the quality of the schools nor the services for which the council is responsible improved noticeably during that time.

As things as basic as the District's tuberculosis control program come under repeated criticism for shortcomings and the Congress annually recommends that the city government pare its bloated payroll and establish competency standards for hiring, what can Mr. Barry be expected to do?

So far this year, Mayor Barry has made known his intention to establish an International African Affairs office and his desire to bring the Orioles to Washington.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

The SPEAKER. Without objection, the gentleman from California (Mr. DELLUMS) is recognized for 5 minutes.

There was no objection.

Mr. DELLUMS. Mr. Speaker, I would like to respond, very briefly, to my colleague, the distinguished gentleman from Maryland. I appreciate the diligence with which he pursues his point of view, but I would simply point out that, No. 1, there is no cost to the Federal Government with respect to this legislation. No. 2, the District of Columbia does indeed have to pay back these loans, so it is not a gift. And their record of repayment is exemplary.

Finally, Mr. Speaker, as I indicated in my opening remarks, the first part of the city's new budget management system went into effect the first part of this month. It is our belief that by this time next year the entire auditing process and the fiscal management system will indeed be in place.

While I appreciate the comment of my colleague, the gentleman from Maryland, with respect to whether or not bonds can be floated in the District of Columbia, I think my colleague will agree with me, that to some extent, that this is a rather subjective point of view. We passed a very important piece of legislation in recent weeks. Legislation that is now signed into law by the President. A law that would indeed remove an important cloud that hung over the District of Columbia. One that dealt with the over $2 billion unfunded liability in the pension fund that hung as a very heavy cloud over the District's financial system situation. We passed a $1.3-billion piece of legislation to facilitate that situation. I would think that when people, looking at the District of Columbia as a potential bond market, look at the action of the Congress, action that my distinguished colleague, the gentleman from Maryland, joined, along with other Members, in passing, those people would indeed look favorably upon it.

So I would suggest to my colleague that this is not a gift to the District of Columbia; that over the next 12 months we are simply providing them with the necessary mechanism to get on with the necessary business of the everyday business of doing the job of trying to run a city. As we all know, the District of Columbia only in recent years has had the opportunity to engage in the process of home rule. They are now trying to deal with years and years and decades of the U.S. Congress, as well as the Presi-

dent of the United States, dabbling in their business.

It would seem to me that we ought to not now be a thorn in their side nor a rock in the road, and I would think that this particular piece of legislation ought to be passed.

Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 283, nays 99, not voting 51, as follows:

[Roll No. 679]

YEAS—283

Addabbo	D'Amours	Hagedorn
Albosta	Danielson	Hamilton
Ambro	Daschle	Hanley
Anderson, Calif.	Davis, Mich.	Harkin
	Davis, S.C.	Harris
Andrews, N.C.	Deckard	Hawkins
Annunzio	Dellums	Heckler
Ashley	Derrick	Hefner
Aspin	Dicks	Hightower
Atkinson	Dixon	Hillis
Bailey	Donnelly	Hinson
Barnard	Dougherty	Holland
Barnes	Downey	Holt
Beard, R.I.	Drinan	Holtzman
Bedell	Duncan, Oreg.	Howard
Beilenson	Duncan, Tenn.	Hubbard
Benjamin	Early	Hughes
Bereuter	Eckhardt	Hutto
Bevill	Edgar	Hyde
Biaggi	Edwards, Ala.	Johnson, Calif.
Bingham	Edwards, Calif.	Jones, N.C.
Blanchard	Emery	Jones, Tenn.
Boggs	Erdahl	Kastenmeier
Boland	Erlenborn	Kazen
Boner	Ertel	Kildee
Bonior	Evans, Del.	Kindness
Bouquard	Fary	Kogovsek
Bowen	Fascell	Kostmayer
Brademas	Fazio	LaFalce
Breaux	Fenwick	Leach, La.
Brinkley	Ferraro	Lederer
Brodhead	Findley	Lee
Brooks	Fish	Lehman
Brown, Calif.	Fisher	Leland
Brown, Ohio	Fithian	Levitas
Buchanan	Flippo	Livingston
Burgener	Florio	Lloyd
Burlison	Foley	Long, La.
Burton, John	Ford, Mich.	Long, Md.
Burton, Phillip	Ford, Tenn.	Lowry
Byron	Forsythe	Luken
Carr	Fowler	Lundine
Carter	Fuqua	McClory
Cavanaugh	Garcia	McCloskey
Chappell	Gaydos	McDade
Chisholm	Gingrich	McHugh
Clay	Ginn	McKay
Cleveland	Glickman	McKinney
Clinger	Goldwater	Maguire
Coelho	Gonzalez	Marks
Coleman	Goodling	Marlenee
Collins, Ill.	Gore	Martin
Conable	Gradison	Matsui
Conte	Gray	Mattox
Conyers	Green	Mavroules
Corcoran	Guarini	Mazzoli
Corman	Gudger	Mica
Coughlin	Guyer	Michel
Mikulski	Rangel	Stockman
Miller, Calif.	Ratchford	Stokes
Mineta	Regula	Stratton
Minish	Reuss	Studds
Mitchell, Md.	Rhodes	Swift
Mitchell, N.Y.	Richmond	Synar
Moakley	Rinaldo	Tauke
Moffett	Rodino	Thompson
Mollohan	Roe	Traxler
Moore	Rose	Udall
Moorhead, Pa.	Rostenkowski	Van Deerlin
Murphy, Ill.	Roybal	Vander Jagt
Murphy, N.Y.	Royer	Vanik
Murtha	Russo	Vento
Myers, Pa.	Sabo	Volkmer
Natcher	Santini	Walgren
Neal	Sawyer	Wampler
Nedzi	Scheuer	Waxman
Nelson	Schroeder	Weaver
Nichols	Schulze	Weiss
Nowak	Seiberling	Whitehurst
Oakar	Sensenbrenner	Whitley
Oberstar	Shannon	Whitten
Obey	Sharp	Williams, Mont.
Ottinger	Shelby	Williams, Ohio
Panetta	Skelton	Wilson, C. H.
Pashayan	Slack	Wilson, Tex.
Patten	Smith, Iowa	Wirth
Pease	Snowe	Wolff
Perkins	Solarz	Wolpe
Peyser	Spellman	Wright
Pickle	St Germain	Wyatt
Preyer	Stack	Wylie
Price	Staggers	Yates
Pritchard	Stanton	Yatron
Pursell	Stark	Zablocki
Rahall	Stewart	

NAYS—99

Abdnor	Grassley	Murphy, Pa.
Andrews, N. Dak.	Grisham	Myers, Ind.
	Hall, Tex.	Paul
Archer	Hammer-schmidt	Petri
Ashbrook		Quayle
Badham	Hance	Quillen
Bafalis	Harsha	Ritter
Bauman	Hollenbeck	Roberts
Beard, Tenn.	Hopkins	Robinson
Bennett	Huckaby	Roth
Broomfield	Ichord	Rousselot
Broyhill	Jacobs	Rudd
Butler	Jeffries	Runnels
Campbell	Jenkins	Satterfield
Carney	Jones, Okla.	Sebelius
Cheney	Kelly	Shumway
Clausen	Kemp	Shuster
Collins, Tex.	Lagomarsino	Snyder
Courter	Latta	Solomon
Crane, Daniel	Leath, Tex.	Spence
Daniel, Dan	Lent	Steed
Daniel, R. W.	Lewis	Stenholm
Dannemeyer	Loeffler	Stump
de la Garza	Lott	Symms
Derwinski	Lujan	Taylor
Devine	Lungren	Thomas
Dingell	McEwen	Trible
Dornan	Madigan	Walker
English	Markey	Watkins
Evans, Ga.	Marriott	White
Evans, Ind.	Mathis	Whittaker
Fountain	Miller, Ohio	Wilson, Bob
Gibbons	Moorhead, Calif.	Young, Alaska
Gilman		Young, Fla.

NOT VOTING—51

Akaka	Frenzel	Montgomery
Alexander	Frost	Mottl
Anderson, Ill.	Gephardt	Nolan
Anthony	Giaimo	O'Brien
Applegate	Gramm	Patterson
AuCoin	Hall, Ohio	Pepper
Baldus	Hansen	Railsback
Bethune	Heftel	Rosenthal
Bolling	Horton	Simon
Bonker	Ireland	Smith, Nebr.
Cotter	Jeffords	Stangeland
Crane, Philip	Jenrette	Treen
Dickinson	Johnson, Colo.	Ullman
Diggs	Kramer	Winn
Dodd	Leach, Iowa	Wydler
Edwards, Okla.	McCormack	Young, Mo.
Flood	McDonald	Zeferetti

□ 1320

The Clerk announced the following pairs:

Mr. Zeferetti with Mr. Anderson of Illinois.
Mr. Akaka with Mr. Frenzel.
Mr. Cotter with Mr. O'Brien.
Mr. Dodd with Mr. Wydler.
Mr. Giaimo with Mr. Kramer.
Mr. Jenrette with Mr. Dickinson.
Mr. McCormack with Mr. Horton.
Mr. Montgomery with Mrs. Smith of Nebraska.
Mr. Rosenthal with Mr. Winn.
Mr. Ullman with Mr. Anthony.
Mr. Young of Missouri with Mr. Bethune.
Mr. Pepper with Mr. Philip M. Crane.
Mr. Mottl with Mr. Edwards of Oklahoma.
Mr. Applegate with Mr. Jeffords.
Mr. Baldus with Mr. Johnson of Colorado.
Mr. Alexander with Mr. Leach of Louisiana.
Mr. AuCoin with Mr. Stangeland.
Mr. Diggs with Mr. Bonker.
Mr. Frost with Mr. Gephardt.
Mr. Heftel with Mr. Gramm.
Mr. Nolan with Mr. Hall of Ohio.
Mr. Patterson with Mr. Hansen.
Mr. Ireland with Mr. McDonald.
Mr. Simon with Mr. Railsback.

Mr. BEARD of Rhode Island changed his vote from "nay" to "yea."

Mr. MARRIOTT changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

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

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1308, PRIORITY ENERGY PROJECT ACT OF 1979

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1308) to provide for an expedited and coordinated process for decisions on proposed nonnuclear energy facilities, and for other purposes, with the House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia? The Chair hears none and, without objection, appoints the following conferees: Messrs. STAGGERS, DINGELL, OTTINGER, SHARP, MOFFETT, SATTERFIELD, WIRTH, GRAMM, BROYHILL, BROWN of Ohio, LOEFFLER, MOORHEAD of California, UDALL, CARR, SEIBERLING, SANTINI, CLAUSEN, and LUJAN.

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DELLUMS), chairman of the Committee on the District of Columbia.

CIVIL SUITS FOR VIOLATIONS OF CIVIL RIGHTS

Mr. DELLUMS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 3343) to permit civil suits under section 1979

of the Revised Statutes (42 U.S.C. 1983) against any person acting under color of any law or custom of the District of Columbia who subjects any person within the jurisdiction of the District of Columbia to the deprivation of any right, privilege, or immunity secured by the Constitution and laws, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended—

(1) by inserting "or the District of Columbia" after "any State or Territory"; and

(2) by adding at the end thereof the following new sentence: "For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.".

SEC. 2. Section 1343 of title 28, United States Code, is amended—

(1) by inserting "(a)" before "The district courts"; and

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

"(b) For purposes of this section—

"(1) the District of Columbia shall be considered to be a State; and

"(2) any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.".

SEC. 3. The amendments made by this Act shall apply with respect to any deprivation of rights, privileges, or immunities secured by the Constitution and laws occurring after the date of the enactment of this Act.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

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

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

(By unanimous consent Mr. EDWARDS of Alabama was allowed to speak out of order.)

EXPRESSION OF SYMPATHY FOR FAMILIES OF CONGRESSIONAL STAFF KILLED IN PLANE CRASH

Mr. EDWARDS of Alabama. Mr. Speaker, on returning to Washington after the Thanksgiving holidays I received the unwelcomed news that a member of my staff had been killed in a plane crash in Alabama.

Jack Hines Farish was one of the brightest young men I have known. No job was too big or too small for him because he truly loved and was enthusiastic about what he was doing here in Washington. He was an asset to our office and was loved by all of us. We have lost a good young friend and a loyal and dedicated public servant. We shall miss him greatly.

My wife, Jolane, and the entire office staff join me in extending our deepest sympathy to his mother and father, Mr. and Mrs. Dick Farish of Monroeville, Ala., and his entire family. We pray that the Lord will comfort them with the certain knowledge that they are in the thoughts and prayers of their many friends.

We likewise extend our heartfelt sympathy to the parents and loved ones of David Watson, Louise Tate, and Cathy Stewart. All of these young people exemplify what is good about our country. What a tragedy to lose these who were already involved in making our Nation a better place in which to live.

Mr. DELLUMS. Mr. Speaker, H.R. 3343 as reported by the full Committee on the District of Columbia is being offered as legislation which is necessary in order to give citizens of the District of Columbia rights equal to those of citizens in the States and territories of the United States. It would allow civil suits under the primary Federal civil rights statute against any person who, acting under the authority of the laws of the District of Columbia, deprives another person of his or her statutory or constitutional rights.

Mr. Speaker, H.R. 3343 also assures that Federal courts shall have jurisdiction of section 1983 actions against local officials acting under color of local laws or customs.

Mr. HARRIS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this matter, which is nothing more than perfecting the law with regard to section 1893, was subjected to extensive hearings by our colleague from Kentucky (Mr. MAZZOLI).

This bill, as I say, has been worked on very hard. I would like initially to thank my colleague from Connecticut (Mr. MCKINNEY) for the excellent work that he did with regard to this legislation.

In simple terms, Mr. Speaker, we have a law which gives recourse to those whose constitutional rights are invaded by color of law by a local or State government. It applies to everyone. It applies to every State, every locality, every territory, Puerto Rico and Guam included.

□ 1330

The only thing it does not apply to is the District of Columbia. This bill does a very simple and direct thing. It applies this law with regard to protection of constitutional rights to the District of Columbia.

Mr. Speaker, since I have explained the bill, and since we have been interrupted, I would like to yield to the gentleman from Connecticut (Mr. MCKINNEY) for any observations he may have with regard to the legislation.

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

Mr. Speaker, I am sure that we are all aware that the residents of the District of Columbia are presumed to be full citizens of the United States, and that they do indeed share with the residents of the States and territories the duties and obligations of all U.S. citizens, pay Federal income taxes, serve in our Nation's Armed Forces, and are subject to the same Federal laws as all citizens of the United States.

On the other hand, I think all of us must be aware by now that those citizens who do reside within the borders of the District of Columbia are still denied fundamental democratic rights. The basic right to voting representation in Congress and a direct and full say in all of the operations of their own local government are classic examples. However, the deprivations and injustices suffered by the District of Columbia, the Nation's Capital, do not end there.

Another shameful example of the second class citizenship suffered by District of Columbia citizens is before us today. Unlike the problem of full voting rights, however, this particular deprivation and injustice can be easily and speedily corrected. It is for this purpose that I introduced the bill which we are now considering.

H.R. 3343 would amend the applicable section of the United States Code to permit the citizens of the District of Columbia, or any of the constituents of my colleagues who might be so aggrieved upon a visit to the Nation's Capital, to sue in the District's Federal courts for violations of their civil rights. By enacting this bill we thereby accord to all citizens in the District of Columbia this same right and privilege which is presently enjoyed by all of the other citizens of the United States.

Mr. Speaker, this legislation is supported by the parties who would be most affected by it, including the District of Columbia government. It would indeed seem that quick and favorable action on this important and straight-forward legislation would be a foregone conclusion.

● Mr. MAZZOLI. Mr. Speaker, let me first thank my colleague, Representative MCKINNEY of Connecticut, the District Committee's ranking minority member, for introducing this important legislation.

Under current law, section 1983 of title 42, United States Code provides the basic remedy for civil suits against persons, States, or territories who abridge the constitutional freedoms of others while acting under color of local law.

In a decision handed down in 1973, the U.S. Supreme Court, in District of Columbia against Carter, held that the District of Columbia was not a State or territory for the purposes of section 1983.

Thus, in this landmark case, a citizen of the District of Columbia, whose rights had been infringed upon by persons acting under the color of local law, was found to have no legal right to redress a grievance under section 1983 of the United States Code. This fundamental right is secured for every citizen of the States and territories, including, I would note, Puerto Rico, but not for citizens of the Nation's Capital.

So the final result is that anyone, whether a District of Columbia resident or visitor to the Capital, who feels that his or her constitutional rights have been denied by the government of the District of Columbia, is without effective remedy.

Section 1983 was designed to allow citizens a neutral Federal forum to hear their complaints against local officials back in the 19th century. It is understandable that Federal lawmakers could not have anticipated the advent of Home Rule in the District of Columbia, and, therefore, had no reason to include the

District of Columbia under the provisions of section 1983. H.R. 3343 is designed to correct this oversight.

Today's bill also amends section 1323 of title 28, United States Code, which gives the Federal district courts exclusive jurisdiction of section 1983 cases, to include cases brought against the District of Columbia government.

At the subcommittee hearing on this bill in July we heard testimony in favor of this legislation from judges, civil rights organizations, and the Justice Department. Even the District of Columbia government favors giving up its exemption from section 1983 liability in order to give local citizens the same rights as Americans everywhere.●

Mr. HARRIS. Mr. Speaker, I do not believe any amendments will be offered to this legislation. It is a perfection of existing law.

Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

LAND TITLE RIGHTS FOR LITTLE SISTERS OF THE POOR

Mr. DELLUMS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5645) to grant to the Little Sisters of the Poor all right, title, and interest of the United States in the land comprising certain alleys in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 5645

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the land comprising the alleys abutting the property described as lot 800, square 751, in the District of Columbia (together with all buildings and improvements on such land) which was conveyed by the Act of December 21, 1893 (28 Stat. 21), is hereby granted to the Little Sisters of the Poor, a nonprofit corporation of the District of Columbia.

Mr. DELLUMS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, H.R. 5645, as reported by the full Committee on the District of Columbia, is necessary in order that the Federal Government can relinquish a "possible" reversionary interest and thereby clear title to certain alleys conveyed to the Little Sisters of the Poor in 1893.

H.R. 5645 is a technical amendment of an 1893 statute that granted the public alleys on a Northeast Washington lot owned by the Little Sisters of the Poor, to the Sisters, provided that the land remained in charitable use.

The 53d Congress, recognizing the dedicated works of the Sisters at St. Joseph's Home for the Aged and aware of their need to expand, closed the alleys so that the Sisters could increase their nursing facilities for Washington's destitute elderly citizens.

Unfortunately, the Sisters were forced out of their property in 1976 when construction on H Street made the site unsuitable for a nursing home. The Sisters moved before they could find a buyer so that St. Joseph's sat vacant until the new tenant, the Capital Children's Museum, moved in during 1978.

The museum has contracted to purchase the property with a $1.7-million grant from HUD, but because of the cloud on the title created by the 1893 reverter provision, title insurance cannot be obtained and the sale has been delayed.

The actual Federal interest expressed by the 53d Congress was to maintain a charitable use for the property. By releasing the Sisters from that provision we do not allow noncharitable uses because the new purchaser is a charitable institution, prevented by its own charter from selling the property to a noncharitable organization.

Also, the contract between HUD and the museum provides that if the museum were to dissolve, the entire property reverts to the actual recipient of the HUD grant—the District of Columbia.

I urge your favorable consideration of this worthwhile bill.

Mr. McKINNEY. Mr. Speaker, I move to strike the last word.

Mr. Speaker, it is a rare occasion, indeed, when Congress has an opportunity to come to the rescue and assist not only one, but two, worthy charitable organizations, and at no monetary cost to the Government.

The congregation of the Little Sisters of the Poor is an international congregation of women religiously dedicated to the apostolate of caring for the aged poor throughout the world. From its humble beginnings in France in 1893, its congregation has grown to more than 4,000 Little Sisters caring for approximately 45,000 elderly men and women on 6 continents.

The Capital Children's Museum, which is also located here in the District, was founded in 1974 by volunteers who believed that the Nation's Capital should have at least one museum with children as the exclusive focus. On the theory that learning is a result of direct activity, the museum creates participatory exhibits and programs integrating arts, sciences, technology, and humanities as a supplement to school curriculums, and trains parents, teachers, and others who work with children and youth in participatory learning methods. In addition to the obvious benefits to the children it serves, the museum has drawn visitors from around the world. The facilities which the Little Sisters occupied, and which is the subject of this legislation, will enable the museum to greatly expand its activities and serve a much larger population of schoolchildren, as well as adults from the community, the Nation, and the world.

I urge my colleagues to join me in supporting this worthwhile legislation.

Mr. DELLUMS. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

□ 1340

GENERAL LEAVE

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

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

There was no objection.

DISTRICT OF COLUMBIA REDEVELOPMENT ACT AMENDMENTS

Mr. DELLUMS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 4546) to amend the District of Columbia Redevelopment Act of 1945, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

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

Mr. ROBERT W. DANIEL, JR. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Mr. DELLUMS. 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. 4546) to amend the District of Columbia Redevelopment Act of 1945, 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 Connecticut (Mr. McKINNEY) and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DELLUMS).

The motion was agreed to.

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. 4546, with Mr. PICKLE 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. Under the unanimous-consent agreement, the gentleman

from California (Mr. DELLUMS) will be recognized for 30 minutes, and the gentleman from Connecticut (Mr. MCKINNEY) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. DELLUMS).

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

Mr. Chairman, H.R. 4546, as reported by the full Committee on the District of Columbia is being offered as an amendment to the District of Columbia Redevelopment Act of 1945.

H.R. 4546 is necessary in order to clarify ambiguous language in section 5–711 of the act, concerning the class of persons whose consent is required to modify an approved urban renewal project. The language is unclear as to whether consent is required from all purchasers and lessees of property in the area who may consider themselves affected by the modification, or whether consent is required only from the particular purchaser or lessee of the property whose planned use is being modified. Both the district court and the U.S. Court of Appeals for the District of Columbia have stated that the statute is "ambiguous on its face."

H.R. 4546 would make it clear that it is the intent of Congress that only the purchaser or lessee of the particular parcel of land whose use is being modified is required to give consent, in writing, under the statute.

Mr. Chairman, the bill before us, H.R. 4546, is also needed to approve two modifications to the urban renewal plan for Southwest urban renewal area project "(C)" by authorizing a much needed housing development for low to moderate income individuals and families and the construction of a waterfront inn expansion project.

Mr. Chairman, I would now yield the remainder of my time to the gentleman from the District of Columbia (Mr. FAUNTROY), the chairman of the Subcommittee on Government Affairs and Budget, which held hearings on this bill, and who will now handle the bill for the remainder of the time.

Mr. FAUNTROY. Mr. Chairman, I rise in support of H.R. 4546, a bill amending the District of Columbia Redevelopment Act of 1945. I would also like to thank my colleagues of the subcommittee and the chairman of the full committee for their diligent work on this bill. This is a simple bill which seeks to do two things:

First. Clarify an ambiguity in the District of Columbia Code which presently may have as its effect the grant of a veto to every owner or lessee in a designated urban renewal area over any plan amendment "in the urban renewal area." This reading, which has been put upon the statute, creates an unworkable urban renewal process and is presently, with respect to the Southwest Urban Renewal project area C, preventing two projects, which have all of the other approvals necessary, from going forward and being implemented. If allowed to continue, this statutory ambiguity will have an adverse impact upon every other urban renewal district in this city. This bill aims to remove that ambiguity.

Second. The Congress is asked, through the exercise of a right which is reserved exclusively and absolutely to the Congress itself, to approve the two plan amendments which authorize the construction of housing on parcel 76 and an extension to a waterfront in on parcel D–2–B. This is a right which the Congress may exercise with or without the consent being given by the other lessees or owners in such urban renewal areas. In this case, it will terminate the need for further litigation that has arisen over this ambiguity and permit the construction of housing which has been approved by all involved agencies and which was, in fact, a part of the original urban renewal plan. It will also permit a waterfront inn to construct an additional 50 rooms to which there is no expressed opposition from any of the parties in litigation as evidenced by the correspondence between them.

This leads me, Mr. Chairman, to my final point. We have, in this instance, an opportunity to assure that our goal of intermixing low, moderate, and upper income housing can be fulfilled. Housing for persons of low and moderate income is an important component of successful urban renewal programs. The Southwest Urban Renewal project is one of the oldest—both locally—and in the Nation. What this Congress does to implement the urban renewal project will largely determine whether or not other urban renewal undertakings purportedly aiding those with low and moderate incomes will have a chance to succeed.

This bill is important to me not only because it ends the ambiguity of the law, thus, permitting the completion of these important projects, but also because it reaffirms our decision that those with low and moderate incomes are an integral part of successful urban renewal projects in this Nation.

Mr. Chairman, a brief summary of the history of parcel 76 best illustrates the need for this bill. The original redevelopment plan designated parcel 76 for rowhouses, flats, and/or two- or three-story apartments. On July 25, 1963, the plan was amended to designate parcel 76 for semipublic or church use. A local Southwest church, St. Dominic's, originally planned to construct facilities for parochial and school purposes. On June 4, 1970, however, St. Dominic's withdrew from consideration as a proposed redeveloper. On March 7, 1974, the National Capital Planning Commission proposed a modified version of the original proposal, calling for low- and moderate-income housing.

Litigation aimed at preventing the completion of that planned housing has since followed. The plaintiffs, citing ambiguities in the Redevelopment Act of 1945, have claimed that they are "affected" by the plan modifications and therefore have the right to veto any such changes. I think it is fair to say, however, that Congress would not intentionally create an urban renewal plan so unworkable as to require the consent, potentially, of every property owner in an urban renewal area for every plan amendment. I also know that Congress would not intentionally delegate to an undefined class of private parties the standardless power to veto urban renewal amendments on other people's property through the withholding of consent to changes by which they might deem themselves "affected." Surely, the intent of Congress was to require only the consent of the particular owner or lessee of the property whose planned use was being modified. The U.S. Court of Appeals for the District of Columbia, recognizing the need to change the language of the present law, has specifically called on the Congress to amend the ambiguous section. This bill seeks to do just that.

The bill will eliminate the need for further litigation by specifically giving congressional approval to the two plan amendments authorizing the construction of housing on parcel 76 and an extension to a waterfront inn on parcel D–2–B. Congress would not be interfering with ongoing litigation, but rather would be eliminating the need for any litigation whatsoever, pursuant to its expressly and exclusively reserved right to amend projects initiated under the District of Columbia Redevelopment Act of 1945.

This bill, then, is needed for two reasons. Without its passage, the ambiguities in the present law will continue, making unworkable urban renewal programs in this city; at the same time, the plans for parcel 76 will be tied up in the courts for years. We need to exercise our congressional rights and mandate completion of those plans for parcel 76, and resolve the ambiguities in our present law. This bill would do both, and I consequently urge its swift passage. I yield back the balance of my time.

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

Mr. FAUNTROY. I will be happy to yield to the gentleman from Texas.

Mr. MATTOX. I thank the gentleman for yielding. Is my understanding of the bill correct in that it would allow the government, which is the District of Columbia, and the individual who owns the land—those two entities—to agree to any kind of modification of the Land Redevelopment Agency contract that they want; is that right?

□ 1350

Mr. FAUNTROY. Consistent with all the other procedures which are required, hearings by the Redevelopment Land Agency, the National Capital Planning Commission, the City Council, yes.

Mr. MATTOX. What you are saying is, if the agency and the individual were to decide they wanted to put a junk yard on that piece of property that pursuant to their agreement they could put that on the property without anybody in the neighborhood having any say on it whatsoever?

Mr. FAUNTROY. That is not true.

Mr. MATTOX. Well, it is true. Is it not true under the amendment?

Mr. FAUNTROY. It would take more than their agreement.

Mr. MATTOX. It takes more than their agreement?

Mr. FAUNTROY. That is right.

Mr. MATTOX. If they agree, then the people in the neighborhood have absolutely no say whatsoever about what is to be done on that particular piece of property?

Mr. FAUNTROY. As the gentleman may know, there are hearing procedures which must be followed and the judgments of the National Capital Planning Commission, the judgments of the City Council must concur in any such proposal.

Mr. MATTOX. If the gentleman would yield further, would it be possible for the gentleman to cite any other particular act, zoning act or any other provision of law that is dealt with in this exact same manner in any city in the United States?

Mr. FAUNTROY. I cannot comment on any other city but I am competent to comment on such a change in our neighborhood.

Mr. MATTOX. Is it true that in nearly every city a contractual-type, zoning provision within an agency agreement that when a modification is going to be made in that agreement that they will allow the citizens within a certain area—perhaps 500 feet or 400 feet—to object to the change?

Mr. FAUNTROY. I am sure that would be the case if the planning agencies and the duly elected officials of the city agreed with the objection which a neighbor may raise to the use to which the people of the city through their government and the owner of the land wish to put the land.

Mr. MATTOX. Is it a fact that under the existing law of this country that in most circumstances when an individual has an objection to a piece of property being spot zoned that we have a whole body of law that controls that abuse. Spot zoning has been repeatedly stricken by the courts because of the abuse by the Government.

Mr. FAUNTROY. I cannot speak on that but I am competent to correct the gentleman if he wants to apply that to this situation, by suggesting to him that the original plan was for low- and moderate-income housing of the kind which now the Government and the people on the site and those who testified in overwhelming numbers before the relevant authorities wish to have placed there.

Mr. Chairman, if the gentleman will allow me to proceed.

Mr. MATTOX. Mr. Chairman, will the gentleman yield for one more moment?

Mr. FAUNTROY. I will yield for one more moment.

Mr. MATTOX. Was it designed for a low-income housing project or was it designed for a school on that piece of property in the original plan?

Mr. FAUNTROY. I am glad the gentleman asked me that question because I am happy to inform him. I had just stated for the record that originally it was designed for row houses, flats, and two- and three-story apartment units.

Mr. MATTOX. In the original contract that was executed?

Mr. FAUNTROY. That is true.

Mr. MATTOX. What changed that, could the gentleman tell me that?

Mr. FAUNTROY. As I just said, on July 25, 1963, the plan was amended pursuant to the usual procedures and designated for semipublic or church use by St. Dominick's Church and their plan, as I indicated just a moment ago, was to provide a parochial school on the site and some years later they came in and declared that they were withdrawing their consideration as proposed redeveloper, whereupon the National Capital Planning Commission proposed a modification which took it back to the original purpose.

Mr. MATTOX. If the gentleman would yield further, when they were proposing the modification, did they go through the normal procedures that were set up in the Redevelopment Act, the 1945 Redevelopment Act?

Mr. FAUNTROY. Yes, they did.

Mr. MATTOX. Now, the gentleman does not want to continue to go through those just because litigation has been filed?

Mr. FAUNTROY. Yes. Well, we do not want to go through it primarily because both courts, both the district court and the appeals court have indicated there is some ambiguity with respect to the law, which ambiguity we are going to correct in a few minutes if the gentleman will allow me to finish my statement.

Mr. MATTOX. Would it be better to allow the courts to finish their action and once they are finished then if they still rule there is an ambiguity there, allow the Congress to come in to make the modifications?

Mr. FAUNTROY. Both have already done that and have recommended that we do this.

I think it is fair to say that the Congress would not intentionally create an urban renewal plan so unworkable as to require the consent, potentially, of every property owner in the urban renewal area for every plan amendment.

I also know that Congress would not intentionally delegate to an undefined class of private parties, the standardless power to veto urban renewal amendments on other people's property through the withholding of consent to changes which they might deem, themselves, to be affected.

Surely the intent of Congress was to require only the consent of the particular owner or lessee of the property whose planned use was being modified.

The U.S. Court of Appeals for the District of Columbia recognized the need to change the language of the present law and has specifically called on Congress to amend the ambiguous section, and this bill seeks to do just that. This bill will eliminate the need for further litigation by specifically giving Congressional approval to two plan amendments: Authorizing the construction of housing on parcel 76 and an extension to a waterfront inn on parcel D–2–B. Congress would not be interfering with ongoing litigation but rather would be eliminating the need for any litigation whatsoever pursuant to its expressly and exclusively reserve right to amend projects initiated under the District of Columbia Redevelopment Act of 1945.

Mr. Chairman, this bill then is needed for 2 reasons. Without its passage, the ambiguities in the present bill will continue making unworkable urban renewal programs in the city. At the same time the plans for parcel 76 will be tied up in the courts for years. We need to exercise our Constitutional rights and mandate completion of those plans for parcel 76 and resolve the ambiguities in our present law. This bill would do b[illegible] and I consequently urge swift passage.

I yield now to the distinguished gentleman from Connecticut, the ranking minority member of the committee (Mr. McKINNEY).

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

Mr. Chairman, I rise in support of H.R. 4546. There is probably no more pressing issue in the District than the lack of adequate and reasonably priced housing for low- and moderate-income people. H.R. 4546 would aid the District government's efforts to effectively address this critical issue.

Several years have passed since the tentative decision on the use of parcel 76 was made. That decision represented an effort by the local government to meet a small part of the city's urgent need for decent low- and moderate-income housing. Unless Congress acts now, several more years may pass before the city can act to erect low- and moderate-income housing in the southwest urban renewal area.

In view of the housing situation in the District, I believe that H.R. 4546 is important for the city, and I urge my colleagues to support this measure so that construction of this desperately needed housing can get underway.

Mr. Chairman, at this point I would yield the balance of my time in the management of this bill to the subcommittee ranking minority member, the gentleman from Virginia (Mr. ROBERT W. DANIEL, JR.).

□1400

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I thank my friend, the gentleman from Connecticut, for yielding me the time.

Mr. Chairman, as the ranking minority member of the Subcommittee on Government Affairs and Budget, which conducted the hearings on H.R. 4546, I must state in all candor that I am deeply troubled by this legislation. After considering the testimony presented at the hearings on the issue of the use of parcel 76, which is at the heart of the matter, I believe that H.R. 4546, if enacted, would be most unfair and a terrible precedent.

There is in the background here a lawsuit currently pending in the Federal courts in the District of Columbia circuit concerning who must consent to a modification in a D.C. redevelopment plan. Simply stated, the basis for that lawsuit is that the D.C. Redevelopment Land Agency (RLA), the agency charged with the responsibility for planning and overseeing redevelopment plans, changed the rules for modifying redevelopment plans by switching its interpretation of who must grant consent to a plan modification. The ambiguity of the consent provision contained in the act facilitated

this switching of positions by RLA. H.R. 4546, if enacted, without question would clear this ambiguity from the text of the act, but as a result of the way the bill is drafted, it would also surely moot this pending lawsuit. By enacting this legislation in its present form we, as a body, would be depriving both the plaintiffs and the defendants in the lawsuit of their right to their "day in court."

Furthermore, there is another issue here, and that is the contractual nature of the relationship between RLA and the owners and lessees of property within the redevelopment tract area. Although not a lawyer, it seems to me that it is clear that a contractual relationship exists between the owners and lessees of property within the redevelopment tract area and the Redevelopment Land Agency. One of the provisions of that contract would appear to relate to the procedure for making amendments to the redevelopment plan. We heard testimony stating that for some years RLA followed one procedure in seeking consents from owners and lessees within the area when attempting to modify the plan, but then, in midstream, RLA unilaterally changed the procedures.

Changing provisions of a contract under which parties involved took their interest, whether done unilaterally by one of the parties to the contract or by this body under the powerful hand of congressional authority, does a grave injustice to our highly successful system of contract relations in this country and would be a disasterous precedent to establish.

Mr. Chairman, the issue before us today is not whether additional housing should or should not be built in the District of Columbia for low and moderate income citizens, but rather, the validity of widely recognized tenets of contract rights and fundamental principles of fairness. I, for one, do not wish to tie the hands of the District of Columbia in seeking to improve its incredibly tight housing market, but I cannot go along with the injustice inherent in H.R. 4546.

Consequently, to avoid the unfairness of depriving the parties to the underlying lawsuit of their day in court and changing unilaterally provisions of a contract in midstream to the detriment of those who have acted in reliance upon the terms thereof, I will offer an amendment in the nature of a substitute at the appropriate place.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. ROBERT W. DANIEL, JR. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Chairman, I speak in opposition to this bill on a matter of principle. It seems to me incredible that we are even proposing that a matter in litigation before the courts should be handled in this way.

What are we really doing here? We are taking a case which is before the court and changing the laws that govern this particular piece of property while the issue is still being decided by the court.

Now, I would like to draw the attention of those who care about the law, and I see the chairman of our Committee on the Judiciary is here, who does care. More than any other, perhaps, he has taught us a lesson in respect for the law.

This is what the court of appeals has said, in an extract from their order which is a part of this litigation. The court ruled that the urban renewal plan was a contract. In other words, that those who bought in lot 76 bought under a contract which has certain terms which are now in litigation before the court. The court drew attention to the constitutional provision prohibiting government—Federal, State or city—from taking action abrogating existing contracts.

That is the point on which I think we have to rest. It is deplorable that we have not more housing for low- and moderate-income people in Washington, but you cannot do this at the expense of the law. You cannot try to do good by going behind the back of the law and changing the law before the court has decided on the merits of the case. It is to me an extraordinary thing that this Congress even suggests that we should consider this bill under these circumstances.

We must be a law-abiding nation. In the long run, we cannot benefit anybody otherwise.

I have been on the council in my hometown. You cannot permit an owner, who may have a very desirable sale in mind, to sell contrary to an agreement or a contract or a zoning ordinance, without the permission of the contiguous owners or lessees. You cannot do it. This is the common practice in every State as far as I know. Otherwise the rights of the contiguous parties are at risk to the desire for gain on the part of the owner of that particular lot who is presumably going to move away and leave something that is of damage to the people whose properties are immediately surrounding; but apart from that, even if there is no such problem here, we have a case in litigation. We should not, in my opinion, act on this law today, when the matter is before the courts, when the courts have warned us that the agreement is a contract, and when the court of appeals has told us that it is unconstitutional for government to abrogate a lawful contract.

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I thank the gentlewoman for her very useful comments and her emphasis on the rule of law, which is, indeed, at the heart of the question here.

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

Mr. FAUNTROY. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the full committee, the gentleman from California (Mr. DELLUMS).

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

I wish to address myself to the comments made by my distinguished colleagues on the other side of the aisle.

First of all, it is terribly important to understand that the U.S. District Court, as well as the U.S. Court of Appeals for the District of Columbia, both agree that the language on its face is ambiguous and what we are attempting to do here is simply to remove the ambiguity.

The statement made by the appellate court is that they agree with the district court that the statute is ambiguous on its face and could be read to provide either a narrow or a broad right to consent to proposed plan changes.

The court further says that the legislative history of section 5–711 does not resolve the issue of its interpretation.

All that we are trying to do here is to respond to a statement by the courts that the organic legislation is ambiguous.

It would seem to me, Mr. Chairman, that it is our responsibility as a legislative body to enact legislation that is, indeed, workable.

Now, to go further, there have been a number of comments with respect to the fact that this matter is being litigated.

I would like to speak to the question of the pendency of litigation and point out, clearly, that it does not render retroactive legislation unlawful. Congressional legislation is sometimes employed to correct faults or defects which are not perceived clearly at the time of the enactment, but which become apparent with the passage of years. During this time period, however, claims or rights of parties may have intervened or become involved in legislation. The remedial legislation is often attacked, as it is at this point, as being either unconstitutional or retroactive. The pendence of litigation or even its final determination does not make the new legislation unlawful.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I would first like to finish my argument.

Despite the question of this matter being litigated, I further assert that the District of Columbia Urban Renewal statute, D.C. Code, section 5–701, is uniquely subject to the control of Congress both because of Congress constitutional role as the ultimate legislative body for the District of Columbia and because of the express reservation of power, by the Congress in D.C. Code, section 5–718, to adopt any amendment to an existing urban redevelopment plan it deems necessary at any point in time.

□ 1410

I would emphasize that this legislation does not deprive anyone of monetary benefits nor does it take property, nor does it do anything except clarify—and I repeat—clarify an ambiguity that both the U.S. District Court and the U.S. Court of Appeals have acknowledged in referring to the existing statute relating to the procedure for adopting amendments to the Urban Renewal Plan.

District of Columbia Code, section 5–701, states that:

> No department, instrumentality, agency, or official of the Federal Government or of the District of Columbia shall have any power to release or modify or depart from any feature or detail of an approved redevelopment plan unless the modification or departure is approved by act of Congress.

All we are saying here, in summary, Mr. Chairman, is that two courts have stated that the language of the organic legislation is ambiguous on its face. It would seem to me that, as a responsible

legislative body, it is our duty and responsibility to enact legislation that is indeed workable.

With the passage of time, if we find the legislation is not workable or is ambiguous, it would seem to this Member that it is our profound responsibility to correct the situation.

I have already stated that the pendency of litigation does not, in any way, make what we are trying to accomplish here unlawful. I would challenge any assertion on this floor that what we are doing is either unconstitutional or unlawful. We have a profound responsibility.

Mr. Chairman, I will conclude by saying that the system works when the legislative body is enacting legislation, when the courts are interpreting legislation, and when the President or the administrative branch of Government is carrying out the law, however, when we begin to do each other's job, then the whole system incurs difficulty. We do all right when we are engaging in our own business.

It is not the business of the court to write legislation. The court has interpreted legislation. The court has looked into this matter. Two courts on two separate occasions have said, "Your words are ambiguous. The legislation on its face is ambiguous."

Mr. Chairman, it seems to me that we are derelict in our duty and not carrying out our responsibility if we do not correct the legislation at a time when the courts are crying out that we correct it.

The CHAIRMAN. The time of the gentleman from California (Mr. DELLUMS) has expired.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. FAUNTROY. Mr. Chairman, first let me state that I will yield such time as he may consume to the distinguished gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I am taking the floor at this time to express a concern that I have for the people in the District of Columbia that relates in part to the Redevelopment Act. That concern deals with the onslaught of condominium conversions that we have seen within the District and the impact that is having on elderly and middle-income people who reside in the District of Columbia.

I feel that the District government itself has acted slowly and without the greatest skill in responding to this problem and doing something about it. It is impossible, of course, to go back to the private developers who have developed land under this federally subsidized program and who in many instances have been active in building apartments and have now converted them into condominiums, which in many respects tends to defeat the purpose of this original program.

But something has come to my attention, and I would like to ask the chairman of the subcommittee if I can raise this point for a moment. It has come to my attention that 15 percent of the land is still available under the Redevelopment Land Agency that has been created by this act, and it would seem to me that this might make good sense, and I would ask the gentleman this question: I wonder if the committee could give consideration—and I say this rather than offering an amendment to this bill at this time—to making sure that that remaining land that is available for development cannot ultimately be used by private developers to be converted into condominiums and to making sure that if housing units are built they must be rental units and units for low- and middle-income people, thus preventing ultimate conversion to condominiums. If they do not want to build on that basis, so be it.

Mr. Chairman, right now we see so many people who are being hurt, and I wonder what the gentleman's response to that might be at this time.

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

Mr. PEYSER. I yield to the gentleman from the District of Columbia.

Mr. FAUNTROY. Mr. Chairman, as the gentleman knows, both I and other duly elected officials of the city have been gravely concerned about not only the rate of condominium conversions in the city but the rate at which they are proceeding. We are particularly concerned about the extent to which low- and moderate-income people and elderly people on limited income in particular are being displaced from living opportunities in the city by virtue of the condominium conversions. For that reason, I am pleased that the gentleman has called to our attention the fact that in the oldest urban renewal area in the country there remains 15 percent of the land that has not been developed and which might well be considered for use for the benefit of low- and moderate-income people in a fashion that their rights to live may be protected from the ravages of condo conversion.

So, Mr. Chairman, I am certainly favorably disposed toward that view, and as chairman of the subcommittee I would be very pleased to hold hearings on a measure which the gentleman might introduce before the Congress for its favorable consideration.

Mr. PEYSER. Mr. Chairman, I appreciate the gentleman's statement on that matter.

I do think this has a real impact on the very groups the gentleman mentioned, the elderly, the middle-income, and the poor.

I would be pleased to follow up on this matter in the hope that the committee would look into it and see if this makes good sense for the remaining 15 percent of the land that is available.

The CHAIRMAN. The Chair will advise the gentleman from the District of Columbia (Mr. FAUNTROY) that the gentleman has 4 minutes remaining.

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just briefly like to observe that I share the goal of the gentleman from California (Mr. DELLUMS) in erasing the ambiguity that does exist in the law as it is. My amendment would do just that, and I think it does it in a very clear way.

I might just briefly mention also something about this business of the court of appeals observing that its job could be made easier if the ambiguity were eliminated. I happen to have a copy of the decision here, and I note that it did so in a footnote.

I am not a lawyer, but I do not believe that would be the way the court would express itself if that were considered to be the central concern of its decision.

So, Mr. Chairman, at the proper time I am going to offer my amendment which would eliminate the ambiguity—and that seems to be something we are in agreement on, on both sides of the aisle—but would not do so to the detriment of people who entered into a contract in good faith and who are presently litigants in a court of law on that matter.

The CHAIRMAN. The Chair will inquire, does the gentleman from the District of Columbia (Mr. FAUNTROY) wish to yield additional time?

Mr. FAUNTROY. Mr. Chairman, if the gentleman from Virginia (Mr. ROBERT W. DANIEL, JR.) does not intend to yield time to the distinguished gentlewoman from New Jersey (Mrs. FENWICK), I would be pleased to do that myself.

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I do not believe the gentlewoman has requested time.

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

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. There being no further request for time, the Clerk will read.

The Clerk read as follows:

H.R. 4546

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first proviso of section 12 of the District of Columbia Redevelopment Act of 1945 (D.C. Code, sec. 5–711) is amended to read as follows: *"Provided,* That any such modification which affects the use or development of an area or part thereof which has been sold or leased (as such use or development is governed by the project area redevelopment plan as approved before the date of the sale or lease) shall not become effective as to such area or part without the consent in writing of the purchaser or lessee thereof;".

(b) The amendment made by this section shall be effective with respect to any approved project area redevelopment plan, regardless of the effective date or date of approval of such plan.

SEC. 2. The Congress hereby approves the following modifications to the urban renewal plan for Southwest urban renewal area project "(C)":

(1) Amendment numbered 22 (pertaining to parcel 76), as adopted by the National Capital Planning Commission on March 7, 1974, and approved by the Council of the District of Columbia on May 7, 1974.

(2) Amendment numbered 23 (pertaining to parcel D–2–B), as adopted by the National Capital Planning Commission on May 30, 1974, and approved by the Council of the District of Columbia on August 30, 1974.

Mr. FAUNTROY (during the reading). Mr. Chairman, I ask unanimous consent

that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ROBERT W. DANIEL, JR.

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. ROBERT W. DANIEL, JR.: Strike out all after the enacting clause and insert the following:

That the first proviso of section 12 of the District of Columbia Redevelopment Act of 1945 (D.C. Code, sec. 5–711) is amended to read as follows: "*Provided*, That any such modification which affects the use or development of an area or part thereof which has been sold or leased (as such use or development is governed by the project area redevelopment plan as approved before the date of the sale or lease) shall not become effective as to such area or part without the consent in writing of the purchaser or lessee thereof and of the owner or lessee of each tract of land contiguous to such area or part:".

SEC. 2. The amendment made by the first section of this Act shall not apply to any modification under section 12 of the District of Columbia Redevelopment Act of 1945 to any approved project area redevelopment plan under such Act if such modification was adopted by the National Capital Planning Commission before the date of the enactment of this Act.

□ 1420

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, my amendment would clarify the ambiguity contained in title 5, section 711 of the D.C. Code (D.C. Redevelopment Land Act of 1945) relating to the modification process for a D.C. urban renewal plan. Being mindful of the rights and interests of owners and lessees of property within a redevelopment tract area, I have tried to balance the problem of mischief which might occur with a very broad interpretation of the act with the problem of restrictiveness which the bill, H.R. 4546, would present. Under the amendment in the nature of a substitute, it would be made clear that the owner or lessee of the particular parcel of land whose use is being modified and the owners or lessees of contiguous parcels of land only would be required to give consent as "affected parties." This amendment to title 5, section 711 of the D.C. Code would be prospective in its application only and, as such, would not affect plan modifications made prior to the effective date of the legislation.

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

First of all, Mr. Chairman, I would like to point out that in section 2 of the act, D.C. Code, § 5–701, Congress found redevelopment of the "blighted" areas of the District of Columbia, in order to provide safe and sanitary low-cost housing, to be necessary in the public interest.

I would argue, at this moment, Mr. Chairman, that if we adopt the amendment offered by my distinguished colleague, the gentleman from Virginia, we would not be addressing ourselves to our responsibilities with respect to the public interest, but we would be responding to private interests.

My distinguished colleague, the gentleman from Virginia, indicates that he agrees with me that the courts have cried out for us to clarify ambiguous language contained in the organic legislation. However, I would further assert that by accepting the gentleman's amendment would gut the purpose of this legislation. It would halt the ability of planned projects to go forward as approved. While the Daniel amendment would clarify the language, it would have effect in the future. But the matter has come to us as a result of a specific real-life situation that did indeed result in litigation. During the course of litigation, as I said earlier, two courts stated that the statutory language was ambiguous.

What we are trying to do here is to clarify that language and go forward in the public interest, not the private interest, with respect to the establishment of low- and moderate-income housing in the Southwest section of the city.

To say that you are prepared to accept the need to clarify the language and then offer an amendment that would preclude the law from applying in a situation that has indeed given rise to litigation, and has indeed given rise to the statement that the language is "ambiguous on its face" nullifies and destroys the potential effect of the legislation before us.

I would argue diligently and as persuasively as I can that this amendment does not help this legislation. It kills the legislation.

If you believe, as I believe, that: First, we have a responsibility here to enact fair and workable legislation; second, we have a responsibility to clarify any ambiguity; and third, we have a responsibility to go forward in the public interest, carrying out our constitutional responsibilities to approve, finally, these renewal plans, we have the responsibility not to act in a way that would prevent the District of Cloumbia from providing low- and moderate-income housing to human beings who desperately need it in this city.

For these three reasons, Mr. Chairman, I urge my colleagues to defeat the amendment before us. It does a disservice to the legislation.

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

Mr. Chairman, I rise to oppose the amendment because it fails to accomplish what the committee intended by this legislation; namely, to quiet the controversy which has arisen over who constitutes an affected party whose consent must be obtained prior to the implementation of any plan modification.

The amendment would propose, in the first section, to permit those persons other than the holder of the interest of the land which would be affected by a plan modification, to grant or withhold consent. It is an unprecedented power to give to an adjacent landholder in the District of Columbia or in any city. While such power may be given to an adjacent owner in a condominium or cooperative or even in a townhouse association, it is inappropriate in any other development situation. It is inappropriate because there lacks a commonality right, title, and interest in the land or the improvements thereon.

Furthermore, it would be, in this case, a transfer of the right of an individual to control the use of his own land to another person who has absolutely no right, title, or interest in the land which a plan would modify. It would be as though I were to give my next door neighbor—who did not have this right before—the ability to veto any lawful use to which I may want to put my house and land. I would not propose to do any such thing and neither would anyone else. As long as the use of the property is generally consistent with the neighborhood and does not create a nuisance, an owner has, in this country, the right to do as he wants with his land. The overall zoning schemes, the planning mechanisms, the public hearing process, the nuisance remedies which can be enforced in our courts make this kind of proposal unnecessary and mischievous. What, for instance, is contiguous land? Would it be land that is across the street? Would it be only land which is physically adjacent that it not otherwise divided by any use or easement? Would this change if the land were subsequently divided and parceled?

These are questions over which lawsuits are made, and I do not think that when we wrote this bill originally to end the litigation which has erupted that we would contemplate a substitute which would only create more litigation. This section is undesirable and, alone, would be enough to cause the substitute's defeat.

The second section is even more litigious. It would leave in limbo the very two amendments the committee has proposed to validate, pursuant to the expressly reserved powers of the Congress in this act. While the first section mildly limits who might be an affected party to something more reasonable than the present law, the second section does nothing but leave the pending litigation in its present course. At a time when the court itself invited the Congress to resolve this matter, and where the Congress has the expressly reserved right to validate these plan changes, all of which have been approved by every responsible body in the Federal and local level, a decision to leave it pending for more time is absolutely irresponsible.

I think we need to face the facts of what the opponents to the legislation are seeking to prevent. They are seeking to prevent the construction of any low- and moderate-income housing in this community. That has been the point of the suit; that has been the point of the reason for including the Channel Inn even after there is a communication from L'Enfant Plaza that there was no objection to their expansion plans since to oppose only the plan change on parcel 76 would have been so obviously discriminatory.

This amendment would leave these matters exactly where they have been—

in litigation and limbo. The time has come to end it and I would urge the House to vote down this substitute.

Mr. DAN DANIEL. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment as a matter of simple equity.

Mr. Chairman, before coming to the Congress it was my notion that Government mischief generally was caused by the courts. Since coming here, I have had some change of mind.

In this particular matter, I believe this should be left in the hands of the courts.

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

Mr. DAN DANIEL. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, the gentleman says that this matter should be left to the courts. I am extremely troubled by the brief nature of the gentleman's explanation.

First of all, as we indicated earlier, both the district court and the U.S. Court of Appeals for the District of Columbia stated clearly and unequivocally that Section 5–711 of the organic legislation, the District of Columbia Redevelopment Act of 1945, was "ambiguous on its face."

It would seem to me that as a legislative body, we do indeed have a responsibility to: First, clarify that ambiguity; and second, see to it that we enact fair and workable laws.

□ 1430

Sometimes in our diligence in passing laws, we are not aware of certain defects or the lack of equity or an ambiguity in the legislation except as they are revealed during the passage of time. Time has now passed. The courts have now made a clear and unequivocal statement that the language of the legislation is ambiguous.

It would seem to me if we are going to be responsible human beings, we have a responsibility as Members of Congress to go back and rewrite that legislation so that it is not ambiguous, and to insure the intent of Congress is indeed clear and unequivocal. This is all that we are attempting to accomplish in this legislation. It is not unconstitutional. It is not unlawful. What we are doing here is carrying out a simple responsibility that we have. We can decide to accept that responsibility or refuse it. However, it would seem to me that to say that this matter should be left to the courts when, in fact, the courts have responded by pointing out that the language is ambiguous, and, for this body to say that we have no responsibility to act at this moment is something this particular gentleman finds incredibly difficult to understand.

I would like my colleague to clarify that.

Mr. DAN DANIEL. Mr. Chairman, it was not the purpose of the gentleman from Virginia to explain the bill. I am not capable of explaining the proposal. But to negate I rose to support the amendment as a matter of simple equity.

I believe that the people who live in the area where this proposed zoning change is contemplated should have a voice in whether or not this is done.

Mr. DELLUMS. If the gentleman will continue to yield, I appreciate that the gentleman asserts that his concern is one of equity. I question his definition of equity. Are we talking about the public interest versus private interest? Are we talking about the private entrepreneurial interest as against the interest of low- and moderate-income human beings who desperately need a place to live? What do we mean?

Mr. DAN DANIEL. By equity, I mean the Government has a responsibility to live up to its promise, and it is the judgment of this Member that the people in this area were promised an opportunity to be heard before and change occurred.

Mr. DELLUMS. I thank my colleague.

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

Mr. Chairman, I rise in support of this amendment because the amendment is fair, and it is reasonable; and it is equitable.

I am sorry that I have got to oppose my good friend from California and my good friend from the District of Columbia, but I heard my most eloquent friend from California say two things I think that are most important.

He said that what we were doing was not unconstitutional. It was not unlawful. Those two things are absolutely correct, but what we are doing is not right.

What we are doing is wrong. What we are doing is something that is different from that which exists in every major jurisdiction in this country.

We are talking about a contractual relationship for the people who bought their properties, bought with an expectation that the property across the street, around the corner, or at least the property which was contiguous with them, would be developed in the way and in the fashion that they agreed to in the contract. This will now change the law.

They have a right not to have in their particular area what they agreed would not be there when they bought their property. In this partciular case, the goals that the gentleman from the District of Columbia and the gentleman from California are trying to reach are good goals. They are laudable goals, but in reaching laudable goals we should not abuse someone else's rights. Just because it is not unconstitutional, nor unlawful, the mischievous Congress should not do exactly what we please.

This amendment does a good thing. What it says is that the land that you own that is contiguous to a neighbors piece of property cannot be abused by the changed use of the neighbors property without your consent, when both of you have agreed to something else in the beginning.

Let me assure my colleagues it is a twisted interpretation of what the original congressional intent was to say that the only two entities that can object is the individual that owns the land that its use is being changed, and the agency that is going to change it.

Sure, we have the right to go back and modify the law, and I do not object to modifying the law; but in the modification of it we should not twist the original congressional intent to meet our present plans and do something that is not right. For that reason, I support this amendment.

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

Mr. Chairman, first of all, I would like to go back and try to point out that the language, in the original legislation, is unclear as to whether consent is required from all purchasers and lessees of property in the area who may consider themselves affected by the modification or whether consent is required from the particular purchaser or lessee of the property whose planned use is being modified.

I would reiterate that both the District Court and the U.S. Court of Appeals for the District of Columbia have stated that the statute is "ambiguous on its face."

H.R. 4546, the bill before us, is an attempt to make clear that it is the intent of Congress that only the purchaser or lessee of the particular parcel of land whose use is being modified is required to give consent, in writing, under the statute.

The point here is that when my colleagues raised the question of a contract, my response is, contract with whom? With the individual purchaser or lessee or the broader group of people? What we are attempting to do is clarify the language as to the intended class of persons to be affected by the organic legislation. That intended class of persons encompasses only the purchaser or lessee of the particular parcel of land whose use is being modified.

Now, there have been a number of assertions with respect to the public nature of this matter. I would like to point out, Mr. Chairman, that this amendment addresses the public interest in a public forum. The proposed urban renewal modification has gone through the rigors of public scrutiny, and if I may, I would like to give my colleagues the chronology.

First of all, the original urban development plan for Southwest Washington, D.C., parcel 76 was to be a residential development with rowhouses, flats and/or two- and three-story apartments.

In 1963, modification was made permitting parcel 76 to be used as a site for a parochial school.

In 1970, the proposed redeveloper of the parochial school withdrew from consideration.

In 1972, the Redevelopment Land Agency (RLA) held a public hearing in the Southwest urban renewal area to obtain views and recommendations of the Southwest community concerning the development of parcel 76. Statements were presented by 45 individuals. The agency recommended that the plan be modified to permit parcel 76 to be used for low- and moderate-income housing.

□ 1440

RLA, in the same year, 1972, again solicited views from the public on the tentative plan. Statements were then presented by 36 organizations.

RLA's recommendations were trans-

mitted to the National Capital Planning Commission (NAPC).

The National Capital Planning Commission (NCPC) is a Federal agency which has the responsibility to improve Federal planning and programing activities in the Federal Capital region and has approval authority in lieu of zoning as related to certain non-Federal projects.

The Commission membership is appointed by the President of the United States (3), the Mayor of the District of Columbia (2), and as ex-officio members, the Secretary of the Interior, the Secretary of Defense, the Administrator of GSA, a Member of the House, a Member of the Senate, and the Mayor and Chairman of the City Council of the District of Columbia.

The Commission is federally funded and is the Nation's watchdog on development of the National Capital region.

The National Capital Planning Commission requested additional information, and the public was subsequently solicited for additional views.

In 1973, the National Capital Planning Commission, with significant revisions, recommended that the site be used for low and moderate income housing. In that same year, 1973, the District of Columbia City Council held public hearings on the proposal at which 17 organizations and individuals testified.

The District of Columbia City Council then referred the proposed amendment back to NCPC as a result of questions raised.

The National Capital Planning Commission solicited additional statements from prior witnesses.

In March of 1974, the National Capital Planning Commission adopted a revised proposal. In April of 1974, the D.C. City Council held another public hearing.

In May of 1974, the amendment was approved by the District of Columbia City Council, and in June of 1974, RLA designated the parcel 76 limited partnership comprised of the National Partnership, the Southwest Community Organization, and Tom Harkins, a local builder, as sponsor for the project.

Mr. Chairman, this whole situation has come under incredible public scrutiny. So anyone who would take the floor of this House and assert that in some way this matter was not as public as public can be is either misinformed or misleading the Members of this distinguished body. I am sure that they choose not to do so.

Mr. Chairman, this amendment would undermine the legislation before us. This is a simple matter of clarifying statutory language and removing the ambiguity created by the nuclear language and its application should not be restricted. They need to be able to find moderate priced housing in the District of Columbia.

I urge a no vote on the amendment before this body.

Mr. ROBERT W. DANIEL, JR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I urge the defeat of H.R. 4546. I do not want to tie the District of Columbia's hands in the matter of providing low- and moderate-income housing. However, without my amendment, this legislation violates the basic spirit of fairness. It allows the city to abrogate a contractual agreement between itself and its residents.

As I have endeavored to explain, the city has made certain guarantees to residents in the area of the District known as parcel 76. It now proposes to cast aside its previous arrangements and, simultaneously, the rights of the individuals involved.

Furthermore, the city is attempting to abrogate its contract in a particularly backhanded way: through congressional intervention. As stated previously, a law suit is now pending in the Federal courts in the District of Columbia circuit pertaining to this matter. Congress should not interfere. Therefore, I respectfully request my colleagues to vote against this legislation. Without my amendment, H.R. 4546 would deprive residents of the parcel 76 area in the District of Columbia of their rightful voice in approving modifications in redevelopment plans.

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

Mr. Chairman, I rise in opposition to the amendment. I shall be brief. I fully support the excellent bill brought here by Mr. DELLUMS, Mr. FAUNTROY, Mr. MCKINNEY, and others. I oppose the amendment before us because I agree with Chairman DELLUMS that it would, indeed, render senseless the bill.

In a nutshell, here is what it involves. If we were all out on the veranda we could see it before us, but essentially Southwest Washington is one-fourth of the city constructed according to a 1954 plan ordained by the Congress.

In 1974 two changes were brought about in that plan. There had been many before and there will be many henceforth. Those changes, brought about after full hearings to all parties were:

Change No. 1, the proprietor of the Waterfront Inn, an inn on the waterfront, wanted to add 50 rooms in some vacant space that he had.

Change No. 2, the National Housing Partnership wanted to build middle-income townhouses so that the bad sociology of Southwest—that is, affluent people living in high rises and expensive townhouses, and poor people living in public housing—could have its lump leavened by a few middle-income people. It is an excellent idea, and the District of Columbia Council and its Mayor, after full hearings, ordered these changes in the renewal plan.

Thereupon, over the freeway and far away is a very solvent institution, L'Enfant Plaza Hotel, in which the controlling interest is owned by some extremely solvent people, the Rockefeller family. And they, whether fearful of the competition of 50 extra rooms at the inn, or fearful of the introduction of middle-income folk into what had been a high-income and low-income polarized community, brought this lawsuit.

In due time, the Court of Appeals for the District of Columbia found what I regret to say is true. Our forefathers and foremothers here in 1954—thank heaven none of us were around then—did commit an ambiguity. So the D.C. Court of Appeals found, and then—in a footnote which has been, I am glad to say, abundantly mentioned on the other side—commended to Congress the rectification of this ambiguity. That is all that the bill here is about.

So I hope Members will vote down the amendment, however well meaning its sponsorship, and let us get on with the task of letting the D.C. Council govern the District of Columbia.

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

Mr. REUSS. I am glad to yield to the chairman of the committee.

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

Let me just read briefly from the district court's ruling in this matter. The court points out that unless the ambiguity is addressed and clarified: it would "necessarily decide each case based upon criteria that are nebulous at best."

The court further indicates that "Congress has provided, in section 5–711, for citizen input in the modification process so that all views are heard and considered by the various agencies. Such a procedure is a workable and fair one, whereas plaintiff's procedure would virtually halt a process of modification that Congress deemed to be necessary and designed to be flexible. For this reason, as well as for reasons of constitutional stature outlined before, this court is compelled to reject plaintiff's interpretation of D.C. Code section 5–711."

Now, what that means is that the district court rejected the plaintiff's view, which was the broader interpretation. The point is that the court was in agreement with what we were attempting to do here. If the court had not been in agreement, it would not have rejected the broader view. The court has pointed out that if it had accepted the broader view of the plaintiff, at that time, it would have rendered section 5–711 null and void. It is a section that provides for citizen input and a section that the court deemed fair and workable.

I am sure that my colleagues do not wish to destroy the original intent of section 5–711. It would seem to me that it ought to be clear to my colleagues that what we are attempting to do here is totally consistent with what the district court attempted to do when it rejected the broader view.

□ 1450

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

Mr. Chairman, this is not a perfect amendment. To bring this matter to the floor of the House when we have a case in litigation, may be constitutional, may be lawful, but as has been observed on this floor, it is not ethical or right. We know perfectly well what we are doing here. We are not just clarifying something. We are trying to decide a case before it has been decided in court. We are trying to make moot a whole argument that people may choose to bring.

We have been told about the anguished plea of the court for some clarification.

There is some ambiguity, but in that same footnote there was also a stern warning of the U.S. appeals court—and in the body of the order there was a decision, that the terms under which people bought those houses constituted a contract.

A contract has certain standing in a court of law. We cannot just wipe it out. We have just passed on the floor this afternoon a statute concerning the civil rights of the people of Washington, and it was unanimous. We are talking about civil rights here too, about people having the right to appeal, and those rights will be honored. The Congress of the United States should not intervene today. The warning of the court in that same footnote, with the cry of anguish which has been described, was very clear. It drew attention to a constitutional provision prohibiting Government from taking action abrogating existing contracts.

What could be clearer? The court says in the body of its opinion that this is a contract, and in the footnote, that we cannot take action abrogating existing contracts. This, as we all know, is precisely what we would be doing.

If there is a contract and that contract is before the court, it is not ethical to take action. In fact, according to the U.S. court of appeals it is unconstitutional to take action abrogating an existing contract.

Now, gentlemen, I do not think it is funny; I think it is serious. I have not talked to the eminent people referred to by the chairman of the Banking Committee and I do not know who objects to this and I do not care. I am not interested in privilege and power. I am interested in seeing that the law is obeyed and that we somehow proceed in an orderly fashion in this House. I am not influenced in any way. I do not know any of the parties involved here. It is no concern of mine who is going to be hurt or helped. We are trying to see that the law is obeyed. I do profoundly believe that in the last analysis we cannot seek justice if we are prepared to do injustice. We cannot care about people if we do not care about every individual. There is no plea here for any special group.

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

The CHAIRMAN. Without objection, the Chair recognizes the gentleman from the District of Columbia.

There was no objection.

Mr. FAUNTROY. Mr. Chairman, I would just like to point out that it must be clear to the gentlewoman and to the authors of the amendment that the court itself has said that the terms of the contracts which they must consider, are not clear. We must correct the ambiguity. The only persons who can correct it are the Members of Congress.

Let me say finally that I am grateful to the distinguished chairman of the Banking Committee, who is quite aware of problems we are having in our cities across this Nation with regard to urban renewal generally and the provision of moderate-income housing in particular in our inner-city areas.

What is at stake here is whether or not, after 5 years during which the people of the city through their elected government have made a judgment that we have got to provide some housing for elderly citizens, for moderate-income people, in our city—after 5 years, the history of which has just been recounted by our chairman, we want to work on that. This is not land owned by private development to be exploited for private purposes. This is owned by the people, and the people through an exhaustive history of consideration of whether or not there will be townhouses and apartment units for moderate-income people and low-income people in this area, have made a decision.

Mr. Chairman, I would hope that once we have made our way through the discussion of the contracts and whether or not any individual who owns property in an urban renewal area can veto any change anywhere in the urban renewal area, we will vote down this amendment and favorably consider the bill.

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

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

Mr. PHILLIP BURTON. Mr. Chairman, I have listened with varying degrees of intensity or interest for the last hour or two, sitting as a putative member of the District of Columbia City Council. I intend, without having the foggiest idea of what the fundamental issue is, to support the committee.

But, I would urge my distinguished colleague from the District of Columbia (Mr. FAUNTROY) to use his enormous talents to shed us all in the House of this great and enduring responsibility where, parenthetically, we sit around second-guessing processes that should better be determined locally. I would urge my colleagues on the District of Columbia Committee to come out with a one-line bill saying, "Notwithstanding any other provision of law, the people of the District of Columbia—not the Congress of the United States—shall run their affairs," and fold up our tent in this area.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Virginia (Mr. ROBERT W. DANIEL, JR.).

The question was taken, and on a division (demanded by Mr. ROBERT W. DANIEL, JR.), there were—ayes 14; noes 10.

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

The CHAIRMAN. 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. 680]

Abdnor	Early	Levitas
Addabbo	Eckhardt	Lewis
Albosta	Edgar	Livingston
Ambro	Edwards, Ala.	Lloyd
Anderson, Calif.	Emery	Loeffler
Andrews, N.C.	English	Long, La.
Andrews, N. Dak.	Erdahl	Long, Md.
Annunzio	Erlenborn	Lott
Ashbrook	Ertel	Lowry
Ashley	Evans, Del.	Lujan
Atkinson	Evans, Ga.	Luken
AuCoin	Evans, Ind.	Lundine
Badham	Fary	Lungren
Bafalis	Fascell	McCIory
Bailey	Fazio	McDade
Barnard	Fenwick	McEwen
Barnes	Ferraro	McHugh
Bauman	Findley	McKay
Beard, R.I.	Fish	McKinney
Beard, Tenn.	Fisher	Madigan
Bedell	Fithian	Maguire
Beilenson	Flippo	Markey
Benjamin	Florio	Marks
Bennett	Foley	Marlenee
Bereuter	Ford, Mich.	Marriott
Bevill	Ford, Tenn.	Martin
Biaggi	Forsythe	Matsui
Bingham	Fowler	Mattox
Blanchard	Frenzel	Mavroules
Boggs	Fuqua	Mazzoli
Boland	Garcia	Mica
Boner	Gaydos	Michel
Bonior	Gilman	Mikulski
Bonker	Gingrich	Miller, Calif.
Bouquard	Ginn	Miller, Ohio
Bowen	Glickman	Mineta
Brademas	Goldwater	Minish
Breaux	Gonzalez	Mitchell, N.Y.
Brinkley	Goodling	Moakley
Brodhead	Gore	Moffett
Brooks	Gradison	Mollohan
Broomfield	Grassley	Moore
Brown, Calif.	Gray	Moorhead, Calif.
Brown, Ohio	Green	Murphy, N.Y.
Broyhill	Grisham	Murphy, Pa.
Buchanan	Guarini	Murtha
Burgener	Gudger	Myers, Ind.
Burlison	Guyer	Myers, Pa.
Burton, John	Hagedorn	Natcher
Burton, Phillip	Hall, Tex.	Neal
Butler	Hamilton	Nedzi
Byron	Hammer-schmidt	Nelson
Campbell	Hance	Nolan
Carney	Hanley	Nowak
Carr	Harkin	Oakar
Carter	Harris	Oberstar
Cavanaugh	Harsha	Obey
Chappell	Hawkins	Ottinger
Cheney	Heckler	Panetta
Chisholm	Hefner	Pashayan
Clausen	Hightower	Patten
Clay	Hillis	Paul
Cleveland	Hinson	Pease
Clinger	Holland	Pepper
Coelho	Hollenbeck	Perkins
Coleman	Holt	Petri
Collins, Ill.	Holtzman	Peyser
Collins, Tex.	Hopkins	Pickle
Conable	Horton	Preyer
Conte	Howard	Price
Conyers	Hubbard	Pritchard
Corcoran	Huckaby	Pursell
Corman	Hughes	Quayle
Cotter	Hutto	Quillen
Coughlin	Hyde	Rahall
Courter	Ichord	Railsback
Crane, Daniel	Jacobs	Rangel
D'Amours	Jeffries	Ratchford
Daniel, Dan	Jenkins	Regula
Daniel, R. W.	Johnson, Calif.	Reuss
Danielson	Jones, N.C.	Rhodes
Dannemeyer	Jones, Okla.	Richmond
Daschle	Jones, Tenn.	Rinaldo
Davis, Mich.	Kastenmeier	Ritter
de la Garza	Kazen	Roberts
Deckard	Kelly	Robinson
Dellums	Kemp	Rodino
Derrick	Kildee	Roe
Derwinski	Kogovsek	Rostenkowski
Devine	Kostmayer	Roth
Dickinson	Kramer	Rousselot
Dicks	LaFalce	Roybal
Diggs	Lagomarsino	Royer
Dixon	Latta	Rudd
Donnelly	Leach, La.	Runnels
Dornan	Leath, Tex.	Russo
Dougherty	Lederer	Sabo
Downey	Lee	Satterfield
Duncan, Oreg.	Lehman	Sawyer
Duncan, Tenn.	Leland	Scheuer
	Lent	Schroeder

Schulze	Stewart	Weaver
Sebelius	Stokes	Weiss
Seiberling	Stratton	White
Sensenbrenner	Studds	Whitehurst
Shannon	Stump	Whitley
Sharp	Swift	Whittaker
Shelby	Symms	Whitten
Shumway	Synar	Williams, Mont.
Shuster	Tauke	Williams, Ohio
Skelton	Taylor	Wilson, Bob
Slack	Thomas	Wilson, Tex.
Smith, Iowa	Thompson	Wirth
Snowe	Traxler	Wolff
Snyder	Trible	Wolpe
Solarz	Udall	Wright
Solomon	Van Deerlin	Wyatt
Spellman	Vander Jagt	Wylie
Spence	Vanik	Yates
St Germain	Vento	Yatron
Stack	Volkmer	Young, Alaska
Staggers	Walgren	Young, Fla.
Stanton	Walker	Zablocki
Stark	Wampler	
Stenholm	Watkins	

□ 1510

The CHAIRMAN. Three hundred and seventy-two 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 California (Mr. DELLUMS) for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 158, answered "present" 2, not voting 49, as follows:

[Roll No. 681]

AYES—224

Abdnor	Dickinson	Jenkins
Albosta	Dingell	Jones, N.C.
Ambro	Dornan	Jones, Okla.
Andrews, N.C.	Duncan, Tenn.	Jones, Tenn.
Andrews, N. Dak.	Edwards, Ala.	Kelly
	Emery	Kemp
Archer	English	Kindness
Ashbrook	Erdahl	Kramer
Atkinson	Erlenborn	Lagomarsino
Badham	Evans, Del.	Latta
Bafalis	Evans, Ga.	Leach, La.
Bailey	Fenwick	Leath, Tex.
Barnard	Findley	Lee
Bauman	Fish	Lehman
Beard, Tenn.	Flippo	Lent
Benjamin	Ford, Mich.	Levitas
Bennett	Forsythe	Lewis
Bereuter	Fountain	Livingston
Bevill	Fowler	Loeffler
Boner	Frenzel	Long, Md.
Bouquard	Fuqua	Lott
Bowen	Gaydos	Lujan
Breaux	Gibbons	Luken
Brinkley	Gilman	Lungren
Brooks	Gingrich	McClory
Broomfield	Ginn	McDade
Brown, Ohio	Glickman	McEwen
Broyhill	Goldwater	Madigan
Buchanan	Goodling	Marks
Burgener	Gore	Marlenee
Butler	Gradison	Marriott
Byron	Grassley	Martin
Campbell	Grisham	Mathis
Carney	Gudger	Mavroules
Carter	Guyer	Mica
Cavanaugh	Hagedorn	Michel
Cheney	Hall, Tex.	Miller, Ohio
Clausen	Hammer-schmidt	Mitchell, N.Y.
Cleveland		Moore
Clinger	Hance	Moorhead, Calif.
Coleman	Harsha	
Collins, Tex.	Heckler	Moorhead, Pa.
Conable	Hefner	Murphy, Pa.
Conte	Hightower	Myers, Ind.
Corcoran	Hillis	Neal
Coughlin	Hinson	Nichols
Courter	Holland	Pashayan
Crane, Daniel	Hollenbeck	Paul
Daniel, Dan	Holt	Petri
Daniel, R. W.	Hopkins	Preyer
Dannemeyer	Hubbard	Pritchard
Davis, Mich.	Huckaby	Pursell
Davis, S.C.	Hughes	Quayle
de la Garza	Hutto	Quillen
Deckard	Hyde	Railsback
Derwinski	Ichord	Regula
Devine	Jeffries	Rhodes
Rinaldo	Shuster	Vander Jagt
Ritter	Skelton	Walker
Roberts	Snowe	Wampler
Robinson	Snyder	Watkins
Rose	Solomon	White
Roth	Spence	Whitehurst
Rousselot	St Germain	Whitley
Royer	Staggers	Whittaker
Rudd	Stanton	Williams, Ohio
Runnels	Stenholm	Wilson, Bob
Russo	Stockman	Wolff
Santini	Stratton	Wright
Satterfield	Stump	Wyatt
Sawyer	Symms	Wylie
Schulze	Synar	Young, Alaska
Sebelius	Tauke	Young, Fla.
Sensenbrenner	Taylor	Zablocki
Shelby	Thomas	Zeferetti
Shumway	Trible	

NOES—158

Addabbo	Fithian	Oakar
Annunzio	Florio	Oberstar
Ashley	Foley	Obey
AuCoin	Ford, Tenn.	Ottinger
Barnes	Garcia	Panetta
Beard, R.I.	Gonzalez	Patten
Bedell	Gray	Pease
Bellenson	Green	Perkins
Biaggi	Guarini	Peyser
Bingham	Hamilton	Pickle
Blanchard	Hanley	Price
Boggs	Harkin	Rahall
Boland	Harris	Rangel
Bonior	Hawkins	Ratchford
Bonker	Holtzman	Reuss
Brademas	Horton	Richmond
Brodhead	Howard	Rodino
Brown, Calif.	Jacobs	Roe
Burlison	Johnson, Calif.	Rostenkowski
Burton, John	Kastenmeier	Roybal
Burton, Phillip	Kazen	Sabo
Carr	Kildee	Schroeder
Chappell	Kogovsek	Seiberling
Chisholm	Kostmayer	Shannon
Clay	LaFalce	Sharp
Coelho	Lederer	Slack
Collins, Ill.	Leland	Smith, Iowa
Conyers	Lloyd	Solarz
Corman	Long, La.	Spellman
Cotter	Lowry	Stack
D'Amours	Lundine	Stark
Danielson	McHugh	Stewart
Daschle	McKay	Stokes
Dellums	McKinney	Studds
Derrick	Maguire	Swift
Dicks	Markey	Thompson
Diggs	Matsui	Traxler
Dixon	Mazzoli	Udall
Donnelly	Mikulski	Van Deerlin
Dougherty	Miller, Calif.	Vanik
Downey	Mineta	Vento
Drinan	Minish	Volkmer
Duncan, Oreg.	Mitchell, Md.	Walgren
Early	Moakley	Waxman
Eckhardt	Moffett	Weiss
Edgar	Mollohan	Whitten
Ertel	Murphy, N.Y.	Williams, Mont.
Evans, Ind.	Myers, Pa.	Wilson, Tex.
Fary	Natcher	Wirth
Fascell	Nedzi	Wolpe
Fazio	Nelson	Yates
Ferraro	Nolan	Yatron
Fisher	Nowak	

ANSWERED "PRESENT"—2

Mattox	Scheuer

NOT VOTING—49

Akaka	Gephardt	Murtha
Alexander	Giaimo	O'Brien
Anderson, Calif.	Gramm	Patterson
	Hall, Ohio	Pepper
Anderson, Ill.	Hansen	Rosenthal
Anthony	Heftel	Simon
Applegate	Ireland	Smith, Nebr.
Aspin	Jeffords	Stangeland
Baldus	Jenrette	Steed
Bethune	Johnson, Colo.	Treen
Bolling	Leach, Iowa	Ullman
Crane, Philip	McCloskey	Weaver
Dodd	McCormack	Wilson, C. H.
Edwards, Calif.	McDonald	Winn
Edwards, Okla.	Montgomery	Wydler
Flood	Mottl	Young, Mo.
Frost	Murphy, Ill.	

□ 1520

The Clerk announced the following pairs:

On this vote:

Mr. Gramm for, with Mr. Anthony against.

Mr. CHARLES WILSON of Texas changed his vote from "aye" to "no."

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

So the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

Mr. DELLUMS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. NEDZI) having assumed the chair, Mr. PICKLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4546) to amend the District of Columbia Redevelopment Act of 1945, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON S. 1157, JUSTICE DEPARTMENT AUTHORIZATIONS, 1980

Mr. RODINO. Mr. Speaker, I call up the conference report on the Senate bill (S. 1157) to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1980, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. 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 November 16, 1979.)

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. RODINO) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. MCCLORY) will be recognized for 30 minutes.

The chair recognizes the gentleman from New Jersey (Mr. RODINO).

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

Mr. RODINO. Mr. Speaker, earlier this year the House passed a bill authorizing moneys for the Department's fiscal year 1980 activities. Those moneys did not include funds for LEAA. The conference report relates sensibly and rationally to the already enacted appropriation legislation. The conferees did not have before them disputes on moneys relating to the U.S. Parole Commission, the support of U.S. prisoners, the fees and expenses of witnesses, the Community Relations Service, the Federal Bureau of Investigation, and the Federal Prison System. There were differences between the two Houses on moneys to be authorized for general legal activities, general administration, the Antitrust Division, U.S. Attorneys and Marshals, the Immigration and Naturalization Service, and the Drug Enforcement Administration.

With regard to general administration, the conferees adopted a figure which basically reflects the House figure but specifically breaks out from that figure a $5 million designation for joint State and joint State and local law enforcement activities with regard to regulated

offenses under the Control Substances Act. The conferees also adopted the Senate language providing for the management analysis of the Immigration and Naturalization Service.

With regard to general legal activities, the conferees agreed to the Senate figure of $111,748,000 with a specific designation of moneys to be made available for the investigation and prosecution of denaturalization and deportation of cases involving alleged Nazi war criminals.

For the Antitrust Division, the conferees adopted the overall Senate figure of $48,592,000, including not to exceed $4 million for antitrust enforcement grants to the States.

With regard to the U.S. Attorneys and Marshals Service, the conferees agreed to the House figure of $242,573,000. This is significant insofar as the Senate bill had a lower figure but did not include the authorization for private service of process by the U.S. marshals. The House conferees insisted upon continuation of this service since no hearings had been held on this matter in the other body.

The conference committee reached agreement on other more technical aspects of the Department's policy responsibilities, including language requiring communication between the Department of Justice and the Congress on any reprograming of funds, on certain undercover investigative activities of the FBI and on departmental intentions to engage in message switching activities.

With regard to the Immigration and Naturalization Services, the conferees agreed upon the House authorization dollar amount of $319,386,000 and a detailed plan for a management study of the Service.

It has become obvious over the past few years that the Service has been finding it increasingly difficult to meet its responsibilities. This regrettable trend is not only due to a continued lack of sufficient financial and manpower resources, but also due to its reliance on antiquated procedures and recordkeeping systems.

The conferees seek to address a portion of the manpower problem by authorizing sufficient funds to reinforce the Border Patrol, especially on the Southwest border where there is evidence of unabated illegal border crossings.

More importantly, the conferees seek to move the agency into 20th century methods and operations by authorizing funds to update the present nonimmigrant control procedures and design a more efficient and effective system compatible with computer capabilities.

The report also authorizes $5 million to automate district offices and file control centers to upgrade processing and recordkeeping functions which really form the basic foundation for all Immigration and Naturalization Service operations.

The conference report also makes provision for an independent comprehensive management analysis of the Service. Testimony at oversight hearings indicated that some management practices which had developed over the years were no longer viable to respond to present day Immigration and Naturalization Service responsibilities. The purpose of this survey is to correct these deficiencies.

This legislation also establishes the position of Social Investigator of the Immigration and Naturalization Service to be appointed by the Attorney General for a period of 3 years or until the establishment of an Inspector General in the Department of Justice. Specifically for this purpose, there is authorized to be appropriated $376,000 for fiscal year 1980. Further authorization for this Special Investigator will have to await future action by the Congress. It will be the duty of the Special Investigator to look into all charges of corruption, discrimination, and other alleged illegal actions.

It is our hope that these measures will set the Immigration and Naturalization Service on the right path for future development and progress, permitting its capabilities to respond to its responsibilities under the Immigration and Nationality Act.

For the Drug Enforcement Administration, the conferees agreed to a compromise between the figures that the two Houses had authorized. Due to a typographical error in the conference report dealing with the Drug Enforcement Administration, there is an inadvertent inconsistency in the figures. Immediately following the vote on the conference report, I intend to call up a concurrent resolution which will rectify this discrepancy. The joint statement also contains an erroneous figure. The correct figure is $198,336,000.

The conferees adopted a $2.6 million authorization for planning and site acquisition for a Federal detention facility in Los Angeles County, Calif. They adopted language basically consistent with the House position concerning plans for the closing of U.S. penitentiaries at Leavenworth, Kans., and Atlanta, Ga.

The conferees also adopted the House position on requirements that the Attorney General report to the Congress when he decides not to enforce any provision of Federal law because he deems it unconstitutional and the House language dealing with the 1980 Congress on prevention and treatment of offenders.

Mr. Speaker, all in all this conference report is a reasonable compromise between the positions of the two Houses. It is my hope that in the 97th Congress the process of authorization can be made even stronger and that we may play a more significant role in this process.

I want to thank and commend all the members of the Judiciary Committee for their cooperation and, in many cases, leadership.

Our House conferees brought their expertise to bear on this bill and on the conference report. I am grateful to them for their help and to our ranking minority member, Mr. McCLORY, who was, as always, of tremendous assistance in our efforts.

Mr. Speaker, we have a good bill as embodied in the conference report. It is imperative that we pass this conference report expeditiously so that the other body may act. The continuing resolution for the Department of Justice authorization expires tomorrow.

□ 1530

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

Mr. Speaker, I want to commend the chairman of the committee, the gentleman from New Jersey (Mr. RODINO), and all the conferees on this conference report. In general, I would say that the House position was maintained.

This is a good conference report. The committee chairman has adequately explained it, and I rise in support of the conference report.

Mr. Speaker, the bill before us represents a compromise designed to insure that the Department of Justice continues to administer effective law enforcement at the Federal level. While my views did not prevail in every instance, I believe that the compromise is a good one.

On some matters, there was no disagreement. Both Houses agreed to the same authorization levels for the U.S. Parole Commission, the Support of U.S. Prisoners, the fees and expenses of witnesses, the Community Relations Service, the FBI, and the Federal Prison System. However, there were several areas of controversy I wish to highlight:

First. The House amendment provided $106,267,000 for general legal activities of the Department while the Senate's authorization figure was $111,748,000. The House provision required that $3 million be made available for the prosecution of denaturalization and deportation cases involving alleged Nazi war criminals still residing in this country. The compromise adopted the higher Senate authorization and reduced the mandatory funding for Nazi war criminal investigations to $2.3 million while authorizing an additional $0.7 million for that purpose.

Second. The Senate bill contained language prohibiting the expenditure of funds for equipment with message-switching capability. This was a controversial issue and one which I have often expressed considerable concern; virtually all computer equipment which the FBI, for example, would desire to purchase, has a message-switching capability. The House amendment was silent on the question, preferring instead to rely on assurances given by every Attorney General since Edward Levi that the Department would not engage in message switching. The conference substitute embodies these assurances without prohibiting the purchase of equipment as provided in the Senate version. Such prohibitions could have crippled law enforcement activities. They have unfortunately done so in the past. I am pleased that that mistake was not repeated.

Third. The House amendment contained provisions which establish an Inspector General for the Immigration and Naturalization Service. The Senate had no language whatsoever on the subject and a lengthy debate ensued over the gravity of the precedent of the House provisions. Both Houses agreed that review of the activities of INS is necessary;

we disagreed simply over whether an Inspector General would be the appropriate mechanism by which to accomplish that review. Ultimately, the conferees recommended the establishment of a special investigator for a period of 3 years, during which time the Attorney General should study and make recommendations with respect to creating an Inspector General for the entire Department. I opposed the creation of an Inspector General for INS since it would duplicate the efforts of the Attorney General in investigating criminal wrongdoing as well as the efforts of a management study which both Houses provided for in this legislation so that the Service's efficiency might be improved. Moreover, while the 3-year sunset provision is portrayed as a major feature, it should be noted that the provisions relate only to fiscal year 1980. As we all well know, every authorization for a fiscal year contains, in effect, a 1-year sunset provision. The authorization of $376,000 is limited to fiscal year 1980. So any extension beyond 1980 must await further action of the Congress. It should also be noted that the sum of $376,000 is authorized but not appropriated, and until it is appropriated, the Special Investigator provisions would not go into effect.

Fourth. Another immigration-related provision concerned the Select Commission on Immigration and Refugee Policies, established by Public Law 95–412. Since the House did not deal with this subject, it accepted the Senate provision. The Commission was originally scheduled to expire September 30, 1980. The conference substitute would extend the life of the Commission to March 1, 1981, and raise the level of funds authorized from $700,000 to $2.45 million. It would also expand the authority of the Commission to hire experts and consultants.

This Commission, on which I am pleased to serve, is mandated to review the immigration policies of the United States and make specific recommendations to implement recommended changes. It consists of members of the Cabinet, Members of the Senate and of this body, as well as public members appointed by the President. The Commission has held two hearings to date, one in Baltimore and one in Boston, to hear from persons in various locations throughout this country as to their recommendations for changes in our present immigration policy. This is an effort which is long overdue and the importance of the Commission's work cannot be understated. I feel the modest increase in the life of the Commission and funding authorized will be money and time well invested. I mention these changes not because they were controversial but because of their significance. The changes were unanimously agreed to.

Fifth. The Senate bill contained a provision prohibiting U.S. marshals, with certain exceptions, from continuing to serve civil process in Federal courts. Many Members of this body were quite concerned with this provision because there is no one other than U.S. marshals capable of serving process in many parts of the country. The Senate yielded on this provision when given assurances that our Committee on the Judiciary would hold hearings on the question. The conference substitute authorizes the necessary funding for marshals to continue this service in fiscal year 1980.

While there were other items in disagreement, they did not produce substantial controversy. It should be noted that many of our decisions had already been made for us by the enactment of the appropriations legislation. This is regrettable, as I have indicated before. I hope that next year the leadership will be able to schedule Justice Department legislation in the regular order.

The House did very well in conference, and I trust that we can all support the conference report.

Mr. RODINO. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. HOLTZMAN).

Ms. HOLTZMAN. Mr. Speaker, I rise in strong support of the conference report, and I wish to commend the gentleman from New Jersey (Mr. RODINO), the distinguished chairman of the committee, for his leadership in bringing this measure to the floor and steering it through the conference.

With respect to the authorizations provided for the Immigration and Naturalization Service and the investigation and prosecution of alleged Nazi war criminals residing in the United States, the conference agreement is fully consistent with the recommendations made by the Subcommittee on Immigration, Refugees, and International Law and the full House Judiciary Committee.

All of the Members of this body, I am sure, are aware of the inability of the INS to execute its responsibilities adequately under our immigration laws.

Apart from the clear need for a careful reassessment of our entire immigration policy, which is currently underway, there are a number of initiatives which can be taken now. This bill calls for these initiatives which are intended to enable INS to address its monumental administrative problems.

For example, the Iranian student situation has clearly demonstrated that INS simply does not possess the capability to identify at any given time, let alone control or provide prompt service to, the millions of students and visitors who have entered the United States. To correct this problem, the conference report provides $2 million to improve INS nonimmigrant control system as well as $5 million to automate INS district offices.

That authority, together with the independent management analysis of INS provided for in the bill, should enable INS to make significant progress in "getting a handle" on its basic responsibilities.

The bill agreed to in the conference would also establish an office of a Special Investigator for the INS patterned after Inspectors General established by the Inspector General Act of 1978. This new office will have agencywide jurisdiction equivalent to that of an Inspector General to audit and to conduct internal investigations of INS. The Special Investigator is required to report regularly to the Commissioner of INS and to the Congress. It is important to note that improving effectiveness and eliminating corruption will come within the Special Investigator's jurisdiction. By creating an internal, objective and vigorous mechanism for reviewing present performance and recommending improvements, the new office may finally help bring INS up to an acceptable standard in its service and enforcement activities.

It is anticipated that currently existing offices within INS, performing functions which are to be performed by the Office of Special Investigator, will merge their efforts with, and operate under, the newly created office.

Mr. Speaker, the bill authorizes $3 million for the investigation and prosecution of alleged Nazi war criminals and requires that at least $2.3 million be specifically set aside for this purpose. This represents an increase over last year's level, reflecting urgently needed increases in staffing—from 13 to 50—agreed to by the Justice Department. As a result of problems encountered within INS, and at my urging, the unit handling these cases has been transferred out of INS and into the Criminal Division of the Department of Justice. I am glad to say that as a result of these staff and administrative changes, recent progress has been made. Just last week, three new denaturalization cases involving alleged Nazi war criminals were filed in Federal court, the first since 1977. I cannot overemphasize to my colleagues the need for this country to continue vigorously to investigate the nearly 200 cases where credible allegations have been received and to prosecute professionally and expeditiously all of those cases where the evidence warrants it. I am confident that the funding level established by this bill will provide adequate resources for this purpose.

Mr. Speaker, the conference agreement, in my view, would facilitate important improvements within the INS at a time when congressional support of that agency is vitally needed and for this reason, I urge adoption of the conference report.

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

Mr. Speaker, I merely wish to add that immediately following the vote on this conference report I intend to call up a concurrent resolution which will rectify a discrepancy in figures that appear incorrectly in the conference report.

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

DIRECTING SECRETARY OF THE SENATE TO CORRECT ERROR IN ENROLLMENT OF S. 1157

Mr. RODINO. Mr. Speaker, I send to the desk a concurrent resolution (H. Con. Res. 216) directing the Secretary of the Senate to correct a typographical error

in the enrollment of the bill S. 1157, and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 216

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Senate shall, in the enrollment of the bill (S. 1157) to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for the fiscal year 1980, and for other purposes, make the following correction:

Strike out "$198,836,000" in section 15(2) of the bill and insert "$19,336,000" in lieu thereof.

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

Mr. McCLORY. Mr. Speaker, reserving the right to object, I do so in order to make an inquiry of the chairman of the committee.

Do the changes in the figures merely conform them to those we had, in fact, agreed to in conference?

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

Mr. McCLORY. I yield to the chairman of the committee.

Mr. RODINO. Mr. Speaker, the gentleman is correct. This is merely to correct an erroneous figure.

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

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

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1540

FEDERAL TRADE COMMISSION IMPROVEMENTS ACT OF 1979

Mr. SCHEUER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2313) to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. SCHEUER).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 2313, with Mr. LAFALCE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Wednesday, November 14, 1979, the substitute committee amendment printed in the reported bill was considered as an original bill for the purpose of amendment and was considered as having been read.

No amendments are in order except, first, an amendment printed in the CONGRESSIONAL RECORD of October 16, 1979, by, and if offered by, Representative ANDREWS of North Dakota; and, second, an amendment printed in the CONGRESSIONAL RECORD of October 18, 1979, by, and if offered by, Representative KEMP, of New York, and said amendments shall not be subject to amendment except pro forma amendments for the purpose of debate.

AMENDMENT OFFERED BY MR. ANDREWS OF NORTH DAKOTA

Mr. ANDREWS of North Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS of North Dakota: Page 26, after line 2, add the following new section:

RESTRICTION OF COMMISSION STUDIES AND INVESTIGATIONS RELATING TO AGRICULTURAL COOPERATIVES

SEC. 305. The Federal Trade Commission shall not have any authority to use any funds which are authorized to be appropriated to carry out the Federal Trade Commission Act (15 U.S.C. 41 et seq.) for fiscal year 1980, 1981, or 1982, for the purpose of—

(1) conducting any study, investigation, or prosecution of any agricultural cooperative which meets the requirements of the Act entitled "An Act to authorize association of producers of agricultural products", approved February 18, 1922 (7 U.S.C. 291–292), commonly known as the Capper-Volstead Act; or

(2) conducting any study or investigation of any agricultural marketing orders.

The CHAIRMAN. Has this amendment been printed in the RECORD according to the rule?

Mr. ANDREWS of North Dakota. This is an amendment that was printed in the RECORD, Mr. Chairman.

The CHAIRMAN. The gentleman from North Dakota (Mr. ANDREWS) is recognized for 5 minutes.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, there is a possible defect in the amendment dealing with the ability of the FTC to investigate false and misleading advertising by, let us say, some of these large cooperatives, such as Sunkist, and others, and I wonder if the gentleman would object if I asked unanimous consent to add language to the gentleman's amendment which would at the end of the amendment insert after "Capper-Volstead Act" the following language: ", except that the Commission shall have authority to undertake any such action with respect to false and misleading advertising;".

Mr. ANDREWS of North Dakota. I would have no objection to the addition of that language.

Mr. GLICKMAN. Mr. Chairman, I ask unanimous consent that after the words "Capper-Volstead Act" in the amendment offered by the gentleman from North Dakota (Mr. ANDREWS) that the following language be added: ", except that the Commission shall have authority to undertake any such action with respect to false and misleading advertising;".

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

In the matter proposed to be added by the amendment, insert after "Capper-Volstead Act" the following: ", except that the Commission shall have authority to undertake any such action with respect to false and misleading advertising;".

The CHAIRMAN. Is there objection to the unanimous-consent request of the gentleman from Kansas (Mr. GLICKMAN)?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Chairman, I appreciate the gentleman's making that contribution.

Actually, we felt that the way the amendment was originally structured would include the thrust of those words, but for clarification, for the purpose of making legislative history, certainly we have no objection to the inclusion of that language.

Mr. Chairman, I appreciate the opportunity to speak on behalf of my amendment to the FTC authorization bill, which I believe speaks to the best interests of our dwindling population of small family farmers and to all consumers.

My amendment directs that no funds authorized under H.R. 2313 shall be used for the study, investigation, or prosecution of any agricultural cooperative meeting the requirements of the Capper-Volstead Act or for the study or investigation of agricultural marketing orders.

As a member of the funding committee for the FTC, I have, over the years, become increasingly concerned over the intrusive and expansionist activities of this agency. I have watched this agency get into everybody's business stretching from one end of society to another. One of the most recent examples of the FTC's intrusion in an area where it has no business involves farmer-owned cooperatives and agricultural marketing orders.

In recent years the Federal Trade Commission has spent a significant portion of its appropriations and staff time investigating market orders and farmer cooperatives. In fact, the FTC has instituted an administrative action against a farmer cooperative for activities that clearly fall within the Capper-Volstead Act and against the cooperative's use of agricultural market orders. An action was also brought against a farmer cooperative which the FTC later dismissed after a Federal court ruled that the challenged activities were within the permitted scope of the Capper-Volstead Act.

At present, the administration and use of marketing orders is within the jurisdiction of the Secretary of Agriculture under the Agricultural Market Agreement Act. Jurisdiction over farmer coops is also vested in the Secretary of Agriculture by virtue of the Capper-Volstead Act, which was enacted way back in 1922.

Going back even further than 1922, when the Clayton Act was under consideration, Congress was mindful of the minimal bargaining power of the individual farmer in the market in which he buys and sells. In order to encourage the farmer to form agricultural organizations for mutual help, Congress exempted such organizations from the application of the antitrust laws under Section 6 of that act.

Enacting section 6 distinctly expressed the congressional policy of treating farmers differently from industrialists

and middlemen. At that time, Congress saw farmers at the mercy of sharp dealers in the sale of their produce and, therefore, recognized the need for the formation of cooperatives in order to help themselves. The structural requirements for section 6 were simply that an agricultural organization without capital stock, instituted for mutual self-help and not conducted for profit, qualifies for the exemption.

In 1922, Congress saw fit to extend the section 6 exemption from antitrust attack to farmer organizations with capital stock under section 1 of the Capper-Volstead Act. Section 2 of that same act provides that if a cooperative abuses its monopoly power to unduly enhance the price of a product, the Secretary of Agriculture shall bring a suit asking the cooperative to cease and desist.

It is interesting to note that as long as nearly six decades ago, Congress recognized that farmer-owned cooperatives should fall under the jurisdiction of the Department of Agriculture and not the Federal Trade Commission. Recognizing the fact that the FTC lacks the expertise in the area of agricultural cooperatives, this was a wise decision.

The same situation holds true today. I do not believe a single agricultural economist is employed by the Federal Trade Commission. The cooperative form of enterprise and its basic differences from the ordinary form of business must be recognized and understood. What Department or Federal agency could be more capable or appropriate for overseeing the system of farmer cooperatives than the Department of Agriculture?

If the Department is not doing the job it should be doing with respect to overseeing farm cooperatives, that should be corrected. But, certainly, we do not need two Government agencies doing the job, and Congress has not delegated responsibility in the areas of farmer-owned cooperatives or ag marketing orders to the Federal Trade Commission. The Commission's usurpation of authority in these two areas not only results in harassment of farmers and their co-ops—it is also a waste of public funds because it duplicates another agency's responsibility.

Historically, FTC's congressional mandate is to seek out abuses of market power and enhance the role of competition in the marketplace. There is no question that the interests of consumers need to be protected this way, especially at a time when this Nation is experiencing double-digit inflation.

One of the FTC's most important jobs is to investigate the cost-price spread between the farm and the supermarket, which in itself is a monumental task. Instead, they ignore that and insist on getting into everybody's backyard whether they have the authority or the expertise to do so. And, in the process, they add to the inflation that affects us all.

Back in 1975, the FTC's Bureau of Competition undertook a study of the role of agricultural cooperatives in certain sectors of the economy. As part of their study, they requested information from 50 selected cooperatives. The request was so broad that scores of pages of index were required just to record all the material that one farmer cooperative supplied in compliance with this request.

The compliance was nuisance enough, but a sadder fact is that when the FTC released a staff report which was highly critical of farmer cooperatives later that year, it was obvious that the FTC staff had not even looked at the material supplied by the cooperatives.

A multipaged subpena requesting detailed business records over a long period of time presents a staggering blow to any farmer-owned cooperative. The amount of money these cooperatives spend on man-hours collecting the requested data, not to mention legal fees, can be astronomical.

Farmer cooperatives, unlike other major corporations that can hire any number of attorneys to represent them, simply do not have the resources to finance such fights. Following the principle of operations at cost, all the returns to the cooperative besides those necessary to operate, are returned to farmers. So additional expenses, like attorneys fees, come directly out of the farmers' pockets.

The majority of the cooperative members are family farmers with relatively modest operations, who are engaged in marketing practically every type of agricultural commodity imaginable. Nearly five out of every six farmers belong to a cooperative. They are not investors in the cooperative as a stockholder is in a corporation—they actually participate in the business. The products marketed through the cooperative are their products. Because of the nature of an agricultural cooperative, an action by the Government against a cooperative is in reality an action against the individual grower members.

The Federal Trade Commission has investigated various aspects of agricultural cooperatives over the past several years. The actions FTC has taken against the co-ops poses a direct threat to their very survival.

According to a 2-year study carried out by the National Commission of Food Marketing in the 1960's, of all the centers of market power in the entire food complex, farm production and farm cooperative marketing activities represented the weakest and most competitive sector. Yet the FTC insists on continuing its concentration on the farm marketing sector. It appears, then, that the Commission is operating under a preconceived assumption that farmers and their cooperatives are contributing to rising food prices through excessive market power. There is, however, no evidence to substantiate the charge.

These actions lead me to believe that the FTC is seeking to strip farmers of the specific rights promised them by Congress through section 2 of the Capper-Volstead Act of 1922 and section 6 of the Clayton Act. Those statutes carved out a specific exemption for agricultural cooperatives from portions of the antitrust laws and gave the Secretary of Agriculture—not the FTC—jurisdiction to determine if a cooperative's activities amounted to monopolization or a restraint of trade. By virtue of the exemption from the antitrust laws contained in those statutes, it was in fact assumed that agricultural cooperatives might lawfully acquire significant market power, possibly including as members 100 percent of the growers of a particular commodity.

The FTC's involvement in this area constitutes a major assault on the congressional intent behind these acts, which was to encourage the growth of agricultural cooperatives. This congressional policy is as valid today as it was when these statutes were passed.

Both agricultural cooperatives and the American consumer will be the losers if the FTC is allowed to continue with its plans to usurp the authority presently given to the Secretary of Agriculture.

It has long been recognized that the strength of American agriculture emanates from a viable family farm system. The system of agricultural cooperatives allows the family farmer to keep his independence and at the same time enjoy the economies of scale offered by agricultural cooperatives for marketing his products and securing his supplies.

Erosion of the system of agricultural cooperatives would certainly be great great news for the giant corporate enterprises, but it is beyond me how such a turn of events would be in the best interests of the consumer.

I have stood on the floor of this House many times before to express my concern over the trend toward fewer and larger farms pushing out the smaller family farmer. I do not want to see a handful of giant operators own, manage, and control the entire food production system in this country. The importance of the family farmer was also stressed in an address by President Carter to the Missouri Farmers Association last year in August when he voiced support for the Capper-Volstead Act—the legislation that provided agricultural cooperatives with limited antitrust exemption.

In order to save the family farm and preserve the diversity of American agriculture, we must commit ourselves to an agricultural structure in America that is in the interest of the family farm operator. We cannot afford to forget that our farmers offer the American consumer the best buy in food of any country in the world.

The potential burdens that could be placed on farmer cooperatives by Federal regulatory agencies like the Federal Trade Commission can only serve to hinder the success of the small family farmer. It is deplorable for me to think that farmer money must be used to defend against Government intervention. I want to do everything I can to guard against this continuing high cost to farmers and their cooperatives. They have a much more important task than to spend their time and money fighting the FTC. They have a nation and much of the world to feed.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Virginia.

Mr. WAMPLER. I thank my colleague for yielding, and I rise in support of the amendment offered by the gentleman from North Dakota.

The purpose of this amendment is to reaffirm the responsibility of the U.S. Department of Agriculture in overseeing the activities of agricultural cooperatives subject to the Capper-Volstead Act. It would do this by prohibiting the Federal Trade Commission (FTC) from conducting any study, investigation, or prosecution of agricultural cooperatives subject to the act and from conducting any study or investigation of agricultural marketing orders. It would not, however, prevent the FTC from carrying out its statutory responsibilities relating to unfair or deceptive advertising, unlawful promotional programs, and the like.

This amendment is necessary to prevent the Federal Trade Commission from overstepping its bounds with respect to the activities of agricultural cooperatives and intruding into a regulatory area that was assigned by the Capper-Volstead Act to the Secretary of Agriculture.

Section 1 of the Capper-Volstead Act grants agricultural cooperatives a limited exemption from the antitrust laws and specifies particular collective activities which may be lawfully carried on by members of such cooperatives. Section 2 of the act gives the Secretary of Agriculture authority to take administrative action when monopolization or restraint of trade by an agricultural cooperative results in undue price enhancement.

There is no question as to the willingness or the ability of the Department of Agriculture to carry out these antitrust responsibilities. The lack of allegations of undue price enhancement lodged with the Department by anyone in the past 3 years is evidence of the lack of need for any other Federal agency, such as the FTC, to attempt to assume jurisdiction in this area.

In order to display to all that USDA is forcefully enforcing the law, however, the Secretary has proposed new regulations for the administration of the Capper-Volstead Act which would involve complete separation of USDA's cooperative promotional functions from its enforcement and monitoring system. This tends to follow recommendations of the National Commission for the Review of Antitrust Laws and Procedures, and the General Accounting Office. USDA may, in fact, have gone too far in separating its enforcement from monitoring functions in order to placate critics such as those who favor expanded FTC jurisdiction.

Mr. Chairman, clearly the U.S. Department of Agriculture is the best qualified and most capable agency of the Federal Government to oversee the activities of agricultural cooperatives subject to the Capper-Volstead Act. The USDA has both the necessary expertise and the mandate of the law to do so. To allow the FTC to exercise its claimed jurisdiction in this area would be duplicative and wasteful, and would only further extend the complex and burdensome web of unnecessary regulatory activities which the public and, more recently, the Congress have seen a need to restrict.

I strongly urge my colleagues to support this amendment.

The CHAIRMAN. The time of the gentleman from North Dakota (Mr. ANDREWS) has expired.

(By unanimous consent, Mr. ANDREWS of North Dakota was allowed to proceed for 3 additional minutes.)

Mr. ANDREWS of North Dakota. Mr. Chairman, I appreciate the efforts of my good friend and colleague, the gentleman from Virginia, the ranking minority member on the Committee on Agriculture.

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

Mr. ANDREWS of North Dakota. I yield to my colleague, the gentleman from South Dakota.

Mr. ABDNOR. Mr. Chairman, as it has been stated, the purpose of this amendment is to end the duplication and confusion which has resulted from forcing agricultural cooperatives to comply with both the regulations mandated by the Capper-Volstead Act and those concocted by the Federal Trade Commission.

It has been presented quite clearly that statutory authority for the regulation of agricultural cooperatives rests with the Secretary of Agriculture, pursuant to the provisions of the Capper-Volstead Act. Unfortunately, the Federal Trade Commission has seen fit to preempt this authority and initiate its own investigation into agricultural cooperatives' activities.

Mr. Chairman, if we as a body are truly sincere in making the 96th Congress the "Oversight Congress" as many proclaim, it behooves us to adopt this amendment and prevent this kind of duplication. Congress has stated its intent that agricultural cooperatives grow and prosper. Therefore, it is imperative that we correct a serious situation which has resulted in cooperatives incurring significant expenses in dealing with the investigative whims of the FTC.

Again, I commend the gentleman for his sponsorship of this amendment and urge my colleagues to support our efforts to prohibit the Federal Trade Commission from continuing its investigations into agricultural cooperatives.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Idaho.

Mr. SYMMS. I thank the gentleman for yielding.

Mr. Chairman, I share the sentiments expressed by the gentleman from South Dakota and the gentleman from Virginia, and I commend the gentleman from North Dakota for this very fine amendment. I hope that this body will accept the amendment.

Mr. ANDREWS of North Dakota. I thank the gentleman for his contribution.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Wisconsin.

Mr. ROTH. Mr. Chairman, I, too, want to associate myself with the gentleman's remarks.

Mr. Chairman, earlier this year we celebrated National Co-op Month. In doing so, we rallied around the common theme of "Co-ops—Good for All Americans." Certainly, the cooperative movement has been good for agriculture. In 1976, co-ops increased farm income by $1.1 billion. This money increased farm income by 7 percent. For the consumers, co-ops have taken the lead in furnishing quality products; in developing better packaging; in using more efficient distribution methods, all of which have helped to hold down prices of food and fiber products.

Government has also recognized the importance of this movement. The Secretary of Agriculture, the General Accounting Office's consultants, the Federal Trade Commission, and Department of Justice officials all say that cooperatives are needed today and in the future if family farmers are to survive in the highly organized agricultural economy.

Yet, today and in the recent past we have witnessed this same Federal Government causing harassment and additional problems for the very movement they feel is essential to family farms. In particular we have witnessed the aggressive actions of the Federal Trade Commission. The FTC has used its traditional role in antitrust enforcement as a basis for similar action against some cooperatives. And that is the basis for the amendment now before us.

Why should this Congress prohibit the FTC from taking such action against co-ops? First, and perhaps most important is the fact that present law gives the Department of Agriculture the authority to prevent co-ops from using their advantages to "unduly enhance" prices.

Let us analyze that record. Between 1969 and 1976, the Department received five complaints for restraint of trade pricing. Four of the five cases were investigated. The other was already being handled by the Justice Department. In each of the four cases investigated, Agriculture concluded that the cooperatives had not unduly enhanced commodity prices. So, the people have only filed five complaints against cooperatives. And none of them have shown abuse by the co-ops.

Why then should the FTC become involved? Well, they are concerned that the Department of Agriculture has relied solely on complaints from citizens. Rather than imposing Government harassment on the many co-ops in this country, the Department of Agriculture's first mistake was waiting for the people to ask the Government for assistance. Can you imagine such a crime?

The second error in the eyes of the FTC is the simple fact that cooperatives are "in a position" to gain undesirable market power. The General Accounting Office report of co-ops recognized this situation by saying they have "the potential" for unfair trade practices. Yet again, I ask you to return to that same General Accounting Office report which states, "There has never been a documented case of a cooperative doing so."

If the Department of Agriculture needs a better system for assuring the

public that cooperatives have not unduly enhanced the prices of their products, then they should do so. If the Department of Agriculture needs a better criteria for determining price gouging, then they should do so. But the evidence is clear—we do not need another agency involving itself in governmental oversight not desired by the public nor justified by experience.

Therefore, this amendment should be adopted to maintain the present integrity of cooperative oversight within the Department of Agriculture.

□ 1550

Mr. JONES of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of North Dakota. I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Chairman, I rise in support of the amendment and would like to point out to the Members who are here who represent the urban areas that the American farmer is the only professional business that I know of which does not set the price of its produce, but rather, says, "What will you give me?"

Therefore, it is necessary for these small co-ops to band together.

I feel like the amendment is very worthwhile. I urge its support.

Mr. ANDREWS of North Dakota. I appreciate the support of my colleague.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Iowa.

Mr. GRASSLEY. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment as well. I think it is about time we set the record straight as to just who is going to have control over this Capper-Volstead Act, that it is the Secretary of Agriculture. He is the most logical one to do it, and we should keep other agencies, who do not know anything about cooperatives, from interfering.

Mr. ANDREWS of North Dakota. As my colleague pointed out, there is no expertise in the Federal Trade Commission on farm matters. In fact, they do not have a single agricultural economist on their staff. They did not the last time I inquired. To have them try to second-guess the Department of Agriculture, which does have the people who know intimately the needs of the farm family and marketing does not make sense in this day of overregulation and high-cost Government interference.

Mr. GRASSLEY. The gentleman expresses my thoughts.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from North Dakota.

The agricultural cooperative community has become increasingly concerned over the investigations, inquiries, and complaints initiated by the Federal Trade Commission into alleged antitrust or restraint of trade activities of such cooperatives. The Capper-Volstead Act gives the Secretary of Agriculture authority to take administrative action when monopolization or restraint of trade by an agricultural cooperative results in undue price enhancement. Both the language and the legislative history of this law indicate the broad authority the Secretary has over the anticompetitive and antitrust complaints against agricultural cooperatives.

This amendment is designed to eliminate any controversy over which agency has the antitrust responsibility for agricultural cooperatives. The Department of Agriculture is the agency best suited to do this. New rules have been proposed by the Secretary of Agriculture to separate the enforcement and monitoring functions of USDA in this respect. This amendment would not restrict the ability of anyone to obtain remedies for antitrust violations of agricultural cooperatives. It would make it clear that such remedies should be sought through the USDA. The Federal Trade Commission would retain its jurisdiction over practices involving unfair or deceptive advertising, unlawful promotional programs, and other activities falling outside the Capper-Volstead limited antitrust exemption.

Mr. Chairman, this is an important and necessary amendment. I strongly recommend its support by my colleagues.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from California.

Mr. COELHO. Mr. Chairman, I would like to applaud the gentleman for his efforts in regard to this amendment.

Mr. Chairman, it is the historical view of many legal scholars, economists, and cooperative leaders that the Capper-Volstead Act of 1929 conferred primary jurisdiction upon the Secretary of Agriculture to oversee the activities of agricultural cooperatives.

Since that time agricultural cooperatives have prospered, supplying the public with high quality products at affordable prices. Many of the California fruit, nut, and specialty crops and dairy products, which are enjoyed in this country and the world over, are grown by cooperatives for the most part composed of small family farmers. These cooperatives permit individual farmers to retain their identity while giving them the advantage of the marketing and promotional techniques offered to them by their membership in cooperatives. In a recent brief, the Department of Justice summarized it well by saying that—

> The basic purpose of Capper-Volstead was to enable farmers to make use of modern forms of corporate organization so that they could bargain effectively with the large corporate buyers of farm goods.

I have heard on innumerable occasions many of my colleagues argue most convincingly that the future of the small family farmer is in jeopardy. I cannot think of a better way to preserve this group within our economy than by supporting the cooperative movement. It is many of these same agricultural cooperatives which are responsible for bringing into the United States hundreds of millions of export dollars which have played a substantial role in reducing an otherwise enormous imbalance-of-payments situation.

In the same brief, which was filed with the joint approval of USDA and FTC, Justice argues that "the Secretary of Agriculture * * * has special expertise regarding such cooperatives and to whom enforcement of section 2 of Capper-Volstead has been entrusted." It is this particular section which gives the Secretary of Agriculture the responsibility to monitor against undue price enhancement by cooperatives.

Against this background, the Federal Trade Commission is challenging cooperative practices which have been around for over 45 years, since the enactment of the Capper-Volstead Act, and which have been consistent with Congress intent. FTC investigations of cooperatives have created needless confusion and anxiety for both cooperative leaders and farmers. In one case, the FTC has actually filed a complaint against an agricultural cooperative. Legal fees and direct expenses are running into literally millions of dollars. When the FTC brings in its big guns to bear down on such business operations, cooperatives cannot endure the fight for very long. Farmer cooperatives, unlike corporate giants which can hire an untold number of attorneys to represent them, do not have the resources to finance such fights. Because they operate on a cost basis, all revenues exceeding operating expenses of the cooperative are returned to farmers. Likewise, extra expenditures to fight the FTC come directly out of the pockets of America's family farmers.

The FTC's involvement in regulating cooperatives is expensive for the taxpayers, disruptive for the agricultural community at large, and duplicative. The public wants less regulation, not more.

We cannot adjudicate in the Congress but we can call a halt to FTC activities which appear to conflict with the congressional intent, in this case, the Capper-Volstead Act. I want to strongly urge my colleagues to support the Andrews' amendment to the FTC authorization bill, which would prohibit the FTC from using any appropriations to conduct any study, investigation, or prosecution against any agricultural cooperative and/or against any agricultural marketing orders.

If the FTC is permitted to continue its wanton, irresponsible vendetta against agricultural cooperatives, the whole foundation of agriculture—the backbone of our economy—will be rocked with incalculable costs to both farmers and consumers.

The CHAIRMAN. The time of the gentleman from North Dakota (Mr. ANDREWS) has expired.

(By unanimous consent, Mr. ANDREWS of North Dakota was allowed to proceed for 3 additional minutes.)

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from California.

Mr. COELHO. Mr. Chairman, I would like to ask some questions.

There has been some question as to whether or not the amendment would restrict the Federal Trade Commission from investigating practices, agricultural cooperatives involving advertising and trade promotional plans. Would the gentleman confirm whether or not this is true.

Mr. ANDREWS of North Dakota. The gentleman's understanding, I would assure my colleague from California, is correct.

FTC activity regarding the dissemination of false and misleading advertising and other promotional practices should not be affected. What we intend to eliminate by this amendment is confusion and duplication caused by general FTC scrutiny of agricultural cooperatives. It is important that this body reaffirm the intent of Congress in enacting the Capper-Volstead Act. This act provided agricultural cooperatives with certain antitrust exemptions and gave the Secretary of Agriculture basic antitrust jurisdiction over agricultural cooperatives which met certain standards. Advertising and promotional activities are not covered by the Capper-Volstead antitrust exemption.

Therefore, the FTC should retain its jurisdiction in these areas, and the amendment to the amendment that was proposed earlier under unanimous consent would clarify that even further.

Mr. COELHO. Would it not be true then that there is no vacuum created as a result of the gentleman's amendment in regard to antitrust enforcement?

Mr. ANDREWS of North Dakota. That is right. Quite to the contrary, when we affirm the Secretary of Agriculture's authority and responsibility over these co-ops when allegations of monopolization or restraint of trade are made.

It is also important to note the Department of Justice would retain wide-ranging antitrust jurisdiction over co-operatives.

Mr. COELHO. I appreciate the gentleman's comments.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Kansas.

Mr. GLICKMAN. In response to the gentleman from California, I did offer an amendment which was accepted under unanimous consent, which would, by definition, continue FTC's jurisdiction over false and misleading advertising or unfair or deceptive advertising, which is my intention, because I was bothered by the same particular factor, and the gentleman from North Dakota had no objection.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from Texas.

Mr. ECKHARDT. I thank the gentleman for yielding.

Does the gentleman's amendment remove from Federal Trade Commission authority a situation in which a non-agricultural co-op engages in activity with a co-op?

Mr. ANDREWS of North Dakota. Would the gentleman repeat the statement?

Mr. ECKHARDT. Suppose, for instance, we have a conglomerate with a lettuce business as to its nonlettuce business, if the conglomerate itself is a co-op member, may it make agreements which would otherwise be in violation of antitrust laws with a non-co-op company?

The CHAIRMAN. The time of the gentleman from North Dakota (Mr. ANDREWS) has again expired.

(By unanimous consent, Mr. ANDREWS of North Dakota was allowed to proceed for 1 additional minute.)

Mr. ANDREWS of North Dakota. As my colleague should understand, cooperatives are usually restrained from doing business with nonmembers. In fact, almost every agricultural co-op has strict limits on doing business with people outside of the members of the co-op, so I would assume that this would be covered.

Mr. ECKHARDT. Then the gentleman is saying that the Federal Trade Commission would have the authority to step in in a situation which a farm co-op engages in an activity with a non-co-op which would be in violation of the antitrust laws, as could be done now, and the gentleman's amendment would not change that situation?

Mr. ANDREWS of North Dakota. Only insofar as the original Capper-Volstead Act exempts farm co-ops from antitrust jurisdiction of the FTC, either dealing with its members or nonmembers cooperatives should be exempt from most antitrust jurisdiction.

The CHAIRMAN. The time of the gentleman from North Dakota (Mr. ANDREWS) has again expired.

(At the request of Mr. ECKHARDT and by unanimous consent, Mr. ANDREWS of North Dakota was allowed to proceed for 2 additional minutes.)

Mr. ECKHARDT. I think I understand the gentleman's answer, that is, that Capper-Volstead would not be changed in that respect with respect to the Federal Trade Commission's authority.

Mr. ANDREWS of North Dakota. This amendment merely says that the Federal Trade Commission should not move in on agricultural cooperatives in the field of antitrust, because they are specifically exempted from most antitrust regulations by the Capper-Volstead Act.

Mr. ECKHARDT. What about a merger of a co-op with a non-co-op, particularly a case against a non-co-op partner?

Mr. ANDREWS of North Dakota. I would assume the FTC would not have the jurisdiction. The jurisdiction would lie with the Department of Agriculture.

Mr. ECKHARDT. The gentleman does not intend to change the law if the FTC does have the jurisdiction to attack such merger as a creation of monopolization? This amendment does not change it?

Mr. ANDREWS of North Dakota. If the FTC action would be to limit the ability of a co-op to grow, the thrust of my amendment would be to limit that FTC ability to clamp down on the agricultural cooperative. Congress intended agricultural cooperatives to have the ability to band together and become in a sense types of monopolies in their field so they could get better prices for their small producers.

Mr. ECKHARDT. What about predatory prices by co-ops calculated to drive another co-op out of business?

Mr. ANDREWS of North Dakota. That comes under the specific responsibility, I would say, of the Department of Agriculture. The Secretary of Agriculture is directed to see that predatory pricing does not take place.

Mr. ECKHARDT. And price discrimination by a co-op, which is not exempt under Capper-Volstead now, would now be exempted under the gentleman's amendment?

Mr. ANDREWS of North Dakota. Price discrimination comes under the scrutiny of the Secretary of Agriculture.

Mr. SCHEUER. Mr. Chairman, I rise in opposition to the amendment. I oppose it on grounds of process and procedure.

This amendment has been brought to the floor in disregard of the orderly processes of the House. Despite the fact that the case against Sunkist has been pending for years, it was not until the virtual eve of the Rules Committee consideration, that this proposal arose.

During the course of our oversight hearings at the subcommittee level, nobody ever raised a question about the FTC's role in helping to keep down the costs of food and fiber in these inflationary times. Not a word was said on the question during full committee hearings on the FTC authorization bill.

This is the kind of issue that begs to be remanded to the committee, which can develop a comprehensive record and report its findings and recommendations to the House.

Moreover, this amendment will cut off funding for specific antitrust litigation being conducted by the FTC.

Surely no one maintains that the Capper-Volstead Act was designed to permit agricultural co-ops to use their monopoly power, assuming they had it in restraint of trade; and the question is, Have they, and are they doing that?

I think that is a matter of sufficient public import to deserve congressional scrutiny.

□ 1600

I think all of us have a feeling of sympathetic identification with the idea of farm co-ops, and most of us think of a half a dozen farmers getting together to market their goods.

But I think the power and scope of agricultural cooperatives have gone far beyond what anybody dreamed of 57 years ago when the Capper-Volstead Act was passed in 1922.

Today agricultural co-ops handle $165 billion of transactions annually. Now, that is a lot of lettuce in anybody's language. The membership of these co-operatives include large multinational agri business corporations not just the small family farmers to whom this legislation was intended. Indeed, a few

of these large corporate co-ops have come to dominate the production and marketing of certain agricultural products.

There are none of these corporations in the Fortune 500. Let me read from the advertisement that my colleague from North Dakota was calling to our attention.

Agricultural co-ops

	1978 sales [billions]	1978 Fortune 500 standing
Farmland Industries	$3.215	91
Associated Milk Producers, Inc. (AMPI)	1.772	163
Agway, Inc	1.700	173
Land O'Lakes, Inc	1.490	194
Gold Kist, Inc	1.290	217
Dairyman, Inc	1.100	258
CF Industries	.671	342
Sunkist Growers, Inc	.500	
Midland Cooperatives, Inc	.404	483

Source: Fortune 500.

These are not little penny-ante operations. These are not the small family farmer we are being urged to protect.

The Federal Trade Commission in its complaint alleges that the Sunkist Agricultural Co-op, that does over $500 million a year, and is on the Fortune 500 list, has achieved monopoly power on the citrus fruits in the West and is consciously using, as a matter of management policy, its monopoly power to engage in restraint of trade. I do not know whether that is true or not. But I do not think it is our function to stop a regulatory agency right smack in the middle of an adjudicatory process and tell them that they have to cut that process short or that they cannot proceed with it for 3 years. I do not think that my colleague from North Dakota believes it is reasonable, or logical, or perhaps even legal for them to put this case on the back burner for 3 years, and then all of a sudden put it on the front burner and start going again. In effect, it means this case will be quashed. Nothing will have been changed. Whether it is illegal or not will not be changed. The law will not be changed. It is just we will not know whether Sunkist is engaged in an illegal pattern of conduct and I feel that the American public has a right to have that question answered.

This is no way to legislate.

This amendment should be defeated.

Indeed, the Secretary of Agriculture agrees with this position. In a letter to me, Mr. Bergland stated that it is appropriate for the Federal Trade Commission to Investigate Cooperative Activities that fall outside of the Capper-Volstead Act. He concludes by noting that Mr. ANDREWS' amendment is unnecessary and states that he does not support it.

If this amendment is adopted, we will see every industry—especially those with pending cases—try to get exempted from the effective enforcement of the laws.

Mr. ANDREWS of North Dakota. Mr. Chairman, will my colleague yield?

Mr. SCHEUER. I yield to the gentleman.

Mr. ANDREWS of North Dakota. Mr. Chairman, I think actually what we get to with my good friend from New York is the fact that people just do not understand agricultural cooperatives. One of the ones that the gentleman lists, true, comes up in the category of one of the Fortune 500 companies, Land O'Lakes. Land O'Lakes' chairman of the board happens to be a dairy farmer in La Moure County, N. Dak., by the name of Claire Sandness who does, indeed, wear bib overalls and does, indeed, milk his cows every day.

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

Mr. ANDREWS of North Dakota. If co-ops had not been allowed to grow and prosper, they would not have provided a market for those farmers' milk.

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

Mr. Chairman, I rise in opposition to the amendment that would prohibit the Federal Trade Commission from enforcing antitrust laws with respect to agricultural cooperative and marketing orders.

Proponents of this amendment say that the FTC does not have the expertise in the area of agricultural cooperatives and, therefore, should not be allowed to enforce the antitrust laws in cases of violations by any co-op.

I am not so much concerned about how much the FTC knows about farming or market orders or co-ops as I am about the fact that the FTC has a lot more expertise in enforcing the antitrust laws than the Department of Agriculture. The Capper-Volstead Act has been on the books for 57 years, and I will tell you how many investigations the Department of Agriculture has conducted in those 57 years—none.

When we are talking about the enforcement of the antitrust laws, the expertise that we want and the public has a right to expect, is the expertise of an agency whose basic purpose and day-to-day responsibility is enforcing antitrust laws. That agency is the FTC.

No one would seriously propose that the Department of Energy be empowered to enforce the antitrust laws against the oil companies and other companies in the energy field. No one would suggest that the Department of Transportation be granted the sole authority to enforce the antitrust laws against the auto companies.

Congress has given the FTC one clear and overriding mission: to prevent "unfair methods of competition" and "unfair or deceptive acts or practices" in commerce. It seems to me that this legislative mandate applies to all types of commerce, including oil, and automobiles and agricultural cooperatives.

The Department of Agriculture has always considered its overriding mission with respect to co-ops to be promoting them. When the FTC enforces the antitrust laws as they apply to co-ops, the FTC is not burdened by this conflict of missions which could inhibit the fair application and enforcement of the antitrust laws.

I urge a "no" vote on the amendment.

I respect and admire the author of the amendment, my good friend, Mr. ANDREWS of North Dakota. But I believe the FTC must retain its authority to enforce antitrust laws on all agricultural co-ops.

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

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

Mr. GLICKMAN. Mr. Chairman, the gentleman makes a good point except for one thing. The Capper-Volstead Act clearly and unequivocally retains exclusive jurisdiction within the Department of Agriculture. Therefore, the Federal Trade Commission does not have the jurisdiction to do what the gentleman is talking about.

If the USDA has not been doing anything, it will either, one, take note of what we are talking about today and get on the stick and get investigating some of these cases, or Congress should remove some of the jurisdiction that we have given the agricultural department under Capper-Volstead.

I think all the gentleman from North Dakota is saying is that jurisdiction, at least in my judgment, is given pretty exclusively under existing statutes.

Mr. RICHMOND. It is my understanding that in the Sunkist case the FTC does have jurisdiction.

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

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

Mr. SCHEUER. I might say that the Secretary of Agriculture, Bob Bergland, a former colleague of ours, has written me stating:

> We believe it is appropriate under existing law for the Federal Trade Commission to investigate cooperative activities that fall outside the Capper-Volstead exemption and, therefore, we believe that the proposed amendment is unnecessary and we do not support it.

So the Department of Agriculture itself does not support this amendment.

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

Mr. RICHMOND. I will yield to the gentleman.

Mr. PASHAYAN. Mr. Chairman, I read that as kind of a standard line that the Secretary of Agriculture is reluctantly taking to be consistent with the other members of the Cabinet and with the President's policy decision. I can see no reason at all to make redundant the authority already possessed by the Department of Agriculture under the Capper-Volstead Act by repeating it in the FTC.

Mr. RICHMOND. As the gentleman knows, the Department of Agriculture has never used the Capper-Volstead Act in 57 years.

Mr. PASHAYAN. Then I would like to suggest that the appropriate committee in this body, namely, the Agricultural Committee, and this body encourage the Department of Agriculture to exercise the authority it already has.

Mr. RICHMOND. As I mentioned in my remarks, the Department of Transportation does not police the automobile industry, the Department of Energy does not police the oil industry. Why should the Department of Agriculture police gigantic agricultural companies that have grown into monopolies and call themselves cooperatives?

Mr. PASHAYAN. I think that is an excellent question.

Mr. RICHMOND. I had to learn what a cooperative was when I became a member of the Agriculture Committee. I was amazed at their size. Many huge co-ops not only sell feed and machines, but insurance and banking, and are actually very, very large monopolies.

Mr. PASHAYAN. I think the gentleman asked an excellent question which I should like to answer.

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

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

Mr. PASHAYAN. Will the gentleman yield further?

Mr. RICHMOND. I yield to the gentleman.

Mr. PASHAYAN. I would like to answer the gentleman's question. First of all, cooperatives are made up of very small farmers. They are the participating members of a cooperative.

Second, I think the gentleman will find, as he is probably more aware than I, that the economics of the agricultural world are entirely different from the economics of the commercial world or the industrial world. The FTC's tradition and training is in the commercial and industrial world, not in the agricultural world.

Mr. RICHMOND. Except the gentleman knows that co-ops do not pay taxes and other commercial companies do. That is a great difference.

Mr. PASHAYAN. But as I mentioned before, this is not the proper way to correct this problem, by putting one agency on top of another. We did that with the Energy Mobilization Board. That was enough.

Mr. RICHMOND. The fact remains that in 57 years the Department of Agriculture has not used Capper-Volstead.

Mr. PASHAYAN. Then you should encourage the Department of Agriculture to do what it is already authorized to do now.

Mr. RICHMOND. We should encourage the FTC to do what it is authorized by law to do.

Mr. PASHAYAN. But I repeat: Why should we pile similar kinds of powers on different agencies? As I say, we have done it with the Energy Mobilization Board, and I think that is quite enough.

☐ 1610

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words, and I rise to speak against the amendment.

Mr. Chairman, I would like to clarify one point here. It is true that the Capper-Volsted Act protects co-ops when they are engaged in their typical cooperative business concerning farming activities. It does not protect co-ops from the Federal Trade Commission's enforcement of antitrust law when they are engaged in non-food-marketing activities of co-ops, or when they are engaged in price discrimination, or when they are engaged in predatory pricing by co-ops.

What this amendment would do is go far beyond Capper-Volsted. Capper-Volsted was designed for the purpose of permitting farmers to get together with respect to production and marketing of their crops without being subject to any action taken against them because of agreements between them. It was the same kind of protection for agreements between farmers that, for instance, the National Labor Relations Act applies to agreements between workers. But, it never envisaged the exemption of co-ops engaged in nonfarming activities.

That is what this amendment would do. It would expand the prohibition of the Federal Trade Commission in enforcing antitrust law beyond the farm activities of co-ops and to their other activities. Now, let me look here a moment at Farmland Industries, Inc., which is a corporation with consolidated sales of over $3 billion per year.

These are the kind of direct subsidiaries that exist in this farming structure, and they are not farming activities.

It has CRA, Inc., petroleum refining, crude oil purchasing; CRA Oil Exploration Co.—oil, gas exploration, production. It has Terra Resources, Inc.—oil, gas extraction; Northern Terra Resources, Inc.—Canadian oil; Farmland International Energy Co.—oil, gas exploration; Cooperative Farm Chemicals Association, which manufactures nitrogen fertilizer; Farmers Chemical Co.—ammonium phosphate is produced by that company, and I want to go into that a little later.

We have Farmland Insurance Agency, an insurance agency; Techne Corp.—nitrogen fertilizer; Ceres Development Corp.—real estate; Missouri Chemical Co.—formulator and distributor of agricultural chemicals.

That is the kind of thing that is intended to be protected here. Capper-Volsted is sufficient to protect a real co-op, and real farming activities, but Capper-Volsted is extended by this provision to include a denial of FTC's authority to control areas beyond farming.

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

Mr. ECKHARDT. I yield.

Mr. PASHAYAN. Does not the FTC bill also enable the FTC to regulate the purely agricultural economic activities of cooperatives?

Mr. ECKHARDT. If the co-op were engaged in an activity in which it made an agreement with non-co-ops, the Federal Trade Commission could strike down such an agreement. It can also enter into price discrimination by a co-op, or in predatory pricing.

Mr. PASHAYAN. That is the whole point, the purpose and sole point of the Capper-Volsted Act. It is that act that would be the proper place to keep the policy and to establish a pricing mechanism for small farmers. I would like to advise that it is under Capper-Volsted by which most of the farmers have remained small family farmers. Certainly in my district they are, and in many others as well, because of this special pricing mechanism accorded by Capper-Volsted. That is the policy of Capper-Volsted. If we are going to cover it, let us cover it under the Capper-Volsted Act.

Mr. ECKHARDT. I would like to retain some of my time. I agree that Capper-Volsted could be improved, but it should not be improved by amendment to this bill on this floor.

Let me go further and give the Members an example of what this bill would permit.

The CHAIRMAN pro tempore. The time of the gentleman from Texas has expired.

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

Mr. ECKHARDT. This amendment might end up not saving farmers money, but instead causing a price increase in the materials farmers have to buy. Let me give the Members an example. Farmland Industries, Inc. is a very large co-op.

I have described some of its subsidiaries. It has a very large phosphate-producing subsidiary. I mentioned it in the previous discussion.

Phosphates are an essential component of agricultural fertilizer. Suppose Farmland makes an agreement with other major phosphate producers in Morocco—that is where most phosphate reserves are located. However, most phosphates are now produced in Florida, and that is where Farmland is now operating or preparing to operate on a big scale.

Suppose these phosphates are made outside the United States, and there is an agreement between Farmland that the American company and the foreign company will jointly set phosphate prices worldwide. The passage of this amendment would insulate that agreement from an attack by the FTC. This keeps the price of phosphates high to farmers because the remaining producers of phosphates in the world would agree not to compete in price.

If this sort of agreement is outside the reach of U.S. antitrust laws, then there is no stopping it, and farmers and consumers will be hurt. The scenario I have described almost did occur, but did not precisely, because antitrust laws do apply to what was produced.

In January 1974, a loose association of phosphate producers tried to raise, and indeed raised, the price of phosphates. In a period of 7 months the price rose a whopping 400 percent, from $14 a ton to $68 a ton.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. In the case of Farmland Industries which the gentleman brought up, mind you, these products of fertilizer and oil are products that are sold to farmers, purchased by the farmers. They give these farmers the ability to buy their oil from somebody other than the multinational oil companies, which I did not think my colleague from Texas was necessarily in favor of.

If Farmland Industries is not able to go into the market for Moroccan phosphate, then who could the farmers in North Dakota or the gentleman's farmers buy it from? They buy it from Gardenniere, a French corporation, or Shell, or Hercules. He gets it from this farm co-op because he gets the best service from them, the lowest net price. These cooperatives have to be beneficial to American agriculture. That is why we passed the Capper-Volstead Act.

The CHAIRMAN pro tempore. The time of the gentleman from Texas has again expired.

(At the request of Mr. ANDREWS of North Dakota and by unanimous consent, Mr. ECKHARDT was allowed to proceed for 2 additional minutes.)

Mr. ECKHARDT. Let me say this, that there is nothing in the Capper-Volstead Act nor in this amendment that requires that Farmland sell its oil only to farmers. This company is a big producer of chemicals, it is a big producer of oil, and it would be exempted from FTC antitrust control by this provision.

Now, let me return to my example. These companies that were attempting to set price provisions on phosphates were unable to maintain that price and had to drop it by a third, in large part because of the large supply response from the United States.

□ 1620

If Farmland were a phosphate producer here, they would be exempt under this amendment—then foreign phosphate concerns operating overseas would be exempt where they are operating. They simply could divide their markets and continue such a cartel to the disadvantage of farmers.

The Andrews amendment is not designed to protect farmers; it is not designed to protect the ordinary co-op like, for instance, REA co-ops or co-ops which only engage in sale to its own members, or distribution of the products of its own members to the marketplace and does not engage in price discrimination of predatory pricing, and does not engage in agreements or consolidations with non-co-op enterprises. It is not necessary for that purpose because those types of co-ops are adequately protected by Capper-Volstead. This amendment is a big industry amendment, which is not for co-ops but for major operating companies operating under only the structure of a farm co-op, not the substance of wholly farm co-op operations.

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

Mr. Chairman, I rise in support of the gentleman from North Dakota. The activities of the Nation's farmer cooperatives are closely monitored by the Department of Agriculture. To have the Federal Trade Commission conducting the same oversight would seem to me to be needless and expensive duplication.

In July, the Agriculture Department proposed a series of rules for administering Federal regulations against undue price enhancement by agricultural cooperatives. Under the proposal, USDA would monitor cooperative activities to identify possible violations, would assure that this monitoring function would be separate from Department educational and research work with cooperatives, and would conduct hearings on possible price enhancement under terms of the Administrative Procedures Act. The Department's judicial officer would make final decisions in any case.

Comments received by the Department are now under review.

Mr. Chairman, the expertise needed to judge price relationships in agricultural commodities clearly lies within the Department of Agriculture. The Department has taken appropriate steps to strengthen its role in this area. I think that having two agencies performing the same oversight functions is a waste of the taxpayers money. I urge my colleagues to vote for this amendment.

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. I thank the gentleman for yielding. I appreciate the gentleman's support in view of the comments that have been made that these are just big co-ops that are being supported by my amendment. Every Member of this House got an urgent legislative message from Reuben Johnson of the National Farmers Union. The National Farmers Union is not a supporter of big monopolistic corporations or anything like that. They have a pretty good reputation here in Washington. They point out:

"We urge your support" of the Andrews amendment.

Investigations of marketing practices of farmer cooperatives was delegated to the Secretary of Agriculture by the Capper-Volstead Act of 1922. Section 2 of this act provides that if a cooperative engages in practices considered to give it a monopoly position in the market, the Secretary of Agriculture shall bring a suit against the cooperative to cease and desist.

We, therefore, believe that a vote for the Andrews amendment is necessary to protect the many family farmers and their cooperatives from, what we consider to be, current unwarranted actions by the Federal Trade Commission.

They go on to say this, and this is the guts of the whole amendment:

Farmers and their cooperatives traditionally and historically have lacked market power and, even with the protection afforded them under the Capper-Volstead Act, they have not been able to maintain an equitable posture with those corporations and businesses with which they compete.

In this ad attaching my amendment, right on the list with Farmland Industries is CF Industries which produces fertilizer for CENEX, a Farmers Union co-op. It is listed in this ad, but they sell totally to the farmers through local co-ops as distributors. My colleague, the gentleman from Texas (Mr. ECKHARDT) would have a hard time finding Farmland or CENEX oil or fertilizer, say, in New York, Washington, or San Francisco because it is sold through co-op bulk dealers in the heartland of America to its farmers. This assault on the Nation's co-ops in the long run is going to hurt not only farmers, but the consumers, too, and the country as a whole.

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

Mr. ANDREWS of North Dakota. I yield to the gentleman from California.

Mr. FAZIO. I thank the gentleman for yielding. I would like to associate myself with the remarks of the gentleman from North Dakota (Mr. ANDREWS). Certainly the small farmers in my district have found co-ops to be the lifeblood of their existence, and anything we do to undermine their position in the marketplace I think is detrimental to the future of family farms, which we know are on the ropes all over this country.

Before the Congress lends its de facto approval to what constitutes a major expansion of the FTC's domain, it should bear in mind the long-term implications of its act. With these implications in mind, I believe we should support the amendment offered by my colleague, Mr. ANDREWS of North Dakota.

It was early recognized by this Government that cooperatives are a special sort of entity that should not be subject to the traditional antitrust laws. Cooperatives are essential, in fact, to the survival of family farmers. By the nature of their position, farmers, particularly small growers, are not able to coordinate their production and marketing activities to enable them to compete with major concentrations of economic power. I come from a district where this is certainly the case. It is generally accepted that this inability to compete would lead someday to fewer producers of food, higher prices, and a marketplace vulnerable to manipulation by the few in a position to exercise their supremacy.

Therefore, cooperatives are essential to the well-being of all. While I cannot say flatly that cooperatives do not on occasion exercise too much power contrary to the public interest, I do think that if such excesses occur they would best be handled by agencies who are understanding of special nature of cooperatives.

The Department of Agriculture currently exercises jurisdiction over cooperatives marketing practices. If there are shortfalls in the Department's jurisdiction, or if the Department is not adequately exercising its jurisdiction, I believe Congress should try to expand or rectify the Department's activities. USDA has already proposed the creation of a new office to review and investigate any allegations of possible undue price enhancement by any cooperatives. In addition, the Andrews amendment has been clarified to insure continued FTC jurisdiction relating to the advertising, sales, and general promotional activities of co-ops.

Similarly, the Department of Justice exercises some form of antitrust jurisdiction over cooperatives. If there are gaps in the Justice Department's jurisdiction, or if Justice is not performing adequately, then Congress should focus on the Department of Justice.

In neither case do I feel it necessary or wise, in the short or long term, for Congress to encourage the FTC to enter this field. We would then have two agencies (USDA and FTC) broadly regulating cooperatives, which is not only obviously conducive to bureaucratic confusion, but also contrary to the clear message we are getting these days from the public.

If the House approves this FTC authorization today without also approving Mr. ANDREWS' amendment, I believe we are sending a message to the FTC that it should continue its explorations into this thicket. It is conceivable that the FTC would consider its mandate to include complete regulation of cooperatives and set forth to conscientiously carry it out in the years to come. If opponents of Mr. ANDREWS' amendment argue that there is no overlap between what the FTC is doing and what Justice and Agriculture should do, I doubt very much whether they will be able to contend in the future that the FTC has not naturally expanded into areas of obvious overlap. It is almost inevitable that the FTC would seek to do so, and would in fact consider it its job to do so. Under those conditions we will get into a situation where the battle will rage back and forth between two or three agencies with cooperatives and the consumers looking on in dismay. I do not think that situation will prove to be in the public interest.

We have a structure to deal with any problems which may exist with cooperatives. Let us not confuse the picture further. Let us allow the Secretary of Agriculture to regulate farmer cooperatives and marketing orders under the Capper-Volstead Act and the Agricultural Market Agreements Act. I urge the opponents of this amendment to turn their attention to aiding the Secretary of Agriculture in this area.

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

Mr. Chairman, I would like to have the attention of the gentleman from Texas (Mr. ECKHARDT) if I may. Mr. Chairman, when this bill was last before the House on Wednesday, November 14, the gentleman from Texas (Mr. ECKHARDT) made reference to meetings of the Appropriations Committee in which he implied that various industry lobbyists played a substantial role. The gentleman from Texas (Mr. ECKHARDT) made the same reference in remarks in the CONGRESSIONAL RECORD on November 8, and then in a leaflet that was sent to Members of the House shortly before the authorizing bill was initially considered. The title of this leaflet was "Who Is Running Congress?" This is a very familiar phrase used by one of our longtime lobbyists, Esther Petersen. Nevertheless, none of the three statements are entirely factual.

If my memory is correct, my friend, the gentleman from Texas (Mr. ECKHARDT) was an advocate of open committee meetings and, indeed, this committee meeting was open. The public was entitled to sit in as observers but not to participate in any deliberations as alleged in this statement. As a matter of fact, a representative of the Federal Trade Commission was present as well as others who represented both sides of this issue.

I ask the gentleman if he would care to respond to this question: Am I to assume from these remarks that I have read that the gentleman wishes the Federal Trade Commission to operate with a free rein, without any authorization, or, on the other hand, am I to assume that he wishes to kill this agency through the lack of authorization? Would the gentleman care to respond?

Mr. ECKHARDT. If the gentleman will yield, I desire to do neither.

But what has happened, unfortunately—and, of course, our electorates will give the ultimate verdict on it—is that every time we had an authorization up, he have had the experience that has occurred this time. First, the special interests concerning the funeral people strike an exemption for themselves. Then the big ag co-ops which engage in businesses far beyond farming come in and get themselves exempted. In addition to that, we have the Levitas amendment which will invite this same kind of thing from an aggregate of persons, all of whom are affected. We are going to have to stand up sometime and decide whether we are for the people or we are for a bunch of special interests that come in here separately and whittle away the authority to control the businesses that they are engaged in. I do not believe in weakening the Antitrust Act any further, and I hope that the gentleman in the well does not either.

Mr. SLACK. I would remind the gentleman that the Appropriations Subcommittee funded this program, appropriated money for the Federal Trade Commission for 2 years awaiting action by the gentleman's committee for lack of authorization. Is that not the fact?

Mr. ECKHARDT. That is correct, and I appreciate the activity of that subcommittee. The thing that troubled me and the reason I mentioned it here is that the subcommittee began to be willing to cut out from coverage of the only consumer agency that we have today a list of some half dozen or more areas of consumer concern. So in effect consumers were put between a rock and a hard place. Either they would have whittled away the authority of the Federal Trade Commission in an authorization bill or they would have it whittled away in an appropriations bill. Either I think is, if not reprehensible, certainly undesirable.

Mr. SLACK. Does not the gentleman think that appropriating funds for the Federal Trade Commission for 2 years is about all the obligation that the Appropriations Committee should have? Does the gentleman not think we should have had an authorization within that 2-year period?

Mr. ECKHARDT. I do, but is it not correct that the gentleman in the well voted against the conference report, or at least one of the conference reports?

Mr. SLACK. No; I am chairman of the Subcommittee on Appropriations. I voted for the conference report, naturally.

Mr. ECKHARDT. The second conference report?

Mr. SLACK. I beg the gentleman's pardon?

Mr. ECKHARDT. The second conference report?

Mr. SLACK. No; the gentleman is incorrect.

Mr. ECKHARDT. On the authorization?

Mr. SLACK. I may have.

The CHAIRMAN. The time of the gentleman has expired.

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

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

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

□ 1630

Mr. SCHEUER. If my perception is correct, the reason why the gentleman's subcommittee has had to carry the burden of appropriating for the FTC without the benefit of an authorization is that none of the bills, none of the conference reports that came to this House, had a form of legislative veto and it became transparently clear that this House was not about to fund or rather authorize the activities of the Federal Trade Commission without some kind of a handle to get the creature of the House under control and have it on a little tighter rein. That was our very clear perception.

We think we have solved the problem. I want to pay tribute to our colleague, the gentleman from Georgia (Mr. LEVITAS) for the extraordinary efforts he went through to devise a legislative veto that would be acceptable to the Committee on Rules and to the many Members who were interested.

Mr. Chairman, it seems to me that having met the frequently stated demand of the House for a legislative veto that we have come to the House with a bill that makes sense, a bill that is sensitive and respective of the wishes of the Members of this House. It seems to me we could have met the problem of the funeral industry had we looked at a final rule. We have now an institutional mechanism to look at any final ruling.

It seems to me that as far as agricultural marketing orders are concerned that data is for the benefit of this House. It seems to me that because of the fact of an acceptable legislative veto in this bill, that it makes both the amendment we considered some weeks ago, sponsored by our colleague from Illinois (Mr. RUSSO) and the amendment of our distinguished and beloved colleague from

North Dakota (Mr. ANDREWS) really unnecessary, because the Congress now has institutional capability for having a look at virtually everything that is done over in the regulatory agencies.

Mr. SLACK. I have no disagreement at all with what the gentleman says.

Mr. Chairman, let me go on record at this point. We will appropriate in accordance with an authorization but we want an authorization.

Mr. SCHEUER. I think the gentleman will get an authorization. I want to give the gentleman my tribute and my thanks for the work he has done in the last several years for at least providing some kind of a temporary bridge while we cross those muddy torrents and produce a legislative veto which, in effect, permits us to authorize.

Mr. SLACK. The gentleman is very kind.

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

Mr. Chairman. I rise in opposition to the Andrews amendment. If accepted by the House, this amendment will prohibit the Federal Trade Commission from enforcing the antitrust laws with respect to agricultural cooperatives and marketing orders. I object to this amendment because it calls for a drastic but selective change of substantive antitrust law and because it asks the House to act without the benefit of a reasoned hearing in the Commerce Committee.

Proponents of the amendment argue that the Federal Trade Commission is overstepping its legislative mandate. Yes, it is true that the Clayton Act, section 17 of title 15, does permit the existence and operation of agricultural organizations. These associations may have marketing agencies in common. These associations are authorized to process, prepare for market, and to market their products, collectively. But if the supporters of this amendment will look further, they will note that this is not a blanket exemption.

The U.S. Court of Appeals sitting in the District of Columbia found that agricultural cooperatives are not wholly exempt. The court found that the Clayton Act and the Capper-Volstead Act title 7, United States Court, section 291, did not leave agricultural cooperatives free to engage in practices against other persons in order to monopolize trade, or to restrain competition.

Now, that is the key point. In all of these debates I think we must retain our ability to make distinctions. In the haste to make sure there is not overregulation, we frequently err by not making distinctions between cases.

Mr. Chairman, here we have a situation where it is perfectly sensible to have the Capper-Volstead Act provisions with respect to the agricultural cooperative operations in and of themselves, but not to extend for agricultural co-ops alone an exemption from the standards with respect to restraintive competition and monopolization of trade which apply to everyone else.

The gentleman from Texas (Mr. ECKHARDT) has made some excellent points in this regard.

The court found further that the privilege that this section grants producers to conduct their affairs collectively did not include a privilege to combine with producers to suppress the competitive efforts of independent producers and processors.

Mr. Chairman, these practices which restrain trade are illegal, and properly so. The law now clearly empowers the FTC to declare these practices which conflict with effective competition in fair marketing illegal. For the Congress to change that in this selective case would be outrageous.

Mr. Chairman, in considering this amendment I would ask my colleague, do we want to send the public the message that restraintive trade is OK? Do we want the public which counts on the Congress to promote policies which reduce inflation to permit anticompetitive behavior in the food sector of the economy which is experiencing a 17.7 rate of inflation? I think not.

We are not dealing just with theories. The other appalling aspect to this discussion here today is that if this amendment were to pass we would be interrupting cases that are currently being prosecuted involving serious antitrust violations. As I understand it, it would be the first time—I have been here but 4½ years—but I understand this is the first time that the Congress has ever interfered in such a way with an antitrust case.

In the Sunkist case the Commission has found that Sunkist controls 75 percent of the production and marketing of western oranges and lemons and that it has engaged in various anticompetitive practices to restrain trade and inhibit competition. Sunkist is a cooperative.

The Ocean Spray case. Ocean Spray is a vertically integrated agricultural cooperative which controls 80 to 90 percent of all cranberry production in the United States and controls 85 percent of the sales of processed cranberry products. For 7 years, Ocean Spray reportedly destroyed up to 18 percent of the total cranberry industry crop each year between 1970 and 1977, preventing competitors from processing berries and also allegedly resulting in restriction of supply and an increase in prices. Do we in Congress want to stop this perfectly legal investigation and prevent the Commission from determining if antitrust violations took place? I would hope that we would not.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. MAGUIRE. Mr. Chairman, by taking such an action, Congress would be rejecting the Clayton Act and the Sherman Antitrust Act. We would be undercutting all precedent and consistency with respect to congressional and administrative action in this antitrust area, and we would be ushering in a new era where industries would feel confident that Congress would immunize them from the law and consumers from enjoying the fruits of a competitive economy.

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

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

Mr. PASHAYAN. Did not the gentleman begin his statement by saying that it is true that the FTC is acting beyond its bounds now? Did the gentleman not say that?

Mr. MAGUIRE. The gentleman misunderstood me. I did not say that.

Mr. PASHAYAN. What did the gentleman say on that?

Mr. MAGUIRE. I said that the distinction had to be made between those areas where there was a proper finding under the Capper-Volstead Act with respect to what kind of activities agricultural co-ops could engage in and, on the other hand, the world of competition and monopoly practices in the marketplace which under no circumstances should co-ops or anybody else be immune with respect to.

Mr. PASHAYAN. Does the gentleman understand that the kinds of activities now engaged in by the co-ops are permitted under the Capper-Volstead Act? Does the gentleman not understand that if we are going to question that activity as a proper policy, the proper place to question it is by questioning the Capper-Volstead Act, not by giving a countervailing power to another agency?

Mr. MAGUIRE. Mr. Chairman, I am sure the gentleman has reviewed the law and the court cases as I have. I am simply saying the law is clear, the court cases are clear in their interpretation of the limits as well as the proper purview of the Capper-Volstead Act.

Mr. Chairman, I think this Congress intervenes now in the middle of antitrust cases that are actually going forward at tremendous hazard to the integrity not only of the law and the court cases but of this institution itself.

□ 1640

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

Mr. Chairman, I think it is important to clarify just what this issue is and what the Capper-Volstead Act does and does not do, because there seems to be some confusion in the minds of some of our colleagues as to what the existing law is.

First of all, let me say that ever since 1914 the Federal Trade Commission has had concurrent jurisdiction with the Justice Department over enforcement of the antitrust laws and a great deal of the antitrust landmark decisions have resulted from actions by the Federal Trade Commission. Subsequent amendments of the antitrust laws, the Celler-Kefauver Act, for example, which was passed in 1950, have reaffirmed that jurisdiction and granted additional jurisdiction to both the Justice Depart-

ment and the Federal Trade Commission; so if you deprive the Federal Trade Commission of its ability to enforce the antitrust laws in a certain sector, you are to that extent curtailing the scope of the antitrust laws.

Now, it just happens that the Subcommittee on Monopolies of the Committee on the Judiciary which deals with antitrust laws has held hearings in two successive Congresses, the latest being the last Congress, on the scope and the future of the Capper-Volstead Act exemption for agricultural cooperatives.

Let us understand one thing: This is not an amendment to implement the Capper-Volstead Act or the Capper-Volstead exemption. It is an amendment to expand that exemption far beyond the Capper-Volstead Act, by depriving the Federal Trade Commission of its authority to enforce the antitrust laws against agricultural cooperatives, even if they are not within the Capper-Volstead Act exemption. In fact, the case which gave rise to this is such a case, as I will describe in a minute.

Furthermore, the amendment would disrupt the administrative process and interfere with an ongoing antitrust case. Congress has never before taken such action prior to exhaustion of administrative remedies and the pursuit of the Federal Appeals Court process.

If the amendment is approved, it would take an act of Congress to enable the FTC to even do a report in this area for a congressional committee.

More importantly, if the amendment is approved, the Commission will not be able to act against agricultural cooperatives that are violating the antitrust laws and causing harm to consumers, competing cooperatives, and small businesses.

Even more recently than the investigation of the Committee on the Judiciary was a study by the President's National Commission for the Review of the Antitrust Laws and Procedures which consisted of a panel of legislators, including this legislator, regulators, antitrust jurists, lawyers, and law professors. Among other things, they reviewed the relationship of agricultural cooperatives to the antitrust laws and made various recommendations. They also outlined the scope of the Capper-Volstead Act exemption as interpreted by the Supreme Court of the United States.

In Maryland and Virginia Milk Producers Association against United States, and now I am reading from the Antitrust Review Commission's report, dated January 22 of this year, the court held that cooperatives are not exempt from section 2 of the Sherman Act when they commit predatory acts, and that is what FTC has charged Sunkist with—nor from section 7 of the Clayton Act when they buy proprietory competitors—and Sunkist is also charged with that violation by the FTC.

In the Maryland and Virginia Milk Producers case, the Court explained its overall approach to the Capper-Volstead Act as follows:

> We believe it is reasonably clear from the very language of the Capper-Volstead Act, . . . that the general philosophy of [the Act] was simply that individual farmers shall be given, through agricultural cooperatives acting as entities, the same unified competitive advantage—*and responsibility*—

And the court underlined those words—

> available to businessmen acting through corporations as entities.

That is the essential scope of the exemption.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. SEIBERLING) has expired.

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

Mr. SEIBERLING. Mr. Chairman, the report goes on and outlines the very kinds of activities by such cooperatives that have been found by the courts to violate the antitrust laws and therefore to fall outside the exemption. For example, and I am again reading from the report:

> Among the practices that courts have condemned as outside the Capper-Volstead exemption—and subject to Sherman Act prosecution—are a conspiracy to prevent competitors from underselling by threatening their handlers and carriers—

That is charged by FTC in the Sunkist case—

> the boycott of a processor serving competitors, a predatory acquisition, and interference with the shipments of competitors; picketing retail stores that purchased from a processor who dealt with a competing supplier; and manipulating a government marketing order to "load" a milk pool and drive rivals out.

Now, does anyone seriously contend that those kinds of practices do not violate the antitrust laws or that they are covered by the exemption in Capper-Volstead? Certainly not. The Supreme Court itself has said they do not. That is a sufficient interpretation for me.

Mr. ANDREWS of North Dakota. Mr. Chairman, would my colleague yield?

Mr. SEIBERLING. I would be happy to yield to my colleague, the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Chairman, I would like to point out just one thing before we get too far off the track. Coming from North Dakota, nobody can accuse me of being the Congressman from Sunkist, because somehow or another 40 below zero does not produce oranges.

Mr. SEIBERLING. Nobody has accused the gentleman of that; certainly I have not.

Mr. ANDREWS of North Dakota. I prefaced my remarks with that, because I am about to try to make a point for Sunkist. They have been labeled the big bad ones in the past few minutes. I think Sunkist has a lot of competition in the marketplace; Coca-Cola, which is certainly no small operation owns Minute Maid oranges sold across the country; Beatrice Foods, another conglomerate, just bought a frozen orange juice concentrate that is purchased in any grocery store across this country; so competition is there in the marketplace when you speak of predatory pricing practices.

Let me go one step further, too, and speak to the gentleman's concern over jurisdiction in the Sherman Act and the Clayton Act. The Justice Department jurisdiction is not affected in any way by my amendment. All I am doing is saying that we do not need this other guy on the block, FTC, to duplicate what has been done and has been the responsibility of the Justice Department and of the Department of Agriculture to the cost not only of the Federal taxpayer, but also to the cost to the producers.

Mr. SEIBERLING. But the gentleman does concede, I take it, that his amendment deprives the Federal Trade Commission of the ability to enforce the antitrust laws against cooperatives that go beyond the Capper-Volstead Act.

Mr. ANDREWS of North Dakota. Not if they go beyond the Capper-Volstead Act, no; the authority of the Secretary of Agriculture to prevent undue price enhancement will not be affected by my amendment.

Mr. SEIBERLING. But that of the FTC will.

Mr. ANDREWS of North Dakota. And the FTC will retain jurisdiction, we feel, over agricultural cooperatives in areas not covered by Capper-Volstead. All we are doing is protecting the Capper-Volstead protection.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. SEIBERLING) has again expired.

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

Mr. SEIBERLING. But, Mr. Chairman, the gentleman must concede, and I believe has conceded, that the gentleman does in his amendment prevent the Federal Trade Commission from enforcing the antitrust laws against cooperatives; is that correct?

Mr. ANDREWS of North Dakota. All we want to do is slow down their unwarranted interference in cooperatives. I do not think that we can make the case that the Secretaries of Agriculture have not fulfilled their responsibility. I think the fact that the Department of Justice has filed several actions against cooperatives for alleged illegal activities in the antitrust areas would indicate to the Congress and to the country in general that protection over antitrust still resides in the Department of Justice and that will not be affected by this amendment.

Mr. SEIBERLING. Mr. Chairman, it happens as a matter of law that it also resides in the Federal Trade Commission. The trouble is that under Capper-Volstead the Secretary of Agriculture has only very limited power.

Let me read what it is:

> The Secretary of Agriculture's antitrust powers are no substitute for the FTC's authority to prevent unfair methods of competition by coops, because the Secretary can only act when a cooperative's anti-competitive practices have "unduly enhanced" prices.

So that may be the reason why the Secretary has never in all the period he has held this power used his enforcement powers under Capper-Volstead.

Mr. ANDREWS of North Dakota. Might I say to my colleague, that is the

reason that we wrote that into the Capper-Volstead to protect the cooperatives.

Mr. SEIBERLING. Yes, but the point is that his power is limited, while antitrust violations go way beyond the limited exemptions for cooperatives. For example, other antitrust violations, like attempts to monopolize, boycotts, anticompetitive mergers, may harm competition even though they do not affect prices directly and therefore the Secretary of Agriculture would have no jurisdiction.

□ 1650

So that is why, if there is an excuse, the Secretary has never acted against antitrust violations by cooperatives.

As to the Justice Department, we all know that they have limited funds. In fact, we just approved the Justice Department authorization conference report which I am sure provides less than the Department would like to have for antitrust enforcement. In any event, the Justice Department has limited funds and personnel. In order to avoid duplication and to maximize antitrust law enforcement, Justice and FTC have for many years had an agreement on how to divide their concurrent jurisdiction.

This is sensible, because FTC's approach is different from the Justice Department's approach. FTC's primary approach is toward the consumer, toward protecting competition in the marketplace where it most closely affects the consumer. This amendment would take away that jurisdiction where agricultural cooperatives are involved.

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

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

Mr. PASHAYAN. I thank the gentleman for yielding.

Mr. Chairman, to answer the gentleman's question, the antitrust laws, as they stand now, accommodate, they have in them carved out an exception in the form of the Capper-Volstead Act. So to answer the gentleman's question, no, there is no violation, in a sense; but the point of the matter is that if there is, it is up to the Department of Agriculture.

The point the gentleman raised I take it are very important to him. If we are going to raise those points, the proper place to raise them is by examining the Capper-Volstead Act, and that is not what we are doing here. It makes no sense whatsoever to amend the policy of the Capper-Volstead Act indirectly by giving the FTC a countervailing and competing power. That is a form of redundancy that I hope this Congress will indulge itself in trying to do less of as time goes on.

If the gentleman wishes to attack and revise the policy of exempting agricultural cooperatives from the ordinary rules of antitrust, as the Capper-Volstead Act in fact does, then the proper place, I say again, is by amending the Capper-Volstead Act.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. SEIBERLING) has expired.

(By unanimous consent, Mr. SEIBERLING was allowed to proceed for 4 additional minutes.)

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

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

Mr. VANIK. Mr. Chairman, I rise in opposition to the amendment. The amendment would prohibit the FTC from enforcing the antitrust laws with respect to agricultural cooperatives and marketing orders.

When we speak of cooperatives, we are not talking about a bunch of small farmers. We are talking about a major segment of the agribusiness industry. Cooperatives are firmly entrenched in many areas of agribusiness. They alone account for over 31 percent of dairy processing and nearly 41 percent of frozen, canned, and dried fruit production.

Cooperatives are now entering joint ventures with large corporations to enter new markets and expand old ones. Among the corporations which have joint ventures with cooperatives are Ralston Purina, Coca-Cola, Green Giant, and Kraftco.

Through these joint ventures cooperatives are gaining a larger degree of control over our food system. Cooperatives alone or through joint ventures control 60 percent of dairy processing, 80 percent of the market for citrus concentrates, 70 percent of the market for canned peaches, 85 percent of the market for dried prunes.

The Capper-Volstead Act was passed in 1922. This act exempted farm cooperatives from violation of the antitrust statutes. When this act was passed, Congress was concerned about protecting the rights of farmers to make agreements among themselves. Congress did not contemplate that cooperatives would begin integrating vertically. Now cooperatives are involved heavily in all phases of food production, processing, transportation, and retailing. This growth is a relatively new phenomenon. It started in 1956 when the National Grape Cooperative bought Welch Grape Juice Co. The expansion of cooperatives outside of the traditional area of production raises important and novel antitrust questions. These questions did not even exist when the Congress passed the Capper-Voltead Act over 55 years ago.

Mr. Chairman, this amendment is a bad piece of special interest legislation. It provides special protection to cooperatives where none is warranted. The amendment is directly aimed at the pocketbooks of consumers. It is a special interest piece of legislation and it should be defeated.

Mr. SEIBERLING. Mr. Chairman, I thank the gentleman from Ohio. Now I would like to respond to what the gentleman from California (Mr. PASHAYAN) said. Apparently the gentleman was not listening when I read the statement of the Supreme Court of the United States, to the effect that the Capper-Volstead Act exemption does not give the sole jurisdiction to the Department of Agriculture. It gives them jurisdiction over the enforcement of rules for competition when prices are unduly enhanced. But the courts have repeatedly said that they have authority under the Capper-Volstead Act to enforce the antitrust laws when the cooperatives go beyond the scope of exemption, and they have spelled out some of the practices that go beyond the scope of exemption. In the case that this amendment would affect that is now pending in the FTC, the Sunkist cooperative is charged with exclusive dealing contracts with noncooperatives which themselves go beyond the exemption. It is charged with combining with competing noncooperatives, in ways that comprise combinations in restraint of trade, and it is charged with effecting a merger with a noncooperative, which also goes beyond the scope of the exemption.

So let us understand what this amendment does. It is an effort to suspend the antitrust laws that goes way beyond the Capper-Volstead exemption and deprives the consumers of the most effective advocate that they have in the Federal Government, namely, the Federal Trade Commission.

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

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

Mr. PASHAYAN. Mr. Chairman, the point is that when originally passed, the policy was to keep agricultural economics within the Department of Agriculture.

Mr. SEIBERLING. No, it was not. I just pointed out that that is not the policy.

Mr. PASHAYAN. That was the interpretation of the Court, This Congress has the duty to establish a policy.

Mr. SEIBERLING. The Supreme Court says otherwise.

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

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

Mr. CARR. I thank the gentleman for yielding.

Mr. Chairman, I want to rise to commend the gentleman. I know the amount of scholarship and the amount of work that he has put into this. This is not some offhanded comment to come into the well of the House with. Whether we agree with him or not, he has done a lot of homework in this area, and I want to commend him for it. I want to associate myself with the gentleman's remarks.

Mr. SEIBERLING. I thank the gentleman for his remarks.

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

Mr. Chairman, I rise in support of Mr. ANDREWS' amendment to restrict the Federal Trade Commission's authority to study, investigate and prosecute activities of agriculture cooperatives. The language is clear and the need for its adoption is clear.

It states that for the next 3 years the FTC shall be denied the use of any of its funds to intrude itself into the operations of any agriculture cooperative

which meets the requirements of the Capper/Volstead Act (7 U.S.C. 292) and which operates under the Agriculture Market Agreement Act (7 U.S.C. 601, 602, 608, 608c). My support rests on two foundations.

The first is economic. No facts have been presented even to suggest that agriculture cooperatives are, or have been systematically, profiteering at the expense of the general public. No responsible consumer voice has offered any evidence. Where then is there need for a third unit of government, in addition to and in competition with the Department of Agriculture and the Department of Justice, to attempt to seek possible wrongdoing? I suggest there is no need, and for good reason.

The Government's own General Accounting Office states the farm income case in simple and clear terms. On page 26 of its September 8, 1978, report (CED–78–170) on the causes of high food prices, the report declares that in the 8-year period 1970–77, "87 percent of the increase in consumer food expenditures for United States for food has been caused by higher food marketing charges."

Further, the GAO reports that in the 10 years ending in 1977, and with the exception of 1973, the farmers' share of the Nation's food dollar has ranged between 39 and 42 percent. At the same time, total net farm income between 1970 and 1977, in 1967 dollars, declined by 7 percent.

Who can interpret those facts to mean that farmers belonging to agriculture cooperatives are or have been profiteering at the expense of the nation as a whole? Yet, despite these facts and despite the fact that the Congress specifically mandated USDA and Justice to enforce undue price enhancement and antitrust and restraint of trade statutes, the FTC embarked several years ago on a broad crusade of investigation of cooperatives. For what possible cost benefit to the consumer? I suggest no cost benefit is possible.

The second reason is legal. I submit that the Congress clearly vested in the Department of Agriculture exclusive jurisdiction over all activities of farmer cooperatives operating under the Capper/Volstead Act and the Agriculture Market Agreement Act. The Justice Department clearly has jurisdiction in antitrust matters through the Clayton and Sherman Acts.

It is misleading for anyone to suggest that this amendment will in any way restrict the Government's ability to investigate and prosecute alleged wrongdoing on the part of any individual cooperative.

It is further misleading for anyone to state that the Government's ability to collect data on cooperatives' operations will be seriously or permanently impaired or restricted if the FTC is denied such a function. The Members of this House should know that the USDA is required by law to collect such data, and has in fact performed that function since enactment of the Agriculture Market Agreement Act, beginning in 1933.

Actions of the FTC are, however, not without impact. The first is to waste countless hours of Commission and staff time aggressively seeking out potential wrongdoers, but without effect and without purposeful prospects. The second impact is to require several cooperatives to spend vast, cruel and punishing legal fees simply to satisfy what appears to many as an attempt by the Commission and staff to assert jurisdiction in an area Congress reserved to others.

Agriculture marketing cooperatives in California are noted worldwide for their high productivity, outstanding quality and progressive use of man's most efficient processes, technology and marketing techniques. If evidence is available that certain cooperatives may be guilty of illegal behavior, congressionally mandated procedures are and have been available.

For now, this House must call a halt to FTC "fishing expeditions" into the affairs of cooperatives whose only achievement is to saddle several with unconscionable legal fees.

I urge my colleagues to approve this amendment.

Thank you, Mr. Chairman.

Mr. GOLDWATER. Mr. Chairman, I rise in support of the Andrews amendment.

Mr. Chairman, we are not debating here a question of consumer interest. We are debating the role of a Federal agency in acting outside its appropriate jurisdiction.

In 1922, 57 years ago, the Congress of the United States passed the Capper-Volsted Act. Congress said then that coops were to be granted a partial antitrust immunity, and that enforcement of the act was to be placed in the hands of the U.S. Department of Agriculture. The law is very specific about the enforcement provision. Take a look at section 2 of the act. The language says that the Secretary is to initiate proceedings whenever there is, and I am quoting now:

> Reason to believe that an (agricultural cooperative) monopolizes or restrains trade . . . to such an extent that the price of any agricultural product is unduly enhanced by reason thereof.

The rationale behind the act was that the Secretary of Agriculture was equipped with the familiarity and expertise to oversee this imaginative form of business.

I have no qualms with the FTC enforcing statutes which deal with unfair or deceptive advertising. I have no qualms with the FTC exercising its authority within its own jurisdiction. If the Government feels that Sunkist prevents other growers from doing business with certain marketing companies, that Sunkist withholds products from the market, that Sunkist illegally stabilizes prices in restraint of trade—then I hope the Government proceeds expeditiously and brings the growers to account for it. But the authorization that this bill makes, the staff time which has already been invested by the Federal Trade Commission is, "a waste of public funds."

What do we have a Department of Justice for? It is their job to prosecute under the Agricultural Market Agreement Act. If Bob Bergland does not like the way Sunkist is marketing its crops, I am sure Ben Civiletti will be glad to take the appropriate legal action. If I am not mistaken, there is probably a Solicitor's Office in Agriculture itself. But this business of one Government agency, in this case the FTC, taking it upon itself to just turn to a section of the United States Code and start an expensive legal process where it sees fit, is not the intention of this legislation.

The Andrews amendment, if adopted, will not be the result of the "powerful farm co-ops" as the press would like you to believe. It will be adopted because this House, in its wisdom, respects the principle of law; the precept that a Government agency does not just take it upon itself to do as it pleases.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota (Mr. ANDREWS), as modified.

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

RECORDED VOTE

Mr. ANDREWS of North Dakota. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 245, noes 139, answered "present" 1, not voting 48, as follows:

[Roll No. 682]

AYES—245

Abdnor	Daniel, Dan	Hammer-schmidt
Albosta	Daniel, R. W.	Hance
Anderson, Calif.	Dannemeyer	Hanley
Andrews, N.C.	Daschle	Harkin
Andrews, N. Dak.	Davis, Mich.	Harris
Archer	Davis, S.C.	Harsha
Ashbrook	de la Garza	Hefner
Aspin	Deckard	Hightower
Atkinson	Derrick	Hinson
Badham	Derwinski	Holland
Bafalis	Devine	Holt
Bailey	Dickinson	Hopkins
Barnard	Dornan	Hubbard
Bauman	Dougherty	Huckaby
Bedell	Duncan, Tenn.	Hutto
Benjamin	Edwards, Ala.	Hyde
Bereuter	Emery	Ichord
Bevill	English	Jeffries
Boggs	Erdahl	Jenkins
Boner	Ertel	Johnson, Calif.
Bouquard	Evans, Del.	Jones, N.C.
Bowen	Evans, Ga.	Jones, Tenn.
Breaux	Evans, Ind.	Kazen
Broomfield	Fazio	Kelly
Brown, Calif.	Findley	Kemp
Brown, Ohio	Fish	Kindness
Broyhill	Fithian	Kogovsek
Burgener	Flippo	Kramer
Burlison	Foley	Lagomarsino
Butler	Forsythe	Latta
Byron	Fountain	Leach, La.
Campbell	Fowler	Leath, Tex.
Carney	Fuqua	Lederer
Carter	Gaydos	Lee
Cavanaugh	Gingrich	Levitas
Chappell	Ginn	Lewis
Cheney	Glickman	Livingston
Clausen	Goldwater	Lloyd
Cleveland	Goodling	Loeffler
Clinger	Gore	Long, La.
Coelho	Gradison	Lott
Coleman	Grassley	Lujan
Collins, Tex.	Grisham	Lundine
Conable	Guarini	Lungren
Corcoran	Gudger	McClory
Coughlin	Guyer	McDade
Courter	Hagedorn	McDonald
Crane, Daniel	Hall, Tex.	McEwen
	Hamilton	McHugh

McKay	Quillen	Stenholm
McKinney	Rahall	Stockman
Madigan	Railsback	Stratton
Marks	Regula	Stump
Marlenee	Rhodes	Swift
Marriott	Ritter	Symms
Martin	Roberts	Tauke
Mathis	Robinson	Taylor
Matsui	Rose	Thomas
Mattox	Roth	Traxler
Mazzoli	Rousselot	Trible
Michel	Royer	Vander Jagt
Miller, Ohio	Rudd	Vento
Mineta	Sabo	Volkmer
Mitchell, N.Y.	Santini	Walker
Mollohan	Satterfield	Wampler
Moore	Sawyer	Watkins
Moorhead, Calif.	Schulze	White
	Sebelius	Whitehurst
Murphy, Pa.	Sensenbrenner	Whitley
Murtha	Sharp	Whittaker
Myers, Ind.	Shelby	Whitten
Natcher	Shumway	Williams, Mont.
Neal	Shuster	Williams, Ohio
Nichols	Skelton	Wilson, Bob
Nolan	Slack	Wilson, Tex.
Oberstar	Smith, Iowa	Wirth
Panetta	Snowe	Wright
Pashayan	Snyder	Wyatt
Paul	Solomon	Wylie
Petri	Spence	Yatron
Pursell	Stanton	Young, Fla.
Quayle	Steed	Zeferetti

NOES—139

Addabbo	Fenwick	Patten
Ambro	Ferraro	Pease
Annunzio	Fisher	Pepper
Ashley	Florio	Perkins
AuCoin	Ford, Mich.	Peyser
Barnes	Ford, Tenn.	Pickle
Beard, R.I.	Garcia	Preyer
Beilenson	Gibbons	Price
Bennett	Gilman	Pritchard
Biaggi	Gonzalez	Rangel
Bingham	Gray	Ratchford
Blanchard	Green	Reuss
Boland	Heckler	Richmond
Bonior	Hollenbeck	Rinaldo
Bonker	Holtzman	Rodino
Brademas	Horton	Roe
Brinkley	Hughes	Rostenkowski
Brodhead	Jacobs	Roybal
Brooks	Jones, Okla.	Russo
Buchanan	Kastenmeier	Scheuer
Burton, John	Kildee	Schroeder
Burton, Phillip	Kostmayer	Seiberling
Carr	Lehman	Shannon
Chisholm	Leland	Simon
Clay	Lent	Spellman
Collins, Ill.	Long, Md.	St Germain
Conte	Lowry	Stack
Conyers	Luken	Staggers
Corman	Maguire	Stark
Cotter	Markey	Stewart
D'Amours	Mavroules	Stokes
Danielson	Mica	Studds
Dellums	Mikulski	Synar
Dicks	Miller, Calif.	Thompson
Dingell	Minish	Udall
Dixon	Mitchell, Md.	Van Deerlin
Donnelly	Moakley	Vanik
Downey	Moffett	Walgren
Drinan	Moorhead, Pa.	Waxman
Duncan, Oreg.	Murphy, Ill.	Weaver
Early	Murphy, N.Y.	Weiss
Eckhardt	Nedzi	Wolff
Edgar	Nelson	Wolpe
Edwards, Calif.	Nowak	Yates
Erlenborn	Oakar	Zablocki
Fary	Obey	
Fascell	Ottinger	

ANSWERED "PRESENT"—1

LaFalce

NOT VOTING—48

Akaka	Giaimo	Mottl
Alexander	Gramm	Myers, Pa.
Anderson, Ill.	Hall, Ohio	O'Brien
Anthony	Hansen	Patterson
Applegate	Hawkins	Rosenthal
Baldus	Heftel	Runnels
Beard, Tenn.	Hillis	Smith, Nebr.
Bethune	Howard	Solarz
Bolling	Ireland	Stangeland
Crane, Philip	Jeffords	Treen
Diggs	Jenrette	Ullman
Dodd	Johnson, Colo.	Wilson, C. H.
Edwards, Okla.	Leach, Iowa	Winn
Flood	McCloskey	Wydler
Frost	McCormack	Young, Alaska
Gephardt	Montgomery	Young, Mo.

□ 1710

The Clerk announced the following pairs:

On this vote:

Mr. Jenrette for, with Mr. Solarz against.

Mr. Jeffords for, with Mr. Wydler against.

Mr. McCormack for, with Mr. Hawkins against.

Mr. Ireland for, with Mr. Diggs against.

Messrs. LOEFFLER, BONER of Tennessee, and VENTO changed their votes from "no" to "aye."

Messrs. STAGGERS, HOLLENBECK, PEPPER, and MAVROULES changed their votes from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

Mr. Chairman, as we approach a vote on the final passage of this important legislation, I think we as Members of this body should give a special word of thanks and commendation to the outstanding leadership that has been provided by the chairman of the subcommittee, Mr. SCHEUER, and the ranking member, Mr. BROYHILL, in fashioning an extremely delicate, important, and effective piece of legislation in the midst of great controversy.

This bill which we are about to vote on in a few minutes is the first major piece of regulatory reform legislation to pass this House during this session of Congress. It is legislation which the American people need. It is truly landmark legislation. It contains a strong legislative veto provision which will give the Congress, elected by the people of the United States, the right to make decisions on laws and rules that affect the lives and livelihood of all Americans.

It is a first major effort passed by this House this year to recapture control over their government by the American people, to whom that government belongs.

□ 1730

I think that today will be recorded as the first of many such occasions when the force of the American people, acting through their elected legislators, will have the opportunity of determining the laws that affect them. I think this day should be noted for that reason, Mr. Chairman. We are seeing an end to Government by bureaucratic fiat. The outrage of the American public against unacceptable government has been heard and heeded.

In conclusion, Mr. Chairman, I would like to urge that this House, when the vote comes on final passage, vote overwhelmingly in favor of this legislation to send a signal both to the bureaucracy and to the American people that the trend for more government and less control by the people is ended, and we are going back to those fundamental principles of government by the elected representatives who are placed in office for purposes of representing the people. For that reason, I urge an overwhelming vote in favor of this bill. A "yes" vote on final passage is truly a vote for liberty.

Mr. Chairman, I will insert in the RECORD at this point an article that recently appeared in the New Republic, indicating that this legislative veto issue is neither a conservative issue nor a liberal issue; it is not Democrat; it is not Republican, it is not North or South or East or West. It is an issue that the people are trying to say, "Give our Government back to us."

Mr. Chairman, the article follows:

[From the New Republic, Nov. 10, 1979]

UNDEMOCRATIC NANNY

The Federal Trade Commission is an easy agency to love—or to hate. Once weak and obscure, it has recently become one of the most aggressive agencies in Washington. With the new aggressiveness has come controversy. Among consumer organizations, the FTC stands as a shining example of how bold regulation can force the marketplace to serve the needs of the average American. To businessmen, however, the agency is a haven of overzealous bureaucrats harassing the honest entrepreneur and protecting the consumer from himself.

Both caricatures have some truth in them. In the agency's favor, consider the acrimonious fight over eyeglass advertising. An FTC investigation had found that in states where advertising of prices is allowed, prices are generally lower. Reasoning that consumers had a lot to gain from better information, the FTC struck down the state laws restricting ads. The agency drew heavy fire from the American Medical Association and the American Optometric Association, but consumers clearly benefited from this stimulus to competition. Another FTC proposal would require mobile home manufacturers to live up to the terms of their warranties—hardly a radical proposal, but a bitterly unpopular one in the industry.

But the FTC's critics have no shortage of ammunition. Last year, for example, the agency's staff recommended that television advertising aimed at children be much more closely regulated or even banned completely (the commissioners, who have the final say, haven't decided yet what to do). The proposal took a rather cavalier view of both the First Amendment and the responsibility of parents for their children, and made the FTC a deserved object of popular scorn across the country (the *Washington Post* derided it as our "national nanny"). Sometimes the agency does things that look more silly than dangerous—like questioning the United States' Golf Association's ban on a new adjustable golf club in tournament play as part of its investigation into how to regulate the voluntary standards industry.

These days the agency's bad image appears to overshadow its good one, and Congress is considering a variety of measures to bring the FTC to heel. Several amendments have been introduced to kill specific rules (for such industries as funeral homes, hearing aids, and used cars). Another would cut off funds for the FTC's "intervenor" program, which provides money to groups which otherwises couldn't afford to participate in FTC hearings on proposed rules, but which critics say has been used almost exclusively to sponsor people who agree with the agency. The biggest threat to the agency, however, is a proposal to give Congress the power to veto any FTC rule within 90 days after it is issued. The House has approved such a restriction on the FTC before, and it is almost certain to do so again this year. The real fight will come in the Senate, where Republican Harrison Schmitt has already found 35 cosponsors for his congressional veto amendment. He hasn't been able to get it approved by the Senate Commerce Committee, however, so Schmitt's proposal most likely will be offered as a floor amendment to the FTC authorization bill this week or next. Both sides say the vote will be very close.

As often happens in Washington, the trees in this controversy have served mainly to obscure the forest. Instead of giving careful consideration to the fundamental issue raised by the legislative veto, Washington's assorted lobby groups have lined up in their usual places—Chamber of Commerce and National Association of Manufacturers over here, Consumer Federation of America and Ralph Nader over there. What both sides are worrying about is the issue on which there is, understandably, much disagreement: is the FTC doing a good job? What they are ignoring is the question on which everyone should agree: should the FTC—and the bureaucracy in general—be more accountable to the public?

Of course it should. Most Americans don't realize how broad the FTC's power is. The agency used to carry out its mandate to stop unfair or deceptive practices by suing individual companies for their transgressions, but since the passage of the Magnuson-Moss Act in 1975 it has had the power to issue rules regulating entire industries. The rules issued by the FTC have all the force of law—and violation of some of them can bring heavy fines and even jail terms. Sometimes the FTC has used this new authority prudently, sometimes not—but authority delegated is authority that can be abused. Right now Congress has only the crudest means to prevent the agency from getting into matters it shouldn't get into—namely the ability to cut off funds for those projects.

The FTC's defenders say this club is enough to keep the agency in line. But why should Congress be forced to use a clumsy means of directing the FTC if a defter one can be devised? A congressional veto would serve two useful purposes. First it would force the FTC to pay greater attention to sentiment in Congress. It is hard to believe, for instance, that the agency's staff would have suggested banning all children's advertising if it had had the sword of a legislative veto hanging over its head. Second, of course, it would give Congress a quick, neat way of overruling bad decisions by the FTC. Probably Congress wouldn't have to exercise this power very often: it certainly doesn't have the time and resources to investigate every minor rule issued by the agency. The threat of a veto alone should be enough to restrain excessive zealotry at the FTC.

Giving Congress more direct responsibility for what the bureaucracy does has its dangers, of course. The principal one is that special interests may be able to manipulate Congress to kill FTC rules they don't like. No doubt they may, but that risk goes with democracy. Everyone has a voice, even funeral directors and mobile home manufacturers, and they're free to raise it when their interests are threatened. But so are consumer organizations and ordinary citizens, providing what is admittedly an imperfect balance. The insistence by consumer groups that Congress shouldn't be trusted with this authority—which, after all, it delegated in the first place—rests on an ultimate distrust of democracy and faith unsupported by the record of most regulatory agencies) that unelected lawyers are more likely than elected representatives to make good policy. The premise on which the legislative veto rests, by contrast, is merely that the government should depend on the consent of the governed. Congress may not always exercise a veto wisely, but the verdict on that will fall to the voters—which is just as it should be.—Stephen Chapman.

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

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

Mr. KEMP. Mr. Chairman, I just wanted to thank the gentleman for his statement. I agree with him totally.

Mr. Chairman, as we end the debate on this bill and the role of the Federal Trade Commission in regulating American business, recently the Washington Star featured a story on the front page of its business section which left the impression that "businesses are undermining the FTC." The article dealt with so-called lobbying efforts being made to amend the bill before us today.

Mr. Chairman, it is hardly businesses that are out to undermine the FTC. Rather, it is the other way around. Harassment of business is rampant in the Agency. One of the major provisions in the FTC Improvements Act would halt an FTC attack on the Formica trademark which has become generic, or popular because people have come to depend on it for reliable performance. But what is next on the FTC's antipatent agenda? Kleenex? Coca-Cola? Xerox? The need for corrective legislation is particularly ironic in light of President Carter's proposal for a new Federal program to encourage and strengthen the patent rights of inventors. On one hand, the FTC attacks patent rights and on the other hand the President pays lip service to patents.

Mr. Chairman, I had intended to offer one of the three amendments made in order by the rule to the FTC authorization bill, and I feel compelled to inform this body of the politics that the FTC played all along the way to prevent the legitimate efforts of union members to protect their jobs from coming to light. We are not dealing here with a white knight Federal agency whose only aim and purpose is to protect the consumer. We are dealing with a Federal bureaucracy that has gotten so out of hand that the only game it knows is power politics, pressure politics, and "damn the consequences full speed ahead" politics. Working with the FTC has been an eye-opening experience.

The amendment that I had intended to offer was requested not by business, but by a number of unions led by the American Federation of Grain Millers, and dealt with a 7-year-old administrative law proceeding against three cereal companies—Kellogg's, General Mills, and General Foods. The FTC has contended that these three companies have engaged in anticompetitive practices, and if the companies are found guilty according to the FTC they will be forced to give away the Rice Krispies and Special K trademarks and create five new cereal companies out of their present holdings. The unions discovered, however, that this divestiture could entail the termination of the bargaining agreements and job contracts of from 2,500 to 3,000 workers all across the country, and would violate the contracts negotiated in good faith under the National Labor Relations Act.

These were serious findings, and the AFGM petitioned the FTC to allow the union intervention rights so that evidence of possible job displacement, job loss, and economic hardship could be entered into the record of the law proceeding so that the judge could take them into account in his final ruling.

The FTC, in its so-called wisdom, ruled that the economic and job effects of its ruling were not germane to the case, and refused the union its petition. It was at this point that the union leadership came to the Congress to seek legislative relief.

Mr. Chairman, the case the Grain Millers Union brought to me told an incredible story of the way the Federal Trade Commission is being run today. The FTC's charter requires this agency to keep competition both free and fair. But what is the purpose of free and fair competition? It is to provide jobs and opportunities for American workers. The FTC's cavalier attitude is a rejection not only of its responsibility as a Government agency to be a servant of the people, but also of its responsibility as an arbiter of U.S. business practices to take all evidence of the impact of its actions into consideration.

The story gets more shocking. It was only after I considered amending the FTC appropriations bill, and drafted an amendment to the FTC authorization bill to halt the administrative proceeding against the three cereal companies until the FTC completed a comprehensive labor impact study on the results of any divestiture of the cereal industry, that the FTC expressed any interest at all in the Grain Millers' position. And when my amendment was made in order by the Rules Committee, things really began to happen. So worried was the FTC that my amendment would come before the Congress for debate and for a vote, I have been informed, that the FTC's Bureau of Competition was suddenly extremely interested in what the Grain Millers had to say. Where previously the FTC had opposed the union's intervention rights, now suddenly they were agreed to. Where formerly evidence of job displacement and union contract violations were ruled "nongermane," now suddenly the FTC's Bureau of Competition was eager to request a comprehensive study of the impact of divestiture on the union workers' jobs and economic conditions.

And most revealing, the FTC refused to sign the documents authorizing these agreements until it had in hand a signed letter from me stating that I would not offer my amendment on the House floor. As the Grain Millers called me last Friday to say that the FTC had granted both of their requests, and to ask me not to offer my amendment as this agreement would satisfy their concerns, I agreed to withdraw my amendment from consideration on the House floor during discussion of the FTC authorization bill.

Mr. Chairman, I bring up these facts as evidence that we are not dealing with a rational, apolitical Federal agency whose only intent is protecting the consumer. In my dealings with the FTC,

the agency has never cared two hoots about the "little guy." Those 3,000 union workers whose very jobs were threatened were inconvenient numbers on a page which interfered with that agency's singular efforts to create a business policy of its own choosing. In our discussions on the merits of this authorization, this body and the American people must realize that if the Congress does not act now to curb the activities of the Federal Trade Commission which stand for political power, not jobs, we will have created a monster which will turn on the very people it was originally created to protect.

I hope in the future that a jobs impact statement and economic impact statement is attached to all these proceedings so that we can be assured that Federal agencies consider the jobs and economic lives of the American people.

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

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

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

Mr. KOSTMAYER. Mr. Chairman, I would just say that this is a dark day for consumers, taxpayers, senior citizens, and working people in this country. The legislative veto is subject to misuse and if misused amounts to the greatest single victory that the special interests could achieve. This legislation is all too typical of what has been happening in the Congress as we adopt more and more special interest exemptions.

This will only whet the appetite of the special interest for more exemptions from laws intended to preserve the public interest.

I recognize the need to reform the bureaucracy, but we must be swept up in an antigovernment fever that will do more harm than good.

I oppose the bill in its current state.

Mr. ECKHARDT. Mr. Chairman, I agree with my distinguished colleague from Georgia on two points. No. 1, that the gentleman from New York has done a splendid job in fashioning the bill that is now before us, and has fought a valiant fight in attempting to stop it from being taken apart by two very serious, crippling amendments.

The other point is that I agree that this is landmark legislation. What it marks is the day when the powers of the Federal Trade Commission are taken apart one power by one. That is what has happened in this landmark piece of legislation.

Let me describe feather by feather how this power has been plucked. No. 1, we passed an amendment here removing one special interest, the funeral directors. No. 2, we passed an amendment here removing the giant ag co-ops, which are presently exempt from antitrust laws when they are actually acting as farm co-ops, but we removed them altogether from FTC control, even in cases of merger with non-ag co-ops. No. 3, we protected the Formica Co. to use the Formica label even without a court contest on the grounds that Formica has now become a common name. Maybe Formica is right, but we should not take the matter away from the Federal Trade Commission to try in the courts.

No. 4, we have passed the Levitas amendment, and I tell the Members that we have only seen the beginning of the plucking of the Federal Trade Commission's power. Wait until Members see each one of the special interests come in every time their ox is gored and get a new provision passed in this House to exempt them from control. That is what we will see.

Now, in addition to all of this, when this bill goes to the Senate we already have the message that the children's advertising rule is likely to be attacked. That is eliminated in the Senate bill that came out of the Senate committee. Add that to all that has been taken away from the Federal Trade Commission. In addition to that, the standard certification rule authority is negated in the Senate bill that came out of the committee. All jurisdiction that may affect unfair or noncompetitive practices of insurance companies is eliminated from FTC authority in the bill from the committee in the Senate.

In addition to that, the subpena power and authority of the Federal Trade Commission is limited in the Senate bill. There is also serious question as to whether OTC—over-the-counter drug control—may be impaired by the bill that came out of the committee in the Senate. We know not what will happen on the floor with respect to that issue. The eyeglasses prescriptions limitations are also in question, although I cannot say finally what the Senate committee bill does on it.

What we are doing in this legislation today, is commencing a plucking of the powers of the only agency that we can call a consumer agency in the entire U.S. Government. The very persons who fought the creation of a new and separate consumer agency are the ones who are now attempting to destroy the consumer protection powers of the Federal Trade Commission.

● Mr. WEISS. Mr. Chairman, I rise in opposition to the Federal Trade Commission Improvements Act of 1979 and to the two amendments to the bill which were adopted.

While it is essential that the FTC be given a regular authorization, this legislation is not, in my view, an acceptable means of accomplishing this aim. The bill contains several objectionable provisions, all of which would undercut the FTC's role and greatly diminish its effectiveness.

Two examples of the pro special interest, anticonsumer bias permeating the legislation are the proposed reduction in funding for the Commission's public participation program and the so-called Formica provision which prohibits the FTC from petitioning for the cancellation of trademarks that have become generic product names.

Even more damaging to the Commission's basic purpose is the feature in the authorizing legislation establishing a legislative veto procedure of any and all FTC regulations. The architects of the veto provision are themselves aware of its dubious constitutionality. The bill seeks to expedite court challenges to the veto, but why should the House put itself in the position of approving legislation that would significantly rearrange the powers and duties of the various branches of Government?

Applying a congressional veto to the decisions of regulatory agencies contradicts the clear intent of Congress in making the FTC independent and in giving it broad authority to enforce fair trade practices. Congress passed the Magnuson-Moss legislation which many now find so objectionable. If the FTC has overstepped its bounds or misinterpreted its mandate, then let us debate a repeal of Magnuson-Moss. Let us not add to the already large legislative burden by setting ourselves up in the rulemaking business.

The FTC has a perfectly good appeals process and hearing procedure for any proposed regulation it promulgates. In addition, parties who find a regulation unacceptable regularly exercise their to challenge it in court. Why then is the House discussing a way of sidestepping this carefully designed process and why is it debating an infringement on the separation of powers?

The reason, I submit, is that the FTC has become a scapegoat for all the special interests who complain so bitterly about "bureaucratic arrogance" and "overregulation."

I do not deny that the Federal bureaucracies, the FTC included, have been guilty of some excesses and are sometimes too removed from the democratic process. But there are ways of checking these abuses without taking the teeth out of regulatory authority.

Frustrated by an agency that is seriously addressing many questionable or deceptive industry practices, the big business lobby is trying to bypass the judicial and agency review procedure and flex its considerable muscle here in Congress. We will, Mr. Chairman, be sending out a carte blanche invitation to every special interest group and trade association in the country to use this body to achieve their ends if we approve the legislative veto provision.

And what exactly is it that has so incensed the special interests about the FTC's behavior? What is so terrible, for example, about requiring used car dealers to tell consumers which defects are present in automobiles? What is so awful about a regulation that demands truth-in-advertising standards? And, in another example represented by an amendment passed 2 weeks ago by this body, what is so burdensome, so unfair about requiring funeral directors to itemize their billings?

The vast majority of FTC regulations simply seek to protect unorganized and vulnerable consumers from the unbridled power of monopolies and the deceptive trade practices of certain companies. That is what the FTC has been doing and doing well.

I urge my colleagues to stand up for the interests of their constituents in the marketplace by voting down this version of the FTC authorization. The legislative veto would render the Commission incapable of performing its duties in a vigorous, independent manner. That would surely be good news for monopolies and special interests, but it would be very bad news for every American who is cheated or price gouged in business transactions.●

● Mr. UDALL. Mr. Chairman, think back 57 years, to 1922. Since that time we have been through a major depression, World War II, the conflicts in Korea and Vietnam. We have seen the poverty and misery of the thirties, the global violence of the forties, the cold war rhetoric of the fifties, and the pain and mistrust of the sixties. We have had 10 Presidents, 28 Congresses, added two whole new States.

And in that time the Department of Agriculture has not once so much as begun an investigation into an agricultural cooperative.

That is a pretty poor record, and a pretty good reason for allowing the Federal Trade Commission to retain the authority some of my colleagues want to strip from it today. Proponents of this amendment will tell you that the Department of Agriculture has a great deal of expertise in this area, that we must allow one agency to have jurisdiction over co-ops, that we are fighting against bureaucratic overlap and excessive regulation.

But the record shows otherwise, the record shows that the Agriculture Department is more interested in promoting co-ops than in making sure they do not act in restraint of trade. I am not against co-ops and I think they are good and necessary institutions. But they should operate fairly and not in an anticompetitive fashion.

When the Congress passed the Capper-Volstead those 57 years ago, it gave co-ops a limited immunity from antitrust laws. We said that farmers, large and small, could join together to market their goods in an orderly manner, and could set certain standards for size and quality of produce. Since then co-ops have grown into an accepted institution in rural America, and I think they have done much to insure that American agriculture remains a strong and productive segment of the economy.

We did not give co-ops a complete immunity, however. Co-ops, according to the courts, today basically have the status of corporations. They can do almost everything a corporation can do. But in the same light they are restricted in much the same way as are corporations. Companies cannot buy out all of their competitors and create a monopoly; neither can co-ops. Companies cannot engage in anticompetitive or predatory pricing or marketing practices; neither can co-ops. Companies cannot conspire with other firms to restrict free trade; and neither can co-ops. These are all practices which go beyond mere promotion of a cooperative's products.

Proponents of this amendment will claim that the Congress never bestowed authority upon the Federal Trade Commission in this area of agricultural cooperatives. But in fact when the Congress passed the Capper-Volstead Act it left in place the dual-agency jurisdiction over antitrust, allowing both the FTC and the Justice Department to have some responsibility. And the FTC is the very agency which was created in order to develop and apply expertise in antitrust and anticompetitive matters. The Secretary of Agriculture was given only a very little authority to act against restraint of trade.

In the very important area of consumer fraud, neither the Justice Department or the Department of Agriculture have any authority to prevent unfair or deceptive advertising or other practices. That is the FTC's responsibility and should remain so. I do not think this Congress should take an entire industry out from under the consumer fraud statutes.

If we adopt this amendment we will be saying that co-ops will not be subject to antitrust laws or to consumer fraud laws. We will be saying that cooperatives are such good and fine institutions that we will not take even the normal precautions against possible restraint of trade, that the laws which apply to other bodies such as corporations simply are not needed here.

I do not think that should be the position of this Congress, and I urge a no vote on this amendment.●

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and Mr. MURTHA, Speaker pro tempore, having assumed the chair, Mr. LAFALCE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2313) to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act, pursuant to House Resolution 456, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 321, nays 63, answered "present" 1, not voting 48, as follows:

[Roll No. 683]

YEAS—321

Abdnor	Fenwick	Martin
Addabbo	Findley	Matsui
Albosta	Fish	Mattox
Ambro	Fisher	Mavroules
Anderson, Calif.	Fithian	Mazzoli
Andrews, N.C.	Flippo	Mica
Andrews, N. Dak.	Foley	Michel
Archer	Ford, Mich.	Mikulski
Ashbrook	Forsythe	Miller, Ohio
Atkinson	Fountain	Mineta
Badham	Fowler	Mitchell, N.Y.
Bafalis	Frenzel	Moakley
Bailey	Fuqua	Mollohan
Barnard	Gaydos	Moore
Bauman	Gibbons	Moorhead, Calif.
Beard, R.I.	Gilman	Moorhead, Pa.
Bedell	Gingrich	Murphy, Ill.
Benjamin	Ginn	Murphy, N.Y.
Bennett	Glickman	Murphy, Pa.
Bereuter	Goldwater	Murtha
Bevill	Goodling	Myers, Ind.
Bingham	Gore	Natcher
Blanchard	Gradison	Neal
Boggs	Grassley	Nedzi
Boner	Green	Nelson
Bonker	Grisham	Nichols
Bouquard	Guarini	Nolan
Bowen	Gudger	Nowak
Brademas	Guyer	Oakar
Breaux	Hagedorn	Oberstar
Brinkley	Hall, Tex.	Panetta
Brooks	Hamilton	Pashayan
Broomfield	Hammer-schmidt	Patten
Brown, Calif.	Hance	Paul
Brown, Ohio	Hanley	Pease
Broyhill	Harkin	Pepper
Buchanan	Harsha	Perkins
Burgener	Heckler	Petri
Burlison	Hefner	Peyser
Butler	Hightower	Pickle
Byron	Hinson	Preyer
Campbell	Holland	Price
Carney	Hollenbeck	Pritchard
Carter	Holt	Pursell
Cavanaugh	Hopkins	Quayle
Chappell	Horton	Quillen
Cheney	Hubbard	Rahall
Chisholm	Huckaby	Railsback
Clausen	Hughes	Rangel
Cleveland	Hutto	Regula
Clinger	Hyde	Rhodes
Coelho	Ichord	Richmond
Coleman	Jacobs	Rinaldo
Collins, Tex.	Jeffries	Ritter
Conable	Jenkins	Roberts
Conte	Johnson, Calif.	Robinson
Corcoran	Jones, N.C.	Roe
Corman	Jones, Okla.	Rose
Cotter	Jones, Tenn.	Rostenkowski
Coughlin	Kazen	Roth
Courter	Kelly	Rousselot
Crane, Daniel	Kindness	Royer
D'Amours	Kogovsek	Rudd
Daniel, Dan	Kramer	Runnels
Daniel, R. W.	Lagomarsino	Russo
Daschle	Latta	Sabo
Davis, Mich.	Leach, La.	Santini
Davis, S.C.	Leath, Tex.	Satterfield
de la Garza	Lederer	Sawyer
Deckard	Lee	Scheuer
Derrick	Lehman	Schroeder
Derwinski	Lent	Schulze
Devine	Levitas	Sebelius
Dingell	Lewis	Sensenbrenner
Dixon	Livingston	Shannon
Donnelly	Lloyd	Sharp
Dornan	Loeffler	Shelby
Dougherty	Long, La.	Shumway
Drinan	Long, Md.	Shuster
Duncan, Oreg.	Lott	Simon
Duncan, Tenn.	Lujan	Skelton
Early	Luken	Slack
Edwards, Ala.	Lundine	Smith, Iowa
Emery	Lungren	Snowe
English	McClory	Snyder
Erdahl	McDade	Solomon
Erlenborn	McDonald	Spellman
Ertel	McEwen	Spence
Evans, Del.	McHugh	Stack
Evans, Ga.	McKay	Stanton
Evans, Ind.	McKinney	Steed
Fary	Madigan	Stenholm
Fascell	Marks	Stewart
Fazio	Marlenee	Stockman
	Marriott	Stratton

Studds	Walker	Wilson, Tex.
Stump	Wampler	Wirth
Swift	Watkins	Wolff
Symms	Waxman	Wolpe
Synar	White	Wright
Tauke	Whitehurst	Wyatt
Taylor	Whitley	Wylie
Thomas	Whittaker	Yatron
Traxler	Whitten	Young, Fla.
Trible	Williams, Mont.	Zablocki
Vander Jagt	Williams, Ohio	Zeferetti
Vento	Wilson, Bob	
Volkmer	Wilson, C. H.	

NAYS—63

Annunzio	Eckhardt	Mitchell, Md.
Ashley	Edgar	Moffett
Aspin	Edwards, Calif.	Obey
AuCoin	Ferraro	Ottinger
Barnes	Florio	Ratchford
Beilenson	Garcia	Reuss
Biaggi	Gonzalez	Rodino
Bonior	Gray	Roybal
Brodhead	Harris	Seiberling
Burton, John	Holtzman	St Germain
Burton, Phillip	Kastenmeier	Staggers
Carr	Kildee	Stark
Clay	Kostmayer	Stokes
Collins, Ill.	LaFalce	Thompson
Conyers	Leland	Udall
Danielson	Lowry	Van Deerlin
Dannemeyer	Maguire	Vanik
Dellums	Markey	Walgren
Dickinson	Mathis	Weaver
Dicks	Miller, Calif.	Weiss
Downey	Minish	Yates

ANSWERED "PRESENT"—1

Ford, Tenn.

NOT VOTING—48

Akaka	Gephardt	McCormack
Alexander	Giaimo	Montgomery
Anderson, Ill.	Gramm	Mottl
Anthony	Hall, Ohio	Myers, Pa.
Applegate	Hansen	O'Brien
Baldus	Hawkins	Patterson
Beard, Tenn.	Heftel	Rosenthal
Bethune	Hillis	Smith, Nebr.
Boland	Howard	Solarz
Bolling	Ireland	Stangeland
Crane, Philip	Jeffords	Treen
Diggs	Jenrette	Ullman
Dodd	Johnson, Colo.	Winn
Edwards, Okla.	Kemp	Wydler
Flood	Leach, Iowa	Young, Alaska
Frost	McCloskey	Young, Mo.

□ 1740

The Clerk announced the following pairs:

On this vote:

Mr. Akaka for, with Mr. Gramm against.

Until further notice:

Mr. Ireland with Mr. Young of Alaska.

Mr. McCormack with Mr. Wydler.

Mr. Applegate with Mr. Anderson of Illinois.

Mr. Mottl with Mr. Winn.

Mr. Myers of Pennsylvania with Mr. McCloskey.

Mr. Young of Missouri with Mr. Stangeland.

Mr. Ullman with Mr. Hillis.

Mr. Alexander with Mr. Edwards of Oklahoma.

Mr. Anthony with Mr. Kemp.

Mr. Boland with Mr. Philip M. Crane.

Mr. Solarz with Mr. Bethune.

Mr. Baldus with Mr. Hansen.

Mr. Patterson with Mr. Beard of Tennessee.

Mr. Gephardt with Mr. O'Brien.

Mr. Frost with Mrs. Smith of Nebraska.

Mr. Giaimo with Mr. Rosenthal.

Mr. Dodd with Mr. Montgomery.

Mr. Howard with Mr. Hawkins.

Mr. Heftel with Mr. Leach of Iowa.

Mr. Jenrette with Mr. Jeffords.

Mr. Hall of Ohio with Mr. Diggs.

Mr. BONIOR of Michigan changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the Federal Trade Commission Act to extend the authorization of appropriations contained in such act, and for other purposes.".

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

PERSONAL EXPLANATION

Mr. BOLAND. Mr. Speaker, on rollcall No. 682, H.R. 2313, final passage of the Federal Trade Commission authorization bill, I was unavoidably detained by a staff conference on the Subcommittee on Appropriations for the Department of Housing and Urban Development and Sundry Independent Agencies. Had I been present and recorded, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 2608, NRC AUTHORIZATION ACT

Mr. BEILENSON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 472 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 472

Resolved, That upon the adoption of this resolution it shall be in order to 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. 2608) to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, as amended, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and amendments made in order by this resolution and shall continue not to exceed one hour, thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs and thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on Interior and Insular Affairs and Interstate and Foreign Commerce now printed in the bill, it shall be in order to consider the text of the bill H.R. 5297 as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections and each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 7, rule XVI are hereby waived. It shall be in order to consider as amendments to said substitute the amendment printed in the Congressional Record of September 13, 1979, by Representative Weaver of Oregon and the amendment printed in the Congressional Record of October 29, 1979, by Representative Markey of Massachusetts. No amendment to the substitute shall be in order in the House or in the Committee of the Whole to amend or affect the Atomic Energy Act of 1954, except (1) germane amendments to sections 301 and 302 of said substitute relating to civil penalties and safeguards information and (2) an amendment printed in the Congressional Record of October 31, 1979, by, and if offered by, Representative Harris of Virginia and said amendment shall not be subject to amendment except pro forma amendments for the purpose of debate. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 2608, it shall be in order in the House to take from the Speaker's table the bill S. 562 and to move to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 2608 as passed by the House.

□ 1750

The SPEAKER pro tempore. The gentleman from California (Mr. BEILENSON) is recognized for 1 hour.

Mr. BEILENSON. Mr. Speaker, I yield the customary 30 minutes for purposes of debate only to the gentleman from Tennessee (Mr. QUILLEN); pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 472 is a rule providing for the consideration of the bill H.R. 2608, the Nuclear Regulatory Commission authorization for fiscal year 1980. This is a modified open rule which provides 1 hour of debate to be equally divided between the Committee on Interior and Insular Affairs and the Committee on Interstate and Foreign Commerce.

As you may know, differing versions of the bill were reported by the two committees. In an effort to seek an orderly procedure to allow the House to work its will on this measure, a substitute bill, H.R. 5297 was subsequently introduced by the chairmen and ranking minority members of the subcommittees that reported H.R. 2608. Both committees have indicated that this substitute bill is a mutually acceptable vehicle for floor consideration of the NRC authorization. Therefore, in lieu of the amendments recommended by the committees and now printed in the bill, H.R. 2608, this rule allows consideration of the substitute bill as an original bill for the purpose of amendment under the 5-minute rule.

The substitute is to be read by titles instead of by sections and all points of order are waived against the substitute for failure to comply with clause 7, rule XVI, the germaneness rule.

Mr. Speaker, this rule prohibits amendments to the substitute to amend or affect the Atomic Energy Act of 1954, except: First, germane amendments to

sections 301 and 302 of the substitute relating to civil penalties and safeguards information, and second, the Harris amendment relating to sabotage of nuclear facilities. The Harris amendment will not be subject to amendment except pro forma amendments for the purpose of debate. However, amendments to sections 301 and 302 of the substitute would be amendable.

The rule additionally provides for the consideration of two germane amendments recommended by the Committee on Interior and Insular Affairs and which do not amend the Atomic Energy Act. First, is the Weaver amendment which bars the issuance of an operating license for a plant in a State that has not received approval of a State or multistate emergency evacuation plan. Second is the Markey amendment which would impose a 6-month moratorium on the issuance of construction permits for the first 6 months of fiscal year 1980. Any other germane amendments which do not amend or affect the Atomic Energy Act would be in order under this rule.

House Resolution 472 also provides for one motion to recommit with or without instructions. After passage of H.R. 2608, it will be in order to strike all after the enacting clause of S. 562, the Senate companion bill and insert the House-passed language.

Mr. Speaker, several recent events in the nuclear industry, particularly the incident at Three Mile Island, have raised questions concerning the adequacy of existing law with regard to the organization, procedures, and practices of the NRC and of the nuclear industry. Two congressional committees are currently engaged in investigations to determine the causes of the Three Mile Island accident and are reassessing the role of nuclear power in the United States.

The seriousness of recent violations of NRC regulations underscores the need for immediate action to insure the protection of public health, safety, and our national security. Two of the amendments made in order by this rule were recommended at the request of the NRC. One provision would amend the Atomic Energy Act to increase the maximum civil penalty which the NRC can impose for a single license violation from the current maximum of $5,000 to $100,000, and removes the $25,000 ceiling on the total civil penalty which may be imposed for violations occurring within any period of 30 consecutive days.

Another provision would create a new section 147 of the Atomic Energy Act to establish authority for the withholding from public disclosure information relating to safeguards, security plans for special nuclear material, and nuclear installations.

Mr. Speaker, this bill addresses important issues of national concern that deserve immediate attention. I strongly support this rule and urge its adoption so that the House may proceed to the consideration of this urgent matter.

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

Mr. Speaker, I want to thank the gentleman from California for yielding.

Mr. Speaker, the accident at Three Mile Island should serve as a warning signal—a flashing caution light—to our national policy on nuclear power.

The Kemeny Commission report is now in, and the appropriate committees are already preparing to address the recommendations of this investigation.

I agree with many of the conclusions of the Kemeny Commission regarding the deficiencies of the Nuclear Regulatory Commission.

I am especially aware of some of these defects because of the NRC's handling of the uranium inventory loss at a processing plant in Erwin, Tenn., in my district.

I intend to offer an amendment designed to improve the regulation of material control and accounting safeguards, and spent fuel transportation safeguards.

Let us face it—1979 has not been a good year for nuclear power or for the Nuclear Regulatory Commission.

But, let us also bear in mind that America depends on nuclear power for about 13 percent of its power. That is a 13 percent share that otherwise largely would have to come from foreign oil—and that is a totally unacceptable alternative.

To shut down America's nuclear power plants makes no sense—to proceed with tough safeguards and with caution does.

This bill makes some necessary changes in the regulation of the nuclear industry, and it provides for only a 1-year authorization.

During the coming year, the appropriate committees will address the issues raised and the recommendations made by the Kemeny Commission and other studies.

Since we need this time to investigate responsibly and study in depth this nuclear issue, I suggest we adopt the rule and proceed with the consideration of this 1-year authorization bill.

We must proceed, but proceed with caution—conscious of the errors of the past, but not blind to the needs of the future.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WEISS).

Mr. WEISS. Mr. Speaker, I appreciate the courtesy of the gentleman yielding time to me.

Mr. Speaker, I oppose the rule, House Resolution 472, which if adopted will overly limit the amendments that can be offered to the Nuclear Regulatory Commission authorization (H.R. 2068).

House Resolution 472 precludes any amendments to the key operating legal statute (the Atomic Energy Act), which governs the NRC and sets forth major nuclear policies in this country.

On October 30 I testified on this rule during a hearing of the House Rules Committee and I would like to insert into the RECORD a copy of that testimony at the conclusion of these remarks.

I had intended to offer an amendment to the Price-Anderson Act—a key title of the Atomic Energy Act. Under the Price-Anderson Act, approved in 1957, the liability of the nuclear industry is limited to a maximum payment of $560 million. By limiting this amount artifically beyond the obviously much greater dollar risks involved in nuclear facilities the Federal Government is encouraging a false sense of security about the safety of nuclear reactors.

The sad fact is that this dollar limitation on liability has not even been revised to account for inflation. According to the Library of Congress the figure adjusted for inflation would be $1.6 billion.

The NRC authorization is probably the only opportunity this Congress will have to reconsider this unfair cap on liability. This is a serious oversight in the wake of the Three Mile Island crisis. I am therefore constrained to oppose this rule.

TESTIMONY BEFORE COMMITTEE

Mr. Chairman, I appreciate the opportunity to appear before the committee today regarding my request to make in order under the rule an amendment to H.R. 5297, the Nuclear Regulatory Commission authorization for fiscal 1980.

The amendment which I seek to bring to the floor would amend that section of the Atomic Energy Act which limits the liability of nuclear plant owners and operators in the event of a radiation accident. Commonly known as the Price-Anderson Act, this provision establishes an industry contribution pool, in combination with Federal subsidies, to meet the current maximum payment of $560 million. This amount has remained unchanged since enactment of Price-Anderson 22 years ago. According to the Library of Congress, the $560 million sum—if adjusted merely for inflation—would now total $1.3 billion.

Specifically, my proposed amendment would legislate the following changes in the Price-Anderson Act:

Eliminate the $560 million liability ceiling;

Require nuclear powerplant owners to obtain the maximum available insurance coverage from private insurers;

Establish normal tort liability for the facility experiencing a nuclear accident, making that plant liable to the limit of its assets just like any other business;

Require all other nuclear plant owners to cover the balance of damages by means of an industrywide pool which currently consists of contributions of up to $5 million from each pool participant in the event of a nuclear accident; and

Make available long-term interest-bearing loans from the Federal Government to those pool participants who are unable to meet their share of damages under the pool plan

In addition, the amendment would:

Change the test of liability to be used in court proceedings from the outdated standard of "negligence" to one of "strict liability in tort." This means, in essence, that anyone injured by a nuclear accident would be required to prove that the injuries were the result of the accident, but not that the accident was caused by malfeasance. Such a change would conform with the standard of liability for

manufacturers in a majority of States, and

Allow claims to be brought within 3 years after the claimant first knew of the injury and eliminate the 20-year limitation period on filing a claim.

The Price-Anderson Act was written to encourage private industry to develop nuclear power by sharply limiting the potential risk to the industry. The act was passed at a time when nuclear power was in its infancy. Today, however, there can be no justification for Federal underwriting subsidies and wildly unrealistic and grossly unfair liability limitations for a multibillion dollar industry.

No other method of energy generation enjoys a similar liability limitation and, to my knowledge, none is now being considered even in this age of "fast-tracking." If nuclear energy is indeed as safe as its proponents maintain, then the nuclear industry should be willing to back up its claims with responsibility for accidents that are purported to be "almost impossible."

Mr. Chairman, the Nuclear Regulatory Commission authorization for fiscal 1980 offers what will probably be the only opportunity in this Congress for the House to consider the wisdom of the Price-Anderson Act in view of the incident at Three Mile Island. I had indeed hoped that the committees with original jurisdiction for the act would by now have recommended specific modifications in the statute. But as of last week it was apparent that these committees were deadlocked on the question and would not produce any proposed amendments.

And while it is quite true that my proposal would make substantive changes in the Atomic Energy Act, there is sufficient precedent for such an amendment under both the previous authorizing procedures and within H.R. 5297 itself. The legislation, as the committee knows, would permit a number of other substantive amendments to the Atomic Energy Act.

I believe that my proposed amendment is a responsible and very timely measure. Regardless of one's personal views on the proposal, I would hope that the committee will see the merit of allowing the Price-Anderson Act to be reconsidered by the full House this session.

I most respectfully urge the members of the committee to request consideration of the authorizing legislation under an open rule or, alternatively, to establish a rule permitting the House to work its will on the amendment I have described today.

Thank you.

□ 1800

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

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

Mr. BAUMAN. I thank the gentleman for yielding.

Mr. Speaker, I want to agree with the gentleman from New York that this is a bad rule. As I predicted, we are now seeing rules coming out of the Committee on Rules that are operating against my liberal colleagues. For the past few weeks some closed rules have been against my conservative colleagues. This dictatorial control by a few Members of this House will eventually hurt all of the Members of the House, and the gentleman is absolutely right in opposing this closed rule. I appeal to him to oppose all such closed rules.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WEAVER).

Mr. WEAVER. Mr. Speaker, I will be offering to the NRC authorization bill an amendment dealing with emergency evacuation plans. This amendment is germane to the bill. Nevertheless, it is mentioned in the rule because it was approved by the Interior Committee but dropped in the conference between the Commerce Committee and the Interior Committee.

The language in the present bill on emergency evacuation plans is inadequate, and the NRC has shown no concern for emergency evacuation plans whatsoever.

The Kemeny Commission did vote unanimously to require an emergency evacuation plan to be approved before a new license was issued. The Kemeny Commission suggested that the Federal Emergency Management Administration handle these emergency plans. I agree. I agree very much that the NRC must issue the license; so, therefore, it is incumbent upon us to require the NRC to not issue the license until an emergency plan is adopted.

In a "Dear Colleague" letter sent to the Members today, the gentleman from Washington (Mr. McCORMACK) said that Dr. Kemeny, Chairman of the President's Commission, opposed the Weaver amendment. This is absolutely and totally incorrect and inaccurate. I spoke with Dr. Kemeny just a half-hour ago, and he supports the Weaver amendment. I hope the Members will support it.

Mr. BEILENSON. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 296, nays 77, not voting 60, as follows:

[Roll No. 684]

YEAS—296

Abdnor	AuCoin	Bevill
Albosta	Bafalis	Biaggi
Ambro	Bailey	Bingham
Anderson, Calif.	Barnard	Blanchard
Andrews, N.C.	Barnes	Boggs
Andrews, N. Dak.	Beard, R.I.	Boland
Annunzio	Bedell	Boner
Ashley	Beilenson	Bonior
Aspin	Benjamin	Bonker
	Bennett	Bouquard
	Bereuter	Bowen
Brademas	Hance	Peyser
Breaux	Hanley	Pickle
Brinkley	Harkin	Preyer
Brodhead	Harris	Pritchard
Brooks	Harsha	Pursell
Broomfield	Hefner	Quayle
Brown, Ohio	Hightower	Quillen
Buchanan	Hinson	Rahall
Burlison	Hollenbeck	Railsback
Burton, Phillip	Horton	Rangel
Butler	Hubbard	Ratchford
Byron	Hughes	Regula
Carney	Hutto	Reuss
Carr	Ichord	Rhodes
Carter	Jenkins	Richmond
Chappell	Johnson, Calif.	Rinaldo
Cheney	Jones, N.C.	Ritter
Chisholm	Jones, Okla.	Roberts
Clausen	Jones, Tenn.	Robinson
Clay	Kastenmeier	Rodino
Cleveland	Kazen	Roe
Clinger	Kemp	Rose
Coelho	Kildee	Rostenkowski
Collins, Ill.	Kogovsek	Roybal
Conte	Kostmayer	Royer
Conyers	LaFalce	Russo
Corcoran	Leach, La.	Sabo
Corman	Lederer	Santini
Cotter	Lee	Sawyer
D'Amours	Lehman	Scheuer
Daniel, Dan	Leland	Schroeder
Danielson	Lent	Schulze
Davis, Mich.	Lewis	Sebelius
Davis, S.C.	Lloyd	Seiberling
de la Garza	Loeffler	Shannon
Deckard	Long, La.	Sharp
Derrick	Long, Md.	Shelby
Derwinski	Lowry	Simon
Dickinson	Lujan	Skelton
Dicks	Luken	Slack
Dixon	Lundine	Smith, Iowa
Donnelly	McClory	Snowe
Dougherty	McKay	Solomon
Downey	McKinney	Spellman
Drinan	Madigan	St Germain
Duncan, Oreg.	Maguire	Stack
Duncan, Tenn.	Markey	Staggers
Early	Marks	Stanton
Eckhardt	Marlenee	Steed
Edgar	Marriott	Stenholm
Edwards, Ala.	Mathis	Stewart
Edwards, Calif.	Matsui	Stockman
English	Mattox	Stokes
Ertel	Mavroules	Stratton
Evans, Ga.	Mazzoli	Studds
Evans, Ind.	Mica	Swift
Fary	Michel	Synar
Fascell	Mikulski	Thompson
Fazio	Miller, Calif.	Traxler
Fenwick	Mineta	Trible
Ferraro	Minish	Udall
Findley	Mitchell, Md.	Van Deerlin
Fish	Mitchell, N.Y.	Vander Jagt
Fisher	Moakley	Vanik
Fithian	Moffett	Vento
Flippo	Mollohan	Walgren
Florio	Mcorhead, Calif.	Wampler
Foley	Murphy, Ill.	Watkins
Ford, Mich.	Murphy, N.Y.	Weaver
Ford, Tenn.	Murphy, Pa.	White
Forsythe	Murtha	Whitehurst
Fountain	Myers, Ind.	Whitley
Fowler	Natcher	Whittaker
Fuqua	Neal	Whitten
Garcia	Nedzi	Williams, Mont.
Gaydos	Nelson	Williams, Ohio
Gibbons	Nichols	Wilson, C. H.
Gilman	Nolan	Wilson, Tex.
Ginn	Nowak	Wirth
Glickman	Oakar	Wolff
Gore	Oberstar	Wolpe
Gradison	Obey	Wright
Gray	Ottinger	Wyatt
Grisham	Panetta	Wylie
Guarini	Pashayan	Yates
Gudger	Patten	Yatron
Hagedorn	Pease	Zablocki
Hall, Tex.	Perkins	Zeferetti
Hamilton		

NAYS—77

Archer	Crane, Daniel	Green
Ashbrook	Daniel, R. W.	Guyer
Atkinson	Dannemeyer	Hammer-schmidt
Badham	Dellums	Heckler
Bauman	Dornan	Holt
Burgener	Emery	Holtzman
Burton, John	Erdahl	Hopkins
Campbell	Erlenborn	Hyde
Cavanaugh	Frenzel	Jacobs
Coleman	Gingrich	Jeffries
Collins, Tex.	Goldwater	Kelly
Conable	Gonzalez	Kindness
Coughlin	Goodling	Kramer
Courter	Grassley	

Lagomarsino	Moore	Spence
Latta	Paul	Stark
Leath, Tex.	Petri	Stump
Levitas	Roth	Symms
Livingston	Rousselot	Tauke
Lott	Rudd	Taylor
Lungren	Runnels	Thomas
McDade	Satterfield	Volkmer
McDonald	Sensenbrenner	Walker
McEwen	Shumway	Weiss
Martin	Shuster	Wilson, Bob
Miller, Ohio	Snyder	Young, Fla.

NOT VOTING—60

Addabbo	Flood	McHugh
Akaka	Frost	Montgomery
Alexander	Gephardt	Moorhead, Pa.
Anderson, Ill.	Giaimo	Mottl
Anthony	Gramm	Myers, Pa.
Applegate	Hall, Ohio	O'Brien
Baldus	Hansen	Patterson
Beard, Tenn.	Hawkins	Pepper
Bethune	Heftel	Price
Bolling	Hillis	Rosenthal
Brown, Calif.	Holland	Smith, Nebr.
Broyhill	Howard	Solarz
Crane, Philip	Huckaby	Stangeland
Daschle	Ireland	Treen
Devine	Jeffords	Ullman
Diggs	Jenrette	Waxman
Dingell	Johnson, Colo.	Winn
Dodd	Leach, Iowa	Wydler
Edwards, Okla.	McCloskey	Young, Alaska
Evans, Del.	McCormack	Young, Mo.

□ 1810

The Clerk announced the following pairs:

Mr. Myers of Pennsylvania with Mr. Stangeland.
Mr. Pepper with Mr. Wydler.
Mr. Solarz with Mrs. Smith of Nebraska.
Mr. Ullman with Mr. Anderson of Illinois.
Mr. Giaimo with Mr. Young of Alaska.
Mr. Gramm with Mr. Leach of Iowa.
Mr. Howard with Mr. Beard of Tennessee.
Mr. Montgomery with Mr. Winn.
Mr. Jenrette with Mr. O'Brien.
Mr. Mottl with Mr. McCloskey.
Mr. Addabbo with Mr. Jeffords.
Mr. Brown of California with Mr. Hansen.
Mr. Daschle with Mr. Devine.
Mr. Gephardt with Mr. Philip M. Crane.
Mr. Dodd with Mr. Broyhill.
Mr. Baldus with Mr. Edwards of Oklahoma.
Mr. Frost with Mr. Bethune.
Mr. Applegate with Mr. Evans of Delaware.
Mr. Akaka with Mr. Hillis.
Mr. Dingell with Mr. Anthony.
Mr. Hawkins with Mr. Hall of Ohio.
Mr. Holland with Mr. Alexander.
Mr. Huckaby with Mr. Heftel.
Mr. Ireland with Mr. McCormack.
Mr. McHugh with Mr. Moorhead of Pennsylvania.
Mr. Patterson with Mr. Price.
Mr. Waxman with Mr. Young of Missouri.

Mr. LEDERER changed his vote from "nay" to "yea."

Mr. GONZALEZ changed his vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1820

PARLIAMENTARY INQUIRY

Mr. CLAUSEN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman will state it.

Mr. CLAUSEN. Mr. Speaker, I just would like to get some indication as to whether or not the Nuclear Regulatory Commission authorization bill is going to be debated tonight or not.

The SPEAKER pro tempore. Negative.

Mr. CLAUSEN. We are only going to be considering the rule and not debate? I had been advised that debate was going to go forward, and apparently that has been changed.

The SPEAKER pro tempore. That has been changed.

GEORGE MEANY

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

Mr. BRADEMAS. Mr. Speaker, there are few men or women in any era without whose presence it could be said that a portion of history would have been significantly different. There are fewer persons still who are able to sustain that level of influence from one era to another, for decades on end. And even fewer there are who maintain through all that time a consistent commitment to principle.

Mr. Speaker, George Meany has been such a man.

Mr. Speaker, George Meany's retirement last week as president of the AFL–CIO was an event of both sadness and joy—sadness because, as inevitable a foe as age is to most people, Mr. Meany had seemed somehow impervious: One suspected that the normal rules would simply not apply; joy because Mr. Meany was retiring of his own volition, sensing that the time was right and appreciating the praises from so many quarters for all he has accomplished.

As President Carter said of George Meany last week:

No American has believed more deeply in human dignity, not only for workers but for all the helpless and the dispossessed.

Mr. Meany worked hard, Mr. Speaker, to make this belief a reality for those both inside and outside the labor movement. The list of achievement is substantial: Improved social security pensions and unemployment benefits, disability benefits, medicare protection, increased Federal support for education, the major civil rights legislation of the 1960s—Mr. Meany had a hand in all of these landmark accomplishments.

Now, Mr. Speaker, everyone knows that George Meany could at times be a difficult man to deal with. He refused to let the niceties of political etiquette deter him when he had an argument to advance or a battle to wage. Still, no one could question the candor and conviction with which Mr. Meany spoke and acted for the processes of democracy, for human rights and for a better life for working men and women. Nor could anyone challenge George Meany's deep devotion to his country.

Mr. Speaker, an "Appreciation" of Mr. Meany, entitled "An Ailing Lion of Labor Bids a Tearless Farewell," appeared in the New York Times on November 16. The writer, William Serin, summarized Mr. Meany's career this way:

He was cantankerous. He feuded with presidents. He made more money than working men make . . . .

But he fought for working people. And he helped win their many gains. And people will not forget that.

Certainly, Mr. Speaker, those who fought alongside Mr. Meany for so many years will not forget the experience. And it takes nothing away from the leadership of Lane Kirkland—the new president of the AFL–CIO—and a talented and creative person in his own right—to recognize that George Meany has been a unique figure on the American scene.

Mr. Speaker, I insert at this point in the RECORD the New York Times article to which I earlier referred as well as an article from the Washington Post on November 20, 1979—entitled "George Meany in Private: A Labor of Love"—which discusses Mr. Meany's little known yet highly regarded skills as a self-taught painter:

[From the New York Times, Nov. 16, 1979]

AN AILING LION OF LABOR BIDS A TEARLESS FAREWELL

(By William Serrin)

WASHINGTON, November 15.—His face was white, the white of sickness and old age. His black glasses seemed large for him and he seemed smaller than he had been when he was younger and well.

He was in a wheelchair, and the men and women, delegates to the AFL–CIO convention, applauded him vigorously. Then he delivered an address that lasted about half an hour, talking about the establishment of the trade union movement, almost a century ago, and the winning of important labor battles—Social Security, unemployment insurance, health care for the elderly; about current problems confronting the nation—inflation, unemployment, high interest rates.

Then he thanked the delegates, and the men and women applauded again. A man wheeled him away, down a long and almost empty hall, through a kitchen area where the steam and smells of food being cooked and the clanging of pots filled the air. Then the man pushed him through a side door, and he was gone.

That was the end of the career of George Meany.

A SONG IN HIS HONOR

Some people cried, although most did not. Mr. Meany certainly did not. The applause rose and fell and rose again, the delegates thanking him for the years he had given to the movement.

A longtime balladeer and union man, Joe Glazer, wrote a song about the day. He called it "Big Union Daddy's Stepping Down." A verse went like this:

He never was a diplomat—that everybody knows;
He said just what he had to say—he stepped on a lot of toes;
But he was respected by his friends, as well as by his foes.
Big Union Daddy's stepping down.

Mr. Meany, 85 years old and ailing, was a lion of his time. But even lions become old and must, some day, sit down.

He irked liberals with his often conservative way. He often was authoritarian, brooking little discussion once his mind was made up. His presence often intimidated other union presidents. But he was one of the strong men in labor's long history, and he will be remembered for that.

JOURNEYMAN PLUMBER AT 15

Born in Harlem, Aug. 16, 1894, son of a local union president, Mr. Meany never graduated from high school. He became a journeyman plumber at age 15.

He worked his way up in labor leadership, like many union men do, and in December 1955 he was named president of the new American Federation of Labor and Congress of Industrial Organizations. He has held that job since.

He was cantankerous. He feuded with Presidents. He made more money than working men make. His salary this year is $110,000.

But he fought for working people. And he helped win them many gains. And people will not forget that.

His farewell here today was in a number of ways typical of him.

When the applause ended after he had been wheeled onto the stage, he said nothing at all. He merely began his speech. It was not that he was impolite; it was his manner.

CLEAR AND VIGOROUS VOICE

And, even at 85, with his health problems, his voice was clear and vigorous.

And, of course, he did not cry. There was a catch in his throat and he blinked several times, but he did not cry.

One thing was not typical of him. When he was at the end of his address and the delegates applauded him, he rapped his gavel for silence.

In his career, he may often have been authoritarian. But, now, the rapping was ignored. The applause did not stop.

Mr. Meany came back for a time later in the day, going to the platform for an address by President Carter. Mr. Carter said, "No American has believed more deeply in human dignity, not only for workers but for all the helpless and the dispossessed people."

A bit later, Mr. Meany introduced the Secretary of Labor, Ray Marshall.

But the address in the morning was, for all practical purposes, Mr. Meany's last act.

The delegates to this convention thanked him with applause and some tears. He thanked them with words. He said he had been paid the "highest honor that could be paid any human being," being a working man's leader.

Then the lion was wheeled away.

[From the Washington Post, Nov. 20, 1979]

GEORGE MEANY IN PRIVATE: A LABOR OF LOVE

(By Rozann Weissman)

William George Meany has been one of the most private of public figures. The just-retired 85-year-old man has made his public reputation one dimensional: a cigar chomping, finger-stabbing, table-pounding, tough-talking champion of labor.

Yet Meany revealed a lot about himself on canvas. His diverse oil and acrylic paintings—landscapes, seascapes, still lifes, and abstracts—portray a side of him that is sensitive, solitary, whimsical, gentle.

A self-taught painter who experiments in many modes, Meany employs proportion techniques from his line drawing lessons in apprentice plumbing school. The thick hands which once wielded a Stillson wrench now make delicate strokes with tiny sable brushes, creating a colorful pastoral world: A favorite vase of roses created for his late wife. A whimsical portrait for his grandson, Jeffery. A Christmas clown. An abstract doodled at a "boring" government meeting. Scenes of summer, winter, water and of his adored Ireland and other travel spots.

"I was expecting primitive work because he's self-taught, but his paintings are charming—much better than Eisenhower's and Churchill's," said art historian Joan Walsh Goldman, who organized a one-man show of Meany's paintings at the George Meany Center for Labor Studies. "Now they'll know," Meany told Goldman, "that I do things other than bark at employers and politicians."

Serious health problems forced him to forego a 13th term as the only president of the merged AFL–CIO, a federation of 104 unions representing 13.6 million workers. Meany suffered a serious psychological blow: His razor-sharp mind and tongue are imprisoned inside an aging body. "And I want to retire," he told associates, "while I still have all my marbles."

An uncharacteristic months-long depression stemmed from Meany's physical problems and the death in March of Eugenie (Gena), his wife of nearly 60 years, following a lingering illness. The chair where she waited for his daily return to their Bethesda home—which he's consequently leaving for a condominium—is vacant. There is no longer anyone to say in her equally caustic wise-cracking way. "I'm sure if we weren't married, he's take that cigar to bed with him."

Gena Meany was primarily responsible for erecting an impenetrable barrier around their private life. When calls and visitors interrupted the Meany's home life during his early New York union days, she laid down the law. "My home is my castle," she decreed, "and I am the queen here. If you want to work, do it at the office because I can't raise a family this way." She banned reporters from coming to the home after the late Edward R. Murrow and his Person to Person TV crew in 1954 trampled her flowers and tracked mud into the house.

Home was for leisure and family—a prime Meany interest: the office for work. Virginia Tehas, Meany's personal secretary for 39 years, partially credited Meany's durability to his "working normal hours and leaving the office behind when he goes home. He always said, 'What's the sense of worrying about it? It'll be here in the morning.'"

Since his wife's death, the octogenarian, who is allergic to antibiotics, has been plagued with bouts of bronchitis, a knee injury and related reaction to a cortisone injection which complicated long-standing hip and ankle problems. When he discovered that his hip surgery of 13 years ago gave out, he decided to retire since he could no longer do the work. Severe pain from multiple physical problems over the years made Meany "seem like a public grump," retreating further into his privacy, noted Joe Goulden, author of the unauthorized 1972 biography, "Meany." Frequently, pain would drive Meany from his bed to learn the chords of a new Irish tune on the organ—which he'd later sing in a booming bariton—or paint in isolation, eyes weakened with cataracts, into the wee hours of morning.

Meany began painting 22 years ago when the eldest of his three daughters bought him a paint-by-numbers kit for Christmas. As with everything else, the labor leader determined, "If I'm going to paint, I'm going to do it right." He stretches his own canvas, sketches with charcoal pencil—often from a favorite photo he has taken on global visits—applies fixative and "dabies away with paint."

"At first," recalled Tehas, "he didn't feel as if his painting from photographs was original. He was encouraged when I told him that Maurice Utrillo, his favorite artist, often copied post cards." Meany has produced some 60 paintings for family and friends. They're modestly initialed "G.M." "A collector was impressed that Mr. Meany had a Grandma Moses painting that he never saw before," reminisced Tehas. Actually, it was Meany's first effort, "Summertime," a delightful vision of flowers and trees. The tales differ as to Meany's proud response, with the best being "Grandma Moses, hell. Grandpa Meany."

Ten Meany originals hung in his sunny, eighth-floor office overlooking the White House where the $100,000-a-year labor boss "kept an eye on the president."

Only the Meany family and selected intimates have seen the range of Meany's other faces. The difference between the public and private Meany is best illustrated when Meany's official AFL-CIO painting was being done, Tehas thought it looked too jolly; a Meany daughter too grim. The artist got so tired of turning the corners of the mouth up and down to accommodate the different perspectives that he painted two, a smiling one for the home and a solemn one for the building.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject to which I have just spoken, George Meany.

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

There was no objection.

WELFARE

(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, one of the many flaws in our system of welfare payments is that it tends to encourage an increase in births of dependent children. It was certainly not the intent of Congress that such payments should become an incentive to create more dependence on public assistance.

To illustrate the problem I invite attention to the scale of benefits paid in the city of Washington, D.C., to a mother with no income. When she becomes pregnant with her first child she is entitled to AFDC payments totaling $1,302 per year plus $61 in food stamps. When her child is born she is paid at the rate of $2,706 per year plus $112 in food stamps. A second child brings her benefits to $3,428 plus $161 in stamps. If she has four children her payments will increase to $4,829 plus $242 in food stamps.

If she lived in New York City the scale of benefits would be over 50 percent greater. They would be $6,528 plus $1,200 in stamps when she had borne four dependent children.

Although these payments are more than the mother could earn at a full-time job at minimum wage, I am not emphasizing that. No, what I am emphasizing is that the present welfare system encourages having more children. Many parents expect that public subsidies will insure food, clothes, housing, education, transportation, and other assistance for their growing families. Consequently they do not have to reckon with true economic cost in their family planning.

A pragmatic example of political courage in facing this fact is the positive and successful policy of Singapore.

Singapore is a small nation of 2.3 million people on an island 14 miles wide and 28 miles long. Its domestic food production is minute. It heavily depends on commerce and investment of funds from overseas. It has prospered and its population has tripled in the past 30 years.

In lush times the government had a liberal social policy which favored large

families. In those same times the very high birthrate was falling as people's life-style became Westernized. Between 1957 and 1969 the birthrate fell in half, from 42.7 births per thousand of population to 21.8 per thousand. But in the next 3 years it turned upward to 23.1 per thousand.

That is where the Singapore Government changed its policy. In effect it said to all families, "from August 1973 on, you may have all the children you want but after two, you will pay the full economic cost yourself."

First came a limitation on maternity benefits. They had formerly included 8 weeks paid maternity leave for each confinement. The new policy eliminated maternity leave entirely after the second child. Fees for children delivered at government hospitals were increased by 3 to 10 times on a graded scale.

Income tax exemptions were formerly granted for as many as 5 children. Now they stop after three.

Permission to lease apartments in the much coveted new government housing used to be given to large families as first priority. Now small families have equal priority. Families with more than three children may no longer sublet rooms in these apartments; smaller families may be authorized to sublet.

High demand for primary school places has resulted in sending children of a large family to different schools, some far from home. Under current laws, priority on schools near home is given to the first three children and to all children of a now-sterilized parent.

It will not surprise you to learn that the birthrate turned downward again in 1974 and by 1976 had fallen to 17.6 per thousand population—which is about the same rate as in Texas that year.

What I am arguing for is to take the big-family incentive out of our welfare system. Excessive welfare will lower our standards of education, housing, and public morals at a time when we desperately need improvement in the quality of children's lives.

THE IRANIAN SITUATION I; A WORLD GONE MAD

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

● Mr. ASHBROOK. Mr. Speaker, the Thanksgiving holiday of 1979 will go down in history as the most foreboding week in recent American and world history. After what seemed like an eternity in waiting for some words of hope about the American hostages in Tehran we received an avalanche of incredible news about takeovers in Mecca and another Embassy under seige, this time in Pakistan. Throughout the Middle East the American flag is now the doormat for terrorism. Two Americans are now dead and hundreds have had their lives forever changed by the new wave of violence. Americans around the world dread to open their morning papers for fear that some new horror will be reported.

The events of this last week are just too unbelievable to comprehend. First we had to witness the ongoing posturing and escalating rhetoric of the armed thugs in Iran. Then the Ayatollah Khomeini, the Iranian answer to Jim Jones, the man President Carter's spokesman Andrew Young said would be a saint some day, began to give his blessing to the terrorism in Tehran by openly siding with the so-called students holding the American Embassy. The ayatollah went further by stating the hostages would be killed if America tried to intervene militarily. In reference to President Carter's inability to handle the Iranian situation Khomeini stated:

> He himself knows that he is beating an empty drum. Carter does not have the guts to engage in a military operation and they do not listen to him.

Amidst this taunting and harassment a radical Moslem sect, the Mahdists, took control of the Great Mosque in Mecca, Saudi Arabia. With a precision that raises questions about the spontaneity of events, the Iranian radio was broadcasting reports into Pakistan that the mosque had really been taken over by Israeli and American agents in order to counter the events in Iran. In another act to defy coincidence a frenzied mob materialized in the streets of Islamabad, Pakistan, and stormed the American Embassy. One hundred Americans went through 5 hours of hell as they held out in the vault of the burning Embassy until Pakistani Government forces could mount a rescue mission. Mobs also attacked the American consulate or Karachi, destroyed the American library in Lahore, and burned the American Center and the British library in Rawalpindi. Other American buildings were also set upon by the mobs.

Why is all of this happening? Bewildered Americans are asking this and other tough questions of themselves and their Government. A year ago Iran was a close friend of the United States. Its students were educated in this country and its citizens had close economic ties to this Nation. Iran was a nation emerging from centuries of backwardness into becoming a leading regional and world power. The Shah, for all of his actions to suppress internal dissent, was dedicated to improving Iran's economy and to bring his nation into the 20th century.

In the last year everything has changed. The firing squads of winter have silenced pro-Western Iranians or driven them into hiding. Mobs rule the streets and a religious madman holds onto a precarious seat of overall power. Whoever really is in charge is a mystery. All that is certain is that the traditionally volatile Shiite sect that dominates Iranian Moslems have been successfully unleashed in an orgy of anti-Western violence. Like the Mahdist revolt in the Sudan in the 1880's this new wave of Moslem violence has enveloped the world in its suddeness and its extremism. The modern methods of communication have enhanced the mobs ability to spread its message and its violence.

The Iranian and Pakistani tragedies must be understood if America is to prevent further incidents of violence and terrorism. The first step in comprehending these past few weeks is to realize that the Embassy takeovers are only the first and rather graphic manifestations of a larger problem in the world today. This larger issue is that of the increasing inability of the United States to lead or to even react to world events. The long years of Presidential timidity in the face of Soviet and Cuban threats coupled with the Congress insistence in crippling both our Nation's intelligence apparatus and our defenses has left America unable to foresee crisis situations or to respond to them in either a timely or effective manner. Those of us have warned that each stage of deterioration in the U.S. capability to protect itself or its allies overseas would serve only to hasten the West's day of reckoning are watching our words dramatically borne out in Iran today.

Iran, therefore, is the first major break in the dike. Its political ferment and its religious fervor served only to make Iran the first nation to open a new type of warfare against the United States. Our handling of the current crisis will signal to the world whether America can turn the corner and rebuild or whether this is the beginning of the end. Looking over the globe you can find many powderkegs ready to be set off by internal forces or by outside agitation. No one should kid themselves into believing that the Soviets are above capitalizing on Iran. There are confirmed reports that radio broadcasts from the U.S.S.R. aided Iranian radicals in whipping up the frenzy against Americans in Iran and possibly in Pakistan. While it might be giving the Soviets too much credit to say that Iran has gone as the Kremlin planned, there is no doubt that the Soviets have been able to exploit the situation.

The long list of American retreats in recent years have undermined U.S. strategic position in the world. Every country we pull back from means one less country the U.S.S.R. has to expend its forces of subversion. The noose is tightening around the West. More nations behind the Communist banner means less nations to band together for that final stand for freedom. America has sent signals since the post World War II era that it is willing to erase whatever lines it draws in the face of Communist aggression. Whether it is failure to respond to the pleas of Hungarian rebels or the toleration of the Berlin Wall the United States has long ago established itself as the proverbial "paper tiger."

In recent years the evidence of America's lost will to counter Communist aggression has been piling up. Mr. Carter and his State Department have insisted on giving up more ground than is asked for. The rhetoric of appeasement as so eloquently spoken by Andrew Young and Cyrus Vance has been underscored by the abandonment of Taiwan, the undermining of Nicaragua, and the ignoring of Rhodesia. SALT II and the Panama Canal Treaties are also pillars in the house of cards being built by the Carter administration.

The administration's continued frustration of energy development in the United States has further weakened

America's freedom to act in its own best interests. Is it no wonder, then, that the sight of helicopters evacuating Americans from the rooftops of U.S. embassies has been commonplace? Is it not more telling that in the last incident it was the copters of a foreign nation that were doing the rescuing? Nations, who are not close American allies, are beginning to see the weaknesses in the United States and are realizing that we are not going to aid ourselves, let alone them, in fighting communism. Is it no wonder that they find it more appealing to turn on the United States? In a world that is increasingly playing for keeps in international relations are we to expect that diplomatic laws and precedents are going to defend America and its diplomats?

These are very disturbing questions. In a strong America such issues would never have to be broached, but that vision has vanished with the recent events in Iran. We must now come to realize that our leadership, in the White House, in the State Department, in the Congress, and at the United Nations, have, through design or blundering, painted America into a corner it may not get out of. Our failure to help our friends and allies in the past is coming home to roost as we saw last week at the U.N. when 13 of 14 members of the Security Council refused to go on record against spy trials for the American hostages.

Our posture of appeasement that placated the Khomeini dictatorship through fuel oil shipments in August and continued military training of his followers today down in Texas, has created the impression in the world that we really do not care of what is done to us as we will always forgive, forget, and send more aid.

Slowly at first, but now with an increasing momentum of its own, terrorists and other anti-West forces are beginning to see how far America can be pushed. Like vultures taking exploratory swoops at an ailing animal the forces of violence and oppression in the world are doing their best to hasten the end of the United States as an effective force in world politics. In some cases it may be not so much as to assist the Soviets as it is that their piece of the international action may increase at the expense of Uncle Sam. For whatever reason, the old system of diplomacy has been shattered, if it were ever there in the first place.

In a new world order where America is perceived as helpless or unwilling to act the future prospects of U.S. influence remaining viable are in serious doubt. The crisis in Iran has brought this matter to a head. Whatever is done in the next few days and weeks to resolve the crisis will provide a clearer signal of U.S. posture in the world than any other single event. Americans who are frustrated at what is happening should direct their emotions and their thoughts to the administration. Only by a show of the internal strength that built America can the grassroots of this Nation call for the reestablishing of a backbone in international relations so future Irans can be avoided. One show of force will not turn the tide, America has declined too far for such a quick or permanent turnabout. However, if America can finally take a stand and stick to it the respect we once had in the world may return. The Carter administration has never known what it is to take a stand for America or for its allies, but for the sake of this Nation, I hope they learn fast.●

DEATH AND OUTRAGE THE EVENTS IN IRAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. CARNEY) is recognized for 30 minutes.

Mr. CARNEY. Mr. Speaker, our Nation, in these past few weeks, has been shouldering an anxious burden in awaiting the outcome of the events in the Middle East.

We are all deeply concerned and pray with one voice for the safe return of the remaining 49 Americans who are still held hostage in Iran. Tragedy, however, has already struck in the related violence in Pakistan.

The entire First Congressional District of New York was shocked, as was every American, when we learned of the heroic death of Marine Cpl. Steven J. Crowley, and of Army Warrant Officer Bryan Ellis.

Corporal Crowley, of Montclair Drive in Selden, Long Island, died a hero's death in service of our Nation. He died bravely, under fire, struck down by a sniper in the turmoil of the attack on our Embassy in Islamabad, Pakistan.

One of five brothers and three sisters, Corporal Crowley grew up in the Port Jefferson area. His family moved to Selden only 3 months ago shortly after another tragedy struck the Crowley family—the death of his father.

A graduate of Comsewogue High School in 1977, Steven Crowley is remembered fondly and proudly by all who knew him. I have been informed that Corporal Crowley has been awarded the Bronze Star with "V" device for valor, as well as the Purple Heart.

I would like to read the accompanying citation to the Bronze Star for I feel it well describes to my colleagues and to America the enormity of Corporal Crowley's heroism:

> For heroic achievement while serving as a Marine security guard at the American Embassy, Islamabad, Pakistan on 21 November 1979.
>
> When the American Embassy was surrounded and subsequently attacked by hostile demonstrators, Corporal Crowley went to his assigned post on the roof of the Embassy compound. Immediately, he came under attack by a barrage of rocks, other missiles, and by small arms fire. Despite being in a relatively exposed location, Corporal Crowley remained at this post and continued to provide surveillance and information to Embassy officials. As the Embassy personnel withdrew to the security vault, Corporal Crowley provided defensive cover until he was struck down and fatally wounded.
>
> By his courage, bold initiative, inspiring coolness, and selfless devotion to duty, Corporal Crowley reflected great credit upon himself and upheld the highest traditions of the Marine Corps and the United States Naval service.

That citation details Corporal Crowley's actions in defense of his country. As the citation indicated, Corporal Crowley exhibited courage and devotion to duty in line with the highest standards of the American soldier.

Speaking at West Point almost 17 years ago, the late General of the Army, Douglas MacArthur, spoke of the American soldier, General MacArthur said that:

> His name and fame are the birthright of every American citizen. In his youth and strength, his love and loyalty he gave—all that mortality can give. He needs no eulogy from me or any other man. . . .
>
> He belongs to history as furnishing one of the greatest examples of successful patriotism; he belongs to posterity as the instructor of future generations in the principles of liberty and freedom; he belongs to the present, to us, by his virtues and by his achievements.

Cpl. Steven Crowley served his country bravely, honestly, courageously. His service record shows that he fully met the highest standards of the U.S. Marine Corps.

When I visited Mrs. Crowley to extend our condolences to her, I was impressed by her own bravery. While immeasurably grieved by the loss of her son, she called upon the American people to rally behind the President, to show restraint in their justified anger and to give full support to the President's efforts to bring the hostages remaining in Iran, home without further bloodshed. Mrs. Crowley remarked:

> I know it's very hard. Please stand by the President. He's going through a crisis like I'm going through a crisis. I wouldn't want to be in his shoes . . . he's trying.

I was deeply moved by Mrs. Crowley's unbounded concern for all of our endangered citizens in these troubled foreign lands.

She recognized our efforts must be reasoned and tempered, for the safety of those whose lives are threatened cannot be assured by rhetoric and sabre-rattling. Mrs. Crowley recognizes that it is wisdom not weakness which dictates our restraint.

Mrs. Crowley will receive no Bronze Star for her valor, and no Purple Heart for the scars she will bear. I regret that this Nation does not present decorations for the type of bravery exhibited by Mrs. Crowley; she certainly deserves the highest accolades we can offer.

Cpl. Steven Crowley will be buried in Arlington Cemetery, alongside other American heroes, on Friday, November 30. At the request of the family I will be with them in Long Island for the memorial service on Thursday, as well as at Arlington on Friday.

I urge all my colleagues to attend the ceremony at Arlington. Please join with the Crowley family to show solidarity and support for the President in this crisis. Above all, please join me in honoring two American heroes, Cpl. Steven Crowley, U.S. Marine Corps., and Mrs. Georgine Crowley.

□ 1830

Mr. Speaker, at this time I would like to yield to my colleague from Idaho, a former marine, Mr. SYMMS.

Mr. SYMMS. Mr. Speaker, I thank the gentleman very much. I think the gentleman most certainly speaks for many of us here today in bringing this important issue before the House. I think we appreciate, and I know I appreciate, the sentiments he has expressed here on behalf of many of us in the House and his expression of sympathy to the Crowley family.

My personal regret is that somehow we have become such a helpless giant as a nation that we deny our marines the privilege of defending the embassies with live ammunition, but I think that that is a thorn in the side that maybe in due course of time will be corrected, because I think the young man certainly was a courageous young American. He was a patriot.

Again, I thank the gentleman in the well for bringing this to our attention. I would also like to compliment the gentleman in the well for his leadership on many issues here in the House as a freshman Member, and his excellence in the patriotic endeavors he has taken in this House. He is a real credit to this Chamber, and I thank the gentleman very much.

Mr. CARNEY. I thank the gentleman. I might add that I have been informed by a member of the Armed Services Committee, and my colleague from New York, Congressman STRATTON, that indeed there will be congressional hearings as to the application of force and in what manner the embassy guards can best protect the Embassies. Those hearings are scheduled to start in the near future.

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

Mr. CARNEY. I will be glad to yield to my colleague from the State of New York, also a former marine, Mr. SOLOMON.

Mr. SOLOMON. Mr. Speaker, I would like to commend the gentleman from New York for honoring the sacrifice of Cpl. Steven Crowley before the Congress and the American people in this special order. As a former marine, I felt a deep sense of loss when I learned that Corporal Crowley and CWO Bryan Ellis died while protecting the lives of our Embassy personnel from a violent mob in Pakistan.

I am sure that all Americans feel this loss along with us here today, and share the grief of the families who lost their loved ones. But let the world be put on notice right here and now—especially the terrorists of the world who, in recent weeks, have found the Embassies of the United States easy targets for furthering their own violent causes: We may be mourning the loss of our soldiers with the quiet dignity they deserve, but we are mad as hell that they had to die.

Over the Thanksgiving recess, I talked with dozens of my constituents about the recent tragic events in Iran and Pakistan. The frustrations they expressed to me were remarkably similar. On the broadest level, Americans are asking themselves and their elected officials, "Why is the United States so unpopular?" How is it possible, they wonder, for a country which has sacrificed so much to help other nations—that comes to the rescue after every natural disaster; that opens its doors as a sanctuary for millions of oppressed people—how is it possible that we must bear the brunt of the forces of hatred and violence throughout the world?

On another level, Americans want to know why our Embassies, especially those which are located in unstable countries, are so vulnerable to terrorist attacks. They were simply flabbergasted to learn that within days of the Embassy takeover in Iran, we were again caught completely unprepared to defend our Embassy in Pakistan. The inability to defend ourselves cost us two lives in Pakistan. And in Iran, 49 American lives still hang in the balance.

We learned the hard way once in Iran. Why did we have to learn the hard way a second time in Pakistan? Mr. Speaker, I have joined those of my colleagues who have called for a congressional investigation into the State Department's policies for protecting American lives and American Embassies overseas. We owe this—and a lot more—to two brave Americans, Steven Crowley and Bryan Ellis.

Mr. Speaker, on behalf of many others in Congress and myself, I ask that the gentleman from New York please extend our deepest condolences and sympathies to the parents and friends and relatives of Steven Crowley.

Mr. CARNEY. Mr Speaker, I certainly appreciate the words of wisdom of the gentleman from New York, and I will pass that message on to Mrs. Crowley and the family when I meet with them on Thursday.

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

Mr. CARNEY. I will be glad to yield to the gentleman from Georgia (Mr. McDONALD).

Mr. McDONALD. Mr. Speaker, I thank the gentleman from New York for yielding. I certainly would like to associate myself with the very moving remarks he made on behalf of the heroism of Corporal Crowley and the symbol that he has given, and the lesson he has given to this Nation.

Unfortunately, Corporal Crowley is just another one of the long list of Americans who have been the victims, the tragedy of America's steadfast policy of retreat from greatness that has been a policy that has earmarked our foreign policy and military designs for the last 35 years. Probably Corporal Crowley would be alive today if the policy of appeasement had not been adopted during the period of the Berlin blockade, and then in the Korean war once again it was ultimately the policy of appeasement that our planners adopted, and we sacked the general that the Congressman from New York mentioned, Douglas MacArthur, because he stated that in matters of war there is no substitute for victory.

Korea became our first "no-win war." Following that, we saw where the unarmed Navy fliers were shot down over the Baltic by Soviet jets, and the Soviet Union declared that all those fliers perished in the crash. Yet, defectors and those who have been able to get out of the Gulag and the Soviet Union stated that some of the fliers did indeed survive the crash into the Baltic at the hands of Soviet pilots.

Appeasement was again our policy in the case of the *Pueblo*, when the President of the United States was allowed to sleep and not be disturbed while the *Pueblo* was driven into port. There was appeasement once again in the case of removing the air cover from the events during the Bay of Pigs incident.

There was appeasement in the case of Vietnam when it was our national stated policy that our objective was not victory. Not only was it our second "no-win war," but indeed it turned out not to be peace with honor but an ignominious defeat, with Saigon being changed to the name of Ho Chi Minh City.

Had our policy planners and those who have traveled out our destiny for the last 35 years not followed the policy of appeasement, probably Corporal Crowley would be alive. In the case of Vietnam it was not only a matter of a "no-win effort," but it was a matter of aid and trade, with the Soviet Union supplying 85 percent of the hard material of war to North Vietnam, a nation that was busy sending Americans back home in boxes.

□ 1840

We have seen the most recent examples of appeasement with the two separate takeovers of the Embassy in Tehran and most recently the Embassy in Pakistan where Corporal Crowley lost his life, but, hopefully, that sacrifice will not be in vain and, hopefully, it will be a warning at this late date to the policy planners who have dominated our foreign policy designs and long-range objectives for clearly the last 35 years, who have opted on the road of appeasement, that the American people have awakened and learned as a result of the sacrifice of the Corporal Crowleys of this Nation that the road of appeasement ultimately only leads to war, and the longer postponed, the longer prolonged, which could ultimately lead possibly to a disastrous, even a losing, war.

I would once again like to commend the gentleman from New York (Mr. CARNEY) for his very fine and moving statement. I am sure that he will convey to the members of the Crowley family that the Members of this House were deeply moved by this sacrifice and pray that that sacrifice will not be in vain.

Mr. CARNEY. I thank my colleague, the gentleman from Georgia. Indeed, I will convey those sentiments to the Crowley family.

I now yield to my colleague, the gentleman from Long Island, N.Y. (Mr. AMBRO), a distinguished Member of Congress.

Mr. AMBRO. I thank my friend from the adjoining Long Island district. I do not think that this is a time for engaging in a historical perspective about what happened to Steven Crowley and why. It seems as if Mrs. Crowley has as great an amount of wisdom as anyone could imply by asking us at this time to permit the President to speak with one voice. There will be time for recriminations later on.

It seems to me that something should be said about the kind of mettle and dedication and patriotism that is the American people in general and our Long Islanders in particular. I, too, have someone who is involved and embroiled in this controversy that comes from far-away places that is brought home so dramatically. I have a constituent who is a hostage in the Embassy of Tehran. Bill Keough was a superintendent of the Huntington School District. He had been in Iran and in the Embassy that fateful day inadvertently, and he is still there. Certainly the Ayatollah could never consider Bill Keough a spy. So it would seem to me, again, this is no time for polemics; this is a time for expressing our sympathy to Georgine Crowley and her family. No words could provide any solace for this kind of tragedy, but there is a line in a poem written by Ford Madox Ford, caled "One Day's List' which was written as the result of bringing in the list of those who died in action in World War I. The poem says:

But we who remain shall grow old,
We shall know the cold
Of cheerless
Winter and the rain of Autumn and the sting
Of poverty, of love despised and of disgraces,
And mirrors showing stained and aging faces,
And the long ranges of comfortless years
And the long gamut of human fears—
But for you—it shall be forever Spring.

We pray that for Corporal Crowley it shall be forever spring, and that for the family of Corporal Crowley we will give our deepest sympathy. I hope the gentleman from New York (Mr. CARNEY) carries that message back.

Mr. CARNEY. I thank my colleague, the gentleman from New York (Mr. AMBRO) very much. I think it has been amply stated tonight that the important thing here is that we recognize the bravery of Corporal and Mrs. Crowley. We recognize the fact that we must not only pray but we also speak with a unified voice. We must back the President in his endeavor to secure the safe release of not only Mr. Keough but of the other 48 Americans who are being held hostage in Iran. That is the message that Mrs. Crowley had, and that is the message that she gave me the day that she was notified of the untimely death of her son. That is the type of bravery which I think is associated with many Americans.

We do have a willingness to defend our country, which could not have been shown more than with the words of Mrs. Crowley and with the actions of Corporal Crowley.

If I might, I would like to read a statement from the Honorable JOHN WYDLER, Congressman from Long Island, who was unable to be here today because of official business:

STATEMENT OF THE HONORABLE JOHN W. WYDLER ON THE DEATH OF CPL. STEVEN J. CROWLEY

The thoughts that I express today come from the heart—a heart filled with anguish and sorrow at the tragic yet heroic death of a splendid and illustrious American Marine, Corporal Steven J. Crowley.

Corporal Crowley proudly represented a courageous and patriotic tradition. He wore his uniform with honor. He was proud to be an American, an American Marine—proud and brave and generous.

In stark contrast to those who have defiled our Nation by their trips and tributes to our enemies abroad—as in Vietnam—Corporal Crowley lived to serve America and he served America with honor to the moment of his death.

Although Corporal Crowley did not share in the materialistic power and glory of this world, I know that he has found a safe refuge in the bosom of his God and that his worthy life and lamentable death will forever serve as a reminder to friend and foe alike that there are still brave and unselfish Americans among us willing to serve and die for the country we love.

I pray that God will receive this great American Marine into His Heavenly Kingdom. May God have mercy on his noble soul.

I think that statement from the gentleman from New York (Mr. WYDLER) certainly reflects the many statements of the Members. I know there were many Members who, due to our calendar, were unable to be here tonight, but I know share our concern.

Mr. Speaker, I now yield to my colleague, the gentleman from California (Mr. DORNAN), an aviator in our armed services, who would like to say a few words.

Mr. DORNAN. Mr. Speaker, our distinguished friend and colleague, the gentleman from New York (Mr. CARNEY) is certainly to be commended for this eloquent moment that he has brought to the House. I do not think the grieving parents and the brothers and sisters of Steve Crowley could have asked for a better Representative in this Congress. I know how swiftly he was at their side and how he has tried to bring them all of the assistance he could in what will probably be the toughest moment that this family will ever have to face in their lives. However, they do have an older brother to inspire the 7 younger brothers and sisters, who truly is deserving of the word "hero."

In my adult life I have found that word to be probably the least used word in our language, and yet when I was a young man growing up during the Second World War, that word was used regularly as much as any word in the language every day. I also found it not applied nearly as much as it could have been during the Korean and Vietnam wars, and all of those moments of terror in between, when literally hundreds of Americans died in what was called the Cold War, and they continued dying in this period of détente time with the same regularity. I have asked and I hope to bring to this Congress soon a report from all our armed services of just how many Americans have died since the end of the Second World War at the hands of outraged mobs or at the hands of Communists.

I think that Steve Crowley is an inspiration to the country and that he has exemplified what all Americans have been saying quietly to themselves. That is that the country does not have any shortage of heroes; we just have a problem of lack of identification of the heroes in our society. I think Steve is the tip of a massive iceberg of young people all across this country who would willingly still give that full measure of sacrifice, the ultimate act of patriotism, their lives for their country, or as it says in John in the Scriptures in 15: 13:

Greater love hath no man than this, that a man lay down his life for his friends.

I think it is very poignant and fitting that the gentleman should ask all of our colleagues to show up at Arlington Cemetery on Friday at 1300 hours, 1 o'clock in the afternoon, for his funeral. It probably would not have occurred to me to go to the funeral of the gentleman had not taken this special order. I can promise him that it will be my honor to be there. The Congress of the United States in both Houses asks itself over and over, as do most of us, to try to give as much support to the President as we can. We ask ourselves and our constituents ask us what we can do, and I think most of us come up with the first initial response, which is to pray. I can think of no more fitting place to pray this week than at that hallowed ground in Arlington Cemetery where this young marine hero will be laid to rest.

I would hope that maybe someone in the ensuing 2 days in spite of our busy schedule, may ask that the House take a recess period from maybe noon to 2 o'clock so that all of the Members just by the very fact of the recess itself, because they might have missed the gentleman's superb special order here, could jump on the Metro or carpool over there. I cannot think of a more fitting tribute to the slain warrant officer and to Corp. Steve Crowley than to have a massive showing of Representatives of the American people from this great House standing there in that beautiful cemetery seeing this heroic marine to his eternal reward and rest.

I thank the gentleman again for taking this special order.

□ 1850

Mr. CARNEY. I would like to thank my colleague from California. I will certainly look into the feasibility of asking for a recess or. Friday from 12 until 2 o'clock so that perhaps more Members could take the time to attend. I look forward to seeing the gentleman from California there as well. I am sure Mrs. Crowley is very grateful that you will find time in your busy schedule to attend the internment of her beloved son.

Lest we forget, another young man served our country in Pakistan and lost his life, WO Bryan Ellis, a 29-year-old, highly decorated Vietnam veteran. Except for the tragic event that happened yesterday to the gentleman from Alabama (Mr. EDWARDS), in the loss of some of his staff in an airplane crash in Alabama, the gentleman from Alabama (Mr. EDWARDS) would be here.

I might add the gentleman from New Jersey (Mr. RINALDO) has introduced a joint resolution in the House designating December 7, 1979, as National Unity Day. I do not think there would be a better time than right now to call attention to that matter. I think it is a resolution that deserves the support of all Members of Congress, one wherein we will unify as one America. This incident in Pakistan and the ongoing incident in Iran has, I think, solidified our Nation in a way we have not seen since World War II.

In closing, I would just like to reflect on the great courage that Mrs. Crowley has. I would like to say personally as a Representative from the First Congressional District that this is not a time for rhetoric, it is not a time for saber rattling. It is a time for unity, unity in prayer and unity behind the leaders of our great Nation. We should become one and back the President in his endeavors to secure the freedom of the remaining hostages and to back him in his endeavors to assure the American people that these incidents will not continue to happen.

Mr. Speaker, I say without hesitation that I have put myself in the President's position hypothetically. The President of the United States is doing a brave and courageous job in attempting to secure the release of the hostages and to assure the safety of all Americans who serve in foreign service abroad and all Americans who serve in our military abroad. This is the crucial time. It is not a time to ask for bloodshed, it is a time to ask for unity and peace. That is the message of a brave woman from Long Island, Mrs. Crowley, which I share with you tonight.

● Mr. EDWARDS of Alabama. Mr. Speaker, the body of Army CWO Bryan Ellis, 29, a highly decorated Vietnam veteran and the son of Mr. and Mrs. Erwin B. Ellis, of Mobile, Ala., in my congressional district, was found among the ruins of the U.S. Embassy in Islamabad, Pakistan, Thanksgiving Day.

Bryan Ellis was a dedicated serviceman with an outstanding military record. He survived four helicopter hits while serving as a pilot in Vietnam. For his bravery in action, he received the Bronze Star and other medals.

He is survived by his wife, Brenda, and son, Chris.

Bryan joined the Army upon graduation from high school in North Carolina. Bryan's mother and father moved to Mobile about 11 years ago. Bryan did not live in Mobile but visited often. He had been on duty in Pakistan since last April.

To Bryan's family and friends, I extend my deepest sympathy. May it comfort them to know that their loss is shared by all of us who benefited from his proud service to the country he loved so well.●

● Mr. WOLFF. Mr. Speaker, I rise today with great sadness at the tragic death of Marine Cpl. Steven Crowley of Long Island, N.Y. Corporal Crowley met his death in Islamabad last week as he was defending the U.S. Embassy in Pakistan. I would like to commend the U.S. Marine Corps for posthumously awarding Corporal Crowley the Bronze Star for his brave actions.

Corporal Crowley had only been in Pakistan for 3 months when his life was cut short. Unfortunately, he became the victim of tragic violence which was caused by rumors perpetrated by the Ayatollah Khomeini in Iran. I believe that we should hold the Ayatollah personally responsible for the tragic death of Corporal Crowley, just as we should hold the ayatollah responsible for the crises which continues to take place in Tehran.

My deepest sympathies go out to Corporal Crowley's family—his mother, Georgine Crowley, and her remaining children. I am saddened that this brave young man had to die so tragically—so needlessly, and I am certain that the people of Long Island as well as the people of the Nation will long remember him.●

● Mr. LENT. Mr. Speaker, it is with deepest sorrow that I join my colleagues today in extending heartfelt sympathy to the family and friends of Marine Cpl. Steven Crowley of Selden, Long Island, N.Y. Corporal Crowley gave his life in defense of the U.S. Embassy in Islamabad, Pakistan, while standing guard on the Embassy rooftop as the building was set afire. Shot by the terrorist Pakistani mob which attacked and destroyed our Embassy, Corporal Crowley died a hero in defense of his Nation and compatriots.

Anxious to serve his country, Corporal Crowley's lifelong ambition had been to serve in the U.S. Marine Corps. He volunteered for his first overseas assignment to Pakistan and he had served there only 3 months before he made the ultimate sacrifice so that his 100 fellow citizens inside might survive.

"No more bloodshed." Let that emotion-filled appeal of Corporal Crowley's mother be heard and heeded the world over. During this time of international crisis, let these words uttered by this proud young man's mother bring an end to the international terrorism and lawlessness which led to Corporal Crowley's death. Let his death, and that of his colleague, Army CWO Bryan Ellis, be the last, and peace and order restored.

On behalf of all who knew him, and on behalf of those who did not, I again express my deepest sympathy to the Crowley family. Let us never forget the sacrifice of this brave marine as he stood in defense of our Nation so that others might survive.●

● Mr. RINALDO. Mr. Speaker, today, I am introducing a House joint resolution designating December 7, 1979, as "National Unity Day," and authorizing the President of the United States to issue a proclamation calling upon all U.S. citizens and organizations to observe that day by prominently displaying American flags.

At this very moment, as we attend to the legislative business of the day, American citizens are being held hostage in our Embassy in Tehran. An Iranian mob under the sway of a religious fanatic has violated international law by illegally seizing the American Embassy.

No single event since the attack on Pearl Harbor has so outraged and unified the American people. The sight of millions of flags flown throughout the country will send a message to Tehran, and other world capitals, that the American people condemn the actions of the Ayatollah Khomeini and the Iranian Revolutionary Council in the illegal seizure of the American Embassy. Prominently displayed American flags will symbolize our unity and opposition to international terrorism and blackmail.

A nationwide demonstration of public support for the hostages is the only way to counter the student mob scenes that are being orchestrated in Tehran for television audiences around the world. The American people have shown tremendous restraint in dealing with this situation. This is a nonprovocative way for them to show their determination that the remaining hostages be safely released as soon as possible.

I urge your support for this House joint resolution.●

GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous material on the subject of my special order today.

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

There was no objection.

FOR THE RELIEF OF ST. PAUL'S CHURCH OF RIVERSIDE

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

● Mr. MCKINNEY. Mr. Speaker, as the sponsor of H.R. 3755, I urge support of this bill for the relief of St. Paul's Church of Riverside, Conn. With the passage of H.R. 3755, St. Paul's Church would be granted a waiver of the customs duty associated with the purchase of its new tracker action pipe organ from an Austrian firm. I would like to outline the special circumstances that lead to its introduction.

As you know, the general purpose of customs duty is to encourage the purchase of domestically manufactured products. The committee responsible for replacing the church's old pipe organ was aware of the customs duty and concurred in its intent. Accordingly, the

committee attempted to contract a domestic organ builder. However, St. Paul's Church had only 3 years to replace its old organ, and reputable U.S. manufacturers of tracker action pipe organs have waiting lists of between 5 and 10 years. Consequently, the church was forced to contract a European organ builder who could make delivery within 3 years. With a 5- to 10-year backlog, it is obvious that the domestic industry is vigorous and healthy. In this instance the customs duty serves no purpose but to further burden St. Paul's Church.

Mr. Speaker, the financial burden individual churches face continues to grow. Large, long-term outlays, such as the purchase of a new organ, make this burden even harder to bear. Passage of H.R. 3755 and the resulting waiver of the customs duty will serve to greatly lessen the burden to St. Paul's Church.●

AND WE WONDER WHY THERE IS AN OIL SHORTAGE

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

● Mr. GOLDWATER. Mr. Speaker, I have thought all along that the Washington bureaucracy might have something to do with the fact that there is a shortage of oil in the United States. An experience I had in my congressional district last week certainly confirmed my suspicion.

In meeting with constituents, I had the opportunity to learn of the problem experienced by a small company engaged in the exploration of oil and gas. Over the summer they filed applications with the Federal Government to drill wells on a 20-acre tract believed to contain useful energy resources. After several weeks of no response from the office where the applications were submitted, the company called to inquire as to when action might be expected.

"Oh, we have no definite timetable," they were told. "We'll be back in touch." The same scenario was repeated over a period of several months, until I heard of this experience first hand.

When I placed a call to the office handling the applications, I was told that they were "backlogged," and it would be at least 2 months before they could even "take a look at the application."

Mr. Speaker, multiply this example several times over. It certainly explains to me the reason for a shortage of oil when it is needed so badly.●

COTTON, INC. SCANDAL LOOMS

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

● Mr. FINDLEY. Mr. Speaker, the scandal in the cotton checkoff program continues to mushroom, much like the cotton boll that has become Cotton, Inc.'s trademark. Cotton, Inc. is a quasi-public corporation set up pursuant to the Cotton Research and Promotion Act of 1976. All cotton farmers are required by law to contribute about $2 per bale to Cotton, Inc. which is supposed to spend the money on research and promotion to benefit all producers. However, through secret arrangements just brought to light, a few big, well-connected cotton farmers have benefited from Cotton' Inc.'s activities at the expense of the vast majority of cotton producers who were paying Cotton, Inc.'s bills.

I have just learned that the J. G. Boswell Co.—the Nation's largest cotton grower—was one of the prime beneficiaries of special favors from Cotton, Inc. Boswell's executive vice president, James Fisher, sits on the executive committee of Cotton, Inc. and was in a position to parlay his dual responsibility into major financial profits for his company.

The other beneficiaries of favors from Cotton, Inc. were the Texas Cotton Marketing Association, whose chief officer is L. Don Anderson, chairman of the Cotton Board; and Farmers Investment Co., whose president was Keith Walden, a former member of the board of directors of Cotton, Inc.

According to the Inspector General of the U.S. Department of Agriculture:

> Cotton Incorporated representatives prepared itineraries for and escorted European textile officials on trips through the U.S. cotton belt which generally included visits to at least one of three producer/suppliers. These were often cotton buying trips and subsequent reports or correspondence indicate that orders usually resulted.

According to information just provided to me by the Inspector General:

> When visits to producer/suppliers were scheduled, the foreign buyers were generally taken to Texas Cotton Marketing Association, Farmers Investment Company, or J. G. Boswell Co.

The Inspector General also informed me that:

> Background papers were prepared [for foreign buyers] on Farmers Investment Company and J. G. Boswell—

And these background papers

> could be interpreted as Cotton, Inc.'s endorsement.

Despite denials of Cotton, Inc. officials that they were involved in cotton purchases, the Inspector General uncovered a communication suggesting the contrary from Thomas O'Mara of the Cotton, Inc. staff to Texas Cotton Marketing Corp., which is owned by L. Don Anderson, the chairman of the Cotton Board. O'Mara wrote Calvin Brints of Anderson's firm:

> We are hoping that we can join you for lunch and for a visit to your facility . . . to arrange for some good old-fashioned horse trading on some of your cotton.

And horse trading there was aplenty—and there were even a few shenanigans.

For example, in one memo to Dukes Wooters, a member of the Cotton, Inc. staff stated that he had requested Farmers Investment Co. and J. G. Boswell to quote on 510 bales of cotton. He told Wooters:

> The only concern with these two (2) people is that their prices may be too high for Legnano and possibly a merchant could ship at a less expensive price.

Obviously Wooters was using check-off funds contributed by all cotton farmers to sell the cotton of the favored few at prices which were higher than those which would have been charged by most cotton farmers if only they could have gotten the business.

Wooters never hesitated to help his friends, although the Inspector General found that he often hesitated to help the average cotton farmer who was paying his salary. For example, the Inspector General reports that Cotton, Inc. discouraged most cotton farmers from using the Raleigh testing facility which was paid for with check-off funds, but that "a considerable number of such tests were conducted for one producer." In fact, that producer submitted 4,803 of the 7,106 samples tested by Cotton, Inc. According to the Inspector General, "Farmers Investment Co. submitted the bulk of the samples"—more than 4,800. Its president—Keith Walden, the former board member of Cotton, Inc. Obviously Walden was getting his investment in Cotton, Inc. back in spades.

These are just a few of the abuses of Dukes Wooters and those who manage the cotton check-off program that have come to light in recent days. There are other misuses of check-off funds, and I will have more to report in the days to come.

Hearings are fully justified, and the House Agriculture Committee should report amendments to the Cotton Research and Promotion Act to correct the abuses which have been found by the Inspector General of USDA and assure all cotton farmers that they are getting their money's worth out of the research and promotion program.●

LEGISLATION TO ESTABLISH PACKERS AND STOCKYARDS ADMINISTRATION AS AGENCY WITHIN DEPARTMENT OF AGRICULTURE

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

● Mr. BEDELL. Mr. Speaker, today I am introducing legislation to establish the Packers and Stockyards Administration as an agency within the Department of Agriculture. According to the language of the bill, the Packers and Stockyards Administration will, as an agency within the Department, be responsible for enforcing the Packers and Stockyards Act of 1921, as amended, and be supervised directly by the Secretary of Agriculture.

Mr. Speaker, to those of my colleagues who are aware that already a unit of USDA's Agricultural Marketing Service exists as "Packers and Stockyard," my bill may appear unnecessary—in fact, even undesirable given our general concern that the number of Government agencies be reduced. However, believe that the establishment, by legislative mandate, of the Packers and Stockyards

Administration, is essential to assuring that the provisions of the Packers and Stockyards Act of 1921, amended, are effectively enforced.

From enactment of the Packers and Stockyards Act of 1921 until 1958, responsibility for carrying out the provisions of the act was delegated to an enforcement unit USDA which assumed different names and different positions within the Department of Agriculture's hierarchy. With passage of the Packers and Stockyards Act Amendments of 1958, however, the Secretary of Agriculture was instructed to "maintain within the Department of Agriculture a separate enforcement unit to administer title II of this act." Unfortunately, this language proved insufficient to assure that the act would be properly enforced by an agency with a measure of independent status, yet supervised by the Secretary, rather than one relegated to the depth of the Department's layered bureaucracy.

After nearly a decade of prodding by the Congress and our distinguished chairman of the Appropriations Subcommittee on Agriculture, the Department of Agriculture, in 1967, recognized the importance of maintaining an effective enforcement body and established the Packers and Stockyards Administration. The Packers and Stockyards Administration, as a separate enforcement unit, effectively and responsibly carried out the provisions of the act during a period when significant changes in the livestock industry tested that agency's authority and resources.

However, to the dismay of many of us concerned with the well-being of the livestock industry, the Department of Agriculture in 1977 took action to strip the Packers and Stockyards Administration of its title and stature and instead ordered it to its present position as a subsidiary of the Agricultural Marketing Service.

I can understand, Mr. Speaker, that in his zeal to streamline the organizational chart for the Department during a period of renewed emphasis on responsible Government management, a USDA bureaucrat probably felt the shifting of this small but important agency was wise and prudent. Unfortunately, I do not feel that this move proved to be in the best interests of the livestock industry. At a time when challenges facing the industry demanded more effective enforcement of the 1921 act than ever before, Packers and Stockyards was, without reason, made part of a larger agency with which it shares no common purpose.

As I have indicated, Mr. Speaker, the purpose of my legislation is simple and direct—to create a separate Packers and Stockyards Administration that is closely supervised by the Secretary of Agriculture. I am confident that my colleagues will recognize the need for this legislation, and I urge that they lend it their full support.

The text of the bill is as follows:

H.R. 5956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That section 407(b) of the Packers and Stockyards Act, 1921 (7 U.S.C. 228(b)), is amended to read as follows:

"(b) The Secretary shall establish and maintain as an agency within the Department of Agriculture the Packers and Stockyards Administration which shall be headed by an Administrator who shall be appointed and supervised by the Secretary. The Secretary shall enforce and administer this Act through the Packers and Stockyards Administration.".●

A TRIBUTE TO HAROLD LEVENTHAL

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

● Mr. MOAKLEY. Mr. Speaker, I was saddened to learn of the death of U.S. Circuit Judge Harold Leventhal last week. Judge Leventhal had recently testified before the Subcommittee on Rules of the House regarding the legislative veto and regulatory reform matters in general. All of the members of the subcommittee were deeply impressed by his articulate and scholarly presentation.

A native of New York, Judge Leventhal attended Columbia College and Columbia Law School. Graduating first in his class and as editor-in-chief of the Law Review, he served as law clerk to both Supreme Court Justices Harlan Fiske Stone and Stanley Reed. During the early years of World War II, Judge Leventhal served as Assistant General Counsel for the Office of Price Administration and later became a lieutenant commander in the U.S. Coast Guard. After the war, he was assigned to the legal staff at the Nuremberg war crimes trials.

Judge Leventhal's career as an attorney touched both private practice and Government service. He served as Chief Counsel to the Office of Price Stabilization and executive officer of the Hoover Commission task force on independent regulatory commissions. Whether as lecturer at Yale University Law School or as consumer advocate successfully opposing a Metro Transit fare increase, Judge Leventhal's brilliance as a legal scholar and tactician shone through.

Before being appointed to the appellate bench by President Johnson in 1965, Judge Leventhal served as general counsel to the Democratic National Committee and was instrumental in seating the Mississippi Freedom Party. His advocacy of human and civil rights continued on the bench where his finely crafted decisions became the hallmarks of his scholarly reputation.

Judge Leventhal's life can be summed up in a description of him which appeared in a Washington Post editorial when he was nominated to the circuit court—"statesmanly as well as politic"—a man who served both his country and his party well. As predicted then, Judge Leventhal brought learning, sensitivity, and a richly reflective mind to the bench.

Mr. Speaker, I am sure all my colleagues join me in extending to his wife, Kathryn, and to his children, Philip and Anne, our heartfelt sympathy.●

FOREIGN BANK TAKEOVERS STUDY ACT

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

● Mr. ROSENTHAL. Mr. Speaker, U.S. banks have become very tempting takeover targets for foreign investors in the past few years, and the tide of foreign takeovers is still growing.

In the past decade, 51 U.S. banks have been purchased or taken over by foreign banks or foreign individual investors, or are in the takeover process. Foreign purchases of U.S. banks have been concentrated so far in New York, California, and Florida, but banks—in some cases large banks—have been or are in the process of being bought in Atlanta, Chicago, Detroit, Houston, Newark, and Washington, D.C., as well as in Virginia, Maryland, Massachusetts, New Hampshire, and Tennessee. It is a widespread movement that raises fundamental questions about the economic health and independence of the United States.

Consequently, on Friday, November 16, I introduced legislation to suspend most foreign takeovers of U.S. banks pending completion and congressional review of a study of the foreign takeover movement. This legislation, the Foreign Bank Takeovers Study Act (H.R. 5937), will exempt only emergency and "toehold" acquisitions.

While some of the banks being taken over are small local banks, some are very large. An application is currently pending for the biggest foreign takeover of all, the proposed acquisition of the $11 billion Marine Midland Bank of New York, 12th largest in the United States, by Hongkong and Shanghai Banking Corp. If this takeover receives the green light, the door will be wide open for even our largest banks in New York and other major cities to be taken over by foreign purchasers. As things now stand, the Federal bank regulatory agencies have no legal authority to limit or prohibit foreign ownership of individual large banks in any city, if the foreign purchasers are found to be responsible and qualified to own a bank.

If it takes over the Marine Midland Bank, for example, the Hongkong and Shanghai Bank will then control over 60 percent of the commercial bank business in Buffalo, which is New York's second largest city, as well as 20 to 30 percent of the commercial bank business in Rochester, Syracuse, and several other cities in New York State. Our present policy endorses this concentration in foreign hands.

Because it represents so clearly the type of takeover situation about which fundamental questions must be raised, the Hongkong and Shanghai plan to obtain control of Marine Midland will not be exempted under the terms of H.R. 5937. The broader implications of that particular plan need serious further study before it is completed.

One major reason for further study is that other nations do not allow U.S. banks or corporations to take over their banks in this way. The Treasury has

just completed this past September a comprehensive "Report to Congress on Foreign Government Treatment of U.S. Commercial Banking Organizations." This study concludes, in part:

A large number of countries, including many with otherwise liberal entry policies, such as permitting foreign branches and de novo bank subsidiaries, take a more restrictive approach to foreign acquisition of domestic banks. In some of these countries, acquisition of equity interest in indigenous banks is prohibited or strictly limited to less than a controlling interest by law, many others by unwritten policy. Such policies have not often been clearly enunciated or tested, at least within the realm of public knowledge, particularly with regard to acquisitions of large banks. Although evidence of impediments to foreign (including U.S.) acquisition of very large indigenous banks is largely impressionistic, decisions regarding any given acquisition would be heavily influenced by the particular circumstances surrounding the proposed acquisition. Informed judgments suggest that, as a general matter, such acquisitions would be discouraged by most governments (page 135).

Not only are our Federal regulators compelled by law to give open door treatment to foreign purchase attempts, but at present they have no effective way to monitor who are the true owners of banks controlled by foreign persons. If Iran, or Libya, or some unscrupulous organized crime figure surreptitiously buys control of a foreign holding company that owns a major U.S. bank, the U.S. authorities have no way to find out. Then even if the U.S. authorities do find out, they would be powerless to eliminate any ownership connection they found undesirable. They cannot control who may own a foreign bank holding company, and they cannot force the holding company in that situation to sell or otherwise dispose of its U.S. bank.

Finally, and perhaps most importantly, the Federal Reserve now permits U.S. banks to be bought by foreign holding companies with big multinational conglomerate involvement in manufacturing, mining, trade, shipping, et cetera—like Hongkong and Shanghai—when our domestic bank holding companies are not permitted the same involvement in other industries.

The Bank Holding Company Act of 1956 and the 1970 amendments to this act firmly established the principle of a separation between banking and other unrelated lines of commerce. Bank holding companies in the United States are not permitted to engage in any business other than banking and a few other financial activities that are closely related to banking. The purpose of this separation has been to insure that banks would remain independent and not become captives of big industrial or commercial complexes, which might siphon off their funds or otherwise interfere with free banking competition.

The law does provide, as an exception, that foreign holding companies primarily engaged in banking outside the United States can own U.S. banks while also owning some nonbanking firms that operate outside the United States. The Federal Reserve is apparently interpreting this provision, however, as authorizing the takeover of U.S. banks by broadly diversified foreign industrial complexes so long as there is a bank at the top of the conglomerate pyramid, even though this is clearly inconsistent with the principle of separation previously enunciated by Congress and still applied to U.S. holding companies.

Hongkong and Shanghai Bank, which has received Federal Reserve permission to be a holding company under U.S. law when it takes over Marine Midland, is clearly such an industrial complex. It currently owns or controls a vast array of nonbanking companies operating in such diverse fields as airlines, carpet trading, commodities trading, film production, food packing and trading, insurance, pharmaceuticals, publishing and printing, property development, limestone quarrying, shipping, telecommunications, timber and lumber production, and tourism. The Federal Reserve did not even take note of these many nonbanking activities in its order approving Hongkong and Shanghai as a holding company.

This Hongkong-Marine situation, and especially the nonbanking diversity of Hongkong, points up most sharply the importance of going slow and reconsidering our laws. If what was once a minor legal exception for foreign firms from the general principle of keeping banking and commerce separate is going to be used to condone a combination between our 12th largest bank, Marine Midland, and a powerful international conglomerate, Hongkong and Shanghai, then the separation between banking and commerce is no longer enforceable in the international sphere.

This is an untenable position, for it makes a mockery of the principle of national treatment, which underlies the entire International Banking Act of 1978. U.S. bank holding companies certainly cannot engage in a broad array of nonbanking commercial activities abroad as Hongkong and Shanghai does, and hence foreign bank holding companies are receiving fundamentally more favorable treatment under present law than domestic holding companies.

Furthermore, the Federal Reserve ruling in this case sets a far-reaching precedent that seriously erodes the viability of our separation of banking from other business within the United States. If foreign businesses that compete with American firms are granted special favored access to U.S. banks through foreign conglomerate holding companies, then U.S. businesses will seek the same or equivalent treatment under the holding company laws.

In summary, then, if the foreign takeover movement continues unchecked, not only will some of our biggest banks, and perhaps the major portion of the banking resources in some of our leading cities, fall under foreign control, but the traditional separation between banking and commerce may break down, with some of our important banks being absorbed into foreign industrial and trading complexes. Finally, this movement will place some of our important banks in unknown—and possibly unfriendly—hands, where we will have no way of knowing who or what interests ultimately control or guide them.

Perhaps the advantages of foreign investment in our banks will ultimately be found to outweigh the disadvantages. Possibly the takeover trend we are observing will strengthen our economy. But at present we do not know this. At present. we simply do not know where this movement will lead.

Banking, after all, is not like farmland or manufacturing or hotels. The fact that other nations do not provide the same opportunity for outside interests to buy their major banks should tell us something about the sensitive nature of banking in any nation's economy. If we are going to experiment with this untried territory of foreign involvement in our major banks, it is essential that we do it slowly and cautiously, until the consequences become more clear.

I am not opposed to foreign participation in our banking system. Vigorous competition from responsible foreign businessmen can stimulate improved banking service for everyone.

But takeovers of our leading banks are clearly different, with different effects, from the formation of small new banks to compete for a share of the banking business. Furthermore, sale of a major U.S. bank to foreign interests is not a reversible process; once done it cannot easily be undone. This is why we need to move slowly and to study all the ramifications while there is still time to establish limits or guidelines.

For this reason it is imperative that Congress call a temporary halt in order to give itself more time to think through and resolve the many issues involved in these foreign takeovers. My bill, the Foreign Bank Takeovers Study Act, which is reprinted below, would accomplish this by: First, requiring a comprehensive study by a number of agencies, independent experts, and consumer and small business representatives of the possible consequences of these foreign takeovers, and second, calling a halt to foreign acquisitions of U.S. banks until 1 year after completion of the study. The bill would exempt only small "toehold" acquisitions and emergency acquisitions needed to prevent the bankruptcy or insolvency of the American bank being acquired.

The study required by this legislation would be conducted by the Federal banking regulatory agencies, the Justice Department Antitrust Division, the Federal Trade Commission, two representatives of consumer and small business customers of banks, an outside expert in banking competition, and an outside expert in multinational corporations. This diversity of backgrounds will insure that different points of view receive consideration and that the study is not dominated by the banking regulators themselves.

The study will be required to consider the possible consequences of a number of possible situations. Included among these are: First, foreign takeover of a bank leads to a reduction of local lending by that bank; second, the supposedly independent foreign owners of competing U.S. banks are actually but secretly

acting in collusion to suppress competition; third, the foreign owners of U.S. banks are required to serve certain foreign policy objectives of their governments; fourth, the foreign owners are industrial conglomerates with numerous nonbanking interests of the sort that U.S. bank holding companies are not permitted to own; fifth, more than 50 percent of all commercial bank assets in a certain city or banking market area become foreign owned or controlled; sixth, a bank takeover by foreigners is hostile, in the sense that it is opposed by the bank's management and directors; and seventh, U.S. regulatory authorities are unable to exercise over the foreign owners of certain U.S. banks the investigatory and supervisory powers that they have over domestic owners of similar institutions.

The suspension of foreign takeovers provided by this legislation would remain in effect from the date of enactment until 1 year after completion of the study. I believe that this will provide Congress and the public enough background analysis and time to permit a thorough review of the issues and to formulate a coherent public policy on the proper direction of the foreign takeover movement.

H.R. 5937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Congress finds that the takeover in whole or in part of United States depository institutions by foreign interests raises fundamental unanswered questions about the potential impact of these acquisitions upon the economic health and independence of the United States.

SEC. 2. As used in this title—

(1) "United States depository institution" means any bank, mutual savings bank, or savings and loan association, or any bank or savings and loan holding company, organized under the laws of any State or of the United States;

(2) "foreign person" means any foreign organization or any individual resident in a foreign country or any organization or individual owned or controlled by such an organization or individual;

(3) "United States person" means any organization existing under the laws of the United States or of any State or any United States citizen;

(4) "takeover" means any acquisition of the stock or of assets of any depository institution if, after such acquisition, the amount of stock or assets held is sufficient to enable the acquiring person or persons to exercise control of the institution;

(5) "control" means the power, directly or indirectly, to direct the management or policies of a depository institution or to vote 25 per centum or more of any class of voting securities of a depository institution; and

(6) "toehold position" means a small position generally less than 20 per centum and not including any of the leading institutions in any market, as determined by the applicable Federal depository institution regulatory authority.

SEC. 3. (a) The Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Board of Directors of the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, the Antitrust Division of the Justice Department, the Federal Trade Commission, and at least four independent experts chosen by the Federal Reserve after consultation with the other agencies, shall prepare a report, including full reflection of minority and dissenting views, which shall—

(1) analyze in detail the potential impact on the United States economy and United States banking system of the takeover of United States depository institutions by foreign persons, including the effects on monetary policy implementation, the effects on banking competition, and the economic benefits and costs to the local communities served by the institutions being acquired, and giving consideration to the possible consequences if—

(A) the takeover of certain United States institutions by foreign persons leads to a reduction in local lending by those institutions;

(B) the foreign persons acquiring certain United States institutions, although nominally independent, act in concert or collusion with other foreign persons who own or control competing United States depository institutions;

(C) the foreign persons acquiring certain United States institutions are constrained or influenced by the foreign policy or other national interests of other nations;

(D) the foreign persons acquiring certain United States institutions are corporate organizations that own or control businesses not related to banking that a United States bank holding company would not be permitted to own;

(E) certain takeovers of United States depository institutions by foreign persons are hostile and are opposed by the incumbent management and directors of the institution being acquired;

(F) more than 50 per centum of all commercial bank assets in any single SMSA or other local market area become owned or controlled, either directly or indirectly, by foreign persons; or

(G) Federal bank or savings institution regulatory authorities cannot exercise such supervisory and investigatory powers over the foreign owner or owners of certain United States depository institutions as are equivalent to the powers that these authorities have over United States persons which own or control United States depository institutions; and

(2) identify any other factual or policy matters that may need further study in order for the Congress to develop a comprehensive policy toward foreign takeovers of United States depository institutions.

(b) The report required by this section shall be submitted to the Congress not later than one year after the date of enactment of this Act.

(c) The four independent experts referred to in this section shall include—

(1) two individuals who are qualified to represent the consumer and small business customers of banks,

(2) one individual who, by reason of professional training and experience, is qualified as an expert in banking competition, and

(3) one individual who, by reason of professional training and experience, is qualified as an expert in the structure and behavior of multinational corporations.

SEC. 4. In order to permit the Congress to receive, consider, and act upon the report required by section 3, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Board of Directors of the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board may not, until one year after the report required under section 3 has been submitted to Congress, approve any application approval of which is necessary to or would remove a material impediment to the proposed takeover of any United States depository institution by a foreign person, and must during the same period of time reject any proposed takeover subject to the Change in Bank Control and Change in Savings and Loan Control Acts of 1978, unless (1) such takeover is necessary to prevent the imminent bankruptcy or insolvency of the United States depository institution, or (2) such takeover provides the foreign owners only a toehold position in the local markets served by the institution being acquired.

SEC. 5. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

EXPORT-IMPORT BANK FINANCING NOTIFICATION

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

● Mr. NEAL. Mr. Speaker, I call to the attention of the House a notification from the U.S. Export-Import Bank on proposed financing that would make possible the purchase of almost $404 million of U.S.-made aircraft and equipment by Middle East Airlines of Lebanon. In addition, the Bank has a preliminary commitment involving future sales of $718 million to this airline.

This notification has been referred to me as chairman of the Banking Subcommittee on International Trade, Investment and Monetary Policy. Section 2(b)(3)(i) of the Export-Import Bank Act of 1945, as amended, requires the Bank to notify the Congress of proposed loans or financial guarantees or combinations thereof of $100 million or more. Unless Congress determines otherwise, the Eximbank may give final approval to the transaction after 25 days of continuous session of the Congress following notification.

In this notification, the Eximbank announces its intention to extend a credit of $343,327,750 to Middle East Airlines to help finance the purchase of eight new medium-range, wide-bodied commercial jet aircraft, along with spare parts, related equipment and services. The total export value of this transaction would be $403,915,000.

The U.S. aircraft in competition for this proposed purchase are the 767–100 jet aircraft made by the Boeing Co., the L–1011–500 made by the Lockheed Corp., and the DC–10–10 made by McDonnell Douglas Corp.

According to the Eximbank, these U.S. companies are receiving intense competition for this sale from Airbus Industries of Europe, which manufactures planes well-suited to Middle East Airline's routes.

In addition to the eight aircraft to be financed by this proposed Eximbank direct credit, the Bank is prepared to issue a preliminary commitment to Middle East Airlines on the terms of a future credit of $610,642,550, to assist in the purchase of an additional 11 aircraft. This future purchase would have a total export value of $718,403,000.

I am inserting in the RECORD at this point a letter from the Eximbank explaining the details of and the justification for this proposed credit. I would welcome any comments or questions my colleagues might have on this proposed financing arrangement.

EXPORT-IMPORT BANK OF THE UNITED STATES,
Washington, D.C., November 8, 1979.

Hon. HENRY S. REUSS,
Chairman, Committee on Banking, Finance and Urban Affairs, Washington, D.C.

DEAR MR. CHAIRMAN: In accordance with Section 2(b)(3(1) of the Export-Import Bank Act of 1945, as amended, I have reported to the President of the Senate and the Speaker of the House of Representatives on an application currently pending consideration by the Bank. I am taking the liberty of providing you with a copy of this statement.

Sincerely,

H. K. ALLEN.

EXPORT-IMPORT BANK OF THE UNITED STATES,
Washington, D.C., November 8, 1979.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
The Speaker's Room,
U.S. Capitol,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to Section 2(b)(3)(i) of the Export-Import Bank Act of 1945, as amended. Eximbank hereby submits a statement to the United States House of Representatives with respect to the following transaction involving U.S. exports to Lebanon:

A. DESCRIPTION OF TRANSACTION

1. Purpose

Eximbank is prepared to make a credit of $343,327,750 available to Middle East Airlines (MEA) to facilitate the purchase in the United States by MEA of eight new medium-range, wide-bodied commercial jet aircraft, spare parts and related equipment and services. The total U.S. export value for this transaction is estimated to be $403,915,000. The U.S. aircraft in competition are the 767–100 jet aircraft manufactured by The Boeing Company of Seattle, Washington; the L–1011–500 manufactured by the Lockheed Corporation of Burbank, California; and the DC–10–10 manufactured by McDonnnell Douglas Corporation of Long Beach, California.

There is also intense competition for this sale from Airbus Industries; both the A–300 and A–310 manufactured by Airbus are well suited for MEA's route structure. The Airbus offer is supported by subsidized export credits from government sources. As of this date, MEA has not made a decision which aircraft it will purchase, but has informed us of its intention to replace its current fleet of aging Boeing 707's and 720's over the next ten years.

In addition to the eight aircraft to be financed by the proposed direct credit, Eximbank is prepared to issue a preliminary commitment to MEA indicating the terms and conditions under which it will be prepared to extend a direct credit of $610,642,550 to assist MEA in the purchase of an additional eleven new medium-range wide-bodied aircraft.

The total U.S. export value for the additional purchase is estimated to be $718,403,000. We are advising you at this time of the financing contemplated by the preliminary commitment because, if MEA determines to purchase the additional aircraft in the U.S., the financing terms we propose to offer for the additional aircraft will be substantially on the same terms as we propose offering for the eight aircraft and because we view the entire transaction as one package.

2. Identity of the borrower

MEA, the flag carrier of Lebanon, is a privately owned airline with equity participation by Intra Investment Company of Beirut (63 percent), Air France (28 percent), MEA's employees (5 percent) and various private Lebanese interests (4 percent). Its route structure comprises the major cities of Western Europe, the Middle East and, to a lesser extent, North and West Africa. MEA has no present plans for a new route structure. The location of its operational and maintenance centers are in Amman, Jordan and Frankfurt, West Germany, respectively. Eximbank has made two loans previously to MEA and repayments have been made on a timely basis.

MEA's principal offices are in Beirut, Lebanon, but because of the political turmoil in that country certain steps are taken by MEA's management to reduce the airline's involvement in Lebanon. Eximbank has been informed by MEA's management that almost all of the company's bank balances are kept outside Lebanon, and that its operating rules provide that no more than one scheduled aircraft can be in Beirut at one time and never at night.

3. Nature and use of goods and services

The principal goods expected to be exported from the United States at this time are eight new medium-range, wide-bodied commercial jet aircraft to be delivered during the period 1983–1985. The additional eleven jet aircraft contemplated by the preliminary commitment, if purchased in the United States, will be exported during the period 1986 through 1990 to complete the replacement process.

In the event the Boeing 767–100 is selected, most of the airframe components will be manufactured in the Seattle-Renton-Everett area by The Boeing Company of Seattle, Washington. If the McDonnell Douglas DC–10–10 is selected, most of the airframe components will be manufactured in California and Ohio by the McDonnell Douglas Corporation and its sub-suppliers. If the Lockheed L–1011–500 is selected, most of the airframe components will be manufactured in California by the Lockheed Corporation.

Potential engine manufacturers are the Pratt and Whitney Aircraft Division of United Technologies Corporation of Hartford, Connecticut and the General Electric Company's jet aircraft engine division in Cincinnati, Ohio. In addition, it is expected that other U.S. firms will furnish spare parts.

B. EXPLANATION OF EXIMBANK FINANCING

1. Reasons

Eximbank's financing support for the export of U.S. aircraft has assisted U.S. aircraft manufacturers in obtaining approximately 80 percent of the world market for commercial jet aircraft. Through 1990, aircraft purchases by foreign airlines are expected to account for approximately 40 percent of total U.S. aircraft sales. Over the next two to three years several large foreign airlines will be undertaking major procurement programs, and most airlines choosing a particular aircraft type will continue with future purchases of the same models to maintain fleet continuity. During these next few years there will be intense competition from foreign aircraft and engine manufacturers who will be supported by subsidized export credit from government sources. Eximbank believes it must be sensitive to purchasers' needs during this period of new product selection to insure that U.S. aircraft and engine manufacturers are able to offer attractive financing, thereby helping the aircraft industry to sustain its position as a leading U.S. export sector.

Eximbank is prepared to extend financing to MEA for 85 percent of the U.S. costs of the aircraft in order to meet government-supported subsidized financing offered in support of the competing European Airbus proposal.

The estimates by each airframe manufacturer of the U.S. employment impact are as follows:

(a) Boeing 767–100—870,000 man/hours per aircraft.

(b) McDonnell Douglas DC–10–10—585,000 man/hours per aircraft for McDonnell Douglas' operations, and 660,000 man/hours per aircraft for its subsuppliers.

(c) Lockheed L–1011–500—600,000 man/hours per aircraft for Lockheed's operations, and another 600,000 man/hours per aircraft for its subsuppliers.

Additional benefits which will flow to the United States from the transaction include sizeable follow-on exports of spare parts, ground support and other related equipment.

2. The financing plan

The financing plan for the U.S. procurement proposed to be supported by Eximbank is as follows:

(a) Financing for Eight Aircraft, which are the subject of the direct credit:

	Percent of U.S. costs	Amount
Cash payment	15	$60,587,250
Eximbank credit	85	343,327,750
Total	100	403,915,000

(i) Eximbank Charges: The Eximbank credit will bear interest at the rate of 8¾ percent per annum. A commitment fee of ½ of 1 percent per annum will also be charged on the undisbursed portion.

(ii) Repayment Terms: Aggregate disbursements under the Eximbank credit will be repaid by MEA in two repayment schedules of 20 equal semiannual installments each, beginning July 15, 1984, with respect to aircraft to be delivered in 1983 and 1984, and beginning March 15, 1986 with respect to aircraft to be delivered in 1985.

(b) Financing for Eleven Aircraft, which are the subject of the preliminary commitments:

	Percent of U.S. costs	Amount
Cash payment	15	$107,760,450
Eximbank credit	85	610,642,550
Total	100	718,403,000

(i) Eximbank Charges: The interest rate will be the appropriate Eximbank rate in effect at the time the preliminary commitment is converted to a loan application. A commitment fee of ½ of 1 percent per annum will also be charged on the undisbursed portion of the Eximbank credit.

(ii) Repayment Terms: Aggregate disbursements under the Eximbank credit would be repaid by MEA in three repayment schedules of 20 equal semiannual installments each, beginning July 15, 1987 with respect to aircraft to be delivered in 1986 and 1987; beginning July 15, 1989 with respect to aircraft to be delivered in 1988 and 1989; and beginning July 15, 1990 with respect to aircraft to be delivered in 1990.

Sincerely,

H. K. ALLEN.●

A TRIBUTE TO STEVEN CROWLEY

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

● Mr. DOWNEY. Mr. Speaker, I have asked for this opportunity to speak because I know my colleagues will want to join with me in offering sincere and heartfelt condolences to Mrs. Georgine Crowley, the mother of Marine Cpl. Steven J. Crowley, who was tragically killed while defending the U.S. Embassy

in Islamabad, Pakistan, from a rioting mob.

Steven Crowley was born and grew up on Long Island, and he went on to become an enthusiastic and dedicated marine, who volunteered for service overseas. It is a profound tragedy that this young Long Islander, who graduated from high school only 2 years ago, was caught up in the senseless violence and misguided anger presently sweeping many areas of the Middle East. I will refrain from digressing into a discussion of the insanity and criminality of the events which led to Corporal Crowley's death. We have all followed events in that area of the world with acute attention in recent weeks and we are all painfully aware of other American lives which continue to be threatened by the mindless violence that continues to unfold in Iran. Mrs. Crowley and her family must know that we are aware, and that the American people are aware, that Steven Crowley and Army CWO Bryan Ellis of Mobile, Ala., who died with him, did their part to make a stand against that mindlessness and that violence.

It must be remembered that 100 other persons were rescued from the roof of the burning U.S. Embassy building which Steven Crowley died defending. Steven died a hero. He will be given a hero's burial in Arlington National Cemetery, and his mother and family should know that our thoughts and prayers will be with them at that time.●

H.R. 3994, THE RESOURCE CONSERVATION AND RECOVERY ACT AMENDMENTS OF 1979

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

● Mr. ST GERMAIN. Mr. Speaker, we have all heard the saying that goes something to the effect of "being too smart too late." It is usually spoken in epitaph for ideas which lay, unimplemented, as those problems which they were intended to solve are allowed to grow to a point were there simply are no solutions left. It is my sincere hope that in future Congresses we are not left to mutter this phrase.

Within the next few days we will be asked to consider H.R. 3994, the Resources Conservation and Recovery Act Amendments of 1979. I would like to take this opportunity to urge that this bill receive the support of this Congress—especially from those Members for whom a clean and safe environment has been and continues to be a priority.

One major issue contained in this legislation relates to hazardous waste and the difficulties surrounding its disposal. As I am certain most of you are aware, this is a problem with a number of very serious long-range effects and an impact which we are now just beginning to fully understand. For years, and especially prior to the passage of several measures by the Congress, harmful materials were cast haphazardly into the environment with little regard given to the possible impact. With an emerging awareness of the possible dangers and the introduction of sophisticated equipment we are not at a point where the compelling reasons for quick and decisive action are becoming clear. Primary among these is that the effects of the improper disposal of hazardous waste can easily throw an entire community into chaos and upheaval—a fact that, in Rhode Island, we have come to understand in the past several weeks.

A bit more than a month ago, the community of North Smithfield, R.I., was informed that tests from several wells in a portion of the town showed levels of a possible cancer-causing chemical in amounts not just 2 or 3 times the recommended safe levels but an astounding 280 times higher than acceptable levels. The concentration in certain tests was found to be so high that the water could not be rendered usable by boiling—a method which removes 99 percent of the inpurities.

Several days after the condition in North Smithfield became known, another community, this time Lincoln, R.I., a city of nearly 20,000, found levels of the same chemical—the popular industrial solvent tricloroethylene—in three of the town's seven municipal wells. These wells were immediately shut down and the safety and future well-being of residents is, at this moment, far from secure. Both of these community's water supplies were contaminated by hazardous waste which was improperly handled. We must ask ourselves which community—for there will undoubtedly be others—will be the next to receive word that their drinking water is unsafe?

There are, however, steps which can be taken to begin the process of overcoming the problems we are facing now and will face in the future. We must take steps to provide the Federal authority to effectively deal with hazardous waste disposal; we must provide funds that will allow us to solve the problems and prevent future hazardous waste mismanagement; and most importantly, we must support local, State, and regional efforts which address this problem.

H.R. 3994 does just these things. It provides the authority, the funds and the support and I urge you to consider it favorably.

This legislation offers us the choice of either becoming wise enough soon enough or too smart too late. I sincerely urge that we not choose the latter.●

PERSONAL EXPLANATION

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, on the floor this afternoon I thought that I had voted "yea" on final passage of H.R. 2313, the Federal Trade Commission Improvements Act.

However, upon checking the record, I find that my vote was not recorded. Therefore, I would like to enter into the official record that I would have voted "yea" on final passage of H.R. 2313.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. AKAKA (at the request of Mr. WRIGHT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. KEMP, at the request of Mr. DORNAN, for 5 minutes, today.

(The following Members (at the request of Mr. WHITTAKER) to revise and extend their remarks and include extraneous material:)

Mr. COLLINS of Texas, for 20 minutes, today.

Mr. MCKINNEY, for 5 minutes, today.

Mr. GOLDWATER, for 5 minutes, today.

Mr. FINDLEY, for 5 minutes, today.

(The following Members (at the request of Mr. STENHOLM) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 15 minutes, today.

Mr. WEAVER, for 10 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BEDELL, for 5 minutes, today.

Mr. MOAKLEY, for 5 minutes, today.

Mr. VAN DEERLIN, for 15 minutes, today.

Mr. ROSENTHAL, for 5 minutes, today.

Mr. NEAL, for 5 minutes, today.

Mr. DOWNEY, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Mr. MAGUIRE, for 60 minutes, December 10, 1979.

Mr. EDGAR, for 60 minutes, December 10, 1979.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MCKAY, prior to passage of H.R. 4320 on Consent Calendar today.

Mr. BARNES, prior to passage of H.R. 5182 on Consent Calendar today.

Mr. CONABLE, to extend his remarks prior to passage of H.R. 3317 and H.R. 3755 on the Private Calendar today.

Mr. EVANS of Delaware, to revise and extend his remarks and include extraneous material prior to the passage of the bill, H.R. 5228.

Mr. WEISS, prior to the vote on H.R. 2313.

Mr. GOLDWATER, to revise and extend prior to Andrews of North Dakota amendment today in the Committee of the Whole.

Mr. LEVITAS, and to include extraneous material, on H.R. 2313 in the Committee of the Whole today.

Mr. ICHORD to revise and extend on his remarks during Mr. TAYLOR of Missouri's 1 minute speech today.

(The following Members (at the request of Mr. WHITTAKER) and to include extraneous matter:)

Mr. CONTE.

Mr. CLINGER.

Mr. SHUMWAY in two instances.

Mr. HARSHA.

Mr. KEMP in three instances.

Mr. DORNAN in two instances.
Mr. COLLINS of Texas in three instances.
Mr. MICHEL.
Mr. ASHBROOK in three instances.
Mr. LAGOMARSINO in two instances.
Mr. CORCORAN in two instances.
Mr. MCCLOSKEY.
Mr. DERWINSKI in three instances.
Mr. BROOMFIELD in two instances.
Mr. RITTER.
Mr. YOUNG of Alaska.
Mr. CONABLE.
Mr. SCHULZE.
Mr. REGULA.
Mr. FRENZEL in three instances.
Mr. COUGHLIN.
Mr. YOUNG of Florida.
Mr. SOLOMON in four instances.
Mrs. HOLT.
Mr. CARNEY.

(The following Members (at the request of Mr. STENHOLM) and to include extraneous material:)

Mr. BAILEY.
Mr. CHARLES WILSON of Texas.
Mr. NOLAN in two instances.
Mr. ASPIN.
Ms. MIKULSKI in three instances.
Mr. BENJAMIN in two instances.
Mrs. SPELLMAN.
Mr. FOUNTAIN.
Mr. MAGUIRE.
Mr. MINETA.
Mr. LAFALCE.
Mr. SOLARZ.
Mr. MAZZOLI.
Mr. EDGAR.
Mr. HAMILTON.
Mr. SKELTON.
Mr. ALBOSTA.
Mr. OTTINGER.
Mr. SIMON.
Mr. HALL of Texas.
Mr. FITHIAN.
Mr. MCDONALD in five instances.
Mr. MARKEY.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2031. An act to designate certain National Forest System lands in the State of Oregon for inclusion in the National Wilderness Preservation System, and for other purposes; referred to the Committees on Interior and Insular Affairs and Agriculture.

ENROLLED BILL SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1885. An act to amend Civil Service retirement provisions as they apply to certain employees of the Bureau of Indian Affairs and of the Indian Health Service who are not entitled to Indian Employment preference and to modify the application of the Indian employment preference laws as it applies to those agencies.

ADJOURNMENT

Mr. WYATT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, November 28, 1979, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2887. A letter from the Comptroller General of the United States, transmitting his review of the proposed rescission and deferrals of budget authority contained in the message from the President dated October 1, 1979 (H. Doc. No. 96–198), pursuant to section 1014(b) of Public Law 93–344 (H. Doc. No. 96–223); to the Committee on Appropriations and ordered to be printed.

2888. A letter from the Administrator of Veterans Affairs, transmitting a report on a violation of the Anti-deficiency Act, pursuant to section 3679(1)(2) of the Revised Statutes, as amended; to the Committee on Appropriations.

2889. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Bretton Woods Agreements Act to authorize consent to an increase in the United States quota in the International Monetary Fund; to the Committee on Banking, Finance and Urban Affairs.

2890. A letter from the Secretary of State, transmitting a report on efforts by the State Department to encourage nations which are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to become parties to that treaty, pursuant to section 507(b) of Public Law 96–53; to the Committee on Foreign Affairs.

2891. A letter from the Secretary of the Interior, transmitting the audit report on the highway safety program, Department of Public Works, Government of Guam, covering fiscal year 1978, pursuant to section 9–A (h) of the Organic Act of Guam, as amended; to the Committee on Interior and Insular Affairs.

2892. A letter from the Secretary of the Interior, transmitting the annual report of the U.S. Government Comptroller for the Virgin Islands on the financial condition of the Government of the Virgin Islands for fiscal year 1978, pursuant to section 17(h) of the Revised Organic Act of the Virgin Islands, as amended; to the Committee on Interior and Insular Affairs.

2893. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on International Relations.

2894. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on State compliance with medicaid utilization control requirements, pursuant to section 1903(g)(6) of the Social Security Act, as amended; to the Committee on Interstate and Foreign Commerce.

2895. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and revise various provisions of law concerned with health; to the Committee on Interstate and Foreign Commerce.

2896. A letter from the Secretary, Interstate Commerce Commission, transmitting notice that the Commission if unable to render a final decision in Docket No. 37166, Detention Charges on Coal from Oklahoma to Missouri via SLSF, within the specified 7-month time limit, pursuant to 49 U.S.C. 10707(b)(1); to the Committee on Interstate and Foreign Commerce.

2897. A letter from the Comptroller General of the United States, transmitting a report on the progress being made toward centralizing the management of conventional ammunition within the Department of Defense (LCD–80–1, November 26, 1979); jointly, to the Committees on Government Operations, and Armed Services.

2898. A letter from the Comptroller General of the United States, transmitting needed improvements to the Department of Interior's methodology used to allow Outer Continental Shelf wells to be shut-in or to flare natural gas (EMD–80–3, November 21, 1979); jointly, to the Committees on Government Operations, and Interior and Insular Affairs.

2899. A letter from the Comptroller General of the United States, transmitting a report on avoidable or premature institutional care for chronically impaired elderly individuals and its impact on those individuals and the costs of medicaid (PAD–80–12, November 26, 1979); jointly, to the Committees on Government Operations, and Interstate and Foreign Commerce.

2900. A letter from the Comptroller General of the United States, transmitting a report on inadequacies in inmate mental health care delivery systems in Federal and State prisons (GGD–80–11, November 23, 1979); jointly, to the Committees on Government Operations, Interstate and Foreign Commerce, and the Judiciary.

2901. A letter from the Chairman, Federal Election Commission, transmitting a copy of the commission's fiscal year 1980 pay cost supplemental appropriation request, pursuant to section 310(d)(1) of the Federal Election Campaign Act of 1971, as amended; jointly, to the Committees on House Administration, and Appropriations.

2902. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the Board's submission to the Office of Management and Budget in increased pay costs for fiscal year 1980, pursuant to section 304(b)(7) of Public Law 93–633; jointly, to the Committees on Interstate and Foreign Commerce, Public Works and Transportation, and Appropriations.

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. FORD of Michigan: Committee on Post Office and Civil Service. H.R. 5673. A bill to authorize the use of certified mail for the transmission or service of matter which, if mailed, is required by certain Federal laws to be transmitted or served by registered mail, and for other purposes (Rept. No. 96–659). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURPHY of New York: Committee on Merchant Marine and Fisheries. H.R. 4889. A bill to extend the authorization period for the Great Dismal Swamp National Wildlife Refuge (Rept. No. 96–660). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURPHY of New York: Committee on Merchant Marine and Fisheries. H.R. 4685. A bill to provide for the control of the importing into, and the exporting from, the United States of elephants and elephant products; with amendments (Rept. No. 96–661, pt I). Referred to the Committee on Foreign Affairs and to the Committee on Ways and Means for a period ending not later than December 12, 1979, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of those committees under clause 1(h) and clause 1(v) of Rule X, respectively, and ordered to be printed.

Mr. FUQUA: Committee on Science and Technology. H.R. 5892. A bill to provide for an accelerated program of wind energy research, development, and demonstration, to be carried out by the Department of Energy with the support of the National Aeronautics and Space Administration and other Federal agencies; with amendments (Rept. No. 96–662). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Public Works and Transportation. H.R. 4532. A bill to designate the United States Post Office and Federal building in Scott City, Kansas, as the "Henry D. Parkinson Federal Building" (Rept. No. 96–663). Referred to the House Calendar.

Mr. JOHNSON of California: Committee on Public Works and Transportation. H.R. 4845. A bill to designate the Federal Building in Rochester, New York, the "Kenneth B. Keating Federal Building" (Rept. No. 96–664). Referred to the House Calendar.

Mr. JOHNSON of California: Committee on Public Works and Transportation. H.R. 5781. A bill to designate the building known as the Department of Labor Building in Washington, District of Columbia as the "Frances Perkins Department of Labor Building" (Rept. No. 96–665). Referred to the House Calendar.

Mr. JOHNSON of California: Committee on Public Works and Transportation. H.R. 5794. A bill to designate the building known as the Federal Building in Evansville, Indiana, as the "Winfield K. Denton Building" (Rept. No. 96–666). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ASPIN:

H.R. 5955. A bill to provide for continuing appropriations for salaries of officials and employees of the United States and former officials and employees of the United States when funds are not available for such salaries; to the Committee on Post Office and Civil Service.

By Mr. BEDELL:

H.R. 5956. A bill to amend the Packers and Stockyards Act, 1921, to establish the Packers and Stockyards Administration; to the Committee on Agriculture.

By Mr. COELHO:

H.R. 5957. A bill to provide for the establishment of a national cemetery within the boundaries of the San Luis unit of the Central Valley project (California); jointly, to the Committees on Veterans' Affairs and Interior and Insular Affairs.

By Mr. COTTER:

H.R. 5958. A bill to amend title XVIII of the Social Security Act with respect to determining the amount of payment for certain drugs under the medicare program; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

By Mr. FINDLEY:

H.R. 5959. A bill to authorize the Secretary of the Army, acting through the Chief of Engineers, to plan and construct recreation improvements on Quinsippi Island, Mississippi River, at Quincy, Ill.; to the Committee on Public Works and Transportation.

By Mr. LAFALCE (for himself, Mr. ST GERMAIN, Mr. BARNARD, Mr. BEDELL, Mr. BUTLER, Mr. CARTER, Mr. CLEVELAND, Mr. CORRADA, Mr. DOUGHERTY, Mr. DOWNEY, Mr. ENGLISH, Mr. ERTEL, Mr. GILMAN, Mr. GREEN, Mr. GUDGER, Mr. HUBBARD, Mr. JACOBS, Mr. LAGOMARSINO, Mr. MCHUGH, Mr. MAZZOLI, Mr. MURPHY of Illinois, Mr. NOWAK, Mr. PATTEN, Mr. RUSSO, Mr. SIMON, Mr. STEED, Mr. VENTO, Mr. WHITEHURST, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WYLIE, and Mr. ZEFERETTI):

H.R. 5960. A bill to amend the Currency and Foreign Transactions Reporting Act to allow for the payment of compensation to informers; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LAFALCE (for himself, Mr. ST GERMAIN, Mr. WOLFF, Mr. AKAKA, Mr. BARNARD, Mr. BEDELL, Mr. BUTLER, Mr. CARTER, Mr. CLEVELAND, Mr. CORRADA, Mr. DOUGHERTY, Mr. DOWNEY, Mr. ENGLISH, Mr. ERTEL, Mr. GILMAN, Mr. GREEN, Mr. HUBBARD, Mr. JACOBS, Mr. LAGOMARSINO, Mr. MCHUGH, Mr. MAZZOLI, Mr. MURPHY of Illinois, Mr. NOWAK, Mr. PATTEN, Mr. RUSSO, Mr. SIMON, Mr. STEED, Mr. VENTO, Mr. WHITEHURST, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WYLIE, and Mr. ZEFERETTI):

H.R. 5961. A bill to amend the Currency and Foreign Transactions Reporting Act to (1) provide for more efficient enforcement of its provisions by making it illegal to attempt to export or import large amounts of currency without filling the required reports; (2) allow U.S. Customs officials to search for currency in the course of their presently authorized search for contraband articles; and (3) allow for the payment of compensation to informers; jointly, to the Committees on Banking, Finance and Urban Affairs, and Ways and Means.

By Mr. LUJAN:

H.R. 5962. A bill to establish the Salinas National Monument in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LUJAN (for himself and Mr. RUNNELS):

H.R. 5963. A bill to establish the San Joaquin del Canon del Rio de Chama Grant Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. QUILLEN:

H.R. 5964. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for contributions for the construction or maintenance of buildings housing fraternal organizations; to the Committee on Ways and Means.

By Mr. SHUMWAY:

H.R. 5965. A bill to amend the Internal Revenue Code of 1954 to provide for equipment which conserves irrigation water an additional 10 percent investment tax credit and an election to depreciate such equipment based on a 3-year useful life; to the Committee on Ways and Means.

By Mr. CHARLES WILSON of Texas:

H.R. 5966. A bill to amend title 28 of the United States Code to establish a Lufkin Division in the Eastern District of Texas, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself, Mr. LAGOMARSINO, Mr. FRENZEL, Mr. LOTT, and Mr. BADHAM):

H.R. 5967. A bill to amend the Internal Revenue Code of 1954 to exclude certain service performed on fishing boats from coverage for purposes of unemployment compensation; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee:

H.R. 5968. A bill to amend section 501(c)(9) of the Internal Revenue Code of 1954 to allow voluntary employees' beneficiaries associations to provide life benefits to their members through the use of whole or ordinary life insurance policies; to the Committee on Ways and Means.

By Mrs. FENWICK:

H.R. 5969. A bill to amend title XII of the National Housing Act to establish national standards in order to reduce incendiarism and maintain community vitality, and to encourage States to adopt minimum standards for arson investigation and insurance underwriting; to the Committee on Banking, Finance and Urban Affairs.

By Mr. NEAL (by request) (for himself and Mr. REUSS):

H.R. 5970. A bill to amend the Bretton Woods Agreements Act to authorize consent to an increase in the U.S. quota in the International Monetary Fund; to the Committee on Banking, Finance and Urban Affairs.

By Mr. RINALDO (for himself, Mr. DUNCAN of Tennessee, Mr. CARNEY, Mr. EVANS of Delaware, Mr. HORTON, Mr. SKELTON, Mr. FLOOD, and Mr. FLORIO):

H.J. Res. 449. Joint resolution to authorize and request the President to issue a proclamation designating December 7, 1979, "National Unity Day"; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FOUNTAIN:

H.R. 5971. A bill for the relief of Ann Jenkins Anderson; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.R. 5972. A bill for the relief of La Lim; 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. 3227: Mr. MINETA.

H.R. 3427: Mr. DOUGHERTY, Mr. GUDGER, Mr. FLORIO, and Mr. WHITEHURST.

H.R. 4179: Ms. MIKULSKI.

H.R. 4435: Mr. BROOKS, Mr. EDWARDS of California, Mr. CONYERS, Mr. DANIELSON, Mr. DRINAN, Ms. HOLTZMAN, Mr. MAZZOLI, Mr. HUGHES, Mr. GUDGER, Mr. VOLKMER, Mr. HARRIS, Mr. SYNAR, and Mr. BARNES.

H.R. 4659: Mr. EDWARDS of Oklahoma, Mr. DOWNEY, Mr. MCKINNEY, Mr. JEFFORDS, and Mr. ROYER.

H.R. 4685: Mr. FAZIO.

H.R. 4796: Mr. COLLINS of Texas.

H.R. 4833: Mrs. FENWICK.

H.R. 5225: Mr. MITCHELL of New York and Mr. LAGOMARSINO.

H.R. 5477: Mr. BRODHEAD.

H.R. 5616: Mr. MCCLOSKEY, Mr. GRISHAM, Mr. DIXON, Mr. ANDERSON of California, Mr. MILLER of California, Mr. CHARLES H. WILSON of California, Mr. BADHAM, and Mr. LUNGREN.

H.R. 5648: Mr. DOWNEY.

H.R. 5715: Mr. MURPHY of Pennsylvania, Mr. WHITEHURST, Mr. HUGHES, Mr. HOLLENBECK, Mr. WATKINS, and Mr. LOWRY.

H.R. 5721: Mr. BADHAM, Mr. BURGENER, Mr. GUYER, Mr. HYDE, Mr. LOTT, Mr. ROE, Mr. WHITEHURST, and Mr. YATRON.

H.R. 5722: Mr. BURGENER, Mr. GUYER, Mr. HYDE, Mr. LOTT, Mr. ROE, and Mr. WHITEHURST.

H.R. 5726: Mr. MOORHEAD of Pennsylvania, Mr. ST GERMAIN, Mr. HANLEY, Mr. FAUNTROY, Mr. RINALDO, Mr. AUCOIN, Mr. BLANCHARD, Mr. FLORIO, Mr. SHARP, Mr. WEAVER, Mr. WIRTH, Mr. EVANS of Indiana, Mr. LUNDINE, Ms. OAKAR, Mr. VENTO, Mr. GARCIA, Mr. GORE, Mr. LOWRY, Mr. SWIFT, Mr. WYLIE, Mr. GEPHARDT, Mr. EVANS of Delaware, Mr. RITTER, Mr. MATSUI, and Mr. GREEN.

H.R. 5776: Mr. WEAVER, Mr. BEDELL, Mr. RAHALL, Mr. BENJAMIN, Mr. MINISH, Mr. MITCHELL of Maryland, Mr. DOWNEY, Mr. EMERY, Mr. MOAKLEY, Mr. OBERSTAR, Mr. KILDEE, Mr. DASCHLE, Mr. VENTO, and Mr. ROTH.

H.R. 5795: Mr. CLAUSEN and Mr. RHODES.

H.R. 5810: Mr. HYDE, Mr. MITCHELL of Maryland, Mr. ROBINSON, Mr. STOKES, Mr. STUDDS, and Mr. WAMPLER.

H.R. 5813: Mr. BURGENER, Mr. LUNGREN, Mr. SCHULZE, and Mr. EDWARDS of Oklahoma.

H.R. 5855: Mr. LIVINGSTON and Mr. RINALDO.

H.J. Res. 295: Mr. YOUNG of Florida.

H.J. Res. 338: Mr. AKAKA, Mr. BRADEMAS, Mr. BOWEN, Mr. HYDE, Mr. MARKEY, Ms. MIKULSKI, Mr. MURPHY of Illinois, Mr. ROE, Mr. SEBELIUS, Mr. SOLARZ, Mr. ST GERMAIN, and Mr. ZEFERETTI.

H.J. Res. 426: Mr. BENNETT, Mr. CORMAN, Mr. DICKS, Mr. DODD, Mr. FAZIO, Mr. GUARINI, Mr. HANSEN, Mr. LAGOMARSINO, Mr. LLOYD, Mr. QUAYLE, Mr. SCHEUER, Mr. SIMON, Mr. VAN DEERLIN, and Mr. BOB WILSON.

H. Con. Res. 83: Mr. WOLFF.

H. Res. 451: Mr. DERWINSKI, Mr. OBERSTAR, Mr. DODD, Mr. BEILENSON, Mr. STARK, Mr. WHITEHURST, Mr. BEDELL, Mr. MCDONALD, Mr. BARNES, Mr. BONIOR of Michigan, Mr. MCCLOSKEY, Mr. SCHEUER, Mr. HUGHES, Mr. DOUGHERTY, Mr. LAGOMARSINO, Mr. AUCOIN, Mr. GILMAN, Mr. NEAL, Mr. WHITTAKER, Mr. EDWARDS of Oklahoma, Mr. PEASE, Mrs. FENWICK, Mr. MCHUGH, Mr. MITCHELL of Maryland, Mr. GREEN, Mr. DICKS, Mr. PANETTA, Mr. TAUKE, Mr. KRAMER, Mr. THOMPSON, Mr. DASCHLE, Mr. FRENZEL, and Mr. ALBOSTA.

PETITIONS, ETC.

Under clause 1 of rule XXII, the following petitions and papers were presented and referred as follows:

226. By the SPEAKER: Petition of the Puerto Rico Manufacturers Association, Hato Rey, Puerto Rico, relative to including Puerto Rico in the minimum wage study ordered by Public Law 95–151; to the Committee on Education and Labor.

227. By the SPEAKER: Petition of Peter M. Woodbury and others, Laramie, Wyo., relative to American hostages in Iran; to the Committee on Foreign Affairs.

228. By the SPEAKER: Petition of the International Association of Chiefs of Police, Gaithersburg, Md., relative to reimbursement of costs associated with law enforcement assistance to the Secret Service, deterring the use of marihuana, and the addition of detection and identification taggants to commercial explosives; to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5297

By Mr. BROWN of Ohio:

—Page 5, after line 20, insert:

(e) Of the amounts authorized to be appropriated under subsection (a)(1), such sums as may be necessary shall be used for the prompt issuance of operating licenses under applicable law, consistent with reasonable safety considerations, in the case of the following nuclear powerplants:

North Anna 2
Salem 2
Diablo Canyon 1
Sequoyah 1
McGuire 1
Zimmer
Diablo Canyon 2
La Salle County 1
Summer 1
Farley 2
Shoreham
San Onofre 2
Watts Bar

By Mr. EMERY:

—Page 3, line 14, after "and" insert the following: "the purchase of appropriate radiation monitoring equipment".

H.R. 5461

By Mr. TAYLOR:

—Strike out all after the enacting clause and insert in lieu thereof the following:

That the day of January 15 of each year is designated as "Martin Luther King, Junior, Day" and the President is authorized and requested to issue annually a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House rule X. Previous listing appeared in the CONGRESSIONAL RECORD, September 12, 1979, p. 24259.

H.R. 4376. June 7, 1979. Ways and Means. Amends the Internal Revenue Code to qualify a replacement oil boiler whose energy savings cost can reasonably be expected to exceed its cost over a ten year period for the investment tax credit.

H.R. 4377. June 7, 1979. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to establish standards for qualified health insurance plans and procedures for the review and certification of such plans. Requires certain employers to make available to employees a plan of health coverage.

Amends the Social Security Act to require a State Medicaid plan to provide for the establishment and operation of a comprehensive health association in the State and a comprehensive insurance plan.

Provides new assistance programs to States for: (1) assisting low-income individuals in the purchase of comprehensive health insurance; and (2) furnishing medical coverage for catastrophic illness.

H.R. 4378. June 7, 1979. Public Works and Transportation. Amends the Urban Mass Transportation Act of 1965 to stipulate that any person who presents a Medicare card when boarding or paying mass transit fares shall receive the reduced rates for the elderly or handicapped as provided in such Act.

H.R. 4379. June 7, 1979. Ways and Means. Amends title XVI (Supplemental Security Income) of the Social Security Act to permit States to make payments to vendors of social services such as institutions, foster homes, or group living arrangements on behalf of residents of such facilities as an alternative to State supplementary payments which are currently provided.

H.R. 4380. June 7, 1979. Ways and Means. Amends the Internal Revenue Code to qualify energy property which is at least ten percent more energy efficient than property which it replaces for the investment tax credit.

Qualifies certain small boilers fueled by oil or gas for the investment tax credit.

H.R. 4381. June 7, 1979. Ways and Means. Amends the Internal Revenue Code to qualify certain small boilers fueled by oil or gas for the investment tax credit.

H.R. 4382. June 7, 1979. Interstate and Foreign Commerce; Science and Technology. Amends the Energy Policy and Conservation Act to establish a State Basic Energy Program and to provide financial assistance for special energy projects to be conducted by units of local government and Indian tribes.

H.R. 4383. June 7, 1979. Interior and Insular Affairs. Designates the Red Buttes Wilderness Area.

H.R. 4384. June 7, 1979. Judiciary. Authorizes the granting of a visa to and admission of a named individual to the United States for permanent residence.

H.R. 4385. June 7, 1979. Ways and Means. Directs the Secretary of the Treasury to admit free of duty (or refund duty already paid on) a specified item for the use of a named university.

H.R. 4386. June 7, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to two named individuals in satisfaction of a claim against the United States.

H.R. 4387. June 7, 1979. Makes appropriation for fiscal year 1980 for specified agricultural, rural development, domestic food, and international programs of the Department of Agriculture and certain related agencies.

H.R. 4388. June 7, 1979. Makes appropriations to the Department of Energy, the Department of Defense—Civil, the Department of the Interior, the Appalachian Regional Commission, the Delaware River Basin Commission, the Interstate Commission on the Potomac River Basin, the Nuclear Regulatory Commission, the Susquehanna River Basin Commission, the Tennessee Valley Authority, and the Water Resources Council for energy and water development for fiscal year 1980.

H.R. 4389. June 7, 1979. Makes appropriations to the Department of Labor, the Department of Health, Education, and Welfare, and related agencies for fiscal year 1980.

H.R. 4390. June 7, 1979. Appropriates funds for the legislative branch for fiscal year 1980.

H.R. 4391. June 7, 1979. Makes appropriations for fiscal year 1980 for military construction operations and for military family housing including appropriations to eliminate losses caused by fluctuations in foreign currency exchange rates.

H.R. 4392. June 7, 1979. Makes appropriations for fiscal year 1980 to the Department of State, the Department of Justice, the Department of Commerce, the Judiciary, and related agencies.

H.R. 4393. June 7, 1979. Makes appropriations for fiscal year 1980 to the Department of the Treasury, the United States Postal Service, the Executive Office of the President, and specified independent agencies.

H.R. 4394. June 7, 1979. Makes appropriations for fiscal year 1980 to the Department of Housing and Urban Development and specified independent agencies and Government corporations.

H.R. 4395. June 8, 1979. Judiciary. Requires specified lobbying organizations to register and make quarterly expense reports with the Comptroller General. Makes such reports available to the public. Establishes a civil penalty to enforce this Act.

Authorizes the Attorney General to issue a civil investigative demand to procure material from organizations suspected of violating this Act.

H.R. 4396. June 8, 1979. Science and Technology; Banking, Finance and Urban Affairs. Directs the Secretary of Energy to establish a research program for the development and demonstration of energy-conserving industrial technologies.

H.R. 4397. June 8, 1979. Education and Labor. Amends the Occupational Safety and Health Act of 1970 to exclude certain employers from coverage.

Revises certain procedures dealing with: (1) standards and their promulgation; (2) inspections and investigations; (3) citations and notices; and (4) enforcement.

Provides for: (1) certain affirmative defenses by employers; (2) consultative visits by the Secretary upon employer request; and (3) voluntary compliance agreements between the Secretary and an employer.

States that any proposed rule will not take effect if Congress disapproves it by concurrent resolution.

H.R. 4398. June 8, 1979. Judiciary. Amends the Immigration and Nationality Act to provide that certain restrictions on the issuance of nonimmigrant visas to alien doctors will not apply to doctors coming to practice at public hospitals or clinics in the Virgin Islands.

H.R. 4399. June 8, 1979. Science and Technology. Amends the Technology Assessment Act of 1972 to make changes in the operation and administration of the Technology Assessment Office and to establish an Executive Committee to perform routine duties and functions of the Technology Assessment Board, including the approval or disapproval of specific assessment proposals and the preparation of an annual budget.

H.R. 4400. June 8, 1979. Post Office and Civil Service; House Administration. Requires a reduction in the civilian work forces of the executive and legislative branches of Government. Directs the Director of the Federal Judicial Center to submit to Congress recommendations for a similar reduction in the judicial branch.

H.R. 4401. June 8, 1979. Interstate and Foreign Commerce. Establishes a program to promote the development and use of replacement fuels in the United States for the purpose of replacing gasoline used as a motor fuel with alcohol or other liquid produced from coal, oil, shale, and other substances.

Directs the Secretary of Energy to set production goals for such fuels.

H.R. 4402. June 11, 1979. Armed Services. Authorizes the Secretary of the Army to accept original enlistments in the Army for an enlistment period of 18 months in active duty service and four and one-half years in Ready Reserve service.

Provides educational assistance for a period of 36 months for individuals who complete such active duty service.

H.R. 4403. June 8, 1979. Banking, Finance and Urban Affairs. Revises the definition of "income" for purposes of determining eligibility for low-income housing under the United States Housing Act of 1937.

H.R. 4404. June 11, 1979. Education and Labor. Amends the Comprehensive Employment and Training Act to permit prime sponsors, pursuant to regulations of the Secretary of Labor, to provide financial assistance: (1) to employees who will be laid off due to productivity improvement programs initiated by private employers; or (2) to such employers for the cost of training and retraining employees.

Directs the Secretary to survey all federally assisted labor training programs and to report to Congress with recommended revisions.

H.R. 4405. June 11, 1979. Ways and Means. Amends the Internal Revenue Code to allow investment tax credits for research and experimental property.

Allows the amortization of research and experimental property, based on a period of not less than 60 months.

H.R. 4406. June 11, 1979. Ways and Means. Amends the Internal Revenue Code to allow a nonrefundable income tax credit for certain research and experimental expenditures by businesses.

H.R. 4407. June 11, 1979. Ways and Means. Amends the Internal Revenue Code to provide that research and experimental expenditures in connection with a patent may be amortized for any period of not less than 60 months.

H.R. 4408. June 11, 1979. Ways and Means. Amends the Internal Revenue Code to provide that no operating losses incurred by a corporation during its first three taxable years may be carried over to the next ten taxable years, for purposes of the income tax deduction.

H.R. 4409. June 11, 1979. Education and Labor; Post Office and Civil Service. Directs the Secretary of Labor to: (1) conduct studies concerning the productivity of employees in the public and private sectors; and (2) report annually to Congress on the results of such studies together with recommendations for improving Government functions.

H.R. 4410. June 11, 1979. Post Office and Civil Service. Requires a reduction in the civilian work forces of the executive and legislative branches of Government. Directs the Director of the Federal Judicial Center to submit to Congress recommendations for a similar reduction in the judicial branch.

H.R. 4411. June 11, 1979. Authorizes the immediate supervisor of any Federal employee who has applied for continuation pay during a period of disability caused by a work injury to require such employee to submit to an examination by a physician designated by the supervisor for the purpose of obtaining a second opinion concerning the employee's claim. Prohibits the payment of continuation pay for a specified period.

H.R. 4412. June 11, 1979. House Administration. Authorizes the distribution of sample ballot cards and ballot card information through the United States Postal Service at no cost to the several States and all political subdivisions. Establishes procedures and methods for the distribution of such ballot information.

H.R. 4413. June 11, 1979. Merchant Marine and Fisheries. Authorizes the Secretary of Commerce, through the National Marine Fisheries Service, to make grants to certain States enumerated in the Fishery Conservation and Management Act of 1976 to develop, maintain, and monitor marine artificial reefs in the territorial waters of such States and to develop such habitats in the fishery conservation zone off the coasts of such States.

H.R. 4414. June 11, 1979. Education and Labor. Amends the Federal Mine Safety and Health Act of 1977 to provide that provisions of such Act shall not apply to stone mining, sand and gravel mining operations, or certain surface construction operations.

H.R. 4415. June 11, 1979. Ways and Means. Amends the Internal Revenue Code to allow a taxpayer to elect an income tax deduction with respect to the amortization, based on a 60 month period, of any qualified facility producing alcohol from coal, wood, waste, or agricultural products for primary use as a motor fuel.

H.R. 4416. June 11, 1979. Merchant Marine and Fisheries. Stipulates that the steamship United States may operate in the domestic and foreign commerce of the United States and between foreign ports.

H.R. 4417. June 11, 1979. Merchant Marine and Fisheries; Science and Technology. Establishes in the Department of Commerce an independent establishment known as the Office for Chesapeake Bay Research, Planning, and Coordination to coordinate research efforts regarding the Chesapeake Bay. Establishes the Chesapeake Bay Research Board to: (1) advise the Director of the Office; (2) develop a Chesapeake Bay Research Plan; and (3) review, evaluate, and comment upon the annual report submitted by the Office.

H.R. 4418. June 11, 1979. Interior and Insular Affairs. Adds specified lands to the Moapa Indian Reservation, Moapa, Nevada, to be held in trust by the United States for the benefit and use of the Moapa Band of Paiutes.

Allows restricted lands (whether tribally or individually owned) of such Band to be leased, with the approval of the Secretary of the Interior, by the Indian owners for a term of 99 years or less.

H.R. 4419. June 11, 1979. Judiciary. Prohibits the imposition of the death sentence upon any person convicted of a criminal offense under Federal or State law or the execution of any such sentence imposed prior to the date of enactment.

H.R. 4420. June 11, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4421. June 11, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4422. June 12, 1979. Interstate and Foreign Commerce. Repeals the Connally Hot Oil Act which prohibits the movement in interstate commerce of petroleum produced, transported, or withdrawn from storage in excess of the amounts permitted under the laws or regulations of a State.

Directs the Secretary of Energy, under the Energy Policy and Conservation Act, to determine specified rates of production, for each crude oil field, whether on Federal or non-Federal lands. Authorizes the Secretary to require crude oil production from such fields.

Transfers to the Secretary from the Secretary of the Interior the duty of making such determinations on natural gas fields on Federal lands.

H.R. 4423. June 12, 1979. Ways and Means. Amends the Internal Revenue Code to eliminate the age requirement for the one time exclusion of gain from the sale or exchange of a principal residence.

H.R. 4424. June 12, 1979. Judiciary. Directs the Secretary of the Treasury to settle claims in amounts determined and certified by the Secretary of the Army due to any person, State, or political subdivision for damages sustained as a result of the Great Lakes and Saint Lawrence Seaway season extension program.

H.R. 4425. June 12, 1979. Education and Labor. Amends the Comprehensive Employment and Training Act (CETA) to provide financial assistance to States for the conduct of: (1) job search assistance programs run by the States and Native American entities; and (2) federally assisted work and training opportunities, beyond such eight-week programs, run by State and local CETA prime sponsors and Native American entities.

Directs the Secretary of Labor to apportion funds for such programs according to criteria which include the relative numbers of recipients of aid to families with dependent children in a given area.

H.R. 4426. June 12, 1979. Education and Labor. Amends the Comprehensive Employment and Training Act to establish subsidized employment and training programs for principal earners in households eligible for aid to families with dependent children or for food stamps referred from social security work incentive (WIN) job search programs. Directs the Secretary of Labor to assign such individuals to prime sponsor of environmental programs in their areas of residence.

Amends the Social Security Act and the Wagner-Peyser Act to require referral of certain individuals to WIN job search programs. Directs the Secretary of Health, Education, and Welfare to determine which area agencies can best conduct WIN programs.

H.R. 4427. June 12, 1979. Ways and Means. Amends the Internal Revenue Code to confer tax-exempt status on nonprofit insurance organizations which are chartered to provide professional liability insurance to members of learned professions who are unable to attain such coverage through the commercial market.

H.R. 4428. June 12, 1979. Ways and Means. Amends the Internal Revenue Code and title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to permit an individual who has attained age 65 and is entitled to old-age insurance benefits to treat his or her employment or self-employment as excluded from the term "employment" for the purposes of the OASDI program and to exclude any income so derived from the applicable social security taxes.

H.R. 4429. June 12, 1979. Agriculture; Ways and Means. Amends the Food Stamp Act of 1977 to create a liability to the United States in any individual receiving food coupons during any year whose adjusted gross income for such year exceeds the exempt amount. Directs the Secretary to establish within the Internal Revenue Service an organizational unit to collect such liability payments.

H.R. 4430. June 12, 1979. Education and Labor; Judiciary. Amends the Walsh-Healey

Act to permit government contractors to have their employees work ten-hour workdays for a weekly total of not more than 40 hours when the majority of an employer's employees have voted to work such hours.

H.R. 4431. June 12, 1979. Ways and Means. Amends the Internal Revenue Code to provide that State unemployment compensation laws need not require the reduction of weekly unemployment compensation for individuals who receive income from military retirement pay.

H.R. 4432. June 12, 1979. Ways and Means. Amends the Internal Revenue Code with respect to the tax treatment of cooperative electric and telephone companies.

H.R. 4433. June 12, 1979. Veterans' Affairs. Requires the Administrator of Veterans' Affairs to pay (in addition to any pension already paid) a monthly pension to each veteran of World War I who meets specified service requirements, or to the surviving spouse of each such veteran, or when there is no surviving spouse, to the child or children of each such veteran.

H.R. 4434. June 12, 1979. Interstate and Foreign Commerce; Interior and Insular Affairs; Science and Technology. Establishes the Energy Development and Management Authority to administer a program to increase on an expedited basis the energy supplies of the United States by the expanded use of coal conversion technologies.

H.R. 4435. June 12, 1979. Judiciary. Revises the number of divisions and the assignment of judges in the Northern District of Ohio.

H.R. 4436. June 12, 1979. Armed Services; Government Operations; Ways and Means; Banking, Finance and Urban Affairs; Education and Labor. Establishes in the Executive Office of the President the Defense Economic Adjustment Council to facilitate the economic adjustment of communities, industries, and workers who may be affected by reductions in defense contracts and facilities.

Requires contractors at defense facilities to establish Alternative Use Committees to undertake economic conversion planning and preparation for the employment of personnel and utilization of facilities should such displacements occur.

Establishes within the Treasury a Workers Economic Adjustment Reserve Fund to fund displaced workers benefit programs established under this Act.

Authorizes Federal financial assistance to communities and industries adversely affected in such a manner.

H.R. 4437. June 12, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a named individual in satisfaction of a claim against the United States.

H.R. 4438. June 12, 1979. Judiciary. Permits two named individuals to file within 365 days a specified action against the United States in a certain district court. Declares that a specified law shall not apply to any action instituted under this Act.

H.R. 4439. June 13, 1979. Foreign Affairs. Finds it in the interest of the United States to encourage the development of a multiracial democracy in Zimbabwe-Rhodesia. Directs the President to terminate sanctions against Zimbabwe-Rhodesia when the Government of Zimbabwe-Rhodesia demonstrates the exercise of genuine majority rule. Requires the President to report to Congress regarding a decision not to lift sanctions against Zimbabwe-Rhodesia by December 31, 1979.

H.R. 4440. June 13, 1979. Makes appropriations for fiscal year 1980 for expenses of the Department of Transportation, the National Transportation Safety Board, the Civil Aeronautics Board, the Interstate Commerce Commission, the Panama Canal Commission, and the United States Railway Association.

H.R. 4441. June 13, 1979. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to require any beverage offered for sale and consisting of more than 24 percent of alcohol by volume to bear conspicuously on its label and advertising the following statement: "Caution: Consumption of Alcoholic Beverages May Be Hazardous to Your Health."

H.R. 4442. June 13, 1979. Judiciary. Amends present Federal law to prohibit the taxation by a State with respect to the generation or transmission of electricity within that State which is transmitted to, and consumed in, another State.

H.R. 4443. June 13, 1979. Ways and Means. Amends the Internal Revenue Code to: (1) repeal the percentage depletion allowance for independent oil and gas producers and royalty owners; (2) require the capitalization and amortization of intangible drilling and development costs in the case of oil and gas wells and geothermal wells; (3) exclude from gross income foreign oil and gas income; (4) prohibit the deferral of U.S. taxes for foreign oil-related income of domestic corporations.

H.R. 4444. June 13, 1979. Ways and Means. Interstate and Foreign Commerce. Amends title XVIII (Medicare) of the Social Security Act to revise provisions relating to payments to and contractual arrangements with health maintenance organization (HMO) on behalf of individuals eligible for Medicare. Provides that an HMO shall receive payment for services at a rate of 95 percent of the cost of such services if furnished by other than an HMO.

Provides that every individual entitled to benefits under part A (Hospital Insurance) and B (Supplementary Medical Insurance) of title XVIII or part B only shall be eligible to enroll with an approved HMO.

H.R. 4445. June 13, 1979. Interstate and Foreign Commerce. Amends the Energy Policy and Conservation Act to authorize appropriations for certain grants for energy conservation projects and administrative costs and to make changes in the international voluntary agreement provisions.

H.R. 4446. June 13, 1979. Ways and Means. Amends the Internal Revenue Code to permit common carriers by railroad (including a railroad switching company or a terminal company) to use the retirement-replacement-betterment method of accounting for determining depreciation allowances for income tax deduction purposes.

H.R. 4447. June 13, 1979. Ways and Means. Amends title II (Old-Age, Survivors and Disability Insurance) of the Social Security Act to require States having agreements for coverage of their employees under the system of insurance established by such title to make payments and reports on a calendar-quarter basis.

H.R. 4448. June 13, 1979. Education and Labor. Amends the Fair Labor Standards Act of 1938 to exclude from its coverage any full-time student employed as a resident assistant by a private nonprofit institution of higher education.

H.R. 4449. June 13, 1979. Public Works and Transportation. Amends the Federal Water Pollution Control Act to provide an additional allotment of funds to certain States for the construction of publicly-owned waste treatment works.

H.R. 4450. June 13, 1979. Education and Labor. Establishes an Afro-American History and Culture Board which shall be responsible for the establishment of the National Museum of Afro-American History and Culture.

H.R. 4451. June 13, 1979. Education and Labor. Directs the Secretary of the Interior to establish and operate the National Museum of Afro-American History and Culture in the vicinity of Wilberforce, Ohio, for the preservation, collection, and display of objects pertaining to the history and culture of Afro-Americans.

H.R. 4452. June 13, 1979. Education and Labor. Directs the Secretary of the Interior to establish and operate the National Museum of Afro-American History and Culture in the vicinity of Wilberforce, Ohio, for the preservation, collection, and display of objects pertaining to the history and culture of Afro-Americans.

Establishes a National Afro-American History and Culture Advisory Board to advise and assist the Secretary regarding all aspects of the establishment and operation of the museum.

H.R. 4453. June 13, 1979. Interstate and Foreign Commerce. Amends the Saccharin Study and Labeling Act to extend the period during which the Secretary of Health, Education, and Welfare may not take specified actions to restrict the continued use of saccharin or of any food, drug, or cosmetic containing saccharin.

H.R. 4454. June 13, 1979. Interstate and Foreign Commerce. Amends the Federal Railroad Safety Act of 1970 to grant States concurrent authority together with the Secretary of Transportation to enforce the provisions of such Act or the Federal regulations promulgated pursuant to such Act.

H.R. 4455. June 13, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce. Directs the Nuclear Regulatory Commission to promulgate regulations requiring notification to the Governor of any State prior to the transportation of nuclear waste to, through, or across such State.

H.R. 4456. June 13, 1979. Judiciary. Relieves a named individual of liability for the payment to the United States of a specified sum. Directs the Secretary of the Treasury to pay to such individual any part of such sum which may have been received or withheld from such individual in connection with such liability.

H.R. 4457. June 13, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4458. June 13, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4459. June 14, 1979. Post Office and Civil Service. Directs the Postmaster General to issue a special postage stamp in honor of Filippo Mazzei, and in tribute to the millions of Americans of Italian descent who have played an important role in American history.

H.R. 4460. June 14, 1979. Ways and Means. Amends part A (Aid to Families with Dependent Children) of title IV of the Social Security Act to set forth a new formula for determining payments to a State under such part.

Directs the Secretary of the Treasury to pay to each State a supplemental grant if its "excess unemployment percentage" is greater than zero.

Permits a State to require employment of individuals whose needs are taken into account in determining AFDC eligibility.

H.R. 4461. June 14, 1979. Interior and Insular Affairs. Establishes the Mojave Park in the State of California.

H.R. 4462. June 14, 1979. Interior and Insular Affairs. Establishes, out of the Devil's Hole portion of Death Valley National Monument, the Desert Pupfish National Monument in the States of California and Nevada for the preservation, protection, and study of several species of desert pupfish.

H.R. 4463. June 14, 1979. Ways and Means; Interstate and Foreign Commerce. Amends title XVIII (Medicare) of the Social Security Act to define terms and establish personnel qualifications pertaining to home health agencies, and to set forth specified conditions of participation for a home health agency in the Medicare program.

H.R. 4464. June 14, 1979. Ways and Means. Amends the Internal Revenue Code to eliminate the requirement that States reduce the amount of unemployment compensation payable for any week to an eligible individual by the amount of certain retirement benefits received by such individual.

H.R. 4465. June 14, 1979. Education and Labor. Amends the Comprehensive Employment and Training Act to end the program of youth employment and training demonstration projects and to establish a program of youth employment and training guarantees.

Requires prime sponsors to assist youths in employment programs to establish personalized employability plans.

Provides for nonresidential Job Corps skill centers and private employer community service demonstration projects.

Authorizes the Secretary to enter into youth employment agreements with Federal agencies.

Establishes an Interagency Coordinating Committee for Youth Employment.

Directs the Secretary of Labor to promote apprenticeship programs by certain occupations, Federal contractors, and agencies.

H.R. 4466. June 14, 1979. Judiciary. Grants a Federal charter to the National Mining Hall of Fame and Museum.

H.R. 4467. June 14, 1979. Ways and Means. Amends the Internal Revenue Code to provide identical income tax rates for single persons and married couples filing joint returns. Limits the earned income that must be reported by a married person filing a separate return to the amount actually earned by that individual.

H.R. 4468. June 14, 1979. Government Operations. Extends through fiscal year 1984 the entitlement periods for the authorization of appropriations under the State and Local Fiscal Assistance Act of 1972.

H.R. 4469. June 14, 1979. Interior and Insular Affairs. Establishes the Boston Harbor National Recreation Area. Directs the Secretary of the Interior to establish a Commission to prepare a plan for the development of such Area. Establishes a special account in the Treasury of the United States to hold moneys for grants to State or local governmental units implementing such plan.

H.R. 4470. June 14, 1979. Interstate and Foreign Commerce; Ways and Means. Authorizes the Secretary of Health, Education, and Welfare to enter into agreements with 12 States for the purpose of conducting demonstration projects for the training and employment as homemakers or home health aides of individuals who have been certified by the appropriate State or local government agency as being eligible for financial assistance under a State plan of Aid to Families with Dependent Children approved under title IV of the Social Security Act.

H.R. 4471. June 14, 1979. Interior and Insular Affairs; Science and Technology; Ways and Means; Interstate and Foreign Commerce; Public Works and Transportation. Provides for an expedited process of promoting research, exploration, development, and commercialization of geothermal energy resources.

Establishes the Interagency Geothermal Leasing Committee to review Federal activities under the geothermal leasing program established under this Act.

Establishes the Interagency Geothermal Coordinating Council and Advisory Committee on Geothermal Energy.

Requires reviews of: (1) the impact of accelerated development of geopressured methane and the energy potential of hot dry rock systems in the United States; and (2) the need for environmental control technology to support the accelerated development of geothermal energy.

Amends the Energy Tax Act with respect to the tax treatment of geothermal equipment.

H.R. 4472. June 14, 1979. Education and Labor. Amends the Age Discrimination in Employment Act of 1967 to permit persons to bring certain suits under such Act in Federal district courts without regard to whether any proceedings have been commenced by or on behalf of such persons under State law.

Prohibits persons commencing such State proceedings from bringing such a suit for 60 days after such commencement, unless such proceedings have been terminated earlier.

Amends the Energy Tax Act with respect to the tax treatment of geothermal equipment.

H.R. 4473. June 14, 1979. Makes appropriations for the U.S. contribution to various international development institutions and other international organizations. Makes appropriations to carry out specified provisions of the Foreign Assistance Act of 1961. Appropriates funds for specified U.S. development institutions. Makes appropriations for military assistance. Authorizes the Export-Import Bank to make expenditures without regard to specified limitations. Sets forth limitations on the use of such appropriated funds.

H.R. 4474. June 14, 1979. Interstate and Foreign Commerce. Amends the Energy Policy and Conservation Act to establish a national goal for the production of synthetic fuels and synthetic chemical feedstocks.

Directs the President to enter into contracts to purchase or commit to purchase such fuels and feedstocks to attain such goal.

H.R. 4475. June 14, 1979. Ways and Means; Interstate and Foreign Commerce. Amends titles XVIII (Medicare) and XIX (Medicaid) of the Social Security Act to revise the administration, benefits, eligibility standards, and funding of the Medicare and Medicaid programs.

Amends part B (Professional Standards Review) of title XI of the Social Security Act to revise the membership requirements of PSRO's. Abolishes statewide professional standards review councils.

Authorizes the Secretary of Health, Education, and Welfare to waive compliance with certain requirements of the Social Security Act to the extent necessary to conduct specified experiments or demonstration projects.

H.R. 4476. June 14, 1979. Education and Labor; Appropriations. Extends authorizations of appropriations for specified programs under the Higher Education Act of 1965 and the General Education Provision Act.

Amends the Higher Education Act of 1965 to: (1) authorize the Commissioner of Education to collect defaulting direct student loans; and (2) include vocational schools within the coverage of such Act.

H.R. 4477. June 14, 1979. Post Office and Civil Service; Armed Services. Revises the compensation system for Federal employees. Directs the President to adjust the total compensation, basic pay and benefits, of Federal employees to be comparable to the total compensation of employees performing similar work in the non-Federal sector.

Authorizes the establishment of: (1) Special Occupational Services; and (2) staffing differentials for positions which cannot be placed under the General Schedule without handicapping the recruitment and retention of qualified employees.

Creates an additional public holiday. Repeals provisions limiting a regular workday of Federal employees to eight hours.

Changes the procedure for adjusting the compensation of members of the uniformed services.

H.R. 4478. June 14, 1979. Small Business. Amends the Small Business Act to reduce interest rates on Small Business Administration disaster loans obtained after April 20, 1973, and prior to July 1, 1976.

H.R. 4479. June 14, 1979. Science and Technology. Establishes the Commission for the Protection of Animals in Research to study and recommend alternatives to current procedures in which live animals are used experimentally in laboratory research and testing and to evaluate the effectiveness of laboratory research and testing using such alternatives.

H.R. 4480. June 14, 1979. Ways and Means; Interstate and Foreign Commerce. Amends the Social Security Act to authorize rural hospitals of fewer than 100 beds which have been granted a certificate of need for the provision of long-term care services to enter into agreements with the Secretary of Health, Education, and Welfare under the Medicare and Medicaid programs (titles XVIII and XIX of the Social Security Act) providing that their inpatient hospital facilities may be used to furnish services which if furnished by a skilled nursing facility would constitute post hospital extended care services. Authorizes payment to be made for skilled nursing intermediate care services furnished by a hospital.

H.R. 4481. June 14, 1979. Judiciary. Declares three individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4482. June 14, 1979. Judiciary. Directs the Secretary of the Treasury to pay 16 named individuals in satisfaction of certain claims against the United States.

H.R. 4483. June 14, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4484. June 15, 1979. Ways and Means; Banking, Finance and Urban Affairs; Interstate and Foreign Commerce. Imposes on imported crude oil an additional duty equal to the amount by which the average synthetic fossil fuel price is greater than the imported crude oil price.

Establishes the Synthetic Fossil Fuel Fund in the U.S. Treasury to include the equivalent of amounts received from such duty.

Establishes the Synthetic Fossil Fuel Board to make loans from such fund for the construction of synthetic fossil fuel production facilities.

H.R. 4485. June 15, 1979. Ways and Means. Amends part A (Aid to Families with Dependent Children) of title IV of the Social Security Act to increase Federal payments to a State which: (1) provides coverage for certain dependent children; (2) raises the maximum amount of AFC payments payable by specified amounts; and (3) reduces, as specified, the payment error rate for cash payments.

H.R. 4486. June 15, 1979. Ways and Means. Amends the Internal Revenue Code to repeal provisions permitting advance payment of the earned income credit.

H.R. 4487. June 15, 1979. Post Office and Civil Service. Amends the Federal Salary Act of 1967 and the Legislative Reorganization Act of 1946 to specify when an adjustment in the rate of pay for Members of Congress proposed during any Congress shall take effect.

H.R. 4488. June 15, 1979. Interstate and Foreign Commerce. Amends the Public Utility Regulatory Policies Act of 1978 to repeal provisions which require that small hydroelectric power projects utilize existing dams in order to be eligible for Federal assistance. Authorizes additional appropriations for such assistance.

H.R. 4489. June 15, 1979. Agriculture; Foreign Affairs. Directs the President to establish a reserve stock of wheat for release on a donation or sale basis to provide emergency food assistance to developing countries.

H.R. 4490. June 15, 1979. Science and Technology. Amends the Presidential Science and Technology Advisory Organization Act of 1976 and the National Science Foundation Act of 1950 to require the Office of Science and Technology Policy and the National Science Foundation to provide Congress with additional information concerning research and development estimates and authorizations.

H.R. 4491. June 15, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction for costs incurred

for enrollment in or attendance at classes designated primarily to help individuals stop smoking cigarettes.

H.R. 4492. June 15, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction with respect to the amortization of any certified water quality facility based on a period of 60 months.

H.R. 4493. June 15, 1979. Armed Services. Entitles enlisted members of an armed force who have five or more years, but less than 20 years, of creditable service and who are involuntarily discharged or denied reenlistment to severance pay. Sets forth the method for computing such pay.

H.R. 4494. June 15, 1979. Banking, Finance and Urban Affairs. Authorizes national banking associations to underwrite and deal in non-general obligations of States and cities.

Sets limitations and restrictions on dealings in such obligations by national banking associations.

H.R. 4495. June 15, 1979. Education and Labor; Post Office and Civil Service. Amends the Age Discrimination in Employment Act of 1967 to eliminate the upper age limitation of 70 years of age.

H.R. 4496. June 15, 1979. Ways and Means. Amends the Internal Revenue Code to repeal the estate tax carryover provisions enacted by the Tax Reform Act of 1976. Restores prior law relating to the basis of property passed by a decedent.

H.R. 4497. June 15, 1979. Merchant Marine and Fisheries. Exempts States from the requirement of filing environmental impact statements with respect to certain actions taken under fish and wildlife restoration programs.

H.R. 4498. June 15, 1979. Agriculture; Ways and Means.

Authorizes the Secretary of Agriculture to require a purchaser of national forest timber to perform reforestation work on the national forest land he has cut over, in lieu of depositing money to cover the costs of such work to be done by others.

Amends the Internal Revenue Code to impose the regular corporate income tax rates on any corporate income attributable to sales of softwood logs which are consequently exported.

Establishes a Forest Service Nurseries Fund in the United States Treasury.

Establishes an income tax credit for qualified forestry business expenditures.

H.R. 4499. June 15, 1979. Interstate and Foreign Commerce; Interior and Insular Affairs.

Amends the Energy Policy and Conservation Act to set forth a national program for the full development of domestic energy supplies through: (1) commercial synthetic fuel production; (2) expedited approval of nonnuclear facilities; (3) transfers of electric power to displace oilfired power; and (4) commercial development of gasohol.

Establishes an Office for Priority Energy Projects within the Department of Energy.

H.R. 4500. June 15, 1979. Armed Services; Ways and Means; Interior and Insular Affairs; Interstate and Foreign Commerce; Public Works and Transportation; Science and Technology; Banking, Finance and Urban Affairs; Government Operations.

Establishes incentives to advance the commercialization and use of solar energy, wind energy, urban waste, and other renewable energy sources.

Authorizes appropriations for fiscal year 1980 and subsequent years for energy projects involving solvent refined coal, coal gasification, geothermal energy, oil shale, fuel cells, fluidized bed combustion, and other energy sources.

Establishes a five year program for leasing onshore Federal lands for oil and gas exploration and development.

Establishes a Social and Environmental Impact Advisory Panel, an Oil Shale Commercialization Test Special Fund, a solar energy commercialization loan program, and a wind energy advisory committee.

H.R. 4501. June 15, 1979. Judiciary. Confers jurisdiction on a specified district court over specified claims of a named corporation against the United States. Requires that such claims be filed during a specified period.

Directs the Secretary of the Interior to determine amounts due qualified claimants for damages arising from a specified action of the United States. Directs the Secretary of the Treasury to pay such amounts to such claimants in satisfaction of such claims.

H.R. 4502. June 18, 1979. Interior and Insular Affairs. Modifies the Belle Fourche irrigation project, South Dakota, to include construction, betterment of works, land rehabilitation, water conservation, recreation, fish and wildlife conservation and development, and silt control. Redesignates such project as the "Belle Fourche Unit" of the Pick-Sloan Missouri Basin program.

H.R. 4503. June 18, 1979. Ways and Means. Provides that indebtedness incurred by a tax-exempt organization with respect to certain real property shall not be treated as acquisition indebtedness for purposes of the tax on unrelated business income of such organization, if the property was acquired and sold by such organization within specified time periods.

H.R. 4504. June 18, 1979. Government Operations; Rules. Directs the President to: (1) designate a single Federal agency to establish standard rules and regulations governing specified requirements of Federal assistance programs when such requirements are common to programs of the designated agency and one or more other Federal agencies; and (2) submit to Congress a plan for consolidating functionally related programs when necessary.

Requires Federal agencies to provide for joint funding of such programs when the programs have common objectives. Provides for multiyear funding of such programs. Requires Federal agencies administering such programs to inform State or local officials receiving assistance thereunder of the amount and purpose of such assistance.

H.R. 4505. June 18, 1979. Public Works and Transportation. Makes it unlawful for any vehicle with an overall gross weight of more than 80,000 pounds or an overall length of more than 60 feet to use the Interstate and Defense Highway System until the Secretary of Energy has certified to Congress that there are adequate amounts of middle distillate fuel in reserve and in commerce to meet national requirements for home heating, agricultural production, transportation, and industrial uses.

H.R. 4506. June 18, 1979. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to prohibit Federal officers or employees from refusing to issue or renew airman certificates or from requiring air carriers to terminate the employment of, or refuse to employ, pilots solely by reason of the age of such person, if such pilot is less than 65 years of age.

Stipulates that a pilot over the age of 60 shall be required to pass physical examinations at least every three months in order to maintain an airman certificate.

H.R. 4507. June 18, 1979. Education and Labor. Amends the Higher Education Act of 1965 to provide for the disclosure, and exchange, of information concerning defaulting borrowers of federally-insured student loans between the Commissioner of Education and credit bureau organizations.

Requires the notification of such disclosure procedures to defaulting and potential borrowers.

H.R. 5408. June 18, 1979. Post Office and Civil Service. Amends the Federal Salary Act of 1967 to make any recommendations of the President relating to the salaries of Members of Congress purely advisory.

Amends the Legislative Reorganization Act of 1946 to require that the annual rate of pay for Members of Congress and the House and Senate leadership be the rate payable for such positions on the date of enactment of this Act unless otherwise established by law.

H.R. 4509. June 18, 1979. Interstate and Foreign Commerce.

Amends the Safe Drinking Water Act to revise requirements relating to State authority over underground injection control, and State primary enforcement responsibility generally.

Establishes an administrative procedure and requirements for judicial review for actions relating to drinking water regulations and underground injection control.

Makes technical and conforming amendments to such Act and extends specified compliance dates.

H.R. 4510. June 18, 1979. Ways and Means. Amends the Internal Revenue Code to allow individuals to designate $10 or less of their income tax liability to be used for purposes of reducing the public debt of the United States.

H.R. 4511. June 18, 1979. Ways and Means. Amends the Internal Revenue Code to impose upon homeowners associations the same income tax rates as are presently applicable to corporations.

H.R. 4512. June 18, 1979. Interstate and Foreign Commerce. Directs the President to exercise the authority granted under the Emergency Petroleum Allocation Act of 1973: (1) to reduce crude oil inventories; and (2) to distribute the crude oil thus made available to refiners which will process such oil into gasoline, diesel fuel, and Number 2 fuel oil.

H.R. 4513. June 18, 1979. Judiciary. Amends the Lanham Trademark Act to preempt State and local regulations governing the display of registered marks.

H.R. 4514. June 18, 1979. Education and Labor. Amends the Comprehensive Employment and Training Act to direct the Secretary of Labor, in cooperation with the Secretaries of Energy and the Interior, to assess and report to Congress on the current and projected adequacy of the supply of manpower for the development and expansion of energy technologies and industries to meet domestic needs.

H.R. 4515. June 18, 1979. Armed Services. Grants the Secretary of the Navy express statutory authority to prescribe regulations to carry out his or her functions, powers, and duties.

Authorizes the Secretary to issue United States Navy Regulations without the approval of the President.

H.R. 4516. June 18, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from a decedent's gross estate for purposes of the estate tax the value of certain real property used in farming.

H.R. 4517. June 18, 1979. Ways and Means. Amends the Internal Revenue Code to allow taxpayers to elect a nonrefundable income tax credit for non-group health insurance premiums paid under an individual policy, in lieu of the income tax deduction for such premiums.

H.R. 4518. June 18, 1979. Ways and Means. Amends the Internal Revenue Code to permit a tax exclusion for interest earned on industrial development bonds which are issued to finance refillable beverage container facilities.

H.R. 4519. June 18, 1979. Post Office and Civil Service. Extends to former employees of county soil conservation committees who are employed by any Federal agency, specified civil service compensation, leave, and seniority benefits afforded to former employees of such county committees employed by the Department of Agriculture.

H.R. 4520. June 18, 1979. Government Operations. Entitles certain Federal employees

whose places of residence are outside the continental United States to travel expenses between their posts of duty and their residences when taking leave between assignments.

H.R. 4521. June 18, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4522. June 18, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4523. June 18, 1979. Armed Services. Directs the President to award in the name of the Congress a medal of honor to Jordan M. Robinson for his service during World War II.

H.R. 4524. June 19, 1979. Merchant Marine and Fisheries. Amends the Ports and Waterways Safety Act to direct the Secretary of Commerce, in consultation with the Nuclear Regulatory Commission, to promulgate regulations which require foreign vessels carrying nuclear waste material to notify the Commission prior to entry into a port in the United States. Directs the Commission to promptly transmit such notice to the Governor of the State in which such port is located.

H.R. 4525. June 19, 1979. Public Works and Transportation. Authorizes the Secretary of Transportation to establish uniform standards for the weight and length of vehicles using the Interstate and Defense Highway System during a fuel emergency.

H.R. 4526. June 19, 1979. Education and Labor. Establishes the Federal Export Education Foundation to join with educational agencies and institutions to provide assistance in: (1) increasing awareness of international commerce in the United States; or (2) enhancing the ability of U.S. industry to engage in international commerce. Establishes an Export Education Trust Fund.

H.R. 4527. June 19, 1979. Ways and Means. Amends the Internal Revenue Code to allow individuals who have never owned a home an income tax credit for amounts contributed to an individual housing account.

H.R. 4528. June 19, 1979. Interior and Insular Affairs. Designates the Cougar Lakes Wilderness.

H.R. 4529. June 19, 1979. Interstate and Foreign Commerce. Amends the Clean Air Act to postpone for one year the application of certain restrictions to areas which have failed to attain national ambient air quality standards and to delay for one year the date required for adoption and submission of State implementation plans applicable to these areas.

H.R. 4530. June 19, 1979. Judiciary. Amends the Copyright Act to provide for the protection of original ornamental designs of useful articles.

H.R. 4531. June 19, 1979. Education and Labor. Amends title I of the Higher Education Act of 1965 to repeal provisions concerning community services and continuing education programs, including the National Advisory Council on Extension and Continuing Education, and to establish a new title I "Lifelong Learning."

Authorizes appropriations for lifelong education purposes, including: (1) comprehensive State planning; (2) grants to institutions of higher learning; (3) special purpose grants; and (4) Federal planning, research, and coordination.

Transfers responsibility for such programs from the Assistant Secretary to the Secretary of Health, Education, and Welfare.

Directs the President to appoint a National Advisory Council on Lifelong Learning.

H.R. 4532. June 19, 1979. Public Works and Transportation. Designates the United States Post Office and Federal Building in Scott City, Kansas, as the Henry D. Parkinson Federal Building.

H.R. 4533. June 19, 1979. Agriculture; Science and Technology; Banking, Finance and Urban Affairs; Interstate and Foreign Commerce. Amends the Rural Development Act of 1972 to direct the Secretary of Agriculture to carry out a program for the production and marketing of industrial hydrocarbons and motor fuels derived from agricultural commodities, forest products, coal, coal tars, and solid waste. Authorizes the Secretary to guarantee loans for each of 20 plants to be constructed for such purposes.

Amends the Food and Agriculture Act of 1977 to expand the range of activities for which alcohol and industrial hydrocarbon production and marketing research grants may be made.

H.R. 4534. June 19, 1979. Education and Labor. Directs the Secretary of Labor to establish a program to: (1) fund training and employment programs for youths in jobs on public service and private employment projects; and (2) provide special employment assistance to unemployed youths, the goal of such program to be the elimination of youth unemployment. Establishes within the Department of Labor a National Youth Full Employment Board and a Youth Job Guarantee Office to assist in the administration of the program.

Amends the Comprehensive Employment and Training Act of 1973 to require prime sponsor planning councils to select, plan, and evaluate projects assisted under this Act.

H.R. 4535. June 19, 1979. Foreign Affairs. Amends the Foreign Assistance Act of 1961 to remove the prohibitions against: (1) using the United States' contributions to the United Nations Development Program for economic or technical assistance projects for Cuba; and (2) furnishing assistance under such Act to Cuba.

Repeals the law expressing the determination of the United States to contain the aggressive or subversive activities of the Cuban Government and to support the aspirations of the Cuban people for self-determination.

Nullifies the Presidential Proclamation which imposed a trade embargo against Cuba.

H.R. 4536. June. 19, 1979. Education and Labor; Ways and Means. Amends the Internal Revenue Code and the Comprehensive Employment and Training Act to require the certification by prime sponsors or designated local agencies of individuals participating in the targeted jobs tax credit program as economically disadvantaged youths. Requires certification that such individuals meet specified age requirements and are members of an economically disadvantaged family. Permits in-school youth between the ages of 16 and 19 to qualify for the program.

H.R. 4537. June 19, 1979. Ways and Means. Approves specified trade agreements and the statements of administrative action proposed to implement such agreements.

Revises the: (1) countervailing and antidumping duty procedures; (2) methods for appraising imported merchandise for tariff purposes; (3) rates of duty on specified articles; (4) government procurement regulations for eligible imports; (5) standards-related activities; (6) import restrictions on specified products; and (7) tariff preferences.

Sets forth provisions for: (1) the enforcement of U.S. rights under trade agreements; and (2) judicial review of countervailing and antidumping duty proceedings.

H.R. 4538. June 19, 1979. Interior and Insular Affairs. Authorizes the Secretary of the Interior to convey a specified trade and manufacturing site located in Alaska to a qualified entryman without regard to existing law which prohibits entry on lands which abut navigable water for more than 80 rods.

H.R. 4539. June 19, 1978. Judiciary. Authorized classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4540. June 19, 1979. Judiciary. Declares three individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4541. June 19, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4542. June 19, 1979. Judiciary. Directs the presiding judge in specified actions of the United States against certain defendants to determine and certify to the Secretary of the Treasury the amount that each defendant incurs for reasonable attorney's fee and costs. Directs the Secretary to pay such amount to each person in settlement of claims against the United States for such costs.

H.R. 4543. June 19, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a named individual in satisfaction of a claim against the United States.

H.R. 4544. June 20, 1979. Ways and Means. Amends the Internal Revenue Code to provide that the election to use the alternate valuation date may be made on an estate tax return that is filed late.

H.R. 4545. June 20, 1979. Public Works and Transportation; Interstate and Foreign Commerce. Establishes uniform national weight and length limitations on the Interstate Highway System until the Secretary of Energy has certified to Congress that there are adequate amounts of middle distillate fuel to meet national requirements for home heating, agricultural production, transportation, and industrial uses.

H.R. 4546. June 20, 1979. District of Columbia. Amends the District of Columbia Redevelopment Act of 1945 to revise the standards requiring written consent for the purchaser or lessee with regard to a modification of an approved redevelopment plan. Approves two amendments to the urban renewal plan for Southwest, Washington, D.C.

H.R. 4547. June 20, 1979. Ways and Means. Amends the Internal Revenue Code to permit married individuals to compute the amount of the income tax deduction for payments into retirement savings on the basis of one-half of their combined income.

H.R. 4548. June 20, 1979. Interstate and Foreign Commerce. Amends the Solid Waste Disposal Act to impose fees on generators of hazardous waste to finance removal of any substantial endangerment to life presented by such waste at inactive facilities. Requires notification to be filed with the Administrator of the Environmental Protection Agency by owners and former owners of hazardous waste facilities as to the location of and the nature of the waste handled at such facilities.

Establishes the Hazardous Waste Response Board in the executive branch to prepare plans for the removal of endangerments to life posed by hazardous waste at such facilities.

Establishes a revolving fund to finance such plans.

H.R. 4549. June 20, 1979. Public Works and Transportation. Revises the Interstate Commerce Commission's jurisdiction and powers with respect to motor carriers of property. Revises motor carrier entry requirements. Allows motor carriers to raise or lower their rates by seven percent on an annual basis without the Commission's approval. Establishes time limitations for actions of the Commission regarding motor carrier proceedings.

H.R. 4550. June 20, 1979. Public Works and Transportation; Interstate and Foreign Commerce. Authorizes the Interstate Commerce Commission to prescribe through lines and joint rates for motor carriers of property. Sets forth restrictions on the Commission's power to mandate such routes.

H.R. 4551. June 20, 1979. Ways and Means. Amends the Internal Revenue Code to exempt small manufacturers and producers from the excise tax on firearms.

H.R. 4552. June 20, 1979. Veterans' Affairs. Requires that home and mobile home loans may not be guaranteed by the Administrator of Veterans' Affairs unless an approved smoke detector has been installed.

H.R. 4553. June 20, 1979. Armed Services. Authorizes the establishment of a National Guard for Guam.

H.R. 4554. June 20, 1979. Armed Services. Directs the Secretary of the Navy to convey certain real property in the State of Hawaii to the present lessees of such real property.

H.R. 4555. June 20, 1979. Judiciary. Directs classification of certain individuals as stepchildren for purposes of Immigration and Nationality Act.

H.R. 4556. June 21, 1979. Interstate and Foreign Commerce. Amends the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare to extend the conditional designation of a State health planning and development agency.

H.R. 4557. June 21, 1979. Interstate and Foreign Commerce. Amends the Clean Air Act, with regard to State implementation plans for national primary ambient air quality standards, to authorize the President, as well as the Governor of a State, to issue a temporary emergency suspension of any part of such plan applicable to a fuel burning stationary source. Requires either the President or the Governor to issue such an emergency suspension if either finds that foreign imports of fuels used by such source have reached an excessive level and that such imports can be reduced by the emergency suspension.

H.R. 4558. June 21, 1979. Agriculture; Banking, Finance and Urban Affairs; Interstate and Foreign Commerce. Amends the Rural Development Act of 1972 to authorize the Secretary of Agriculture to guarantee loans for the construction and maintenance of plants for the production of alcohol from corn and other agricultural commodities.

Amends the Agricultural Act of 1949 to set the loan level and establish the price of the 1982 crop of corn.

Changes the deadline date for proclamation of a national feed grain program acreage.

Amends the Food and Agriculture Act of 1977 to set a ceiling on the amount of price support payments a person can receive for each crop of wheat and feed grains.

H.R. 4559. June 21, 1979. Ways and Means. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to provide that disability insurance benefits for an individual having a terminal illness shall begin with the first month during all of which such individual has such illness.

H.R. 4560. June 21, 1979. Post Office and Civil Service. Amends the Legislative Reorganization Act of 1946 and the Federal Salary Act of 1967 to: (1) prohibit any increase in the annual rates of pay of Senators, Members of the House of Representatives, and certain executive branch officials if the Consumer Price Index (CIP) increases by a specified amount; and (2) reduce such pay rates in relation to increases in the CPI.

H.R. 4561. June 21, 1979. Public Works and Transportation. Prohibits Federal-aid highway funding for any State which prohibits vehicles with an overall gross weight of less than 80,000 pounds from using highways on the Interstate System within such State.

H.R. 4562. June 21, 1979. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to restrict the use of the terms "buffalo" and "water buffalo."

H.R. 4563. June 21, 1979. Public Works and Transportation. Prohibits Federal-aid highway funding for any State which prohibits vehicles with an overall gross weight of less than 80,000 pounds or an overall length of less than 65 feet from using the Interstate Highway System within such State.

Directs the Secretary of Transportation to promote uniform standards and procedures with regard to State motor fuel taxes and licensing or registration of interstate freight motor carriers.

H.R. 4564. June 21, 1979. Ways and Means. Repeals the tax-exempt status of farmers' cooperatives and the special tax treatment of corporate cooperatives and their patrons.

Disallows an income tax deduction for patronage dividends paid by cooperative corporations.

H.R. 4565. June 21, 1979. Ways and Means. Amends the Internal Revenue Code to allow a limited nonrefundable income tax credit for the production of shale oil.

H.R. 4566. June 21, 1979. Interstate and Foreign Commerce; Merchant Marine and Fisheries; Public Works and Transportation. Amends the Federal Water Pollution Control Act, as amended, and the Solid Waste Disposal Act, as amended, to provide a system of response, liability, and compensation for releases of oil, hazardous substances, and hazardous wastes. Establishes an Oil and Hazardous Substances Liability Fund.

H.R. 4567. June 21, 1979. Government Operations. Redesignates the Department of Commerce as the Department of Commerce and International Trade. Transfers certain functions of various Federal agencies to the Secretary of such Department. Transfers specified independent executive agencies under the jurisdiction of such Department.

H.R. 4568. June 21, 1979. Banking, Finance and Urban Affairs. Amends the Defense Production Act of 1950 to allow the Department of Energy and the Tennessee Valley Authority to guarantee loans to expedite national defense contracts under such Act.

Authorizes the President to provide loans to private business enterprises for the production of energy.

Directs the President to attempt to achieve a specified national production goal for synthetic fuels and synthetic chemical feedstocks within five years.

H.R. 4569. June 21, 1979. Ways and Means. Repeals the estate tax, the gift tax, and the tax on generation-skipping transfers under the Internal Revenue Code.

H.R. 4570. June 21, 1979. Interstate and Foreign Commerce. Revises the economic regulation of the railroad industry. Directs the Interstate Commerce Commission to place maximum reliance on competitive market forces in carrying out its duties with respect to railroads. Removes the Commission's authority to disapprove rail carrier rates after a five year period.

Amends the Railroad Revitalization and Regulatory Reform Act of 1976 to authorize the Secretary of Transportation to provide financial assistance to any class I railroad (except ConRail) to pay any share of the costs of restructuring its facilities.

H.R. 4571. June 21, 1979. Interstate and Foreign Commerce; Merchant Marine and Fisheries; Public Works and Transportation. Provides a program for the response, liability, and compensation for releases of oil, hazardous substances, and hazardous wastes. Establishes in the United States Treasury an Oil and Hazardous Substances Liability Fund.

H.R. 4572. June 21, 1979. House Administration. Reestablishes the Government Printing Office (GPO) as an independent establishment of the Government. Abolishes the Joint Committee on Printing. Creates a Board of Directors to establish the policy and direct the operations of the GPO.

Provides for the appointment of the Public Printer and the Superintendent of Documents by the Board.

Sets forth provisions regarding the designation of depository libraries.

Authorizes specified congressional committees to regulate the public printing services and public document distribution for Congress. Directs each Government entity to appoint an information resources manager to perform those duties for such entity.

H.R. 4573. June 21, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce. Establishes a process for Federal approval of nonnuclear energy facilities which are determined to be in the national interest.

H.R. 4574. June 21, 1979. Foreign Affairs. Expresses the congressional intention that the President initiate negotiations to establish a Council of Oil Importing Nations to negotiate for reasonable oil prices with the Organization of Petroleum Exporting Countries. Directs the President to develop sanctions to be used by such Council to encourage compliance with negotiated oil prices.

H.R. 4575. June 21, 1979. Public Works and Transportation. Amends the Water Resources Development Act of 1974 to direct the Secretary of the Army, through the Chief of Engineers, to remove and dispose of debris and obsolete buildings in the vicinity of Fort Glenn on Umnak Island, Alaska.

H.R. 4576. June 21, 1979. Interstate and Foreign Commerce. Amends the Powerplant and Industrial Fuel Use Act of 1978 to permit local distribution companies to provide natural gas service to residential customers for use in outdoor lighting fixtures installed before the enactment of such Act.

H.R. 4577. June 21, 1979. Judiciary. Declares that certain disabilities of a named individual shall be considered to be service-connected disabilities for specified compensation purposes. Requires that such compensation commence the first month beginning after the enactment of this Act and be in full satisfaction of any claims against the United States for such disabilities. Directs the Administrator of Veterans' Affairs to rate such disabilities.

H.R. 4578. June 21, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4579. June 21, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4580. June 21, 1979. Makes appropriations for the District of Columbia for fiscal year 1980.

H.R. 4581. June 22, 1979. Ways and Means. Amends the Internal Revenue Code to exempt nonprofit volunteer firefighting or rescue organizations from the excise tax on sales of special fuels, automotive parts, petroleum products, and communication services.

H.R. 4582. June 22, 1979. Education and Labor. Directs the Secretary of Health, Education, and Welfare to establish a program of grants for assisting public and private nonprofit organizations in producing talking books through the use of volunteer readers and to establish and implement procedures for distributing talking books so produced to talking book centers.

H.R. 4583. June 22, 1979. Post Office and Civil Service.

Replaces the Board of Governors of the United States Postal Service with a presidentially-appointed Postmaster General.

Authorizes the Postal Rate Commission to make final decisions on rates, fees, mail classification, and other specified matters.

H.R. 4584. June 22, 1979. Ways and Means. Amends the Internal Revenue Code to authorize a court, in any civil action in which tax liability to the United States is asserted, to award reasonable attorney's fees and costs to a prevailing party.

H.R. 4585. June 22, 1979. Interstate and Foreign Commerce. Establishes a Commodity exchange, under the supervision of the Commodity Futures Trading Commission, upon which all sales of domestically produced crude oil, all sales of crude oil for use or re-

sale within the United States, and all first sales of refined petroleum products within the United States shall be conducted by auction pursuant to regulations promulgated by the President.

H.R. 4586. June 22, 1979. Public Works and Transportation. Revises the economic regulation of motor carriers of property. Directs the Secretary of Transportation to establish rules, regulations, and standards for the operation of commercial motor vehicles. Provides for the enforcement of such standards.

H.R. 4587. June 22, 1979. Interior and Insular Affairs. Directs the Secretary of the Interior to study the feasibility of establishing the Juan Bautista de Anza National Historic Trail.

H.R. 4588. June 22, 1979. Banking, Finance and Urban Affairs; Interstate and Foreign Commerce. Establishes a Synthetic Fuels and Alternate Fuels Production Authority to provide financing and economic assistance for the development of a synthetic fuels and alternate fuels production plan.

Provides for an expedited process of promoting such plan.

Sets production goals for replacing 1.5 million barrels of oil with the equivalent of fuels derived from oil shale, coal gasification, and coal liquefaction by the year 1990.

Establishes an Office for Priority Energy Projects within the Department of Energy.

H.R. 4589. June 22, 1979. Interstate and Foreign Commerce. Establishes criteria and procedures for expedited Federal approval of nonnuclear energy facilities.

H.R. 4590. June 22, 1979. Ways and Means. Amends title XVIII (Medicare) of the Social Security Act to delete the requirement that a Medicare recipient must pay a coinsurance amount for inpatient hospital services after receiving such services for more than 60 days during a spell of illness.

H.R. 4591. June 22, 1979. Education and Labor. Amends the Education Amendments of 1978 concerning: (1) local advisory council membership's access to information; (2) educational leadership funding; (3) emergency school aid; (4) community education programs; and (5) school financing reporting dates.

Amends the General Education Provisions Act concerning: (1) rollover of funds for libraries; and (2) officials' access to student records.

Extends disaster coverage for federally-impacted educational agencies.

Amends the Vocational Educational Act of 1963 concerning: (1) reporting requirements; and (2) the use of Federal funds.

Amends the Career Education Incentive Act to repeal certain authorization-related provisions.

H.R. 4592. June 22, 1979. Ways and Means. Amends the Internal Revenue Code to relieve an employer of his obligation to furnish certain of his employees with a written statement of their wages and withholding, unless such employees request a statement.

Reduces penalties imposed upon tax-exempt organizations, trusts, and private foundations for their failure to file required tax information.

Relieves income tax preparers from liability for an underpayment of estimated tax by an individual or corporation. Limits income tax preparer liability for negligence in the preparation of tax returns.

H.R. 4593. June 22, 1979. Interior and Insular Affairs. Directs the Navajo and Hopi Indian Relocation Commission to grant life estates to certain lands to Navajo and Hopi applicants to avoid their relocation.

Authorizes the Secretary of the Interior to compensate the Navajo and Hopi tribes for such lands.

Directs the Secretary to compensate applicants' estates for their habitation and improvements.

Requires that such applicants be under the jurisdiction of the tribe on whose reservation they reside, except for tribal land laws.

Authorizes the Commission to purchase lands to relocate Navajos. Directs the Secretary to pay local real property taxes on certain such lands.

H.R. 4594. June 22, 1979. Interstate and Foreign Commerce; Ways and Means. Amends the Emergency Petroleum Allocation Act of 1973 to direct the Secretary of Energy to require oil refineries to use or sell a specified minimum amount of liquid synthetic fuel during the calendar year.

Directs the Secretary to modify any provision of specified laws, or any provision of similar State or local laws, which affect or may affect the amount of synthetic fuel produced in the United States.

Amends the Internal Revenue Code to: (1) allow a tax deduction for the amortization of any qualified fuel-producing facilities using or producing synthetic fuels: (2) set the investment tax credit at 20 percent for energy property.

H.R. 4595. June 22, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4596. June 22, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4597. June 25, 1979. Ways and Means; Interstate and Foreign Commerce. Revises title V (Maternal and Child Health and Crippled Children's Services) of the Social Security Act.

Authorizes appropriations for specified programs under such title.

Sets forth new State plan requirements.

Establishes under such title: (1) a State advisory council to advise the State agency administering the State's title V plan; (2) the National Office of Maternal and Child Health Services; and (3) an Advisory Committee on Maternal and Child Health.

H.R. 4598. June 25, 1979. Banking, Finance and Urban Affairs. Amends the Home Owner's Loan Act of 1933 to permit Federal savings and loan associations to offer reverse annuity mortgages on the security of first liens upon residential real property in accordance with regulations promulgated by the Federal Home Loan Board.

H.R. 4599. June 25, 1979. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 to repeal the provision which disqualifies employed spouses of railroad employees from an annuity under such Act.

H.R. 4600. June 25, 1979. Ways and Means. Amends title II (Old-Age, Survivors and Disability Insurance) of the Social Security Act to permit the payment of mother's insurance benefits to a mother who has in her care a child between the ages of 18 and 22, who is a fulltime student, and is entitled to child's insurance benefits.

H.R. 4601. June 25, 1979. Merchant Marine and Fisheries. Amends the Dingell-Johnson Fish Restoration Act, the Anadromous Fish Conservation Act, and the Fishery Conservation and Management Act of 1976 to prohibit the Secretary of the Interior from granting any Federal fish restoration and management assistance to any State which has charged a fee for the privilege of recreational fishing in waters of the territorial sea of the United States during any portion of such fiscal year.

H.R. 4602. June 25, 1979. Education and Labor. Directs the Secretary of Health, Education, and Welfare to establish for displaced homemakers Multipurpose Service Centers in order to provide such persons job, health, financial, and legal services.

Directs the Secretary to prepare and furnish to the Congress a study to detemine the feasibility of and appropriate procedures for allowing displaced homemakers to participate in: (1) programs established under the Comprehensive Employment and Training Act of 1973; (2) work incentive programs under the Employment and Training Act of 1973; (3) related Federal employment, education, and health assistance programs; and (4) programs established or benefits provided under Federal and State unemployment compensation laws.

H.R. 4603. June 25, 1979. Agriculture. Directs the Secretary of Agriculture to promulgate standards of quality for foreign dairy products which are to be marketed in the United States.

Prohibits the entry of a foreign dairy product into the United States unless such a product has been inspected and found to be pure and wholesome.

H.R. 4604. June 25, 1979. Judiciary. Amends the Gun Control Act of 1968 to revise the prison sentences for anyone using or carrying a firearm during the commission of a felony which may be prosecuted in Federal court.

H.R. 4605. June 25, 1979. Judiciary. Establishes mandatory minimum sentences for certain Federal crimes.

H.R. 4606. June 25, 1979. Public Works and Transportation; Interstate and Foreign Commerce. Establishes uniform national weight and length limitations on the Interstate Highway System until the Secretary of Energy has certified to Congress that there are adequate amounts of middle distillate fuel to meet national requirements for home heating, agricultural production, transportation, and industrial uses.

H.R. 4607. June 25, 1979. Interstate and Foreign Commerce; Armed Services; Science and Technology; House Administration. Amends specified energy related Acts to: (1) assist in the administration of energy information; (2) extend international voluntary energy agreements; (3) authorize appropriations for energy conservation project grants; (4) provide for meritorious contributions in energy awards; (5) provide for the continued operation of naval petroleum reserves; (6) specify the treatment of interest paid on geothermal guaranteed loans; (7) assess a guarantee fee on electric and hybrid vehicle guaranteed loans; and (8) revise the frequency and scope of specified energy reports.

H.R. 4608. June 25, 1979. Agriculture; Interior and Insular Affairs; Public Works and Transportation. Amends the Water Resources Planning Act to broaden the coverage of such act over water and related land resources development programs.

Revises the composition of the Water Resources Council. Directs the Council to: (1) advise the President on water and related land resources investments; and (2) periodically compile and compare regional funding levels for such programs.

Authorizes the Council to establish an advisory committee composed of State and local representatives. Provides for direct appropriations to the Council.

H.R. 4609. June 25, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4610. June 26, 1979. Rules. Amends the Congressional Budget Act of 1974 to limit the level of total budget outlays contained in any concurrent resolution on the budget to specified percentages of the gross national product. Waives such limitations if the President and the Congress acknowledge the existence of an emergency affecting the Nation's economy or security.

H.R. 4611. June 26, 1979. Ways and Means. Amends the Internal Revenue Code with respect to charitable contributions of partial interests in real property to allow an income tax deduction for any interest in real prop-

erty if: (1) the only interests retained by the taxpayer are oil, gas, or other mineral interests; and (2) such retained oil, gas, or other minerals may not be extracted by surface mining methods.

H.R. 4612. June 26, 1979. Ways and Means. Amends title XVI (Supplemental Security Income) of the Social Security Act to extend until October 1, 1982, the program of Federal payments to States for costs incurred in carrying out a State plan of services for disabled children who receive SSI benefits.

H.R. 4613. June 26, 1979. Education and Labor. Authorizes the Commissioner of Education to make grants to qualifying local educational agencies to promote the establishment of local offices of educational research and planning. Provides that each participating agency shall have a director of research and planning to administer and coordinate activities.

H.R. 4614. June 26, 1979. Foreign Affairs. Expresses the congressional intention that the President initiate negotiations to establish a Council of Oil Importing Nations to negotiate for reasonable oil prices with the Organization of Petroleum Exporting Countries. Directs the President to develop sanctions to be used by such Council to encourage compliance with negotiated oil prices.

H.R. 4615. June 26, 1979. Interstate and Foreign Commerce; Judiciary. Establishes an independent Office of Special Prosecution with jurisdiction to investigate and prosecute violations of any provision of, or regulation promulgated under, the Emergency Petroleum Allocation Act of 1973.

H.R. 4616. June 26, 1979. Post Office and Civil Service. Makes technical and clerical changes to provisions of title 5 of the United States Code to reflect changes in the structure of various Government organizations.

Requires an agency which: (1) receives a function transferred from another agency; or (2) replaces another agency, to hire all competing persons who were employed in such function or replaced agency before hiring any other person.

H.R. 4617. June 26, 1979. Government Operations; Rules. Terminates the Department of Energy.

H.R. 4618. June 26, 1979. Interstate and Foreign Commerce; Interior and Insular Affairs; Science and Technology. Directs the President to prepare and submit to the Congress a National Energy Policy Plan setting forth objectives, strategies, and contingency plans for the system of energy production, conservation, distribution, consumption, and waste disposal. Requires the President to consult with various public and private groups and individuals in the formulation of such plan and to recommend legislation and administrative actions necessary to achieve the purposes of such plan.

Directs each House of Congress to approve, disapprove, or amend such plan and allows the President to resubmit it with modifications in the event of congressional disapproval.

H.R. 4619. June 26, 1979. Public Works and Transportation. Designates the Federal Building in San Antonio, Texas, as the John H. Wood, Jr., Building.

H.R. 4620. June 26, 1979. Banking, Finance, and Urban Affairs. Amends the Federal Reserve Act to direct the Federal Open Market Commission to conduct its open-market operations to reduce the rate of annual growth in the money supply by specified increments.

H.R. 4621. June 26, 1979. Interstate and Foreign Commerce; Judiciary. Declares that exclusive territorial arrangements made as a part of a licensing agreement for the manufacture, distribution, or sale of a trademarked soft drink product are lawful under the antitrust laws provided such product is in substantial and effective competition with other products of the same general class.

H.R. 4622. June 26, 1979. Armed Services; Ways and Means; Interior and Insular Affairs; Interstate and Foreign Commerce; Public Works and Transportation; Science and Technology; Banking, Finance and Urban Affairs; Government Operations. Provides for an expedited decision making process by establishing a strategy for identifying and advancing nonnuclear energy projects. Establishes a five-year program for leasing onshore Federal lands for oil and gas exploration and development. Sets mandatory production levels for alcohol-blended fuels.

Requires short-term conversion from oil to natural gas or coal and wheeling of non-oil fired electricity to systems dependent on oil.

Establishes incentives to advance the commercialization and use of solar energy, wind, urban waste, and other renewable energy sources.

H.R. 4623. June 26, 1979. Armed Services; Foreign Affairs. Authorizes the acquisition or transfer of equipment and services by or from U.S. Armed Forces deployed in Europe from or to other North Atlantic Treaty Organization (NATO) countries, pursuant to agreements under this Act, in lieu of statutory provisions relating to such acquisitions or transfers. Sets forth limitations and conditions to such acquisitions and transfers. Requires the Secretary of Defense to report to Congress concerning: (1) agreements entered into pursuant to this Act; and (2) the dollar value of transactions.

H.R. 4624. June 26, 1979. Government Operations. Establishes the Office of Federal Audio-Visual Policy in the Office of Management and Budget to provide overall direction of audiovisual policies and procedures for Federal agencies.

Directs the Administrator of such Office to require that Government audiovisual materials, with specified exceptions, be produced and distributed by private sector organizations.

H.R. 4625. June 26, 1979. Interior and Insular Affairs. Amends the Navajo and Hopi Settlement Act to eliminate all provisions relating to the appointment of a Federal Mediator and tribal negotiating teams, and agreements reached by such negotiation.

Changes certain guidelines for the District Court for the District of Arizona in its final adjudication of the Navajo-Hopi land settlement case, Healing V. Jones.

Allows individuals or families relocated under such Act to return to the land they formerly occupied. Directs the Secretary of the Interior to provide all necessary assistance for such return.

H.R. 4626. June 26, 1979. Ways and Means; Interstate and Foreign Commerce. Amends title XVIII (Medicare) of the Social Security Act to increase from $100 to $500 the payment limitation for outpatient physical therapy services under the Medicare program.

Permits a physical therapist, under Medicare, to perform outpatient physical therapy services without maintaining an office under certain conditions and to operate free from the control of an employer.

Provides an alternative to the salary plus expenses method of determining the cost of physical therapy services.

H.R. 4627. June 26, 1979. Armed Services. Allows an individual who is a citizen of the Northern Mariana Islands and who is entitled to all the privileges and immunities of citizens of the United States pursuant to the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America to enlist in the Armed Forces of the United States.

H.R. 4628. June 26, 1979. Armed Services. Authorizes the establishment of Senior Reserve Officers' Training Corps programs in Guam and the Virgin Islands.

H.R. 4629. June 26, 1979. Judiciary. Directs the Administrator of the Law Enforcement Assistance Administration to pay specified sums to four named individuals in compliance with the Public Safety Officers' Benefits Act of 1976.

H.R. 4630. June 26, 1979. Judiciary. Directs the classification of a named individual as an immediate relative for purposes of the Immigration and Nationality Act.

H.R. 4631. June 27, 1979. Agriculture. Amends the Animal Welfare Act to prohibit coursing (the use of live animals as visual lures in dog racing and training).

H.R. 4632. June 27, 1979. Interior and Insular Affairs; Public Works and Transportation. Amends the Mineral Leasing Act of 1920 to authorize the Secretary of the Interior to issue certificates of public convenience and necessity to aid in construction of certain pipelines. Allows certified pipeline carriers to exercise the power of eminent domain to acquire rights-of-way for coal pipelines.

H.R. 4633. June 27, 1979. Judiciary. Directs the Secretary of State and the Secretary of the Interior to study the feasibility of settling Indochinese refugees in territories and possessions in the Pacific which the United States administers or over which the United States claims sovereignty.

H.R. 4634. June 27, 1979. Ways and Means. Amends the Internal Revenue Code to treat income from certain spacecraft as income from sources within the United States, for purposes of the income tax.

H.R. 4635. June 27, 1979. Appropriations. Appropriates a specified sum for fiscal year 1980 for the Department of Health, Education, and Welfare, for the purpose of providing a grant pursuant to the special demonstration program for improving rehabilitation services for handicapped individuals under the Rehabilitation Act of 1973, to the Eastern Carolina Vocational Center, Greenville, North Carolina, to construct a recreational-residential facility.

H.R. 4636. June 27, 1979. Ways and Means. Amends the Internal Revenue Code to: (1) allow an additional ten percent investment tax credit and a double depreciation deduction for investment by businesses in labor surplus areas; (2) increase the exclusion from the accumulated earnings tax for employers with earnings in labor surplus areas; (3) allow an income tax credit for the employment of new employees in labor surplus areas; (4) defer amounts of domestic international sales corporation income attributable to operations in labor surplus areas; and (5) permit the deferral of payment of income taxes, unemployment taxes, and social security taxes with respect to operations in labor surplus areas.

H.R. 4637. June 27, 1979. Interstate and Foreign Commerce; Ways and Means. Establishes title XXI (National Catastrophic Health Insurance Program) of the Social Security Act to provide catastrophic illness insurance benefits. Creates a trust fund to finance payment of benefits under such title.

Amends the Internal Revenue Code to impose a tax on the removal of natural resources from Federal lands. Provides that revenues for such tax be deposited into the trust fund established by this Act.

H.R. 4638. June 27, 1979. Merchant Marine and Fisheries. Amends the Fishery Conservation and Management Act of 1976 to create the California Pacific Fishery Management Council which shall consist of the State of California and have authority over the fisheries in the Pacific Ocean seaward of such State.

H.R. 4639. June 27, 1979. Ways and Means; Interstate and Foreign Commerce; Interior and Insular Affairs. Prohibits any Federal rule, regulation, order, decree, or tax from applying to the production of any fuel.

Requires the Secretary of the Interior to subdivide and sell the mining and mineral rights to all real property owned by the

United States which is not necessary for the common defense or the maintenance of the United States Government.

Prohibits any person engaged in the trade or business of producing, mining, or distributing any fuel from being eligible to receive any Federal subsidy, loan, loan guarantee, or any other financial benefit.

H.R. 4640. June 27, 1979. Ways and Means. Amends the Internal Revenue Code to exempt private foundations which hold interests in independent local newspapers from the tax on excess business interests with respect to such holdings.

H.R. 4641. June 27, 1979. Judiciary. Establishes in the judicial branch a Commission on Judicial Disabilities and Tenure to: (1) investigate any Federal judge or the physical or mental condition of any judge (except a justice of the Supreme Court); and (2) determine whether (A) the conduct of such judge is consistent with the good behavior required by article III of the Constitution, or (B) such condition renders such judge unable to discharge the duties of judicial office.

H.R. 4642. June 27, 1979. Judiciary. Specifies additional penalties for anyone using or carrying a firearm during the commission of a felony which is prosecutable in a United States court.

H.R. 4643. June 27, 1979. Veterans' Affairs. Provides that certain persons who served in Allied forces during World War I or World War II must be permanent United States residents in order to receive specified veterans' health and medical benefits (presently such persons must have been U.S. citizens for at least ten years).

Enlarges the category of such allied forces to include the armed forces of Russia, the Union of Soviet Socialist Republics, Estonia, Latvia, and Lithuania.

H.R. 4644. June 27, 1979. Post Office and Civil Service. Amends the Federal Salary Act of 1967 to make any recommendations of the President relating to the salaries of Members of Congress purely advisory.

Amends the Legislative Reorganization Act of 1946 to require that the annual rate of pay for Members of Congress and the House and Senate leadership be the rate payable for such positions on the date of enactment of this Act unless otherwise established by law.

H.R. 4645. June 27, 1979. Public Works and Transportation. Renames Clayton Lake, Oklahoma, being constructed as part of the project for the Clayton and Tuskahoma Reservoirs, as Sardis Lake.

H.R. 4646. June 27, 1979. Ways and Means. Amends the Internal Revenue Code to provide a system of accelerated capital cost recovery for investment in business facilities and equipment.

H.R. 4647. June 27, 1979. Armed Services. Entitles any individual who enlists or reenlists for the first time in the armed forces for a period of two or more years and who possesses a critical military skill to specified educational benefits.

H.R. 4648. June 27, 1979. Interstate and Foreign Commerce. Requires State regulatory authorities and nonregulated utilities to establish uniform minimum amounts of electric energy and natural gas necessary to supply the essential needs of residential consumers, schools, and hospitals during any billing period. Imposes limitations on the rates charged to such consumers for such amounts.

H.R. 4649. June 27, 1979. Interstate and Foreign Commerce; Ways and Means; Interior and Insular Affairs; Science and Technology. Amends the Department of Energy Organization Act to establish a government corporation to be known as the Energy Company of America.

H.R. 4650. June 27, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4651. June 27, 1979. Judiciary. Authorizes the granting of a visa to and admission of a named individual to the United States for permanent residence.

H.R. 4652. June 28, 1979. Interstate and Foreign Commerce. Directs the Secretary of Energy, under the Public Utility Regulatory Policies Act of 1978, to study the need for increased cooperation among State agencies involved in retail electric ratemaking. Requires the Secretary to report to Congress on such study.

H.R. 4653. June 28, 1979. Ways and Means. Amends title XVIII (Medicare) of the Social Security Act to direct the Secretary of Health, Education, and Welfare to provide for demonstration projects for the provision of preventive health services to the elderly through traveling health care practitioners.

H.R. 4654. June 28, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction of business expenses allocable to the use of a residence in providing music lessons.

H.R. 4655. June 28, 1979. Judiciary. Directs the Judicial Conference of the United States to: (1) determine the need for filling a vacancy in the office of a district judge; and (2) submit to Congress any recommendation that no need exists for filling such vacancy. Provides that such recommendation shall take effect absent a congressional resolution of disapproval within a specified period.

H.R. 4656. June 28, 1979. Education and Labor. Amends the National Labor Relations Act and the Railway Labor Act to eliminate all provisions authorizing union security agreements.

H.R. 4657. June 28, 1979. Education and Labor. Amends the National Labor Relations Act and the Railway Labor Act to provide that no employer shall justify discrimination against any employee for nonmembership in or failure to support a labor organization if the employee is a student enrolled in a full-time program of secondary, vocational, or higher education.

H.R. 4658. June 28, 1979. Interstate and Foreign Commerce. Amends the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to study and report on the adverse effects, if any, on human health and the environment of the disposal and utilization of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste, and other byproducts of the combustion of coal or other fossil fuels.

H.R. 4659. June 28, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $1,000 of the interest earned on a savings account in a bank, mutual saving bank, or credit union.

H.R. 4660. June 28, 1979. Small Business. Amends the Small Business Act to require each Federal agency to: (1) publish an agenda of proposed rules affecting small business concerns, unincorporated businesses, sheltered workshops, certain nonprofit enterprises, and other mall organizations; (2) prepare an analysis of the impact of proposed and existing rules on such small businesses and organization; and (3) promulgate regulatory exemptions or lesser compliance standards for such small businesses and organizations if such action is legal, desirable, and feasible.

H.R. 4661. June 28, 1979. Interstate and Foreign Commerce; Judiciary. Amends the Federal Trade Commission Act to require any U.S. person, partnership, or corporation to notify the Federal Trade Commission and the Attorney General, if it is requested to engage, is engaged, or otherwise involved with any foreign concern, in: (1) establishing prices; (2) allocating markets or customers; or (3) restricting the availability of any product or service.

Establishes penalties for violation of such notification requirements. Establishes guidelines to be used by courts in determining whether to exercise jurisdiction under this Act or the antitrust Acts.

H.R. 4662. June 28, 1979. Ways and Means. Amends the Internal Revenue Code to: (1) remove all limitations on the estate and gift tax marital deductions; (2) repeal the carryover basis provisions of the Tax Reform Act of 1976; (3) provide special valuation rules for farm property transferred as a gift; (4) disapprove certain proposed Internal Revenue Service regulations pertaining to valuation of farm property; and (5) subject foreign investors to the same taxes on the sale or exchange of United States farmlands as are imposed upon United States citizens.

H.R. 4663. June 28, 1979. Veterans' Affairs. Increases the rates of specified educational benefits for eligible veterans and their survivors and dependents.

H.R. 4664. June 28, 1979. Judiciary. Amends the Clayton Act to provide review procedures to enforce, modify, or vacate an antitrust judgment. Provides remedies for the enforcement of antitrust judgments.

H.R. 4665. June 28, 1979. Appropriations. Makes appropriations to the Administrator of General Services for the purchase of silver for stockpiling under the Strategic and Critical Materials Stock Piling Act.

H.R. 4666. June 28, 1979. Armed Services. Authorizes the Secretary of the Army to establish an Army Reserve career interest program for persons between the ages of 14 and 18.

H.R. 4667. June 28, 1979. Ways and Means. Amends the Internal Revenue Code to provide that the income tax deduction for medical expenses shall apply with respect to payments for the medical care of certain relatives of the taxpayer whether or not they are dependents of the taxpayer.

H.R. 4668. June 28, 1979. Interior and Insular Affairs. Authorizes the Secretary of the Interior to enter into a cooperative agreement with the Western Reserve Historical Society pursuant to which the Secretary may assist in the preservation of properties in Mentor, Ohio, associated with the life of James A. Garfield. Authorizes the Secretary to establish such properties as the James A. Garfield National Hitsoric Site.

H.R. 4669. June 28, 1979. Ways and Means. Amends the Internal Revenue Code to allow individuals who have attained age 62 an income tax credit for the amount by which their property taxes and utility bills for their principal residences have increased since such individuals reached age 62 or purchased their home, whichever occurred later.

H.R. 4670. June 28, 1979. Interior and Insular Affairs. Eliminates the condition that certain lands, including filled lands, submerged lands, and tidelands conveyed to Guam by the United States shall revert to the United States if Guam: (1) sells or otherwise disposes of any part thereof; or (2) does not use them solely for civic, park, and recreational purposes (both the Paseo de Susana portion and the Agana Boat Basin) and as a boat basin (the Agana Boat Basin).

H.R. 4671. June 28, 1979. Judiciary; Interstate and Foreign Commerce. Directs the President to acquire by purchase, exchange, or other means all of the rights, title, and interest of such oil companies to such oil properties as the President deems necessary to carry out the purpose of this Act.

Directs the President, acting through the Department of Energy, after acquisition of any oil property, to administer such property, including operation of any plants and facilities on such property.

H.R. 4672. June 28, 1979. Science and Technology. Directs the Secretary of Commerce to establish and maintain an Office of Industrial Technology to enhance technological innovation with respect to the economic, environmental, and social well-being of the United States.

Establishes an independent committee to be known as the Industrial Technology Review Panel which shall review annually the activities of the Office and advise the Secretary and the Director with respect to such activities.

H.R. 4673. June 28, 1979. Interior and Insular Affairs. Directs the Secretary of the Interior to establish the Pacific Northwest Center for the Performing Arts in King County, Washington, and construct, operate, maintain, and improve facilities for the Center.

Establishes a Pacific Northwest Center for the Performing Arts Advisory Committee to advise and make recommendations to the Secretary concerning the Center.

H.R. 4674. June 28, 1979. Foreign Affairs; Post Office and Civil Service. Consolidates Foreign Service administration. Provides for a Director General, an Inspector General, and a Board of the Foreign Service to aid the Secretary of State in administering the Foreign Service.

Establishes a Senior Foreign Service, members of whom are eligible for performance pay. Establishes a Foreign Service Schedule to include all personnel available for worldwide assignment. Converts individuals not so available to the Civil Service. Sets forth various personnel provisions concerning such things as selection boards, retirement, labor-management relations, and grievances.

Amends specified Acts to make conforming changes or repeal provisions superseded by this Act.

H.R. 4675. June 28, 1979. Public Works and Transportation. Reduces the Federal-aid highway apportionment for any State which establishes a maximum gross weight of less than 80,000 pounds or a maximum overall length of less than 60 feet for vehicles using the Interstate Highway System within such State.

H.R. 4676. June 28, 1979. Interstate and Foreign Commerce; Judiciary. Prohibits specified unfair labor practices in or affecting interstate or foreign commerce.

Permits consumers to void contracts resulting from such practices and to bring civil actions for treble damages.

Authorizes State attorneys general to bring parens patriae civil actions on behalf of consumers in their States for damages due to unfair consumer practices.

Authorizes the Attorney General of the United States, the appropriate United States attorney, or the appropriate State attorney general to bring an action in the appropriate Federal or State court to enjoin such act or practice and to enforce criminal code provisions established by this Act.

H.R. 4677. June 28, 1979. Education and Labor. Amends the provisions of Federal law regarding educational assistance for federally-impacted areas to set forth a formula for establishing the number of children in a school district for purposes of computing certain local educational agencies' contribution rate.

H.R. 4678. June 28, 1979. Science and Technology. Amends the National Aeronautics and Space Act of 1958 to establish within the National Aeronautics and Space Administration (NASA) a program to advance the state or automotive research and technology. Charges NASA with overall responsibility for the planning and management of such program. Transfers to the Administrator of NASA specified duties and programs which currently reside with other Federal agencies.

Establishes a Motor Vehicle and Fuels Coordination Committee to advise the Administrator and the Secretary of Energy on matters pertaining to automotive research and alternative fuels development.

H.R. 4679. June 28, 1979. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to require the Secretary of Transportation to appoint Type Certification Boards comprised of individuals knowledgeable in the fields of aeronautics and aviation safety to participate in the aircraft type certification process.

H.R. 4680. June 28, 1979. Ways and Means. Amends the Tariff Schedules of the United States to revise the definition of rubber.

H.R. 4681. June 28, 1979. Interior and Insular Affairs. Directs the Secretary of the Interior to sell specified lands in Mesa County, Colorado, to the Ute Water Conservancy District for fair market value less any enhancement brought to the land by the District.

H.R. 4682. June 28, 1979. Judiciary. Prohibits any refiner, producer, or marketer of motor fuel from owning, operating, acquiring, or controlling, either directly or indirectly, any service station.

H.R. 4683. June 28, 1979. Interior and Insular Affairs. Establishes the Boston Harbor National Recreation Area. Directs the Secretary of the Interior to establish a Commission to prepare a plan for the development of such Area. Establishes a special account in the Treasury of the United States to hold moneys for grants to State or local governmental units implementing such plan.

H.R. 4684. June 28, 1979. Judiciary. Amends title 11 of the United States Code (Bankruptcy) to declare that the bankruptcy courts do not have power to affect any rights of the United States as a creditor under a preferred ship mortgage as defined in the Ship Mortgage Act, 1920.

H.R. 4685. June 28, 1979. Merchant Marine and Fisheries. Prohibits the importation, exportation, possession, transportation, or sale in interstate commerce of elephants or elephant products except for specified purposes. Sets forth civil and criminal penalties for violations of this Act.

Supersedes the Endangered Species Act, the Tariff Act, and State laws regarding elephant and elephant products.

H.R. 4686. June 28, 1979. Judiciary; Interstate and Foreign Commerce; Public Works and Transportation. Amends the Bankruptcy Act to remove the requirement, for a specified period of time, that the Interstate Commerce Commission must approve the abandonment or sale of the properties of a railroad in reorganization.

Authorizes the Commission to direct a carrier by truck or water to transport the traffic of such an abandoned line.

Establishes employee protection arrangements for individuals displaced by such an abandonment.

H.R. 4687. June 28, 1979. Judiciary. Authorizes the granting of a visa to and admission of a named individual to the United States for permanent residence.

H.R. 4688. June 28, 1979. Merchant Marine and Fisheries. Directs the Secretary of the department in which the Coast Guard is operating to cause the vessel Independence, presently owned by the American Hawaiian Cruising Line, Inc., to be documented as a vessel of the United States with the privileges of engaging in the coastwise trade.

H.R. 4689. June 28, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a named individual in satisfaction of a claim against the United States.

H.R. 4690. June 28, 1979. Judiciary. Declares a named individual to have satisfied specified requirements under the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States. Authorizes such individual to be naturalized.

H.R. 4691. June 29, 1979. Ways and Means; Government Operations. Amends various Trade Acts to reorganize the international trade functions of the executive branch. Makes the Special Representative for Trade Negotiations responsible for negotiating and implementing commercial and trade agreements. Makes the Secretary of Commerce responsible for specified international trade functions presently performed by various executive departments. Transfers the International Trade Commission, the Export-Import Bank, and the Overseas Private Investment Corporation to the Department of Commerce.

H.R. 4692. June 29, 1979. Judiciary. Amends the Immigration and Nationality Act to provide for the exclusion and deportation from the United States of aliens affiliated with terrorist organizations. Removes certain diplomatic and semidiplomatic immunities from such aliens. Imposes criminal penalties on anyone who knowingly aids such aliens to enter the United States.

Amends the Foreign Agents Registration Act of 1938 to require an investigation of the activities of anyone registered under such Act as an agent of a terrorist organization. Imposes criminal penalties on an agent who knowingly receives or collects funds for such organization.

H.R. 4693. June 29, 1979. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 and the Natural Gas Policy Act of 1978 to eliminate Federal price control and allocation authority over natural gas, crude oil, and petroleum products.

H.R. 4694. June 29, 1979. Ways and Means. Amends the Internal Revenue Code to revise rules for determining the basis of carryover basis property acquired from a decedent for purposes of the estate tax. Revises basis adjustment rules for certain gifts and generation-skipping transfers. Restores capital gain treatment to the sale of inherited artwork. Revises rules for the extension of time for payment of estate tax where an estate consists largely of interests in a closely held business.

H.R. 4695. June 29, 1979. Ways and Means. Amends the Internal Revenue Code to provide identical income tax rates for single persons and married couples filing joint returns. Limits the earned income that must be reported by a married person filing a separate return to the amount actually earned by that individual.

H.R. 4696. June 29, 1979. Ways and Means. Amends the Internal Revenue Code to tax income of married individuals filing tax returns separate from their spouses at the same rates applicable to unmarried individuals.

H.R. 4697. June 29, 1979. Public Works and Transportation; Interstate and Foreign Commerce. Prohibits Federal-aid highway funding for States which make it unlawful for a vehicle with an overall gross weight of less than 80,000 pounds or an overall length of less than 60 feet to use the Interstate System or any highway which the Secretary of Transportation determines provides immediate access to any portion of the Interstate System.

Directs the Secretary of Energy to conduct a study of fuel savings resulting from such uniform standards and to report the results of such study to Congress within 1 year.

H.R. 4698. July 9, 1979. Public Works and Transportation. Modifies the North Bend levee and Morse Bluff levee flood control projects, Nebraska, to direct the Secretary of the Army, through the Chief of Engineers, to reconstruct, operate, and maintain such levees.

H.R. 4699. July 9, 1979. Interstate and Foreign Commerce. Directs the Administrator of the Environmental Protection Agency to conduct an epidemiological study of the occurrence of fluorosis in areas served by public water systems subject to the Safe Drinking Water Act in which fluoride from natural sources occurs in concentrations greater than the maximum contaminant level specified in regulations issued pursuant to such Act. Exempts from such regulations, until the date of submission of the required

report, any drinking water system which serves an area described in this act.

H.R. 4700. July 9, 1979. Interstate and Foreign Commerce. Requires the President to submit to the Congress a report on the feasibility of nationalizing the oil industry. Establishes the Commission on the Nationalization of the Oil Industry to prepare and submit to the President the report required pursuant to this act.

H.R. 4701. July 9, 1979. Agriculture. Directs the Secretary of Agriculture to promulgate standards of quality for foreign dairy products which are to be marketed in the United States.

Prohibits the entry of a foreign dairy product into the United States unless such a product has been inspected and found to be pure and wholesome.

H.R. 4702. July 9, 1979. Interstate and Foreign Commerce. Requires packaged foreign dairy products to be labeled in such a manner as to be readily identifiable as being imported.

Permits the Federal Trade Commission to establish labeling requirements for foreign dairy products and to grant exemptions from such requirements.

Prohibits any person from importing, offering to import, distributing, or causing to be distributed any improperly labeled imported dairy product.

H.R. 4703. July 9, 1979. Public Works and Transportation. Directs the Secretary of Transportation to designate a specified section of highway in Stockton, California, as part of the Interstate Highway System.

H.R. 4704. July 9, 1979. Public Works and Transportation. Modifies the Kawkawlin River flood control project, Michigan, to make the operation and maintenance of such project the responsibility of the Secretary of the Army, through the Chief of Engineers.

H.R. 4705. July 9, 1979. Interstate and Foreign Commerce; Ways and Means. Establishes the American Oil Import Corporation to act as the importing agent for crude oil and petroleum products imported into the United States.

Establishes a Public Energy Fund to finance the activities of such corporation.

Amends the Emergency Petroleum Allocation Act of 1973 to repeal the standby purchase authority of the President to import and purchase crude oil and petroleum products.

H.R. 4706. July 9, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4707. July 10, 1979. Interstate and Foreign Commerce; Ways and Means; Science and Technology; Government Operations. Establishes the National Automotive Research Corporation which shall be administered by a National Automotive Innovation and Productivity Board.

Establishes a National Center for Automotive Research, administered by the Corporation, to conduct research, development, and demonstration programs in the automotive field.

Establishes in the Executive Office the position of Special Assistant for Automotive Affairs to coordinate all Federal automotive activity.

Amends the Internal Revenue Code to impose a tax on the sale by manufacturers of each automobile.

H.R. 4708. July 10, 1979. Interstate and Foreign Commerce. Amends title III of the Public Health Service Act (General Powers and Duties of Public Health Service) to allow a medical facility which provides emergency medical treatment to any alien who is unlawfully in the United States and who is not eligible for any other public assistance, to receive reimbursement for the value of such treatment upon the approval of the Secretary of Health, Education, and Welfare.

H.R. 4709. July 10, 1979. Ways and Means. Amends the Internal Revenue Code to permit an income tax deduction for agency fees, court costs, attorneys' fees, and other necessary expenses incurred in the adoption of a child.

H.R. 4710. July 10, 1979. Agriculture. Amends the Agricultural Adjustment Act of 1937 to authorize the Secretary of Agriculture to issue marketing orders respecting olive development projects which provide: (1) for any form of marketing promotion including paid advertising; and (2) for crediting certain direct expenditures of a handler for such promotion.

H.R. 4711. July 10, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $5,000 of the interest earned on a savings account at a bank, savings and loan association, credit union, or similar thrift institution.

H.R. 4712. July 10, 1979. Judiciary. Stipulates that certain amendments proposed by the United States Supreme Court to the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, and the Federal Rules of Appellate Procedure shall not take effect until specified dates and to the extent approved by Congress. Revises the proposed amendment to Rule 40 of the Rules of Criminal Procedure.

H.R. 4713. July 10, 1979. Ways and Means; Interstate and Foreign Commerce. Establishes a Task Force on Consumer and Physician Incentives Toward Hospital Cost Containment to study specified aspects of hospital costs and utilization.

H.R. 4714. July 10, 1979. Merchant Marine and Fisheries. Authorizes the Secretary of Commerce, through the National Marine Fisheries Service, to make grants to certain States enumerated in the Fishery Conservation and Management Act of 1976 to develop marine artificial reefs in the territorial waters of such States and to develop such habitats in the fishery conservation zone off the coasts of such States.

H.R. 4715. July 10, 1979. Foreign Affairs; Science and Technology; Interstate and Foreign Commerce. Authorizes the President to invite foreign governments to join in the establishment of an international research and development program for synthetic fuels. Provides for an international meeting to create such program and a permanent international organization to administer such program. Sets forth criteria for research and development centers.

Directs the Secretary of Energy to assess U.S. synthetic fuel needs and the capabilities of other countries for participation in such program.

H.R. 4716. July 10, 1979. Ways and Means. Amends the Internal Revenue Code to permit the Secretary of the Treasury to waive all or any part of a tax penalty imposed upon a taxpayer who underpays an estimated tax or makes an excess contribution to a tax qualified pension plan or individual retirement account, if such taxpayer shows to the satisfaction of the Secretary that such underpayment or excess contribution was due to reasonable cause.

H.R. 4717. July 10, 1979. Post Office and Civil Service. Provides for the adjustment of personnel ceilings for Executive agencies when its determined to be more cost-effective to hire additional agency personnel than to enter an outside contract for the performance of a function.

Directs an agency to consider performance in administering personnel ceilings and following contracting procedures when evaluating the performance of senior executives and managers.

Prohibits an agency from obligating more than 20 percent of its appropriations for a fiscal year during the last two months of that year.

H.R. 4718. July 10, 1979. Agriculture. Directs the Secretary of Agriculture to conduct a five-year pilot program of financial assistance to owners of nonindustrial private forest land which shall include, but not be limited to: (1) the insuring and guaranteeing of loans providing periodic loan disbursements; (2) the consolidation for resale in private capital markets of the loan obligations of individual landowners; and (3) the loaning of funds to lending institutions in order to make such guaranteed loans.

H.R. 4719. July 10, 1979. Agriculture; Interior and Insular Affairs. Authorizes any State which has law enforcement districts empowered under State law to levy and collect ad valorem taxes to make available to such districts sums from funds distributed to such State from national forest revenues.

H.R. 4720. July 10, 1979. Public Works and Transportation. Amends the Disaster Relief Act of 1974 to authorize the President to make grants to help restore, repair, or replace railroad facilities or equipment which are necessary for adequate rail service and which were blocked, damaged, or destroyed by a major disaster.

H.R. 4721. July 10, 1979. Veterans' Affairs. Requires the Administrator of Veterans' Affairs to pay (in addition to any pension already paid) a monthly pension to each veteran of World War I who meets specified service requirements, or to the surviving spouse of each such veteran, or when there is no surviving spouse, to the child or children of each such veteran.

H.R. 4722. July 10, 1979. Ways and Means. Amends the Energy Tax Act of 1978 to make permanent the exemption of gasohol from the excise tax on motor fuels.

H.R. 4723. July 10, 1979. Ways and Means; Judiciary. Amends title XVI (Supplemental Security Income for the Aged, Blind, and Disabled) of the Social Security Act to require that aged, blind, or disabled aliens must have resided in the United States for three years preceding their application for benefits under such title. Exempts those aliens: (1) who are political refugees or parolees into this country; (2) whom a support agreement, under the Immigration and Nationality Act, excuses; or (3) who have specified disabilities.

Amends the Immigration and Nationality Act to stipulate that no immigrant shall be admitted to the United States except pursuant to a support agreement. Defines such agreement.

H.R. 4724. July 10, 1979. Ways and Means. Amends the Internal Revenue Code to revise the tax treatment of certain items of income and expenses of nonprofit tax-exempt organizations.

H.R. 4725. July 10, 1979. Ways and Means. Amends the Internal Revenue Code to require that commercial airline tickets show the total amount paid for air transportation and the amount of excise tax imposed on such transportation.

H.R. 4726. July 10, 1979. Ways and Means. Amends the Internal Revenue Code to provide for an excise tax credit or refund in the case of certain uses of tread rubber.

H.R. 4727. July 10, 1979. Agriculture; Foreign Affairs. Authorizes the Secretary of Agriculture, acting through the Commodity Credit Corporation, to purchase wheat from American producers or in the open market, in order to provide urgent humanitarian relief to foreign nations and to fulfill lawful international obligations.

H.R. 4728. July 10, 1979. Interior and Insular Affairs. Amends the Surface Mining Control and Reclamation Act of 1977 to extend certain time periods for the submission and approval of surface coal mining permits and State programs, and for the implementation of a Federal program.

H.R. 4729. July 10, 1979. Small Business; Judiciary; Ways and Means; Government Operations. Establishes procedures for the

review and reduction of Federal regulations affecting small business.

Amends the Internal Revenue Code of 1954 to: (1) limit the recognition of gain on the sale or exchange of sole proprietorships; (2) increase the first year depreciation allowance for small business; (3) permit extended amortization of business expenses required by Federal regulations; (4) defer taxation on dividends from small domestic international sales corporations; (5) permit cash accounting by sole proprietorships; and (6) provide tax advantages to trusts created to settle product liability claims.

Amends the Small Business Act to increase small business opportunities in Federal contracts and the export market.

H.R. 4730. July 10, 1979. Merchant Marine and Fisheries. Prohibits the Coast Guard from converting loran stations off the Pacific coast to the electronic pulsed hyperbolic radio aid to navigation known as Loran–C until January 1, 1981, or until the Coast Guard's loran stations off the Atlantic coast are converted to such system, whichever occurs later.

H.R. 4731. July 10, 1979. Interstate and Foreign Commerce; Foreign Affairs. Amends the Clean Air Act to direct the President to enter into treaties or other agreements with countries contiguous to the United States for the purpose of air pollution control in border areas.

Directs the Secretary of State to take appropriate diplomatic actions to reduce or eliminate air pollution adversely affecting any area of the United States and originating in another country.

Directs the Administrator of the Environmental Protection Agency to determine the percentage of air pollutants in border areas resulting from foreign sources and to eliminate such percentage in determining compliance with ambient air quality standards by such region.

H.R. 4732. July 10, 1979. Post Office and Civil Service. Prescribes the annual rates of pay for the Architect of the Capitol and the Assistant Architect of the Capitol.

H.R. 4733. July 10, 1979. Interstate and Foreign Commerce; Judiciary. Makes it unlawful for any major petroleum producer, petroleum transporter, major refiner, or major marketer to own or control any interest or asset which is not in the petroleum industry or not directly related thereto.

Requires such entities to submit divestiture plans to the Federal Trade Commission for divestment of such prohibited interests or assets.

Authorizes the Federal Trade Commission to enforce this Act pursuant to all powers conferred upon it in other law and under this Act.

H.R. 4734. July 10, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4735. July 10, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4736. July 11, 1979. Judiciary; Intelligence. Sets forth pretrial, trial, and appellate procedures for criminal cases involving classified information.

H.R. 4737. July 11, 1979. Ways and Means. Amends the Internal Revenue Code to permit the exclusion from gross income of interest earned on industrial development bonds which are used to refund any obligation for which such bonds may be issued under the Internal Revenue Code.

H.R. 4738. July 11, 1979. Ways and Means. Amends the Tariff Schedules of the United States to temporarily reduce the rates of duty on rolled titanium products.

H.R. 4739. July 11, 1979. Ways and Means. Amends the Tariff Schedules of the United States to temporarily permit the duty-free entry of pillow buns of latex foam.

H.R. 4740. July 11, 1979. Education and Labor. Amends the Fair Labor Standards Act of 1938 to exempt residential administrators or supervisors of facilities for the physically or mentally handicapped or correctional facilities from the minimum wage and overtime requirements of such Act.

H.R. 4741. July 11, 1979. Judiciary. Makes it a Federal crime to kill an employee of the Tennessee Valley Authority who is performing investigative, inspection, or law enforcement functions in an official capacity.

H.R. 4742. July 11, 1979. Ways and Means. Interstate and Foreign Commerce. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to provide coverage under title XVIII (Medicare) of the Act to an OASDI beneficiary who is medically determined to require enteral or parenteral alimentation or hyperalimentation consisting of amino acid products.

H.R. 4743. July 11, 1979. Armed Services. Requires the Secretary of the military department concerned to count time spent by a National Guard unit on call or order to duty towards the number of required training days for such a unit.

H.R. 4744. July 11, 1979. Ways and Means. Amends the Internal Revenue Code to allow individuals who have attained age 60 a nonrefundable income tax credit for expenses paid or incurred with respect to the maintenance of their principal residences.

H.R. 4745. July 11, 1979. Judiciary; Intelligence. Sets forth pretrial, trial, and appellate procedures for criminal cases involving classified information.

H.R. 4746. July 11, 1979. Ways and Means. Amends the Internal Revenue Code to: (1) revise reporting requirements for tax-exempt private foundations; (2) permit reimbursement to Government officials for traveling expenses from private foundations without adverse tax consequences; (3) specify the minimum tax treatment of corporate charitable contributions; (4) permit the voluntary withholding of tax from sick pay under employer wage continuation plans; (5) exclude from gross income certain repayments of unemployment benefits; (6) permit disclosure of tax information to State auditing agencies; and (7) qualify space satellites for the investment tax credit.

Amends the Second Liberty Bond Act to adjust interest rates on certain retirement bonds.

H.R. 4747. July 11, 1979. Ways and Means. Amends the Internal Revenue Code with respect to the income tax deduction for the living expenses of a State legislator while away from his home district.

H.R. 4748. July 11, 1979. Judiciary. Amends the Clayton Act to restrict mergers and acquisitions by the major petroleum producers.

H.R. 4749. July 11, 1979. Ways and Means. Amends the Internal Revenue Code to impose an additional excise tax upon large domestic oil producers to the extent that they make investments to acquire significant ownership interest in businesses unrelated to energy.

H.R. 4750. July 11, 1979. Public Works and Transportation. Removes specified restrictions regarding the East-West Toll Road in northern Indiana (Interstate Route 80/90) upon the repayment of specified Federal-aid highway funds by the State of Indiana.

H.R. 4751. July 11, 1979. Foreign Affairs. Amends the Export Administration Act of 1969 to prohibit grain exports to countries designated as having exportable petroleum, except pursuant to a contract providing for the exchange of grain for petroleum to be exported to the United States.

H.R. 4752. July 11, 1979. Government Operations; Banking, Finance and Urban Affairs; Rules. Amends the Employment Act of 1946 to require the President to include in the annual economic report to Congress, for the purpose of reducing the rate of inflation: (1) a set of price and wage guidelines applicable to businesses and labor organizations of specified size; and (2) a coordinated set of fiscal, monetary, regulatory, antitrust, investment, productivity, international, and other economic policies. Establishes procedures for Congressional approval of the guidelines as an effective national standard. Prescribes compliance provisions, including reports by businesses and labor organizations to the Council of Wage and Price Stability, and mediation initiated by the President.

H.R. 4753. July 11, 1979. Ways and Means. Amends the Internal Revenue Code to eliminate adjusted income as a standard for determining the amount which a private foundation is required to distribute in a taxable year.

H.R. 4754. July 11, 1979. Interstate and Foreign Commerce; Ways and Means. Amends the Public Health Service Act to direct the Secretary of Health, Education, and Welfare to establish a system for the licensure of all clinical laboratories subject to national standards provided for under this Act. Requires the Secretary to a uniform regulatory policy with respect to laboratory provisions under this Act, the Food, Drug, and Cosmetic Act, and Medicare and Medicaid.

Amends title XVIII (Medicare) of the Social Security Act to revise the scope of services covered and hospital reimbursement provisions.

H.R. 4755. July 11, 1979. Education and Labor. Directs the Secretary of Labor to establish and maintain in up to 20 counties with populations under 20,000 a pilot program designed to provide a guaranteed job opportunity to eligible county residents from low-income households by partially reimbursing public and private employers for wages paid to certain such individuals, and fully reimbursing such employers for wages paid to certain other such individuals.

H.R. 4756. July 11, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4757. July 11, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4758. July 11, 1979. District of Columbia. Authorizes the Mayor of the District of Columbia to convey to a named nonprofit corporation all right, title, and interest of the United States in and to specified land with all buildings and improvements thereon.

H.R. 4759. July 12, 1979. Post Office and Civil Service. Permit any individual casting an absentee ballot in any election, with specified exceptions, to return such ballot postage-free to the election agency.

H.R. 4760. July 12, 1979. Interstate and Foreign Commerce; Science and Technology; Ways and Means. Directs the Secretary of Energy to establish a comprehensive program for the development of gas turbine engines for commercial production, including development of gasoline engine conversion systems.

Requires that federally-purchased vehicles be equipped with gas turbine engines or gasoline engine conversion systems.

Amends the Internal Revenue Code to provide various tax incentives for gas turbine engine development and production and for purchases of gasoline conservation products.

H.R. 4761. July 12, 1979. Post Office and Civil Service. Requires the United States Postal Service to use the railroad services operated by the National Railroad Passenger Corporation to transport the mail unless such services downgrade postal services or increase postal costs

H.R. 4762. July 12, 1979. Interior and Insular Affairs. Changes the map which de-

picts the area of the Valley Forge National Historical Park in the Commonwealth of Pennsylvania and increases the authorization ceiling to carry out the purposes of the act.

H.R. 4763. July 12, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $100 ($200 for married couples filing jointly) of the interest earned on a savings account in a bank, savings and loan association, credit union, or similar savings institution.

H.R. 4764. July 12, 1979. Veterans' Affairs. Permits disclosure of names and addresses and other information maintained by the Veterans' Administration to a consumer reporting agency for certain debt collection purposes.

H.R. 4765. July 12, 1979. Interstate and Foreign Commerce. Amends the Motor Vehicle Information and Cost Savings Act to require the Environmental Protection Agency to base its automobile fuel economy tests upon actual road testing.

Sets forth criminal penalties for officers or employees of the Agency who violate such requirement.

H.R. 4766. July 12, 1979. Judiciary. Makes the United States liable for damages, arising from certain nuclear tests conducted at the Nevada Test Site, to certain residents, participants, and qualified sheep herds.

H.R. 4767. July 12, 1979. Ways and Means. Amends the Internal Revenue Code to allow a refundable income tax credit for amounts paid or incurred for television subtitle equipment for use by hearing-impaired individuals.

H.R. 4768. July 12, 1979. House Administration. Amends the Federal Election Campaign Act of 1971 to reduce multicandidate political committee contribution limits to any candidate and his authorized political committees with respect to any election for Federal office.

H.R. 4769. July 12, 1979. Merchant Marine and Fisheries; Judiciary; Ways and Means; Government Operations. Revises the economic regulation of international ocean shipping. Exempts specified ocean shipper and carrier agreements from the antitrust laws.

Amends the Merchant Marine Act, 1936, to revise the construction-differential and operating-differential subsidies. Directs the Secretary of Commerce to establish shipbuilding efficiency standards.

Amends the Internal Revenue Code to revise the tax treatment of income derived from shipping.

Directs the President to submit a reorganization plan which shall establish a Deputy Special Representative for Maritime Affairs within the Office of the Special Representative for Trade Negotiations.

H.R. 4770. July 12, 1979. Judiciary. Declares that exclusive territorial arrangements made as a part of a licensing agreement for the manufacture, distribution, or sale of a trademarked soft drink product are lawful under the antitrust laws provided such product is in substantial and effective competition with other products of the same general class.

H.R. 4771. July 12, 1979. Interior and Insular Affairs; Armed Services; Interstate and Foreign Commerce; Post Office and Civil Service; Science and Technology. Requires an immediate comprehensive review by Congress of the operations, funding, and personnel management practices of the Department of Energy.

H.R. 4772. July 12, 1979. Ways and Means. Amends the Social Security Amendments of 1972, which lowered the age computation point for Old-Age, Survivors and Disability Insurance (OASDI) benefits for men from age 65 to 62, the age which had previously applied only to women, in order to apply such revision to men who were entitled to OASDI benefits for January, 1979, or months thereafter, and who attained age 62 after December, 1972, such revision having applied previously only to individuals who became 62 after 1974.

H.R. 4773. July 12, 1969. Post Office and Civil Service. Authorizes State and local government election agencies to send absentee voting materials free of postage. Permits any person casting an absentee ballot to return it postage-free.

Stipulates that this Act shall not apply to mail transmitted under the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975.

H.R. 4774. July 12, 1979. Education and Labor. Amends the National Labor Relations Act to provide that any employee who is a member of and adheres to a bona fide religion, body, or sect historically holding conscientious objection to joining or financially supporting a labor organization shall not be required to do so.

H.R. 4775. July 12, 1979. Judiciary. Allows a person to be sentenced to death for a violation of Federal law only if a separate sentencing hearing is conducted in accordance with the procedures of this Act.

Revises the penalties for certain Federal crimes.

H.R. 4776. July 12, 1979. Banking, Finance and Urban Affairs; Interstate and Foreign Commerce. Amends the Energy Conservation in Existing Buildings Act of 1976 to increase the labor cost limitations for weatherization materials for which financial assistance may be provided under such Act and to authorize waivers of specified assistance requirements in areas where the Secretary of Energy determines that there is an insufficient number of volunteers, training participants, and public service workers available to work on weatherization projects.

Makes inapplicable the limitation on the amount of weatherization assistance allowed to be used for repair to a dwelling if the State advisory council requests the Secretary of Energy to increase such amount.

H.R. 4777. July 12, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4778. July 12, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4779. July 12, 1979. Judiciary. Declares that, for purposes of determining whether certain individuals are U.S. citizens and nationals under the Immigration and Nationality Act, their mother shall be deemed to have been present in the United States or its outlying possessions for specified periods.

H.R. 4780. July 13, 1979. Ways and Means. Amends the Tariff Schedules of the United States to extend the duty-free treatment of synthetic tantalum/columbium concentrate.

H.R. 4781. July 13, 1979. Ways and Means. Amends the Internal Revenue Code to allow a taxpayer to elect an income tax deduction with respect to the amortization, based on a 60-month period, of any qualified facility producing alcohol from coal, biomass, or agricultural products.

H.R. 4782. July 13, 1979. Agriculture. Amends the Farm Credit Act of 1971 to authorize the Farm Credit System institutions to: (1) buy and sell among themselves interests in loans, other financial assistance, and nonvoting stock; (2) participate with each other in making loans; (3) agree to share losses; and (4) form corporations to perform authorized non-lending functions. Makes producers and harvesters of aquatic products eligible for increased Farm Credit System services. Authorizes the farmer's cooperatives to perform specified services to assist foreign trade activities.

Exempts the Farm Credit System institutions from State interest rate ceilings and truth in lending legislation.

Increases the administrative authority of the Farm Credit Administration.

H.R. 4783. July 13, 1979. Banking, Finance and Urban Affairs. Amends the Coinage Act of 1965 to change the size and weight of the Susan B. Anthony dollar coin.

H.R. 4784. July 13, 1979. Banking, Finance and Urban Affairs; Ways and Means. Establishes a national goal for the increased use of solar energy and renewable energy resources.

Establishes the Solar Energy Development Bank to provide subsidies of long-term low-interest loans made for the purchase and installation of solar energy systems in residential and commercial structures.

Amends the Internal Revenue Code to authorize tax incentives for expenditures for woodburning stoves, process heat solar property, and for builders of solar heated buildings.

Amends the National Housing Act and the Federal Home Loan Mortgage Corporation Act to increase the maximum principal obligation amounts for residences fitted with solar energy systems.

H.R. 4785. July 13, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction for State and local taxes with respect to municipal services.

H.R. 4786. July 13, 1979. Ways and Means. Amends the Internal Revenue Code to allow taxpayers an income tax deduction equal to the sum of their commuting and meal expenses.

H.R. 4787. July 13, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income any amounts received by a taxpayer as interest.

H.R. 4788. July 13, 1979. Public Works and Transportation. Authorizes the Secretary of the Army, through the Chief of Engineers, to proceed with various flood control, navigation, water supply, and other water resources development projects. Directs the Secretary to submit feasibility reports on various water resource development projects. Modifies various existing water resource development projects.

Revises the financing of specified projects. Provides for congressional veto of water resource development rules and regulations. Terminates specified projects.

H.R. 4789. July 13, 1979. Science and Technology. Directs the Secretary of Energy to construct and operate national demonstration facilities for the conversion of garbage and other solid waste materials into fuels.

H.R. 4790. July 13, 1979. House Administration. Authorizes the Camp Fire Girls of Cundys Harbor, Maine, to erect a monument on Maine Avenue in the District of Columbia entitled "The Maine Lobsterman."

H.R. 4791. July 13, 1979. Banking, Finance and Urban Affairs; Interior and Insular Affairs; Interstate and Foreign Commerce. Amends the Department of Energy Organization Act to provide for the domestic development and production of synthetic fuels and synthetic chemical feedstocks.

Establishes in the United States Treasury a synthetic fuel fund for the purpose of carrying out such a development and production program.

Provides for an expedited decisionmaking process for obtaining Federal, State, and local approval of synthetic fuel and synthetic chemical feedstock facilities.

H.R. 4792. July 13, 1979. Public Works and Transportation. Designates the Federal building in Houston, Texas, as the Bob Casey Federal Building—U.S. Courthouse.

H.R. 4793. July 13, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4794. July 13, 1979. Judiciary. Declares an individual lawfully admitted to the

United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4795. July 13, 1979. Judiciary. Declares a named individual to have satisfied specified requirements under the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States. Authorizes such individual to be naturalized.

H.R. 4796. July 16, 1979. Ways and Means. Amends the Internal Revenue Code to provide a tax exclusion from personal income earned abroad by an individual performing qualified charitable services for a tax-exempt employer created or organized in the United States. Sets a formula for the maximum amount of exclusion for an individual who performs such charitable services and also performs other services while residing in a camp located in a hardship area.

H.R. 4797. July 16, 1979. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to exempt motor gasoline from mandatory price and allocation regulation.

H.R. 4798. July 16, 1979. Banking, Finance and Urban Affairs; Small Business. Amends the Small Business Act to authorize the Small Business Administration to extend direct loans to individuals and small business concerns for the purchase and installation of wood and coal burning stoves. Requires that such stoves be used to heat a building currently heated by oil in a State where a shortage of heating oil has been declared by the Governor.

H.R. 4799. July 16, 1979. Banking, Finance and Urban Affairs; Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to establish a community outreach and information program to assist and encourage the low-income elderly and others eligible for assistance under this Act in obtaining Federal, State, and local energy-related assistance.

Establishes a program to provide assistance to such persons for meeting primary residential fuel costs.

Directs the Director of CSA to establish a crisis intervention program to supplement the basic fuel assistance program.

H.R. 4800. July 16, 1979. Ways and Means. Amends the Tariff Schedules of the United States to make permanent the existing duty-free treatment of synthetic tantalum/columbian concentrate.

H.R. 4801. July 16, 1979. Public Works and Transportation. Amends the Urban Mass Transportation Act of 1964 to authorize additional appropriations for use through fiscal year 1989 for the urban mass transit discretionary grant program under such Act..

H.R. 4802. July 16, 1979. Science and Technology; Ways and Means. Provides for the financing of an accelerated program of energy-related research, development, and demonstration by establishing an energy research and development savings bond program.

Establishes the Energy Research and Development Trust Fund as the source of funds for such research and development program and provides that the proceeds from the sales of such savings bonds shall be deposited in such fund. States that the face amount of such issuance shall not exceed in the aggregate $50,000,000,000 outstanding at any one time.

H.R. 4803. July 16, 1979. Interstate and Foreign Commerce. Prohibits the Secretary of Health, Education, and Welfare from promulgating a proposed rule applicable to vitamin and mineral products for over-the-counter human use published on March 16, 1979, or from taking any other action which would have the same effect as such proposed rule.

H.R. 4804. July 16, 1979. Banking, Finance and Urban Affairs. Directs the Secretary of Housing and Urban Development to insure any mortgage which would otherwise be uninsurable under the National Housing Act because of Indian claims of ownership to the property securing the mortgage if such property is located in a community where adverse economic conditions exist as a direct and primary result of such Indian claims of ownership.

H.R. 4805. July 16, 1979. Interstate and Foreign Commerce; Science and Technology. Establishes in the Department of Health, Education, and Welfare a National Center for Alternative Research to: (1) develop and coordinate alternative methods of research and testing which do not involve the use of live animals; (2) develop training programs in the use of such methods; and (3) to disseminate information on such methods.

H.R. 4806. July 16, 1979. Interior and Insular Affairs. Authorizes establishment of the William Jennings Bryan Birthplace National Historic Site in Salem, Illinois, to be administered by the Secretary of the Interior.

H.R. 4807. July 16, 1979. Foreign Affairs; Science and Technology; Interior and Insular Affairs; Interstate and Foreign Commerce. Authorizes appropriations to the Department of Energy for civilian programs for fiscal year 1980.

Directs the Secretary of Energy to carry out a high-level liquid nuclear waste management demonstration project at the Western New York Service Center in West Valley, New York.

Directs the Secretary to arrange for the removal of spent nuclear fuel of domestic origin from countries pursuant to provisions of the Atomic Energy Act of 1954.

Directs the Secretary to develop a civilian nuclear reactor operator training program.

H.R. 4808. July 16, 1979. Interstate and Foreign Commerce. Directs the Secretary of Energy to establish and maintain a data collection program for monitoring the supply and demand levels of middle distillates on a monthly basis in each State.

H.R. 4809. July 16, 1979. Merchant Marine and Fisheries. Amends the Fishery Conservation and Management Act of 1976 to prohibit the Secretary of Commerce from approving the application for permits for foreign fishing vessels of any nation if it has been determined by the Secretary that the nationals of such nation are conducting fishing operations in a manner that undermines the effectiveness of international fishing conservation programs.

H.R. 4810. July 16, 1979. Ways and Means. Amends title XVI (Supplemental Security Income) of the Social Security Act to make any individual ineligible for SSI benefits if within 12 months of applying for such benefits he or she: (1) disposed of property which, if retained, would have prevented such individual from being eligible for SSI benefits; and (2) received no compensation for the property or received compensation in an amount more than 10 percent below the fair market value.

H.R. 4811. July 16, 1979. Interior and Insular Affairs. Conveys specified municipal reserves, streets, and alleys to the City of Nenana, Alaska. Grants additional time for the conveyance of specified lands to the Cook Inlet Region, Incorporated.

H.R. 4812. July 16, 1979. Judiciary. Directs the granting of a visa to and admission of a named individual to the United States for permanent residence.

H.R. 4813. July 16, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4814. July 16, 1979. Merchant Marine and Fisheries. Directs the Secretary of the department in which the Coast Guard is operating to cause a named vessel to be documented as a vessel of the United States so as to be entitled to engage in the coastwise trade.

H.R. 4815. July 17, 1979. Ways and Means. Amends the Internal Revenue Code to permit the establishment of distilled spirits plants for the purpose of producing, processing, storing, using, and distributing distilled spirits for fuel use.

H.R. 4816. July 17, 1979. Agriculture. Amends the Agricultural Act of 1949 to establish the crop production loan level for the 1980 and 1981 crops of upland cotton.

Specifies formulas for the determination of prevented planting payments for rice, cotton, feed grains, and wheat in certain circumstances.

Makes eligible for 1978 crop disaster payments certain cotton producers who were otherwise eligible for such payments, but who were deemed ineligible for failure to comply with the set-aside requirement of the 1978 crop feed grain program.

Directs the Secretary of Agriculture to make available a voluntary diversion program for the 1979 crop of upland cotton.

H.R. 4817. July 17, 1979. Agriculture. Amends the Food and Agriculture Act of 1977 to direct the Secretary of Agriculture to increase the established prices for the 1979 crops of wheat and corn.

H.R. 4818. July 17, 1979. Science and Technology. Directs the Secretary of Energy to select a site for and authorize the design, geologic survey, and construction of a Federal Technology Demonstration Repository for the disposal of nuclear waste.

H.R. 4819. July 17, 1979. Interstate and Foreign Commerce. Requires the Secretary of Energy to establish a program to promote the development and use of alcohol-blended fuels in the United States.

H.R. 4820. July 7, 1979. Science and Technology. Establishes a program for research, development and demonstration of wind energy. Authorizes the Secretary of Energy to enter into contracts and to make grants for the development of wind energy systems.

H.R. 4821. July 17, 1979. Ways Means. Amends the Internal Revenue Code to allow an income tax deduction for the expenses to traveling to and from work by means of public mass transportation.

H.R. 4822 July 17, 1979. Banking, Finance and Urban Affairs; Small Business. Amends the National Housing Act and the Small Business Act to authorize Federal financial assistance to individuals, families, nonprofit groups, and small businesses for the purchase of solar, renewable source, or other energy conserving measures and equipment.

H.R. 4823. July 17, 1979. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to require the Director of the National Institute of Health to conduct a study of the effectiveness and appropriateness of the age restrictions applicable to aircraft pilots.

H.R. 4824. July 17, 1979. Agriculture. Amends the Food Stamp Act of 1977 to disqualify, for the appropriate period of ineligibility, the entire household of any individual found guilty of specified acts of food stamp fraud.

Directs the Secretary of Agriculture to establish a Food Stamp Fraud Clearinghouse.

H.R. 4825. July 17, 1979. Judiciary. Establishes criminal penalties for the sabotage of nuclear facilities.

H.R. 4826. July 17, 1979. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to stipulate that no individual may serve as a commercial airline pilot, flight engineer, or flight navigator if such individual is 60 years of age or older.

Requires the Director of the National Institutes of Health to conduct a study to determine whether such age restriction is warranted and whether the rules governing first- and second-class medical examinations for such individuals are adequate.

H.R. 4827. July 17, 1979. Rules; Government Operations. Prohibits either House of Congress from considering any legislation providing new budget authority for the compensation of participants in a regulatory proceeding of a Federal agency, unless enactment of such budget authority is authorized by law.

Prohibits the authorization or payment of such compensation for which no budget authority is provided.

H.R. 4828. July 17, 1979. Interstate and Foreign Commerce. Amends the Motor Vehicle Information and Cost Savings Act to require the Environmental Protection Agency to base its automobile fuel economy tests upon actual road testing.

Sets forth criminal penalties for any employee of the Agency to knowingly falsify the results of such tests.

H.R. 4829. July 17, 1979. Judiciary. Makes it a Federal crime to kill any United States probation officer or pretrial service officer.

H.R. 4830. July 17, 1979. Interstate and Foreign Commerce. Directs the President to promulgate a regulation under the Emergency Petroleum Allocation Act of 1973 providing price and allocation controls for middle distillate fuels.

H.R. 4831. July 17, 1979. Education and Labor. Amends the Occupational Safety and Health Act of 1970 to exempt forms or nonhazardous businesses with 25 or less employees from coverage under such Act.

H.R. 4832. July 17, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $250 ($500 for married individuals filing jointly) of the interest earned on a savings account in a bank, savings association, or credit union.

H.R. 4833. July 17, 1979. Ways and Means. Amends the Internal Revenue Code to allow domestic corporations and income tax deduction for dividends paid by such corporations during the taxable year, in lieu of the deduction for dividends received from other corporations.

Places limits on the amount of the allowable deduction for dividends received from certain foreign corporations.

Repeals provisions allowing deductions for dividends received on certain preferred stock.

H.R. 4834. July 17, 1979. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to require that the label and advertising for contraceptive drugs and devices state the effectiveness of such drugs and devices in preventing conception in humans.

H.R. 4835. July 17, 1979. Foreign Affairs. Amends the Export Administration Act of 1969 to require validated licenses for the export of wheat and wheat flour. Provides for export license fees.

Expresses the sense of Congress that export controls should be imposed with respect to countries engaging in inequitable trade practices towards the United States.

H.R. 4836. July 17, 1979. Judiciary. Directs the Secretary of the Treasury to pay a claim against the United States.

H.R. 4837. July 17, 1979. Judiciary. Authorizes the Comptroller General to settle and adjust a claim of a named individual for an amount representing expenses incurred as an employee of the Federal Aviation Administration for the convenience of the Government.

H.R. 4838. July 17, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4839. July 18, 1979. Foreign Affairs; Science and Technology; Interior and Insular Affairs; Interstate and Foreign Commerce. Authorizes appropriations to the Department of Energy for civilian programs for fiscal year 1980.

Directs the Secretary of Energy to carry out a high-level liquid nuclear waste management demonstration project at the Western New York Service Center in West Valley, New York.

Directs the Secretary to arrange for the removal of spent nuclear fuel of domestic origin from countries pursuant to provisions of the Atomic Energy Act of 1954.

Directs the Secretary to develop a civilian nuclear reactor operator training program.

H.R. 4840. July 18, 1979. Ways and Means; Interstate and Foreign Commerce. Amends title XVIII (Medicare) of the Social Security Act to direct the Secretary of Health, Education, and Welfare to provide for inspections of skilled nursing facilities and intermediate care facilities in order to determine whether such facilities are in compliance with the requirements of the Act. Directs the Secretary to issue a citation which shall provide for a civil penalty to the operator of a facility which does not correct identified deficiencies.

H.R. 4841. July 18, 1979. Merchant Marine and Fisheries. Amends the Endangered Species Act of 1973 to set forth specified administrative procedures concerning any Federal agency action which is likely to jeopardize the existence or adversely modify the habitat of any listed or proposed endangered or threatened species.

H.R. 4842. July 18, 1979. Ways and Means. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to eliminate gender-based distinctions in awarding benefits under such title. Equalizes treatment of fathers, husbands, divorced husbands, surviving divorced husbands, and widowers with the treatment of their female counterparts under the OASDI Program.

Eliminates the marriage or remarriage of certain benefit recipients as a factor in terminating their benefits.

H.R. 4843. July 18, 1979. Post Office and Civil Service. Authorizes State and local authorities conducting a Federal election to send absentee voting materials free of postage. Permits absentee ballots to be returned postage-free.

Stipulates that this Act shall not apply to mail transmitted under the Federal Voting Assistance Act of 1955 or the Overseas Citizens Voting Rights Act of 1975.

H.R. 4844. July 18, 1979. Agriculture. Amends the Plant Quarantine Act of August 20, 1912, to eliminate the notice and hearing requirements with respect to the promulgation of determinations relating to: (1) importation restrictions on certain plants and plant products other than nursery stock; and (2) interstate quarantines necessary to prevent the spread of dangerous plant diseases or infestations.

H.R. 4845. July 18, 1979. Public Works and Transportation. Designates the Federal Building in Rochester, New York, as the Kenneth B. Keating Federal Building.

H.R. 4846. July 18, 1979. Banking, Finance and Urban Affairs. Amends the Federal Fire Prevention and Control Act of 1974 to authorize the Administrator of the National Fire Prevention and Control Administration to make grants to volunteer fire departments which are unable to purchase necessary firefighting equipment because of the increased cost of such equipment as a result of inflation.

H.R. 4847. July 18, 1979. Ways and Means. Amends the Internal Revenue Code to allow volunteer fire fighters an income tax deduction for the purchase of clothing used for fire fighting.

H.R. 4848. July 18, 1979. Ways and Means. Amends the Internal Revenue Code to exempt nonprofit volunteer firefighting or rescue organizations from the excise tax on sales of special fuels, automotive parts, petroleum products, and communication services.

H.R. 4849. July 18, 1979. Post Office and Civil Service. Amends the Legislative Reorganization Act of 1947 and the Federal Salary Act of 1967 to fix the annual rate of pay for Members of Congress at the rates payable for such positions on a specified date and to discontinue the annual adjustments in the rate of pay for Members of Congress. Prohibits any Congressional employee from receiving pay at a rate in excess of the pay rate payable for Members of Congress.

H.R. 4850. July 18, 1979. Ways and Means. Amends the Internal Revenue Code with respect to the retirement income credit.

H.R. 4851. July 18, 1979. Ways and Means. Amends the Internal Revenue Code to specify standards for determining whether certain individuals qualify as independent contractors for purposes of social security taxation.

Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to provide coverage for independent contractor services.

H.R. 4852. July 18, 1979. Banking, Finance and Urban Affairs; Interstate and Foreign Commerce; Ways and Means. Establishes an Energy Security Corporation for the production of synthetic fuels and solar energy. Authorizes such Corporation to issue interest-bearing energy bonds to the general public and to operate facilities for the production of synthetic fuels and solar energy. Terminates such Corporation after 12 years.

H.R. 4853. July 18, 1979. Agriculture. Prohibits the production, sale, shipment, or delivery for shipment in the United States of any animal biological product which is (1) misrepresented or unsatisfactory; or (2) not produced at a licensed establishment under a valid product license issued by the Secretary of Agriculture and in compliance with this Act or any regulations promulgated pursuant to it.

H.R. 4854. July 18, 1979. Judiciary. Amends the procedure for interception of wire or oral communications to require a separate judicial order for the entry of premises for such purpose, if a search warrant would be required for such an entry for a purpose other than an interception.

H.R. 4855. July 18, 1979. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 to eliminate the reduction of railroad retirement annuities by amounts payable as social security benefits in the case of certain individuals.

H.R. 4856. July 18, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4857. July 18, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4858. July 18, 1979. Merchant Marine and Fisheries. Directs the Secretary of the department in which the Coast Guard is operating to cause a named vessel to be documented as a vessel of the United States so as to be entitled to engage in the coastwise trade.

H.R. 4859. July 19, 1979. Interstate and Foreign Commerce; Interior and Insular Affairs. Establishes criteria and procedures for expedited Federal approval of nonnuclear energy facilities.

H.R. 4860. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax credit for the installation of a wood, peat, or coal burning stove.

H.R. 4861. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to treat property which is placed in service after December 31, 1982, as energy property, for purposes of the investment tax credit, if such property qualifies as energy property and if the taxpayer is affirmatively committed on

that date to its construction, reconstruction, erection, or acquisition.

H.R. 4862. July 19, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce. Amends the Energy Policy and Conservation Act to add a new part relating to synthetic fuel production, declaring that it is a national goal to have a domestic commercial production of synthetic fuels and synthetic chemical feedstocks at a daily rate equivalent to 500,000 barrels of crude oil, beginning five years after enactment of this Act.

Provides for a coordinated, simplified, and expeditious process for Federal approval of non-nuclear energy facilities that are determined to be in the national interest.

Establishes an Office for Priority Energy Projects within the Department of Energy.

H.R. 4863. July 19, 1979. Agriculture. Amends the Farm Credit Act of 1971 to include the Virgin Islands within the farm credit districts of the United States.

H.R. 4864. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction with respect to the amortization, based on a 60 month period, of facilities producing unleaded gasoline, heating oil, diesel fuel, solar or wind energy equipment, or synthetic fuels.

H.R. 4865. July 19, 1979. Government Operations. Prohibits the purchase or operation by the Federal Government of any motor vehicle for transporting a Government official between such official's home and place of employment. Prohibits the issuance of any motor vehicle for the exclusive use of any Government official or employee not designated in this Act.

H.R. 4866. July 19, 1979. Post Office and Civil Service. Prohibits the total personnel costs of any executive agency from exceeding the agency's personnel cost ceiling.

Directs the President to adjust such ceiling for each agency four times a year and to establish the ceilings for new agencies. Provides for a congressional veto of such adjustments or new ceilings.

H.R. 4867. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to disallow the option to deduct as expenses in the current taxable year intangible drilling and development costs with respect to an oil well drilled on proven properties.

H.R. 4868. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to deny the percentage depletion allowance for uranium.

H.R. 4869. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to allow renters of their principal residence a limited income tax credit for their proportionate share of real property taxes.

H.R. 4870. July 19, 1979. Ways and Means. Amend title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to remove the limitation on the amount of outside income which an individual may earn while receiving benefits.

H.R. 4871. July 19, 1979. Agriculture. Amends the United States Grain Standards Act to prohibit the knowing addition to any grain shipment, after its purchase from the original producer or after acceptance of such grain for storage and handling, of any foreign material or dust which would change the character or test weight of that grain from the test weight or character prevailing at the time of first purchase.

H.R. 4872. July 19, 1979. Judiciary. Establishes a Competition Review Commission to study the effect of Federal laws and practices on competition in the American economy. Grants the Commission broad subpoena and investigatory powers. Directs the Commission to submit specified reports to the President, the Speaker of the House of Representatives, and the President pro tempore of the Senate.

H.R. 4873. July 19, 1979. Interior and Insular Affairs. Amends the Act establishing the Indiana Dunes National Lakeshore to: (1) expand the boundaries of the Lakeshore; (2) change the composition of the Indiana Dunes National Lakeshore Advisory Commission; and (3) direct the Secretary of the Interior to construct a marina with harbor facilities within such lakeshore.

H.R. 4874. July 19, 1979. Ways and Means. Amends the Internal Revenue Code to allow employers, employees, and self-employed individuals an income tax credit equal to 20 percent of the amount of social security taxes paid by such individuals in 1980 and 1981.

H.R. 4875. July 19, 1979. Education and Labor. Establishes within the National Endowment for the Arts, an Art Bank to be headed by a Director.

Authorizes the Director to purchase visual works of art for the Art Bank, to make such works available on loan to certain private and governmental entities for public display, to sponsor exhibitions, and to assist State and local governments and nonprofit institutions in establishing art banks.

H.R. 4876. July 19, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4877. July 20, 1979. Public Works and Transportation. Directs the Secretary of Commerce to propose a program to compensate persons, States, or political subdivisions for shoreline erosion damage caused by actions of the International Joint Commission with respect to the water level of the Great Lakes.

H.R. 4878. July 20, 1979. Government Operations. Prohibits the purchase or operation by the Federal Government of any motor vehicle not of a type generally available in Government motor pools. Prohibits the use of Government motor vehicles by Government officials between such official's home and place of employment. Prohibits the issuance of any motor vehicle for the exclusive use of any Government official or employee not designated in this Act.

H.R. 4879. July 20, 1979. Judiciary. Revises the procedure for a person in custody under a State court order to obtain habeas corpus relief in Federal court.

H.R. 4880. July 20, 1979. Government Operations. Establishes the Government Executive Analysis and Reform (GEAR) Commission and a Task Force on American Federalism.

Directs the Commission to study the structure of Federal Agencies and programs and to recommend methods to improve the efficiency of the Federal Government.

Directs the Task Force to study the appropriate levels of responsibility shared among Federal, State, and local governments and to recommend constitutional, legislative, and administrative changes necessary to achieve a proper balance and division of Federal, State, and local roles.

H.R. 4881. July 20, 1979. Judiciary. Grants a Federal charter to the National Ski Patrol System.

H.R. 4882. July 20, 1979. Judiciary; Rules. Requires each Federal agency upon promulgating a rule to publish and submit to Congress: (1) a statement of the need for the rule; and (2) a preliminary analysis of its economic impact. Requires, with respect to major rules: (1) an economic impact statement; (2) estimates of related paperwork requirements; (3) estimates of its effects on the operation of Federal courts; and (4) an index of all other rules pertaining to the same subject matter.

Permits a rule to become effective only if it is not disapproved by either House of Congress within 60 days.

Directs the Comptroller General to review the economic posture of agency rules.

H.R. 4883. July 20, 1979. Government Operations. Amends the Freedom of Information Act to give courts jurisdiction to enjoin Federal agencies from withholding agency records and to revise certain procedures with respect to such Act.

H.R. 4884. July 20, 1979. Ways and Means. Amends the Internal Revenue Code to tax income of married individuals filing tax returns separate from their spouses at the same rates applicable to unmarried individuals.

H.R. 4885. July 20, 1979. Education and Labor; Judiciary. Amends the Walsh-Healey Act to permit government contractors to have their employees work a workweek consisting of four ten-hour days.

Amends the Contract Work Hours and Safety Standards Act to revise wage and overtime guidelines to accommodate such a work week.

H.R. 4886. July 20, 1979. Merchant Marine and Fisheries. Amends the Merchant Marine Act of 1936 to permit inactive U.S. passenger vessels, upon the approval of the Secretary of Commerce, to operate under the American flag in the domestic and foreign commerce of the United States and between foreign ports.

H.R. 4887. July 20, 1979. Merchant Marine and Fisheries. Authorizes appropriations for the San Francisco Bay National Wildlife Refuge.

H.R. 4888. July 20, 1979. Merchant Marine and Fisheries. Amends the Federal Aid Wildlife Restoration Act to change the basis for determining the national population for apportionments to the States.

H.R. 4889. July 20, 1979. Merchant Marine and Fisheries. Extends the authorization period for the Great Dismal Swamp National Wildlife Refuge.

H.R. 4890. July 20, 1979. Merchant Marine and Fisheries. Amends the Commercial Fisheries Research and Development Act of 1964 to extend the authorization of appropriations through fiscal year 1983 to carry out the purposes of the Act.

H.R. 4891. July 20, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce. Establishes the National Geothermal Energy Commission for the Purpose of granting licenses for the exploration and commercial development of geothermal energy.

H.R. 4892. July 20, 1979. Interstate and Foreign Commerce. Repeals the prohibition against certain coercive practices affecting broadcasting in the Communications Act of 1934.

H.R. 4893. July 20, 1979. Education and Labor. Amends the Comprehensive Employment and Training Act (CETA) to establish a Prime Sponsor Initiative Program for out-of-school unemployed, poor, 16- to 21-year-olds.

Limits the CETA Youth Employment and Training Program to in-school youth.

Allocates out-of-school program funds for statewide, Native American, and migrant projects. Raises the percentages for out-of-school program prime sponsor projects.

Allocates out-of-school program funds for the first two years according to the current in-school program formula. Thereafter allocates out-of-school program funds according to performance criteria for sponsors.

H.R. 4894. July 20, 1979. Ways and Means; Interstate and Foreign Commerce. Amends the Public Health Service Act to direct the Secretary of Health, Education, and Welfare to establish a system for the licensure of all clinical laboratories subject to national standards provided for under this Act. Requires the Secretary to establish a uniform regulatory policy with respect to laboratory provisions under this Act, the Food, Drug, and Cosmetic Act, and Medicare and Medicaid.

Amends the Social Security Act to set forth requirements with respect to payment for laboratory tests under the Maternal and

Child Health Programs, Medicare, and Medicaid.

H.R. 4895. July 20, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4896. July 20, 1979. Judiciary. Declares individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4897. July 20, 1979. Ways and Means. Amends the Internal Revenue Code to permit a taxpayer who is conscientiously opposed to war in any form to elect to have his income, estate, or gift tax payments spent for nonmilitary purposes.

Establishes the World Peace Tax Fund to receive tax payments designated for nonmilitary purposes. Establishes the World Peace Tax Fund Board of Trustees to direct research activities on behalf of world peace efforts.

H.R. 4898. July 20, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 4899. July 20, 1979. Judiciary. Authorizes the granting of a visa to and admission of two named individuals to the United States for permanent residence.

H.R. 4900. July 20, 1979. Judiciary. Renews and extends a specified plant patent for six years.

H.R. 4901. July 23, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $1,000 of the interest income received by an individual during the taxable year.

H.R. 4902. July 23, 1979. Ways and Means. Amends the Revenue Act of 1978 and the Internal Revenue Code to revise the tax credit provisions with respect to employee stock ownership plans (ESOPs).

H.R. 4903. July 23, 1979. Ways and Means. Amends the Internal Revenue Code to provide a system of accelerated capital cost recovery for investment in business facilities and equipment.

H.R. 4904. July 23, 1979. Ways and Means. Amends titles IV (Aid to Families with Dependent Children and Aid for Child Welfare Services) and XVI (Supplemental Security Income) of the Social Security Act to revise the benefits, eligibility standards, Federal financial participation, and administration of the programs established under such titles.

Makes further amendments to the Act relating to the availability of certain Federal records.

Amends the Internal Revenue Code to increase the tax credit allowed on earned income.

H.R. 4905. July 23, 1979. Government Operations; Ways and Means. Establishes an Office of Real Property Tax Reform within the Department of the Treasury to assist State and local governments in coordinating, reforming, and improving the administration of real property taxes and to provide funds for education to States which adopt certain reforms with respect to such taxes.

H.R. 4906. July 23, 1979. Interstate and Foreign Commerce. Amends the Controlled Substances Act to decriminalize certain activities with respect to marihuana, including the possession of not more than one ounce of marihuana for private use.

H.R. 4907. July 23, 1979. Veterans' Affairs. Repeals certain veterans' education provisions requiring such benefits to be used within ten years of eligibility.

H.R. 4908. July 23, 1979. Veterans' Affairs. Provides that any disability of a veteran of World War I shall be treated as a service-connected disability for medical care purposes, including hospital and outpatient care services.

H.R. 4909. July 23, 1979. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to provide scholarships to medical students who agree to practice for a specified length of time at a Veteran's Administration facility upon completion of their professional training.

H.R. 4910. July 23, 1979. Veterans' Affairs. Requires the Administrator of Veterans' Affairs to pay (in addition to any pension already paid) a monthly pension to each veteran of World War I who meets specified service requirements, or to the surviving spouse of each such veteran, or when there is no surviving spouse, to the child or children of each such veteran.

H.R. 4911. July 23, 1979. Veterans' Affairs. Sets forth the amount of reimbursement which the Administrator of Veterans' Affairs shall pay to the States for furnishing domiciliary, hospital, or nursing home care to eligible veterans who receive such care in States facilities.

H.R. 4912. July 23, 1979. Veterans' Affairs. Increases the specially adapted housing assistance grant for certain disabled veterans.

H.R. 4913. July 23, 1979. Veterans' Affairs. Amends the Veterans' and Survivors' Pension Improvement Act of 1978 and certain other provisions to provide that monthly annuity payments under the Railroad Retirement Act of 1974 shall not be included as income for the purpose of determining eligibility for certain veterans' pensions and dependency and indemnity compensation paid by the Veterans' Administration.

H.R. 4914. July 23, 1979. Veterans' Affairs. Provides that recipients of veterans' dependency and indemnity compensation to parents and non-service connected death, disability, or certain other service pensions will not have the amount of such pensions reduced or discontinued because of increases in monthly social security benefits.

H.R. 4915. July 23, 1979. Veterans' Affairs. Permits certain veterans with service-connected disabilities who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either.

H.R. 4916. July 23, 1979. Veterans' Affairs. Authorizes eligible Vietnam veterans to use up to 12 months of educational benefits for employment assistance payments to non-federal employers hiring such veterans.

Establishes programs for veterans with problems of: (1) psychological readjustment; or (2) drug or alcohol abuse.

Extends the delimiting period for veterans' educational assistance eligibility. Revises the veterans' educational assistance allowances schedule.

Authorizes grants to States for expenses for the startup costs of veterans' home loan programs.

Establishes a Commission on Veterans' Benefits.

H.R. 4917. July 23, 1979. Veterans' Affairs. Provides for the payment of supplemental tuition allowances to certain eligible veterans.

Extends the delimiting period for veterans' educational assistance for eligible veterans in school during their last year of eligibility.

H.R. 4918. July 23, 1979. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to permit patients and members in Veterans' Administration health care facilities to participate in therapeutic and rehabilitative activities sponsored by veterans' organizations at such facilities. Stipulates that such patients and members shall be paid for their participation by such sponsoring organizations.

H.R. 4919. July 23, 1979. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to provide outpatient dental services to any veteran who while on active duty was a prisoner of war for more than 180 days.

H.R. 4920. July 23, 1979. Veterans' Affairs. Provides that for purposes of veterans', dependents', and survivors' educational assistance eligibility, the agricultural work relevancy criteria shall not consider: (1) whether such work is full-time or not; or (2) whether it is the principal source of income.

H.R. 4921. July 23, 1979. Veterans' Affairs. Reduces the required veterans' disability rating from total to not less than 80 percent for purposes of eligibility for certain survivors' and dependents' medical care benefits.

H.R. 4922. July 23, 1979. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to provide mortgage protection life insurance to certain veterans unable to obtain commercial life insurance at a standard rate because of service-connected disabilities.

H.R. 4923. July 23, 1979. Veterans' Affairs. Revises the presumptions relating to certain mental diseases and disabilities of certain prisoners of war for purposes of veterans' wartime disability compensation eligibility.

H.R. 4924. July 23, 1979. Veterans' Affairs. Includes the Polish Legion of American Veterans of the United States of America as one of the organizations whose representatives may be recognized by the Administrator of Veterans' Affairs to prepare, present, and prosecute claims under laws administered by the Veterans' Administration.

H.R. 4925. July 23, 1979. Veterans' Affairs. Provides that members of the Armed Forces Reserves shall not be denied employment because of membership in a Reserve unit.

Excludes employers of less than ten employees from such prohibition.

H.R. 4926. July 23, 1979. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to provide criminal penalties for placing, or attempting to place, a loaded firearm aboard an aircraft.

H.R. 4927. July 23, 1979. Veterans' Affairs. Establishes a Court of Veterans' Appeals, appointed by the President, with exclusive jurisdiction to review on appeal all questions involved in decisions of the Board of Veterans' Appeals.

H.R. 4928. July 23, 1979. Education and Labor. Amends the National Labor Relations Act to include within the definition of "employee," for the purposes of the collective bargaining rights and procedures established by such Act, any individual employed as a supervisor.

H.R. 4929. July 23, 1979. Agriculture; Interior and Insular Affairs. Authorizes the Secretary of Agriculture to extend Department of Agriculture programs to Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and American Samoa in cooperation with the respective territorial governments.

H.R. 4930. July 23, 1979. Makes appropriations for fiscal year 1980 for the Department of the Interior, the Forest Service within the Department of Agriculture, specified programs within the Department of Energy, Indian programs within the Department of Health, Education, and Welfare, and related Federal agencies.

H.R. 4931. July 24, 1979. Ways and Means. Amends the Internal Revenue Code to allow a limited income tax exclusion for interest earned on savings accounts.

H.R. 4932. July 24, 1979. Government Operations. Requires the Administrator of General Services to prescribe regulations for the installation in each Government motor vehicle of a device which warns the operator when such vehicle is consuming energy nonproductively.

H.R. 4933. July 24, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax credit for expenditures made to develop, build, or purchase equipment which indicates to operators of motor vehicles that such vehicles are consuming energy inefficiently.

H.R. 4934. July 24, 1979. Judiciary. Adds to the general provisions of the Federal Criminal Code a new section relating to the amount and imposition of fines for the commission of a Federal offense. Redefines petty offenses for purposes of such code.

H.R. 4935. July 24, 1979. Ways and Means. Amends the Tariff Schedules of the United States to establish a duty on models of household furnishings and kits for miniature houses.

H.R. 4936. July 24, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce. Provides for a coordinated, simplified, and prompt process for Federal approval of nonnuclear energy facilities which are determined to be in the national interest.

Establishes an Energy Mobilization Board to be appointed by the President to designate priority energy projects, based on specified criteria, and to publish a project decision schedule containing deadlines for all Federal actions relating to such projects.

H.R. 4937. July 24, 1979. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 to stipulate that otherwise qualified individuals who lost railroad related employment through no fault of their own shall be deemed to have "current connections with the railroad industry" for purposes of determining eligibility for survivors benefits under such act.

H.R. 4938. July 24, 1979. Interior and Insular Affairs. Grants to the City of Los Angeles easements and rights-of-way together with the right to continue the City's water and power operations within specified public lands situated in Mono County, California.

H.R. 4939. July 24, 1979. Science and Technology. Directs the Office of Science and Technology Policy, in consultation with appropriate Federal agencies and offices, to establish a Federal mechanism within such Office to apply and promote the understanding and appreciation of comparative risks in scientific, technological, and related matters and to assist Federal, State, and local governments, private industry, and the public in making intelligent comparisons and evaluations of those risks.

H.R. 4940. July 24, 1979. Government Operations. Prohibits the Government from: (1) purchasing or operating a motor vehicle which does not meet a specified gasoline mileage requirement; (2) employing chauffeurs; (3) providing a motor vehicle to transport any Government employee or official between home and work; or (4) issuing a motor vehicle for the exclusive use of an employee or official. Exempts transportation services for the President from the provisions of this act.

H.R. 4941. July 24, 1979. Public Works and Transportation. Designates the North San Gabriel Dam and Lake Georgetown on the San Gabriel River, Texas.

H.R. 4942. July 24, 1979. Ways and Means. Amends the Internal Revenue Code to permit tax-exempt cemetery corporations to issue preferred stock and to pay dividends on such stock.

H.R. 4943. July 24, 1979. Judiciary. Grants the consent of Congress to the compact between the States of New York and New Jersey which provides for the promotion and preservation of commerce in and through the Port of New York District by financing industrial development projects.

H.R. 4944. July 24, 1979. Interstate and Foreign Commerce. Prohibits manufacturers of cigarettes or little cigars for sale or distribution in commerce from adding substances which continue the burning of such cigarettes or little cigars if left unattended.

H.R. 4945. July 24, 1979. Merchant Marine and Fisheries. Amends the Merchant Marine Act, 1936, to: (1) shorten the minimum United States documentation period for dry bulk cargo vessels; (2) allow such vessels which are receiving an operating-differential subsidy to perform repairs outside of the United States or Puerto Rico; and (3) remove the provision of law which prohibits individuals who are receiving an operating-differential subsidy or who are chartering vessels owned by the Department of Commerce from operating or acting as an agent for any foreign-flag dry bulk cargo vessel which competes with American carriers.

H.R. 4946. July 24, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction for the expenses paid for the higher education of the taxpayer or a dependent.

H.R. 4947. July 24, 1979. Interior and Insular Affairs. Transfers title in certain lands in the District of Columbia comprising the Potomac River shoreline to the United States, for the purpose of preserving such shoreline.

Authorizes legal action against the United States to recover just compensation for the lands taken pursuant to this Act.

H.R. 4948. July 24, 1979. Education and Labor. Amends the Higher Education Act of 1965 to: (1) extend eligibility for undergraduate basic and supplemental educational opportunity grants; (2) repeal the provision prohibiting supplemental grants of less than $200 from being awarded; and (3) remove the provision that students receiving such grants be at least half-time students.

H.R. 4949. July 24, 1979. Education and Labor. Prohibits standardized postsecondary admissions and admissions-preparation tests affecting interstate commerce to be administered unless certain requirements are met concerning: (1) notice of subject matter and test scores; (2) fee-determination information; (3) privacy of information; and (4) data collection and freedom of information.

H.R. 4950. July 24, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4951. July 24, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4952. July 25, 1979. Education and Labor. Amends the Age Discrimination Act of 1975 to exempt specified programs from the prohibition against age discrimination only if such actions are specifically directed or permitted by Federal statutes.

H.R. 4953. July 25, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income certain amounts of interest earned on savings accounts in financial institutions.

H.R. 4954. July 25, 1979. Ways and Means. Amends the Tariff Schedules of the United States to extend the duty-free entry of manganese ore. Provides for duty-free entry prior to enactment of this Act.

H.R. 4955. July 25, 1979. Foreign Affairs. Authorizes the appropriation of additional funds for migration and refugee assistance.

H.R. 4956. July 25, 1979. Banking, Finance and Urban Affairs. Prohibits any instrumentality of the United States from withholding Government contracts or applying any other sanction to enforce voluntary wage-price guidelines.

H.R. 4957. July 25, 1979. Banking, Finance and Urban Affairs. Amends the Federal banking laws to authorize negotiable order of withdrawal accounts at depository institutions. Permits Federal savings and loan associations to establish remote service units. Authorizes federally insured credit unions to receive share draft deposits.

H.R. 4958. July 25, 1979. Agriculture. Amends the Commodity Exchange Act to prohibit trading in potato (Solanum tuberosum) futures on commodity exchanges.

H.R. 4959. July 25, 1979. Post Office and Civil Service. Authorizes the Office of Personnel Management to enter into contracts to provide dental benefit plans for Federal employees. Specifies benefits which are required to be provided under such plans. Sets forth provisions governing: (1) the enrollment of employees; and (2) the contributions of the Government and enrolled individuals toward the subscription charge of such a plan.

Requires that an eligible individual be provided specified information concerning such plans. Creates the Employees Dental Benefits Fund.

H.R. 4960. July 25, 1979. Banking, Finance and Urban Affairs. Authorizes the President to present, on behalf of the Congress, a gold medal of appropriate design to Gerald F. Spiess in recognition of his distinguished feat as a transatlantic sailor.

H.R. 4961. July 25, 1979. Judiciary. Provides that the Court for the Eastern District of Pennsylvania shall be held at Lancaster, Pennsylvania.

H.R. 4962. July 25, 1979. Interstate and Foreign Commerce. Amends title XIX (Medicaid) of the Social Security Act to provide medical assistance to eligible individuals under the age of 21 and to eligible women during and after pregnancy. Establishes a national child health assurance program (CHAP) income standard and a national maternal income standard.

Requires a State Medicaid plan to develop a plan for the implementation of a CHAP which meets specified levels of acceptable performance.

H.R. 4963. July 25, 1979. Judiciary. Declares an individual admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4964. July 25, 1979. Judiciary. Declares two individuals admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4965. July 25, 1979. Judiciary. Authorizes classification of a named individual as a natural-born alien daughter of a named citizen of the United States.

H.R. 4966. July 25, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to the estate of a named individual in satisfaction of a claim against the United States.

H.R. 4967. July 26, 1979. Education and Labor. Authorizes the Commissioner of Education to make grants to Fisk University, in Nashville, Tennessee, for the development of the William Levi Dawson Institute of Public Affairs of Fisk University.

H.R. 4968. July 26, 1979. Ways and Means. Amends the Internal Revenue Code to provide that the net operating loss carryover period for a taxpaying entity which ceases to be a real estate investment trust shall be the same as the net operating loss carryover period for an entity which continues to qualify as a real estate investment trust.

H.R. 4969. July 26, 1979. Ways and Means. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to provide that disability insurance benefits for an individual having a terminal illness shall begin the first month during all of which such individual has such illness.

H.R. 4970. July 26, 1979. House Administration. Amends the Federal Election Campaign Act of 1971 to limit campaign contributions by multicandidate political committees (other than a multicandidate committee of a political party) for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress.

H.R. 4971. July 26, 1979. Public Works and Transportation. Directs the Secretary of Transportation to establish rules and regulations relating to commercial motor vehicle safety.

H.R. 4972. July 26, 1979. Small Business. Authorizes the establishment of, and directs the Small Business Administration to approve, examine, and supervise, risk retention groups formed to assume or spend the liability of two or more persons arising from product liability or defective construction claims. Preempts State laws contrary to the effective implementation of this Act.

H.R. 4973. July 26, 1979. Judiciary. Makes it a Federal crime for a business manager to knowingly fail to inform the appropriate Federal agency, and to warn affected employees, after discovering in the course of busi-

ness that a serious danger is associated with a product or business practice.

H.R. 4974. July 26, 1979. Banking, Finance and Urban Affairs. Establishes, within the Department of Housing and Urban Development, the Solar Energy Development Bank to make below-market interest rate loans for the purchase and installation of solar energy equipment in commercial and residential buildings.

H.R. 4975. July 26, 1979. Interior and Insular Affairs. Establishes the Orange Coast National Urban Park in the Irvine Coast-Laguna area of California.

H.R. 4976. July 26, 1979. District of Columbia. Amends the Act of April 8, 1935, to increase the number of members of the board of trustees of Trinity College of Washington, D.C.

H.R. 4977. July 26, 1979. Veterans' Affairs. Provides that any disability of a veteran of World War I shall be treated as a service-connected disability for medical care purposes, including hospital and outpatient care services.

H.R. 4978. July 26, 1979. Merchant Marine and Fisheries. Establishes, under the Fish and Wildlife Coordination Act, a time limit for the completion of consultations between applicants for a Federal permit or license required for drilling for oil or gas, the United States Fish and Wildlife Service, and any agency which administers the wildlife resources of the affected area.

H.R. 4979. July 26, 1979. Public Works and Transportation. Amends the Federal Water Pollution Control Act to establish minimum periods of time for the issuance of permits relating to drilling for natural oil or gas and for the discharge of dredged or fill material at specified sites.

H.R. 4980. July 26, 1979. Ways and Means. Amends the Internal Revenue Code to revise requirements for the exemption of certain coin-operated gaming devices from the occupational tax on such devices.

H.R. 4981. July 26, 1979. Post Office and Civil Service. Establishes the Citizens' Commission for the Commemoration of the Federal Government Bicentenary Era to commemorate events of the period of 1776 through 1800 relating to the development of the Federal Government.

H.R. 4982. July 26, 1979. Interstate and Foreign Commerce; Banking, Finance and Urban Affairs; Judiciary. Authorizes the creation of independent, for-profit regional energy corporations to promote energy conservation and production efforts among the States. Empowers such corporations to participate in projects to alleviate regional energy shortages. Provides for the financing of such corporations.

H.R. 4983. July 26, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 4984. July 26, 1979. Armed Services. Authorizes the President to present, in the name of Congress, a Medal of Honor to a named individual.

H.R. 4985. July 27, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce. Provides for a coordinated, simplified, and prompt process for Federal approval of nonnuclear energy facilities which are determined to be in the national interest.

Establishes an Energy Mobilization Board to be appointed by the President to designate priority energy projects, based on specified criteria, and to publish a Project Decision Schedule containing deadlines for all Federal actions relating to such projects.

H.R. 4986. July 27, 1979. Banking, Finance and Urban Affairs. Amends the Federal Reserve Act and the Federal Deposit Insurance Act to authorize the automatic transfer of funds from savings deposits to checking accounts by member banks in the Federal Reserve System and federally insured nonmember banks. Authorizes negotiable order of withdrawal accounts at depository institutions. Permits Federal savings and loan associations to establish remote service units. Authorizes federally insured credit unions to receive share draft accounts.

H.R. 4987. July 27, 1979. Banking, Finance and Urban Affairs. Establishes within the Department of Housing and Urban Development a Solar Energy Development Bank to subsidize loans for the purchase and installation of solar energy systems in commercial and residential structures.

H.R. 4988. July 27, 1979. Ways and Means. Amends the Internal Revenue Code to include within the definition of "solid waste disposal facility", for purposes of the tax exemption for industrial development bond interest, any facility which has the function of: (1) recovering material from solid wastes; and (2) producing gas, heat, or energy directly or indirectly from the solid waste disposal process and which is operated by or on behalf of a governmental agency.

Allows tax-exempt industrial development bonds to be used to fund solid waste disposal facilities where steam or electric energy produced at such facilities is sold to and used by the Federal Government.

H.R. 4989. July 27, 1979. Education and Labor. Amends specified definitions under the Federal Mine Safety and Health Act of 1977.

H.R. 4990. July 27, 1979. Ways and Means. Amends the Internal Revenue Code to allow employers, employees, and self-employed individuals an income tax credit equal to 20 percent of the amount of social security taxes paid by such individuals in 1980 and 1981.

H.R. 4991. July 27, 1979. District of Columbia. Directs the recomputation of any annuities received under the Policemen and Firemen's Retirement and Disability Act of the District of Columbia which were based on the retirement of an individual under such Act for a disability during the period beginning on October 12, 1975, and ending on June 19, 1976.

H.R. 4992. July 27, 1979. Agriculture. Amends the Agricultural Act of 1970 to require all exporters of certain wheat, feed grains, and cotton products to make daily reports to the Secretary of Agriculture of specified kinds of information regarding any export sale of any such product.

H.R. 4993. July 27, 1979. Interior and Insular Affairs. Amends the Public Rangelands Improvement Act of 1978 to restrict the Secretary of the Interior in reducing livestock grazing on the public rangelands.

H.R. 4994. July 27, 1979. Interstate and Foreign Commerce. Amends the Safe Drinking Water Act to direct the Administrator of the Environmental Protection Agency to make grants to certain public water systems to enable such systems to meet the requirements of the national interim primary drinking water regulations with respect to fluoride.

Sets forth the conditions for the receipt of such grants.

H.R. 4995. July 27, 1979. Government Operations. Establishes a Special Trade Agency to be directed by the Special Trade Representative for Negotiations, Enforcement, and Policy.

Establishes a Trade Coordination Council to advise the President concerning the integration of the trade functions of various departments and agencies.

Transfers to the Special Trade Representative specified trade-related functions of the Secretaries of State, Treasury, and Commerce.

H.R. 4996. July 27, 1979. Interior and Insular Affairs. Restores Federal recognition and services and benefits as a tribe to specified bands of the Paiute Indians of Utah.

Reopens the final membership list of such tribe.

Provides for the establishment, by elections under the supervision of the Secretary of the Interior, of a tribal government.

H.R. 4997. July 27, 1979. Banking, Finance and Urban Affairs. Amends the Federal Reserve Act to revise the terms of office of the chairman and vice chairman of the Board of Governors of the Federal Reserve System. Enunciates the duties of the vice chairman.

H.R. 4998. July 27, 1979. Banking, Finance and Urban Affairs. Amends the Federal Reserve Act to require public release of detailed minutes of Federal Open Market Committee Meetings. Authorizes release of information concerning foreign countries and central banks of foreign countries on a deferred basis.

H.R. 4999. July 27, 1979. Ways and Means. Amends the Internal Revenue Code to qualify malthouses for investment tax credit treatment.

H.R. 5000. July 27, 1979. Post Office and Civil Service. Entitles nonprofit service clubs to the reduced postage rates for third-class mail currently in effect for the mail matter of qualified nonprofit organizations.

H.R. 5001. July 27, 1979. Ways and Means. Amends the Internal Revenue Code to: (1) provide for the establishment of tax-exempt independent local newspaper advance estate tax trusts to facilitate payment of the estate tax imposed upon the estate of a decedent who owned an interest in an independent local newspaper; (2) excluded from the decedent's gross estate his interest in an independent local newspaper and any estate tax payments made by the estate tax trust; and (3) permit the executor of an estate which includes an interest in an independent local newspaper to pay the estate tax in installments.

H.R. 5002. July 27, 1979. Foreign Affairs; Ways and Means. Establishes a Commission on a North American Economic Alliance to study the development and utilization of the resources of the United States, Mexico, and Canada. Sets forth provisions concerning membership, staffing, and the powers of such Commission.

H.R. 5003. July 27, 1979. Interior and Insular Affairs. Declares that title to specified lands in the State of New Mexico is held in trust by the United States for the Ramah Band of the Navajo Tribe.

H.R. 5004. July 27, 1979. Education and Labor. Directs the Commissioner of Education to make a grant to Tuskegee Institute in Alabama for the construction of a building in memory of General Daniel James, to be known as the "Daniel James Memorial Center for Preventive Health Education".

H.R. 5005. July 27, 1979. Judiciary. Relieves a named individual of liability for the payment to the United States of a specified sum. Directs the Secretary of the Treasury to pay to such individual any part of such sum which may have been received or withheld from such individual in connection with such liability.

H.R. 5006. July 30, 1979. Agriculture; Interstate and Foreign Commerce. Amends the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make grants to current and proposed public or similar systems to enable such systems to comply with national primary drinking water regulations, and to assist such systems to serve their users at a reasonable user rate.

Amends the Public Health Service Act to deem in compliance with such water regulations certain noncomplying rural water systems while they apply for grants and act to achieve compliance.

H.R. 5007. July 30, 1979. Judiciary. Makes it a violation of Federal criminal law for a person who is authorized to intercept a wire or oral communication to knowingly trespass in connection with such interception without authorization. Sets forth proce-

dural requirements for a judicial order permitting such a trespass.

H.R. 5008. July 30, 1979. Veterans' Affairs; Judiciary. Repeals provisions permitting the Administrator of Veterans' Affairs to determine and pay fees to agents or attorneys representing veterans' claims under laws administered by the Veterans' Administration (VA).

Provides for judicial review of certain administrative decisions made by the Administrator.

Applies the provisions of the Administrative Procedure Act to all VA rules, regulations, and determinations.

H.R. 5009. July 30, 1979. Ways and Means; Judiciary. Awards reasonable court costs, including attorneys' fees, to a prevailing party in any civil action for the determination, collection, or refund of any tax, interest, penalty, or other matter arising under the Internal Revenue Code.

H.R. 5010. July 30, 1979. House Administration. Amends the Federal Election Campaign Act of 1971 to revise specified reporting and disclosure requirements by political committees in Federal elections.

Requires any individual who at the time of appointment to the Federal Election Commission is engaged in any other business, vocation, or employment to terminate such activity within a specified time limit.

Limits the amount of honorariums a person may accept while such person is an elected or appointed officer or employee of the Federal Government.

H.R. 5011. July 30, 1979. Merchant Marine and Fisheries. Limits the size of the Conboy Lake National Wildlife Refuge in the State of Washington.

H.R. 5012. July 30, 1979. Ways and Means. Amends the Internal Revenue Code to permit married individuals filing separate income tax returns to use the tax tables applicable to unmarried individuals.

H.R. 5013. July 30, 1979. Judiciary. Provides that certain immigrants eligible for preference priority admission based on family relationships with United States citizens or permanent residents shall be admitted without regard to certain numerical limitations on immigration.

H.R. 5014. July 30, 1979. Judiciary. Makes it a Federal crime to transport stolen or counterfeit airline tickets or to sell or receive such tickets in interstate or foreign commerce.

H.R. 5015. July 30, 1979. Post Office and Civil Service. Amends the Federal Physicians Comparability Allowance Act of 1978 to extend the provisions of such act for 2 years.

Amends the definitions of "Government physician" and "agency" for purposes of such act. Limits the Federal pay for a Government physician for any fiscal year.

H.R. 5016. July 30, 1979. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 5017. July 30, 1979. Judiciary. Authorizes the naturalization of a named individual who lost U.S. citizenship if such individual takes certain oaths prescribed under the Immigration and Nationality Act.

H.R. 5018. July 31, 1979. Merchant Marine and Fisheries. Amends the Marine Protection, Research, and Sanctuaries Act of 1972 to repeal title III, with respect to the designation of marine sanctuaries, and renames such act the Marine Protection and Research Act of 1972.

H.R. 5019. July 31, 1979. Interstate and Foreign Commerce. Amends the Energy Policy and Conservation Act to direct the Comptroller General to establish a program to determine and reconcile differences in data collected on petroleum product imports by specified Government agencies.

H.R. 5020. July 31, 1979. Interstate and Foreign Commerce. Directs the Administrator of the Environmental Protection Agency to arrange for a comprehensive study of the fluoride levels of specified public water systems.

H.R. 5021. July 31, 1979. Banking, Finance and Urban Affairs. Amends the National Flood Insurance Act of 1968 to extend flood insurance coverage to breakwalls and other flood-prevention structures. Sets limits on such coverage based on premium rates.

H.R. 5022. July 31, 1979. Interstate and Foreign Commerce. Amends the Communications Act of 1934 to prohibit the manufacture, importation, installation, offer to sell, rent, lease, or other distribution of telephone receivers or similar equipment manufactured after the date of enactment of this Act for use in connection with any interstate or foreign communication, unless such receiver or equipment is designed and manufactured to permit telephone reception by means of hearing aids with inductive receptors.

H.R. 5023. July 31, 1979. House Administration. Amends the National Museum Act of 1966 to authorize additional appropriations to the Smithsonian Institution to carry out the purpose of the Act.

H.R. 5024. July 31, 1979. Post Office and Civil Service. Increases the salaries of the Chairman and members of the Board of Governors of the Federal Reserve System.

H.R. 5025. July 31, 1979. Armed Services. Stipulates that no veteran shall be denied medical care under CHAMPUS (Civilian Health and Medical Plan of the Uniformed Services) for any service-connected disability solely because care for such disability is available at Veterans' Administration medical facilities.

H.R. 5026. July 31, 1979. Ways and Means. Amends the Internal Revenue Code to allow pensioners under a public retirement system and other retirees aged 65 or over a $5,000 exclusion from gross income for any amount received as an annuity, pension, or other retirement benefit.

H.R. 5027. July 31, 1979. Public Works and Transportation. Establishes within the Federal Aviation Administration the Federal Aviation Regulatory Review Commission. Stipulates that the Commission shall review and comment on any final rule, regulation, or order relating to aviation issued by the Secretary of Transportation, the Administrator of the Federal Aviation Administration, or the Chairman of the Civil Aeronautics Board.

H.R. 5028. July 31, 1979. Public Works and Transportation. Amends the Federal Aviation Act of 1958 to prohibit the Secretary of Transportation or the Administrator of the Federal Aviation Administration from issuing any rule, regulation, or order relating to specified aspects of the control of navigable airspace.

H.R. 5029. July 31, 1979. Judiciary. Establishes criminal penalties for whoever willfully or maliciously: (1) destroys any of the property of a nuclear utilization or production facility which is operated, controlled, or licensed by the United States; (2) interferes with the working of any such facility; or (3) obstructs the production, utilization, or transmission of energy from such facility.

H.R. 5030. July 31, 1979. Judiciary. Establishes a comprehensive Federal Bureau of Investigation Charter which sets forth the duties and responsibilities of the FBI with respect to criminal and civil investigations undercover operations, and law enforcement support functions.

H.R. 5031. July 31, 1979. Ways and Means. Amends the Internal Revenue Code to exempt radial tires and the recapping and retreading of such tires from the excise tax on tires and tubes.

H.R. 5032. July 31, 1979. Interior and Insular Affairs. Authorizes the establishment of the Long Island Sound Heritage in the States of Connecticut and New York.

H.R. 5033. July 31, 1979. Foreign Affairs. Merchant Marine and Fisheries; Interior and Insular Affairs. Expresses the sense of Congress that the Interim Convention on the Conservation of North Pacific Fur Seals should be terminated and negotiations entered into for an international agreement banning the killing of all such seals.

Provides for the establishment of a wildlife refuge and a marine sanctuary in the Pribilof Islands, Alaska. Prohibits the taking of seals within such areas.

Provides for the establishment of an advisory committee to study and recommend to Congress alternative livelihoods for Pribilof Islands natives. Provides for income maintenance assistance for such natives after the prohibition on the taking of seals takes effect.

H.R. 5034. July 31, 1979. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to require that the label on any packaged articles of food indicate its pull date, expiration date, and any storage instructions prescribed by the Secretary of Health, Education, and Welfare.

Requires every retail food distributor to display a sign which explains in easily understood terms the meanings of the dates and other information printed on such labels.

H.R. 5035. July 31, 1979. Merchant Marine and Fisheries. Requires the Secretary of Commerce to conduct a study of the fish harvesting and processing techniques and technologies which are utilized in foreign nations and in the United States which can be used or adapted for use in harvesting or processing fish or fish products within the United States fisheries.

H.R. 5036. July 31, 1979. Interior and Insular Affairs. Directs the Secretary of the Interior to convey a specified parcel of land in Colorado to the Ute Mountain Ute Tribe. Stipulates that such land shall not be considered Indian country for any purpose and shall be subject to State and local governmental jurisdiction and taxation.

Directs the Secretary to pay such tribe, for economic development of their lands, a specified sum authorized to be appropriated for such purpose.

Declares that the enactment of this Act shall fully satisfy all claims against the United States by such tribe relating to land ownership.

H.R. 5037. July 31, 1979. Banking, Finance and Urban Affairs. Amends the Federal Reserve Act to revise the terms of office of the chairman and vice chairman of the Board of Governors of the Federal Reserve System. Enunciates the duties of the vice chairman.

H.R. 5038. July 31, 1979. Education and Labor. Amends the Black Lung Benefits Act to stipulate that certain benefits paid to miners who filed claims under title IV of such Act shall not be considered workers' compensation benefits for the purposes of title II of the Social Security Act (Old Age, Survivors and Disability Insurance).

H.R. 5039. July 31, 1979. Agriculture; Interstate and Foreign Commerce. Establishes a fuel stamp program to assist participants in the food stamp program to pay the cost of fuel consumed for residential heating during the period of December through March.

H.R. 5040. July 31, 1979. Education and Labor; Banking, Finance and Urban Affairs.

Requires business concerns which undertake changes of operations to: (1) notify the Secretary of Labor, affected labor organizations, employees, and local governments; (2) assist employees who lose employment due to such changes; and (3) reimburse Federal and local governments for lost revenue.

Directs the Secretary of Labor to assist affected employees, business concerns, local governments, and certain employers and cooperative employee organizations.

Sets forth criminal and civil violations and penalties.

Establishes the National Employment

Priorities Administration and the National Employment Priorities Advisory Council.

H.R. 5041. July 31, 1979. Judiciary. Declares an individual admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5042. July 31, 1979. Judiciary. Authorizes the granting of a visa to and admission of a named individual to the United States for permanent residence.

H.R. 5043. August 1, 1979. Ways and Means. Amends the Internal Revenue Code to allow a tax exclusion for income attributable to a discharge of indebtedness due to the bankruptcy, insolvency, or business indebtedness of a taxpayer.

Provides for the treatment of insolvency reorganizations on the same basis as other types of corporate reorganization for purposes of determining the taxability of the gain arising from such transactions.

H.R. 5044. August 1, 1979. Ways and Means. Amends the Internal Revenue Code to provide for the refund or credit of excise taxes paid on the production of gasohol.

H.R. 5045. August 1, 1979. Banking, Finance and Urban Affairs; Interstate and Foreign Commerce.

Amends the Energy Policy and Conservation Act to establish a nonprofit corporation to be known as the National Energy Security Corporation, to provide for the undertaking of commercial-scale ventures assuring the availability of the maximum amount of energy for domestic use and furthering the national goal of a domestic synthetic fuel and feedstock production capacity of 2,500,000,000 barrels of crude oil equivalent.

Authorizes the Board of Directors of such Corporation to provide financial assistance to such designated energy projects.

Establishes a revolving fund in the United States Treasury into which shall be deposited receipts of the Corporation.

H.R. 5046. August 1, 1979. Education and Labor; Interstate and Foreign Commerce. Amends the Labor Management Relations Act, 1947, to set forth new procedures for settling emergency labor disputes in the following transportation industries: (1) railroad; (2) airline; (3) maritime; (4) longshore; and (5) trucking.

H.R. 5047. August 1, 1979. Ways and Means. Amends the Tariff Schedules of the United States to permit temporarily the duty-free entry of color couplers and intermediates used in the manufacture of photographic sensitized material.

H.R. 5048. August 1, 1979. Interior and Insular Affairs. Sets forth new boundaries for the Manassas National Battlefield Park, Virginia. Authorizes the Secretary of the Interior to acquire lands within such boundaries.

H.R. 5049. August 1, 1979. Judiciary. Directs the Judicial Conference of the United States to compile data on the sentences imposed by Federal courts in criminal cases and to develop advisory guidelines for Federal judges to use in imposing sentences.

Specifies factors which a court must consider in determining a sentence and sets forth procedures for the review of a sentence imposed.

H.R. 5050. August 1, 1979. Ways and Means. Amends the Internal Revenue Code to reduce individual and estate and trust income taxes and to provide for cost-of-living adjustments to the personal exemption and individual income tax brackets. Provides for a system of accelerated capital cost recovery for investment in business facilities and equipment.

Amends the Social Security Act and the Internal Revenue Code to reduce social security taxes and to provide for the partial funding from general revenues of the Hospital Insurance Program for the Aged and Disabled.

H.R. 5051. August 1, 1979. Education and Labor. Amends the Higher Education Act of 1965 to revise the provisions concerning: (1) agreements between the Federal government and the States; and (2) State planning and financing of postsecondary education.

Authorizes the Secretary of Health, Education, and Welfare to enter into supplemental agreements with the States to aid in the administration of Federal higher education programs.

H.R. 5052. August 1, 1979. Judiciary. Directs the Bureau of Prisons to make available to all persons incarcerated in Federal correctional institutions basic health services.

Makes the remedy against the United States under the Federal Tort Claims Act for personal injury caused by the negligence of medical personnel of the Bureau of Prisons exclusive of any other civil action by reason of the same subject matter against such personnel.

Sets forth procedures regarding autopsies performed on deceased prisoners of Federal institutions.

H.R. 5053. August 1, 1979. Interstate and Foreign Commerce; Judiciary; Ways and Means. Prohibits the disclosure of individually identifiable medical information. Permits the disclosure of medical information with the patient's consent or in specified circumstances. Requires warnings against unauthorized disclosures.

Directs medical service providers to allow patients full access to their records.

H.R. 5054. August 1, 1979. Education and Labor. Amends the Federal Mine Safety and Health Act of 1977 to exempt specified surface mine operators from the provisions of such Act.

H.R. 5055. August 1, 1979. Public Works and Transportation. Authorizes the Secretary of Transportation to fund projects for the repair of highways which have incurred a substantial increase in use as a result of transportation activities to meet national energy requirements and which will continue to incur such use.

H.R. 5056. August 1, 1979. Ways and Means. Confers tax-exempt status upon the Trans-Alaska Pipeline Liability Fund.

H.R. 5057. August 1, 1979. Agriculture. Amends the Food Stamp Act of 1977, as amended by the Food Stamp Act Amendments of 1979, with respect to the excess medical expense deduction for certain households and to lower the threshold amount for computing such excess expenses.

H.R. 5058. August 1, 1979. Education and Labor; Judiciary. Amends the Walsh-Healey Act to permit government contractors to have their employees work a workweek consisting of four ten-hour days.

Amends the Contract Work Hours and Safety Standards Act to revise overtime guidelines to accomodate such a workweek.

H.R. 5059. August 1, 1979. Public Works and Transportation.

Amends the Tennessee Valley Authority Act of 1933 to increase the amount of debt which may be incurred by the Tennessee Valley Authority.

Limits the authority of the Federal Government to require or permit the Corporation to make specified sales of power.

H.R. 5060. August 1, 1979. Ways and Means. Amends the Internal Revenue Code to remove restrictions on the use of restricted stock options and to eliminate the exercise of such stock options as an item of tax preference for purposes of the minimum tax.

H.R. 5061. August 1, 1979. Judiciary; Foreign Affairs. Directs the Secretary of Commerce to establish within the Department of Commerce an office to promote export trade associations.

Exempts certified export trade associations from the antitrust laws. Sets forth the procedures for obtaining certification. Authorizes enforcement of such provisions solely by Federal agencies. Limits the prohibition against unfair methods of competition to domestic competitors engaged in export trade.

Directs the President to appoint a task force to examine the effect of this Act and to make recommendations.

Repeals the Webb-Pomerene Act.

H.R. 5062. August 1, 1979. Government Operations. Declares as a national goal eventual population stabilization.

Establishes in the Executive Office of the President an Office of Population Policy.

Directs all Federal agencies to consider population change and stabilization in decisionmaking.

Requires the President to transmit to Congress annually a National Population Change and Planning Report.

H.R. 5063. August 1, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a named individual in satisfaction of a claim against the United States.

H.R. 5064. August 1, 1979. Judiciary. Grants a named company a ten-year period within which to make full payment to the United States of a judgment in a specified amount entered against such company by the Court of Claims.

H.R. 5065. August 1, 1979. Ways and Means. Directs the Secretary of the Treasury to admit free of duty (or refund duty already paid on) a certain item purchased by a named Cultural Center.

H.R. 5066. August 1, 1979. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a named corporation in satisfaction of a claim against the United States.

H.R. 5067. August 1, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5068. August 1, 1979. Judiciary. Declares two individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5069. August 2, 1979. Agriculture. Amends the Egg Research and Consumer Information Act to increase the rate of the assessment which egg producers must pay handlers.

H.R. 5070. August 2, 1979. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 to stipulate that a "current connection" with the railroad industry for purposes of such Act shall not be deemed lost by reason of certain employment with the Department of Energy.

H.R. 5071. August 2, 1979. Banking, Finance, and Urban Affairs. Amends the Federal Reserve Act, the Federal Deposit Insurance Act, the Home Owners' Loan Act of 1933, and the Federal Credit Union Act to permit financial institutions to offer interest-bearing accounts upon which funds may be withdrawn by negotiable instruments.

Provides for increases in the interest rate ceilings and eventual termination of interest rate controls and differentials.

H.R. 5072. August 2, 1979. Foreign Affairs. Amends the Foreign Assistance Act of 1961 to stipulate that specific amounts of the maximum contingent liability otherwise assumable by the Overseas Private Investment Corporation shall be available for insurance and guaranties offered pursuant to agreements providing for the development and extraction of oil, gas, and other minerals. Makes the Inter-American Development Bank responsible for administering such program. Sets forth limitations to the U.S. assumption of liability pursuant to such agreement.

H.R. 5073. August 2, 1979. Public Works and Transportation. Directs Federal department and agency heads to insure that new Federal buildings and new federally leased building space use solar energy to provide all or

part of the energy needed for hot water, heating, and cooling.

H.R. 5074. August 2, 1979. Interstate and Foreign Commerce; Ways and Means. Establishes a system for the compensation of victims of toxic substance pollution to be administered by the Administrative Board for Compensation of Victims of Toxic Substance Pollution, and the Office of the Ombudsman for Compensation of Victims of Toxic Substance Pollution.

H.R. 5075. August 2, 1979. Judiciary. Directs the Commissioner of Patents and Trademarks to establish regulations for the reexamination of patents to determine whether prior patents cited to the Patent and Trademark Office affect the patentability of any patent claim. Authorizes any individual to request such a reexamination.

Allows the patent owner to amend any claim of the patent under such reexamination and to appeal any adverse decision of the reexamination.

Provides for a stay of the proceedings of any civil action involving the validity of a patent to enable either party of such action to request such a reexamination by the Patent and Trademark Office.

H.R. 5076. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to prohibit any State, or political subdivision thereof, which imposes an income tax on a corporation from taking into account any amount of income belonging to, or attributable to, any foreign corporation which is also a member of an affiliated group to which the domestic corporation belongs, unless such amount is subject to Federal income tax.

Prohibits any State, or political subdivision thereof, from taxing or otherwise taking into account a certain percentage of any dividend received by a corporation from a foreign corporation.

H.R. 5077. August 2, 1979. Merchant Marine and Fisheries. Allows any citizen of the United States to apply to Secretary of the Department in which the National Marine Fisheries Service is located for approval of an underutilized specie development plan. Authorizes the Secretary to approve such plan if it is determined that it will facilitate the development of an underutilized specie or species.

H.R. 5078. August 2, 1979. Judiciary. Prohibits any Federal agency from issuing any order or promulgating any rule or regulation which has the same legal effect as any provision of any legislation disapproved by Congress for three years after such disapproval.

H.R. 5079. August 2, 1979. Foreign Affairs. Authorizes the President and the Secretary of Commerce to provide for U.S. participation in Energy-Expo 82 which is to be held in Knoxville, Tennessee.

H.R. 5080. August 2, 1979. Education and Labor. Permits a lower minimum wage: (1) for youths under age 19, for limited periods; and (2) for full-time students, for part-time or vacation period work.

Directs the Secretary of Labor to consider specified factors relating to employment in retail or service establishments in issuing orders declaring such employment hazardous or unhealthy for 16 to 18 year old children.

Amends the Fair Labor Standards Act of 1938 to postpone certain increases in the minimum wage.

Changes the tip credit in determining whether minimum wages are paid to tipped employees from 45 percent to 50 percent of tips received.

H.R. 5081. August 2, 1979. House Administration. Amends the Federal Elections Campaign Act of 1971 to prohibit specified political committees from making contributions to any candidate and the candidate's authorized political committees with respect to any election for Federal office.

H.R. 5082. August 2, 1979. Judiciary. Sets forth the procedure for the notification of and the review by Congress of any ratification or rescission of ratification of any amendment to the Constitution. Gives Congress the sole authority to determine the validity of the adoption of an amendment or the rescission of ratification.

H.R. 5082. August 2, 1979. Judiciary. Amends the Immigration and Nationality Act to permit the waiver of certain passport and visa requirements for nonimmigrants seeking temporary admission to the United States for business or pleasure purposes, and who are nationals of foreign countries which: (1) have a refusal rate for such admissions of less than two and one-half percent; and (2) extend reciprocal privileges to American nationals.

H.R. 5084. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to: (1) set the amount of the investment tax credit for solar energy property at 30 percent and to extend the expiration date for such credit and for the credit for other types of energy property; (2) permit noncorporate lessors of solar energy property to qualify for the investment tax credit; (3) allow a residential energy credit with respect to solar energy property to the extent such property performs a solar function; and (4) allow accelerated amortization of solar energy property.

H.R. 5085. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from the gross income of a nonresident alien amounts received as an annuity under a qualified annuity plan, or from a tax-exempt pension trust, if such amounts were payable by reason of personal services which were performed by such nonresident alien outside the United States, or within the United States for a foreign employer.

H.R. 5086. August 2, 1979. Ways and Means; Interstate and Foreign Commerce. Establishes a National Commission on Hospital Cost Containment to study specified aspects of hospital costs and utilization. Authorizes the Secretary of Health, Education, and Welfare to provide grants for State mandatory hospital cost containment programs.

H.R. 5087. August 2, 1979. Judiciary. Amends the Immigration and Nationality Act regarding: (1) entry for non-academic study; (2) the status of children; (3) deportation; (4) foreign medical personnel; (5) re-entry permits; (6) re-classification and status adjustment; (7) resident alien reporting requirements; (8) naturalization procedures; (9) automatic citizenship of adopted children; and (10) naturalization court fees.

Removes the authority of the Central Intelligence Agency to have aliens admitted without regard to their admissibility under immigration laws and regulations.

H.R. 5088. August 2, 1979. Public Works and Transportation. Establishes national uniform gross weight and length limits for vehicles using the Interstate Highway system during fuel emergencies. Authorizes the President to declare such a condition when he finds that a shortage of fuel is seriously disrupting the interstate trucking industry.

H.R. 5089. August 2, 1979. Judiciary. Constitutional Amendment—Limits the increase of total budget outlays of the United States Government in any fiscal year to a percentage equal to the percentage increase in the gross national product during the previous calendar year. Stipulates that if the inflation rate exceeds three percent annually the increase in total outlays shall be reduced by a specified percentage.

Continues Federal aid programs to States and local governments for a period of six years. Prohibits Congress from requiring by law that a State or local government engage in additional or expanded activities without compensation equal to the additional costs.

H.R. 5090. August 2, 1979. Ways and Means; Armed Services; Banking, Finance and Urban Affairs; Foreign Affairs; Government Operations; Science and Technology; Interstate and Foreign Commerce; Interior and Insular Affairs.

Amends the Internal Revenue Code to allow income tax credits for the production of certain alternate forms of energy and for the purchase of certain energy saving devices.

Terminates the Department of Energy after January 1, 1984, and terminates certain Federal laws administered by such Department.

H.R. 5091. August 2, 1979. Interstate and Foreign Commerce. Amends the Federal Food, Drug, and Cosmetic Act to deem any food additive safe if the Secretary of Health, Education, and Welfare complies with certain procedural requirements.

Amends the Saccharin Study and Labeling Act to extend the ban on restrictions on the sale or distribution of saccharin.

H.R. 5092. August 2, 1979. Ways and Means. Repeals the requirement, under title II (Old-Age, Survivors and Disability Insurance) of the Social Security Act, that the amount of monthly OASDI benefits payable to a spouse or surviving spouse be reduced by the amount such spouse or surviving spouse receives in monthly payments from a Federal or State pension fund.

H.R. 5093. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax credit for individuals who perform voluntary services for certain public service organizations.

H.R. 5094. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow a refundable income tax credit for the use of a passenger automobile for charitable purposes.

H.R. 5095. August 2, 1979. Education and Labor. Directs the Secretary of Labor to: (1) enter into a contract with Opportunities Industrialization Centers, Incorporated, for the creation of jobs and the provision of skills training for hard-core unemployed welfare recipients in depressed areas, and unemployed persons in depressed areas whose unemployment insurance has expired; and (2) enter into contracts with other national community-based organizations for the provision of comprehensive employment services to such persons.

Directs each agency administering authority under any of specified Acts or programs to assure that consideration will be given to national community-based organizations for the provision of comprehensive employment services and job opportunities to welfare recipients.

H.R. 5096. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow a taxpayer election with respect to the accelerated depreciation of office and pollution control equipment, motor vehicles, and investment tax credit property.

H.R. 5097. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow the nonrecognition of gain from the sale or exchange of stock in any small business corporation.

H.R. 5098. August 2, 1979. Merchant Marine and Fisheries. Authorizes the Secretary of Commerce to transfer, without reimbursement, the title and ownership of the ocean tug Scotch Cap to the Superior-Douglas County Museum in Superior, Wisconsin.

H.R. 5099. August 2, 1979. Interstate and Foreign Commerce. Requires principals to furnish specified information to a sales representative concerning orders placed through the representative's account.

Provides protection for certain sales representatives terminated from their accounts without justification by requiring the principals to indemnify the sales representatives, unless they have entered into a contract which conforms to such information requirements.

H.R. 5100. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to provide for the partial exclusion of interest in-

come from the gross income of an individual taxpayer.

H.R. 5101. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to increase the amount of the exclusion from gross income of dividends received by individuals.

H.R. 5102. August 2, 1979. Agriculture. Amends the Food and Agriculture Act of 1977 to direct the Secretary of Agriculture to increase the established price for the 1980 crops of wheat and corn.

H.R. 5103. August 2, 1979. Judiciary; Small Business. Repeals Federal Rule of Civil Procedure 23(b)(3) and creates two new types of civil action against persons whose conduct gives rise to private actions for damages under statutes of the United States: (1) a public action for redress of small monetary injuries to numerous members of the public; and (2) a class compensatory action for redress of substantial monetary injuries to numerous members of the public.

Establishes expedited appellate procedures for small civil penalties levied against small businesses by Federal agencies.

Directs the Office of Advocacy within the Small Business Administration to assist class actions on behalf of small businesses.

H.R. 5104. August 2, 1979. Education and Labor. Amends the National Labor Relations Act to stipulate that it is not an unfair labor practice for a labor organization to refuse to provide representation for any employee in any grievance procedure if such employee is not a member of such labor organization, unless the employee is required by contract to pay dues and initiation fees.

H.R. 5105. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $100 ($200 for joint returns) of the interest income earned by individuals under the age of 65 and to exclude all interest income of individuals who have attained age 65.

H.R. 5106. August 2, 1979. Education and Labor. Amends the Higher Education Act of 1965 to authorize institutions of higher education to set aside specified percentages of work-study funds for educational and vocational-related work-study employment.

H.R. 5107. August 2, 1979. Interior and Insular Affairs. Authorizes the Secretary of the Interior to acquire land in California, by donation, to establish a John J. Montgomery National Monument.

H.R. 5108. August 2, 1979. Interior and Insular Affairs. Requires that Natives be disenrolled from the Alaska Native Roll established by the Alaska Native Claims Settlement Act if they: (1) are enrolled now or hereafter by the Metlakatla Indian Community; and (2) request such disenrollment.

Requires that certain stock issued to such Natives by Village or Regional Corporations be canceled without liability.

Requires that such disenrollment not increase or decrease regional enrollments for certain purposes.

Directs the Secretary of the Interior to assist such Community in preparing and maintaining a current community roll.

H.R. 5109. August 2, 1979. Interior and Insular Affairs. Directs the Secretary of the Interior to construct, operate, and maintain the Grass Rope unit, South Dakota, for irrigation, wildlife mitigation, and other purposes. Sets forth provisions applicable to such unit for the repayment of capital costs, transfer of operation, and the amount of land eligible to receive water.

H.R. 5110. August 2, 1979. Agriculture. Amends the United States Grain Standard Act, with respect to grain transferred out of and grain transferred into an export elevator at an export port location, to limit the official weighing requirement.

H.R. 5111. August 2, 1979. Banking, Finance and Urban Affairs. Establishes a National Mutual Housing Corporation Act to assist in the development of mutual housing associations to develop and manage multifamily housing projects for low and moderate income people.

H.R. 5112. August 2, 1979. Ways and Means; Judiciary. Amends title XVI (Supplemental Security Income) of the Social Security Act to direct the Secretary of Health, Education, and Welfare and the Attorney General to establish and maintain procedures for the exchange of information with respect to aliens who are applicants for or recipients of SSI.

Amends the Immigration and Nationality Act to exclude aliens from the United States who are likely to receive SSI within six months after entering the United States.

H.R. 5113. August 2, 1979. Merchant Marine and Fisheries; Rules. Directs the Secretary of State, in consultation with the Secretary of Commerce and the Special Representative for Trade Negotiations, to negotiate Governing International Maritime Agreements with United States' trading partners to regulate the reciprocal bulk trade between the United States and such countries. Stipulates that such an agreement shall provide that 40 percent of such trade shall be reserved for each country's merchant marine.

H.R. 5114. August 2, 1979. Judiciary; Education and Labor; Ways and Means. Amends the Immigration and Nationality Act, the Comprehensive Employment and Training Act of 1973, the Internal Revenue Code of 1954, and the Social Security Act: (1) to restrict the illegal entry and prohibit the employment of aliens in the United States; (2) to facilitate the admission of aliens for temporary employment; and (3) to regulate the issuance and use of social security account cards.

H.R. 5115. August 2, 1979. Judiciary. Requires any person who makes copies of a Government publication and offers those copies for sale to include on each copy specified information about the availability of such publication from the Government.

H.R. 5116. August 2, 1979. Banking, Finance and Urban Affairs. Amends the Housing and Community Development Act of 1974 to make specified metropolitan counties with authority over housing and community development in unincorporated areas eligible for Federal assistance.

H.R. 5117. August 2, 1979. Banking, Finance and Urban Affairs; Science and Technology; Interior and Insular Affairs; Interstate and Foreign Commerce; Government Operations. Establishes a loan guarantee program for the purpose of financing the construction of demonstration facilities for the conversion of domestic coal, oil shale, tar sands, biomass, peat, and other domestic resources into synthetic fuels, and for other energy sources such as ocean thermal energy conversion.

Provides for an expedited decisionmaking process for obtaining Federal and State approval of non-nuclear energy facilities determined to be of national interest.

Establishes an Office of Priority Projects in the Department of Energy.

H.R. 5118. August 2, 1979. Interior and Insular Affairs. Authorizes appropriations for the Interstate Commission on the Potomac River for the purpose of developing a plan for the cooperative management by Federal, State, District of Columbia, and local authorities of certain areas along the Potomac River.

H.R. 5119. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax credit for the hiring of unemployed individuals in a redevelopment area (designated as such under the Public Works and Economic Development Act of 1965).

H.R. 5120. August 2, 1979, Ways and Means. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to increase to $750 the amount of the lump-sum death payment allowed thereunder, in the case of an individual whose estate is valued at $5,000 or less.

H.R. 5121. August 2, 1979. Education and Labor. Amends the Older Americans Act of 1965 to require States receiving certain grants under such Act to establish home maintenance assistance programs.

H.R. 5122. August 2, 1979. Government Operations. Authorizes the Administrator of General Services to assign to the Secretary of the Army for disposal such surplus real property or personal property which is necessary for the development and operation of a public harbor.

Sets forth provisions governing the deed of conveyance of such property.

H.R. 5123. August 2, 1979. Ways and Means. Amends the Internal Revenue Code with respect to the excess business holdings of private foundations.

H.R. 5124. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to set forth rules for the allocation of amounts of oil and natural gas between shareholders and controlled corporations for purposes of computing the percentage depletion allowance.

H.R. 5125. August 2, 1979. Agriculture. Amends the Agricultural Adjustment Act to subject imported grapes to the same regulation as to grade, size, quality, or maturity as table grapes from the Coachella Valley, California, whenever such table grapes are made subject to a marketing order regulating such items.

H.R. 5126. August 2, 1979. Small Business. Amends the Small Business Act to require that Federal agencies which conduct research and development programs of specified budget size establish and administer a Small Business Innovation Research (SBIR) program. Directs the Small Business Administration to develop an information program to assure that each qualified and interested small business concern has the opportunity to participate in the SBIR programs.

H.R. 5127. August 2, 1979. Ways and Means. Limits the aggregate quantity of lamb meat that may be imported into the United States. Sets forth a formula for determining such quotas and for adjusting such quotas. Directs the Secretary of Agriculture to allocate such quotas among supplying countries on the basis of their share of the U.S. market.

H.R. 5128. August 2, 1979. Judiciary. Amends the Immigration and Nationality Act to establish a program for the nonimmigrant admission of Mexican nationals as temporary workers in the United States.

Authorizes the Secretary of State to establish and expand United States Consulates in Mexico in order to implement such program.

Expresses the sense of Congress that the President should establish with Mexico an advisory commission on the temporary worker program.

H.R. 5129. August 2, 1979. Intelligence; Government Operations. Amends the Central Intelligence Agency Act of 1949 to exempt information in files maintained by the CIA or the National Security Agency from the provisions of any law requiring publication or disclosure if such files have been designated by the Director of Central Intelligence to be concerned with specified activities.

Amends the Freedom of Information Act to revise the procedures with respect to law enforcement or intelligence agency records and with respect to the determination by an agency of compliance with a request for records.

H.R. 5130. August 2, 1979. Judiciary. Amends the venue provisions of Federal law with respect to environmental litigation and appeals from agency actions relating to the environment.

H.R. 5131. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow individual taxpayers a refundable income tax credit for public utility surcharges imposed

upon such taxpayer under fuel adjustment clauses with respect to the purchase of electricity or natural gas for nonbusiness uses in the taxpayer's principal residence.

H.R. 5132. August 2, 1979. Ways and Means. Amends the Tariff Act of 1930 to exempt certified non-self-propelled barges from the class of vessels which are subject to the duty on vessels equipped or repaired in a foreign country.

H.R. 5133. August 2, 1979. Ways and Means. Provides full benefits under title II (Old Age, Survivors and Disability Insurance) of the Social Security Act for disabled wives, husbands, widows, and widowers without respect to age. Authorizes benefits for essential spouses of disability beneficiaries without regard to age or children in care. Provides benefits for divorced husbands, surviving divorced husbands, and surviving fathers. Eliminates the requirement that the 20 quarters of coverage necessary for disability insurance must have occurred within a 40 quarter period.

H.R. 5134. August 2, 1979. Armed Services. Repeals the Military Selective Service Act of 1967.

H.R. 5135. August 2, 1979. Public Works and Transportation. Directs the Architect of the Capitol to grant title to certain real property to the District of Columbia subject to a reversion to the United States if such property is not used as a site for housing for the elderly within three years.

H.R. 5136. August 2, 1979. Veterans' Affairs. Repeals the provision requiring the preservation of total disability ratings for compensation purposes. Reduces from 20 to five years the period after which a rating cannot be reduced for pension and insurance purposes.

H.R. 5137. August 2, 1979. Agriculture. Directs the Secretary of Agriculture, after consultation with the Secretary of Health, Education, and Welfare, to develop and implement a nutrition labeling and information system for meat, meat food products, poultry, and poultry products, capable of use as human food.

H.R. 5138. August 2, 1979. Post Office and Civil Service. Authorizes appropriations to the Office of Personnel Management, the Merit Systems Protection Board (MSPB), the Special Counsel of the MSPB, and the Federal Labor Relations Authority for fiscal years 1981 and 1982.

H.R. 5139. August 2, 1979. Interior and Insular Affairs. Amends the National Historic Preservation Act of 1966 to establish and maintain a National Register of Historic Places.

Establishes a Historic Preservation Agency under the direction of an Administrator for Historic Preservation, and an Advisory Council on Historic Preservation.

Provides a program of financial assistance to States and local governments and sets forth guidelines for all Federal agencies for the furtherance of the preservation of historic properties.

H.R. 5140. August 2, 1979. Interstate and Foreign Commerce. Amends the Motor Vehicle Information and Cost Savings Act to provide a limited exemption for automobile manufacturers who fail to meet average fuel economy standards.

H.R. 5141. August 2, 1979. Ways and Means. Amends the Internal Revenue Code to allow a tax credit for 50 percent of the State and local individual income tax paid by an individual taxpayer.

Disallows tax deductions for State and local individual income taxes, State and local general sales taxes, and State and local gasoline taxes.

H.R. 5142. August 2, 1979. Government Operations. Requires the Administrator of General Services to conduct an annual survey to determine the per diem allowances to which Federal employees shall be entitled for official travel to various areas of the United States. Provides for a congressional veto of such allowances. Eliminates current maximum amounts to which an employee is entitled for certain travel expenses.

H.R. 5143. August 2, 1979. Education and Labor. Amends the Rehabilitation Act of 1973 to authorize the Secretary of Health, Education, and Welfare to waive certain State agency organization requirements with respect to a State agency which demonstrates that such waiver would be consistent with the objectives of title I (Vocational Rehabilitation Services) of such Act.

H.R. 5144. August 2, 1979. Interstate and Foreign Commerce; Ways and Means. Amends the Railroad Retirement Act of 1974 to revise the benefits payable under such Act and the funding of the Railroad Retirement Account.

Amends the Internal Revenue Code of 1954 to revise the taxes imposed under the Railroad Retirement Tax Act.

H.R. 5145. August 2, 1979. Merchant Marine and Fisheries. Amends the Merchant Marine Act, 1936, to establish a financial assistance program for the construction and operation of vessels to be used in essential bulk cargo carrying services. Entitles such vessels to engage in all domestic trades without restriction and allows such vessels to enter or leave the domestic trade upon appropriate notice.

Reduces the minimum United States' documentation period for vessels which have received a construction-differential subsidy.

H.R. 5146. August 2, 1979. Interstate and Foreign Commerce; Interior and Insular Affairs. Establishes the Pacific Northwest Electric Power Planning Council to direct the preparation of a regional electric power plan, including the use of renewable resources and the implementation of conservation measures.

Authorizes the Administrator of the Bonneville Power Administration to sell electric power to public bodies, cooperatives, investor-owned utilities, Federal agencies, and direct service industrial customers, and to set rates for the sale or disposition of electric power.

Authorizes the Administrator to acquire electric power resources for experimental or demonstration projects.

H.R. 5147. August 2, 1979. Ways and Means. Amends the Tariff Schedules of the United States to reduce the duty on parts for pistols and revolvers used for sporting purposes.

H.R. 5148. August 2, 1979. Ways and Means; Interstate and Foreign Commerce. Amends the Public Health Service Act to apply the certificate-of-need program administered by the State health planning and development agencies to increase in health care facility capital stock and changes in health care facility bed function. Sets a national limit for major increases in hospital capital stock.

Amends the Social Security Act to revise the capital expenditure limitation provision with respect to hospitals. Prohibits the making of Federal payments under the Maternal and Child Health, Medicare, and Medicaid programs for unnecessary services or capital expenditures.

H.R. 5149. August 2, 1979. Banking, Finance and Urban Affairs. Establishes the Reconstruction Finance Corporation to make loans and loan guarantees to business concerns which would otherwise be unable to obtain needed financing.

Authorizes the Corporation to issue notes, debentures, bonds, and other such obligations which will be fully guaranteed by the United States.

H.R. 5150. August 2, 1979. Agriculture. Establishes the National Forest Systems Investment Fund in the Treasury of the United States, to hold all moneys received from the National Forest System and make them available for capital improvements in the System.

Declares that it is the duty of the Secretary of the Treasury to invest a portion of such moneys in interest-bearing obligations of the United States or in obligations guaranteed by the United States as to both principal and interest.

H.R. 5151. August 2, 1979. Post Office and Civil Service. Authorizes the Office of Personnel Management to enter into contracts to provide dental benefit plans for Federal employees. Specifies benefits which are required to be provided under such plans. Sets forth provisions governing: (1) the enrollment of employees; and (2) the contributions of the Government and enrolled individuals toward the subscription charge of such a plan.

Requires that an eligible individual be provided specified information concerning such plans. Creates the Employees Dental Benefits Fund.

H.R. 5152. August 2, 1979. House Administration. Terminates the Franklin Delano Roosevelt Memorial Commission.

H.R. 5153. August 2, 1979. Judiciary. Amends the Immigration and Nationality Act to include within the definition of "special immigrant" an immigrant entering the United States to pursue a course of religious study in order to carry out the vocation of minister.

H.R. 5154. August 2, 1979. Education and Labor. Amends the Higher Education Act of 1965 to: (1) replace certain existing student loan progress with a new program providing direct loans to students through institutions of higher education, and supplementary family-contribution loans, (2) eliminate the District of Columbia student loan insurance program; and (3) revise the functions and authority of the Student Loan Marketing Association.

H.R. 5155. August 2, 1979. Judiciary. Authorizes the granting of a visa to and admission of a named individual to the United States for permanent residence.

H.R. 5156. August 2, 1979. Judiciary. Directs the Secretary of the Treasury to pay specified sums to named individuals in satisfaction of claims against the United States.

H.R. 5157. August 2, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5158. August 2, 1979. Judiciary. Confers jurisdiction upon the Court of Claims upon any claim instituted within 1 year by a named individual arising out of a specified claim of such individual against the United States.

H.R. 5159. August 2, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5160. August 2, 1979. Judiciary. Amends a specified act for the relief of named individuals to restore certain benefits.

H.R. 5161. August 2, 1979. Judiciary. Declares a named individual to have satisfied specified requirements under the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States. Authorizes such individual to be naturalized.

H.R. 5162. August 2, 1979. Interior and Insular Affairs. Directs the Secretary of the Interior, through the Director of the Bureau of Land Management, to amend the description of the land granted by the United States in a specified land patent issued to a named individual.

H.R. 5163. September 5, 1979. Armed Services. Authorizes the sales of 14 naval vessels to the Governments of Brazil, Colombia, Ecuador, Greece, Indonesia, the Republic of Korea, Mexico, Peru, the Philippines, and Spain.

H.R. 5164. September 5, 1979. Merchant

Marine and Fisheries. Revises the inspection and manning requirements for vessels below a specified size carrying passengers or freight for hire.

H.R. 5165. September 5, 1979. Ways and Means. Prohibits the issuance of any regulations by the Internal Revenue Service on employer fringe benefits after April 30, 1979.

H.R. 5166. September 5, 1979. Ways and Means. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to direct a State to pay to the Secretary of the Treasury, within 30 days following the end of each month, OASDI contributions related to the employment of State employees.

H.R. 5167. September 5, 1979. Education and Labor; Ways and Means. Amends the Employee Retirement Income Security Act and the Internal Revenue Code to revise the requirements which must be met for a pension plan providing benefit payments in the form of an annuity to have the effect of a qualified joint and survivor annuity.

H.R. 5168. September 5, 1979. Armed Services. Authorizes an increase in the number of Air Force colonels and lieutenant colonels through fiscal year 1980.

Extends to fiscal year 1980: (1) the suspension of certain duty and eligibility requirements for Navy and Marine officer promotions; (2) spot promotions for certain Navy lieutenants; (3) below-zone promotions for Navy limited duty officers; and (4) temporary Marine Corps major generals on major general selection boards.

Authorizes the retirement and/or separation and payment of retired pay and/or severance pay to disabled members of the armed forces whose disability was incurred in the line of duty from September 15, 1978, through September 30, 1980.

H.R. 5169. September 5, 1979. Interior and Insular Affairs; Interstate and Foreign Commerce; Science and Technology. Amends the Department of Energy Organization Act to establish in the Department of Energy the position of Assistant Secretary for Renewable Energy Resources in order to consolidate all renewable energy research, development, demonstration, and commercialization activities under the jurisdiction of different Assistant Secretaries of Energy.

H.R. 5170. September 5, 1979. Interstate and Foreign Commerce. Extends until October 1, 1982, the funding of State Medicaid (title XIX of the Social Security Act) fraud control units.

H.R. 5171. September 5, 1979. Ways and Means. Amends the Internal Revenue Code to make permanent the special tax treatment of church agency pension plans as qualified church plans. Allows any plan which is determined to have failed to meet church plan requirements a grace period to bring itself into compliance without becoming disqualified.

H.R. 5172. September 5, 1979. Ways and Means. Amends the Internal Revenue Code to provide that, for purposes of computing the allowable retirement plan exclusion and employer contributions allowance for church employees, all years of service for a church, church association, or an agency for such churches shall be considered employment for one employer.

Extends to church employees the same option presently enjoyed by employees of tax-exempt health and education organizations to elect alternative exclusion allowances for contributions to annuity contracts.

H.R. 5173. September 5, 1979. Education and Labor; Ways and Means. Amends the Employee Retirement Income Security Act to make permanent the special tax treatment of church agency pension plans as qualified church plans. Allows any plan which is determined to have failed to meet church plan requirements a grace period to bring itself into compliance without becoming disqualified.

H.R. 5174. September 5, 1979. Judiciary. Amends the Federal criminal code to stipulate that the prohibition against Government employees receiving outside income does not include the payment of actual relocation expenses incident to participation in certain executive exchange or fellowship programs.

H.R. 5175. September 5, 1979. Banking, Finance and Urban Affairs; Ways and Means. Prohibits, for three years, the use of federally related mortgage loans, grants, insurance, or other assistance for condominium or cooperative conversions.

Establishes a Presidential Commission on Problems Relating to Condominium-Cooperative Conversion.

Provides relocation assistance to displaced person occupying rental units converted to condominium or cooperative units. Amends the Housing and Community Development Act of 1974 to place restrictions on community development block grants.

Amends the Internal Revenue Code of 1954 to treat gain from condominium-cooperative conversions as ordinary income.

H.R. 5176. September 9, 1979. Post Office and Civil Service. Directs the Comptroller General to establish a personnel management system for the GAO which is consistent with specified provisions of Federal law governing Federal personnel management.

Establishes the General Accounting Office Appeals Board to consider and act on employee appeals on administrative actions.

Authorizes the Comptroller General to establish a GAO Senior Executive Service and a merit pay system for GAO employees.

H.R. 5177 September 5, 1979. Interstate and Foreign Commerce. Amends the Emergency Petroleum Allocation Act of 1973 to direct the President to establish a national set-aside program to provide middle distillates to meet shortages in agricultural production and agricultural transportation requirements. Stipulates that such program shall be made effective only if such shortage has impaired or is likely to impair agricultural production and no State programs have been or are likely to be established to alleviate such shortages.

H.R. 5178. September 5, 1979. Ways and Means. Amends title XVI (Supplemental Security Income) of the Social Security Act to exclude interest on savings accounts, if less than $60 in a calendar quarter, from an individual's income for purposes of determining such individual's benefits or eligibility for benefits under such title.

H.R. 5179. September 5, 1979. Merchant Marine and Fisheries. Prohibits certain payments for damages to fishing gear caused by oil and gas development activities when the party to whom such damage is attributable admits responsibility for such damage.

H.R. 5180. September 5, 1979. Ways and Means. Amends the Internal Revenue Code to exempt conventions held in Mexico and Canada from the restrictions applicable to the income tax deduction for business expenses for attendance at a foreign convention.

H.R. 5181. September 5, 1979. Banking, Finance and Urban Affairs. Stipulates that savings banks shall not be considered State banks in determining whether a national bank may establish and operate a branch.

H.R. 5182. September 5, 1979. Interior and Insular Affairs. Amends the Chesapeake and Ohio Canal Development Act to extend the termination date of the Chesapeake and Ohio Canal National Historical Park Commission.

H.R. 5183. September 5, 1979. Judiciary. Exempts classroom performances or displays of a work by instructors or pupils of any educational institution (presently a nonprofit educational institution) from copyright royalty requirements.

H.R. 5184. September 5, 1979. Ways and Means. Amends the Internal Revenue Code to provide a tax exclusion from personal income earned abroad by an individual performing qualified charitable services for a tax-exempt employer created or organized in the United States.

H.R. 5185. September 5, 1979. Ways and Means. Amends the Internal Revenue Code to increase the amount of employees' death benefits that may be excluded from gross income.

H.R. 5186. September 5, 1979. Banking, Finance and Urban Affairs; Science and Technology; Interior and Insular Affairs; Interstate and Foreign Commerce. Establishes the Energy Development and Demonstration Corporation to develop domestic energy projects.

Permits the Corporation, with the approval of the Secretary of the Treasury, to issue bonds, notes, debentures, and other similar obligations.

Sets forth terms and conditions of such obligations.

Makes the United States the guarantor of such obligations.

H.R. 5187. September 5, 1979. Interior and Insular Affairs; Science and Technology. Establishes a loan program for geothermal reservoir confirmation and revises geothermal leasing and permitting procedures under the Geothermal Steam Act of 1970 and the Geothermal Energy Research, Development, and Demonstration Act of 1974 to promote the development of geothermal resources.

H.R. 5188. September 5, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5189. September 5, 1979. Judiciary. Permits a certain individual, who lost United States citizenship, to be naturalized under the Immigration and Nationality Act.

H.R. 5190. September 5, 1979. Judiciary. Declares an individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 5191. September 6, 1979. Interstate and Foreign Commerce; Ways and Means. Establishes a comprehensive national health care system, to be administered by an independent National Health Board and State health boards. Creates the Commission on the Health of Americans to make recommendations with respect to the health status of the U.S. population.

Amends title XVIII (Medicare) of the Social Security Act to conform such Act with the national health program.

Amends the Internal Revenue Code to revise the medical care deduction and establish a health insurance credit for certain impacted employers.

H.R. 5192. September 6, 1979. Education and Labor, Amends the Higher Education Act of 1965 to establish: (1) Education Outreach Programs; (2) the Urban Grant University Program; (3) a National Periodical Center; (4) a National Commission on Student Loans, and a National Board of the Fund for the Improvement of Postsecondary Education.

Directs the Secretary of Health, Education, and Welfare to assume duties assigned the Commissioner of Education under such Act, including granting funds for college and research library assistance, library training research, and the improvement of developing institutions and postsecondary education.

Revises and extends specified student financial assistance programs, Teacher Corps, teacher training, construction, cooperative education, and graduate programs.

H.R. 5193. September 6, 1979. Ways and Means. Amends the Internal Revenue Code to grant a limited tax exclusion of interest earned on savings accounts.

H.R. 5194. September 6, 1979. Ways and Means. Amends the Internal Revenue Code to permit landlords to claim a residential energy credit for energy conservation expenditures with respect to rental properties if energy savings attributable to such expenditures are passed through to the tenants.

H.R. 5195. September 6, 1979. Armed Services. Revises the special pay for medical officers, dental officers, and optometry officers in the uniformed services on active duty.

H.R. 5196. September 6, 1979. Interior and Insular Affairs. Authorizes the Secretary of the Interior to engage in feasibility studies of obtaining water supplies for domestic, recreational, and municipal users along the Colorado River, California.

H.R. 5197. September 6, 1979. Ways and Means; Judiciary. Amends title XVI (Supplemental Security Income for the Aged, Blind, and Disabled) of the Social Security Act to require that aged, blind, or disabled aliens must have resided in the United States for three years preceding their application for benefits under such title. Exempts those aliens: (1) who are political refugees or parolees into this country; (2) whom a support agreement excuses, under the Immigration and Nationality Act; or (3) who have specified disabilities.

Amends the Immigration and Nationality Act to stipulate that no immigrant shall be admitted to the United States except pursuant to a support agreement. Defines such agreement.

H.R. 5198. September 6, 1979. Ways and Means. Amends the Internal Revenue Code to exclude from gross income up to $500 of the interest earned on a savings account.

H.R. 5199. September 6, 1979. Interior and Insular Affairs. Amends the Colorado River Basin Salinity Control Act to authorize fish and wildlife mitigation measures. Limits the construction of the Grand Valley unit, Colorado, to stage one development. Authorizes an increase in the appropriations for the Paradox Valley unit, Colorado.

H.R. 5200. September 6, 1979. Judiciary. Amends Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) to revise the exemptions to such Act. Includes the handicapped within the antidiscrimination provisions of such Act. Prohibits discrimination in housing insurance or debts secured by real property.

Expands the authority of the Secretary of Housing and Urban Development over certain Federal agencies. Revises the procedures for enforcing the antidiscrimination provisions of such Act.

H.R. 5201. September 6, 1979. Ways and Means. Amends the Internal Revenue Code to extend the date until which a State legislator may qualify for the income tax deduction for living expenses while engaged in legislative business away from his home district.

H.R. 5202. September 6, 1979. Public Works and Transportation. Directs Federal department and agency heads to insure that new Federal buildings and new federally leased building space use solar energy to provide all or part of the energy needed for hot water, heating, and cooling.

H.R. 5203. September 6, 1979. Interstate and Foreign Commerce. Requires principals to furnish specified information to a sales representative concerning orders placed through the representative's account.

Provides protection for certain sales representatives terminated from their accounts without justification by requiring the principals to indemnify the sales representatives, unless they have entered into a contract which conforms to such information requirements.

H.R. 5204. September 6, 1979. Ways and Means. Amends the Internal Revenue Code to provide a system of accelerated capital cost recovery for investment in business facilities and equipment.

H.R. 5205. September 6, 1979. Ways and Means. Amends the Internal Revenue Code to set forth rules with respect to the allowable number of shareholders in a Subchapter S corporation.

H.R. 5206. September 7, 1979. Interstate and Foreign Commerce. Amends the Clean Air Act to stipulate that no motor vehicle emission standard promulgated under such Act shall apply to any motor vehicle which will be used predominantly in an area in which the reduction of motor vehicle emissions is not necessary to meet national ambient air quality standards.

Prohibits the control of the sale of any fuel, class of fuels, or fuel additives which will be primarily used in such areas if the use of such a product will not significantly impair the performance of any emission control device in the motor vehicle.

H.R. 5207. September 7, 1979. Post Office and Civil Service. Entitles a child who is placed in the permanent custody of a Federal employee, a Member of Congress, or the spouse of such employee or Member to civil service survivor benefits.

H.R. 5208. September 7, 1979. Agriculture. Cancels the liability of any qualified recipient for excess payments made for the self-hauling of hay and other roughages under the Hay Transportation Assistance Program (HTAP).

H.R. 5209. September 7, 1979. Ways and Means. Amends the Internal Revenue Code to qualify passive solar energy property for the residential energy tax credit.

H.R. 5210. September 7, 1979. Education and Labor. Amends the Higher Education Act of 1965 to revise and extend specified programs.

Transfers specified program responsibilities to the Secretary of Health, Education, and Welfare from the Commissioner of Education.

Establishes a Government Student Loan Association within the Department of Health, Education, and Welfare. Transfers specified student loan programs responsibilities to the Association from the Commissioner.

Establishes a Basic Student Loan Program to assist needy students. Establishes a Basic Student Loan Fund within the Treasury.

Establishes an Advisory Council on Developing Institutions.

Amends the General Education Provisions Act to extend the Fund for the improvement of Postsecondary Education.

H.R. 5211. September 7, 1979. Ways and Means. Amends the Internal Revenue Code to eliminate certain restrictions with respect to the tax exclusion of income earned by U.S. citizens while residing abroad. Repeals provisions permitting income tax deductions for certain expenses incurred in living abroad.

H.R. 5212. September 7, 1979. Ways and Means. Amends the Internal Revenue Code to allow an income tax deduction for contributions to a tax-exempt trust fund established for the support of a handicapped dependent of a taxpayer.

H.R. 5213. September 7, 1979. Ways and Means. Amends title II (Old Age, Survivors and Disability Insurance) of the Social Security Act to: (1) entitle every beneficiary to apply the monthly earnings test in at least one year after 1977; (2) disregard certain royalties and other deferred income in determining OASDI eligibility; (3) make the monthly retirement test available to certain beneficiaries in limited circumstances; and (4) extend Medicare hospital insurance benefits to eligible individuals who have not applied for such benefits.

H.R. 5214. September 7, 1979. Merchant Marine and Fisheries; Science and Technology. Amends the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations for fiscal year 1980 to carry out the provisions of such Act.

Directs the Secretary of Commerce to: (1) issue regulations to implement the terms of the designation to marine sanctuaries; (2) conduct enforcement activities to carry out such designation; and (3) transmit such a designation to Congress for review.

Authorizes the issuance of permits for research involving the dumping of industrial waste into ocean waters.

H.R. 5215. September 7, 1979. Public Works and Transportation. Prohibits the Secretary of Transportation from approving, at the end of a two year period, any Federal aid highway program in a State unless the State has: (1) established a form of identification to designate parking spaces reserved for physically handicapped individuals and which distinguishes motor vehicles used by such individuals; and (2) enacted legislation setting forth penalties for the use of such spaces by non-handicapped persons.

H.R. 5216. September 7, 1979. Agriculture. Amends the Agricultural Marketing Act of 1946 to provide that the United States shall bear the cost, except overtime, of inspection, certification, and identification of domesticated rabbits, carcasses, parts, or products thereof slaughtered or processed for human consumption, when such items are shipped or received in interstate commerce.

H.R. 5217. September 7, 1979. Interstate and Foreign Commerce. Amends the Public Health Service Act to require a specified amount of the sums appropriated for the National Institute of Neurological and Communicative Disorders and Stroke (designated by this Act) to be obligated for research in the area of regeneration of the spinal cord.

H.R. 5218. September 7, 1979. Foreign Affairs. Amends the Foreign Assistance Act of 1961 to authorize disaster relief and reconstruction assistance for the Caribbean, with priority given to furnishing agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954.

H.R. 5219. September 7, 1979. Judiciary. Relieves a named individual of liability for the payment to the United States a specified sum. Directs the payment to such individual of the aggregate of any amount which has been received or withheld from such individual in connection with such liability.

H.R. 5220. September 10, 1979. Agriculture. Directs the Secretary of Agriculture to establish a wood utilization program.

Directs the Secretary to: (1) make, insure, and guarantee loans to eligible recipients for demonstration and pilot projects in the utilization and manufacture of forest products; (2) require removal of specified materials by timber purchasers or contactors to enhance long-term forest resources productivity; and (3) sell, consolidate for sale, or otherwise dispose of slash and other underutilized material, and dead and dying timber for energy production.

H.J. Res. 389. September 5, 1979. Post Office and Civil Service. Authorizes and directs the President to designate the month of September 1980, as "National Rehabilitation Month."

H.J. Res. 390. September 5, 1979. Post Office and Civil Service. Authorizes and requests the President to designate September 30, 1979, as "National Good Neighbor Day."

H.J. Res. 391. September 6, 1979. Post Office and Civil Service. Authorizes and requests the President to designate the week of December 3 through December 9, 1979, as the "Boy Scouts Calendar Distribution Week."

H.J. Res. 392. September 6, 1979. Post Office and Civil Service. Authorizes and re-

quests the President to designate the week of January 21 through January 27, 1979, as "Junior Achievement Week."

H.J. Res. 393. September 10, 1979. Post Office and Civil Service. Authorizes and requests the President to designate Friday, October 19, 1979, as "American Enterprise Day."

H.J. Res. 394. September 10, 1979. Foreign Affairs. Expresses the determination of the United States to: (1) prevent Soviet and Cuban expansionism in this hemisphere; and (2) work to implement collective security agreements and support aspirations for freedom and self-determination in this hemisphere.

H.J. Res. 395. September 11, 1979. Judiciary. Constitutional Amendment—Limits the increase of total budget outlays of the United States Government in any fiscal year to a percentage equal to the percentage increase in the gross national product during the previous calendar year.

H.J. Res. 396. September 12, 1979. Judiciary. Constitutional Amendment—Provides that appropriations made by the Congress shall not exceed the revenues of the United States, except in time of war or national emergency. Provides for the systematic repayment of the public debt of the United States.

H.J. Res. 397. September 12, 1979. Post Office and Civil Service. Authorizes and requests the President to issue a proclamation designating April 18, 1980, as "American Enterprise Day."

H.J. Res. 398. September 13, 1979. Appropriations. Appropriates funds for the Community Services Administration for the energy crisis intervention program for fiscal year 1980.

H.J. Res. 399. September 14, 1979. Appropriations. Appropriates such amounts as may be necessary in fiscal year 1980 to continue specified Federal projects and activities which have not yet received funding beyond fiscal year 1979.

H.J. Res. 400. September 14, 1979. Judiciary. Constitutional Amendment—Provides that, except in time of war or national emergency, outlays made by the United States shall not exceed receipts, excluding outlays to State and local governments.

H.J. Res. 401. September 14, 1979. Judiciary. Constitutional Amendment—Limits the term of office of the President to one six-year term.

H.J. Res. 402. September 17, 1979. Appropriations. Makes appropriations to the Federal Trade Commission for a specified period of fiscal year 1980 for continuing activities conducted by the Commission in fiscal year 1979.

H.J. Res. 403. September 19, 1979. Post Office and Civil Service. Designates November 21, 1983, as "Bicentennial Manned Flight Day."

H.J. Res. 404. September 20, 1979. Appropriations. Appropriates such amounts as may be necessary in fiscal year 1980 to continue Federal activities for which specified appropriations Acts will not have been enacted prior to September 30, 1979. Funds such activities in the same manner and amounts provided for in such Acts.

H.J. Res. 405. September 21, 1979. Foreign Affairs; Judiciary. Directs the President to: (1) aid those Indochinese refugees in refugee camps and admitted to the United States; and (2) call upon the U.N. General Assembly to discuss sanctions against Vietnam for human rights violations.

H.J. Res. 406. September 21, 1979. Banking, Finance and Urban Affairs. Amends the Defense Production Act of 1950 to extend the authority granted by such Act.

Amends the Defense Production Act of 1950 to extend the termination date of provisions of such Act relating to contract priorities and allocations for strategic materials and expansion of the national productive capacity and supply regarding such materials.

H.J. Res. 407. September 25, 1979. Post Office and Civil Service. Authorizes and requests the President to designate the week of January 21 through January 27, 1979, as "Junior Achievement Week."

H.J. Res. 408. September 25, 1979. Judiciary. Constitutional Amendment—Prohibits the total amount of money expended by the United States in any fiscal year to exceed the total amount of revenue received during such fiscal year, except in time of war as declared by the Congress. Allows the suspension of the amendment by a joint resolution approved by each House of the Congress and signed by the President, or by a vote of two-thirds of the Members of each House of the Congress.

Requires tax rates to be reduced to offset the effects of inflation. Establishes a procedure for the approval of bills or joint resolutions affecting taxes.

H.J. Res. 409. September 25, 1979. Judiciary. Constitutional Amendment—Requires congressional review of each rule and regulation issued to carry out any law. Permits congressional approval, modification, or disapproval of such rule of regulation.

H.J. Res. 410. September 27, 1979. Foreign Affairs. Welcomes Pope John Paul II to the United States.

H.J. Res. 411. September 28, 1979. Judiciary. Confers United States citizenship posthumously upon Rosinella Verdi.

H.J. Res. 412. October 9, 1979. Appropriations. Appropriates such amounts as may be necessary in fiscal year 1980 to continue the activities and programs in certain specified Acts.

H.J. Res. 413. October 9, 1979. Appropriations. Appropriates such amounts as may be necessary in fiscal year 1980 to continue the activities provided for in the Department of Labor, and Health, Education, and Welfare and Related Agencies Appropriations Act, 1980 (H.R. 4389).

H.J. Res. 414. October 9, 1979. Post Office and Civil Service. Authorizes and requests the President to designate May 1, 1980, as "National Bicycling Day."

H.J. Res. 415. October 10, 1979. Post Office and Civil Service. Authorizes and requests the President to designate the week of January 21 through January 27, 1979, as "Junior Achievement Week."

H.J. Res. 416. October 11, 1979. Post Office and Civil Service. Authorizes and requests the President to designate March 11, 1980, as "National Postal Workers' Recognition Day."

H.J. Res. 417. October 11, 1979. Post Office and Civil Service. Designates the month of July, 1980, as "National Porcelain Art Month."

H.J. Res. 418. October 12, 1979. Judiciary. Constitutional Amendment—Limits the term of office of a Justice of the United States Supreme Court to ten years during good behavior and limits the total service of such person to 20 years.

H.J. Res. 419. October 12, 1979. Judiciary. Constitutional Amendment—Establishes a single six-year term of office for the President, the Vice President, and Members of Congress.

H.J. Res. 420. October 12, 1979. Post Office and Civil Service. Designates March 29 of each year as "Vietnam Era Veterans Day."

H.J. Res. 421. October 16, 1979. Post Office and Civil Service. Designates the week beginning June 22, 1980, as "National Deaf Awareness Week."

H.J. Res. 422. October 16, 1979. Judiciary. Amends the Immigration and Nationality Act to prohibit the exclusion or deportation of persons from the United States on the basis of information gotten from the 1980 decennial census.

H.J. Res. 423. October 16, 1979. Rules. Provides for the commemoration by the Congress of the centennial of the birth of Franklin Delano Roosevelt, thirty-second President of the United States. Establishes a Special Joint Committee on the Centennial of the Birth of Franklin D. Roosevelt which shall arrange for a joint session of the Congress to be held on Saturday, January 30, 1982, in commemoration of such centennial.

H.J. Res. 424. October 17, 1979. Banking, Finance and Urban Affairs. Disapproves and invalidates the final rule of the Department of Housing and Urban Development entitled "Section 8 Housing Assistance Payments Program for New Construction."

H.J. Res. 425. October 19, 1979. Post Office and Civil Service. Expresses the sense of the Congress that the State of Illinois and the city of Chicago should host the 1992 official celebration of the 500th anniversary of the discovery of America.

H.J. Res. 426. October 19, 1979. Post Office and Civil Service. Authorizes and directs the President to designate the week of December 3 through 9, 1979, as "National Submarine Week."

H.J. Res. 427. October 23, 1979. Appropriations. Makes supplemental appropriations to the Community Services Administration for the community services program, part of which is to be transferred to the Secretary of Health, Education, and Welfare for payment to eligible individuals of energy grants and allowances to assist in meeting fuel costs and related administrative costs. Excludes such allowances from being considered as income or resources for purposes of any other public assistance program.

H.J. Res. 428. October 23, 1979. Post Office and Civil Service. Designates December, 1979, as "National Child Abuse Prevention Month."

H.J. Res. 429. October 23, 1979. Rules. Prohibits the offering of floor amendments to continuing resolutions.

H. Con. Res. 182. September 6, 1979. Public Works and Transportation. Directs the Secretary of Transportation to apportion the funds authorized to be appropriated for fiscal years 1981 and 1982 for the National System of Interstate and Defense Highways according to specified apportionment factors.

H. Con. Res. 183. September 11, 1979. Foreign Affairs. Expresses the sense of Congress that the President should communicate U.S. insistence that the Soviet Union should remove its combat troops from Cuba.

H. Con. Res. 184. September 11, 1979. House Administration. Directs the printing of additional copies of the committee print entitled "7th Edition of the Immigration and Nationality Act with Amendments and Notes on Related Laws."

H. Con. Res. 185. September 13, 1979. Foreign Affairs. Expresses the sense of Congress that the SALT II Treaty not be considered until Soviet troops are withdrawn from Cuba.

H. Con. Res. 186. September 14, 1979. Sets forth the congressional budget for the United States Government for fiscal year 1980.

Reaffirms the commitment of the Congress to find a way to reflect the outlays of off-budget Federal entities in the budget totals.

Directs each standing committee of the House of Representatives to recommend funding mechanisms which would enable the Congress to exercise more fiscal control over entitlement programs.

H. Con. Res. 187. September 18, 1979. Budget. Revises the congressional budget for the U.S. Government for fiscal year 1979.

H. Con. Res. 188 September 19, 1979. Foreign Affairs; Merchant Marine and Fisheries; Public Works and Transportation. Expresses the sense of Congress that the President should establish a temporary commission to evaluate the damages caused by the oilspill in the Bay of Campeche, Mexico. Declares that the President should negotiate an international agreement regarding liability and compensation for oilspill damages.

H. Con. Res. 189. September 20, 1979. Makes corrections in the enrollment of S. 544.

H. Con. Res. 190. September 20, 1979. Foreign Affairs. Welcomes Pope John Paul II on his visit to the United States.

H. Con. Res. 191. September 26, 1979. Interior and Insular Affairs. Authorizes the Secretary of the Interior to encourage the Appalachian Trail Conference, in cooperation with the State of Maryland, to design and erect at a location along the Maryland segment of the Appalachian Trail an appropriate marker in commemoration of the contributions of Goodloe Byron toward the protection of the Trail.

H. Con. Res. 192. September 27, 1979. Makes corrections in the enrollment of H.R. 3996.

H. Con. Res. 193. September 27, 1979. Foreign Affairs. Recognizes the contribution of Islam to mankind. Wishes success to the Fourteenth Centennial commemoration of Islam. Pledges congressional efforts to achieve improved relations with all nations of the world.

H. Con. Res. 194. October 11, 1979. Foreign Affairs. Recognizes the contribution of Islam to mankind. Wishes success to the Fourteenth Centennial commemoration of Islam.

H. Con. Res. 195. October 15, 1979. Approves the proposed Agreement Between the United States and Australia Concerning Peaceful Uses of Nuclear Energy.

H. Con. Res. 196. October 16, 1979. Makes corrections in the enrollment of H.R. 3173.

H. Con. Res. 197. October 16, 1979. Interstate and Foreign Commerce. Expresses the sense of Congress that: (1) the American Federation of Grain Millers should be permitted to intervene in the administrative proceeding brought by the Federal Trade Commission (FTC) against the Kellogg Company, General Mills, Incorporated, and General Foods Corporation; and (2) the proceeding should be suspended until such intervention is permitted, the FTC discloses certain information concerning its negotiations with and retention of the initial administrative law judge in such proceeding, and the FTC provides for an economic impact analysis of any remedy proposed by the FTC in such proceeding.

H. Con. Res. 198. October 17, 1979. House Administration. Provides that parking fees charged to Federal employees shall remain at current levels.

H. Con. Res. 199. October 18, 1979. Foreign Affairs. Expresses the sense of Congress that no U.S. company doing business in South Africa should engage in unfair employment practices.

Expresses the sense of Congress that U.S. companies doing business in South Africa should permit collective bargaining and improve job opportunities, housing, and health facilities for its nonwhite employees.

H. Con. Res. 200. October 19, 1979. Foreign Affairs. Expresses the sense of Congress that the President should: (1) seek free elections in the Baltic States supervised by the United Nations; (2) inform and gain the support of other nations in achieving independence for the Baltic States; and (3) warn the Soviet Union against making citizenship claims on U.S. citizens.

H. Con. Res. 201. October 19, 1979. Foreign Affairs. Calls upon the President to publicly condemn the Government of the Socialist Republic of Vietnam.

Calls upon the United Nations to consider the imposition of sanctions against such Government for violating the fundamental human rights of the people of Vietnam, Cambodia, and Laos.

H. Con. Res. 202. October 19, 1979. Foreign Affairs. Urges the Soviet Union to allow Ida Nudel to emigrate to Israel.

H. Con. Res. 203. October 23, 1979. Banking, Finance and Urban Affairs. Expresses the sense of Congress that no action should be taken to withdraw the one-dollar bill from circulation without congressional authorization or to artificially stimulate demand for the one-dollar coin. Expresses the sense of Congress that quantities sufficient to meet public demand of various coins be produced by the United States mint.

H. Con. Res. 204. October 23, 1979. Ways and Means. Approves the extension of nondiscriminatory treatment to Chinese products.

H. Con. Res. 205. October 30, 1979. Foreign Affairs. Disapproves the proposed sale of management and contracting services for the construction of an infantry center and school at Khamis Mushayt, Saudi Arabia.

H. Con. Res. 206. November 7, 1979. Foreign Affairs. Expresses the sense of Congress that the President should exercise the authorities under the International Emergency Economic Powers Act with respect to Iran.

H. Con. Res. 207. November 7, 1979. Foreign Affairs. Calls upon the President to publicly condemn the Government of the Socialist Republic of Vietnam.

Calls upon the United Nations to consider the imposition of sanctions against such Government for violating the fundamental human rights of the people of Vietnam, Cambodia, and Laos.

H. Res. 400. September 5, 1979. Foreign Affairs. Expresses the sense of the House of Representatives that the President should communicate U.S. insistence that the Soviet Union should remove its troops from Cuba. Stipulates that ratification of the SALT II Treaty be suspended until such troops are removed.

H. Res. 401. September 6, 1979. Allows the United States Capitol Historical Society to take official pictures of the House of Representatives while in actual session.

H. Res. 402. September 11, 1979. House Administration. Directs the printing of additional copies of the publication entitled, "A Guidelines Handbook on Federal Loan Guarantee Programs".

H. Res. 403. September 11, 1979. Foreign Affairs. Urges the Senate to not ratify the SALT II Treaty while Soviet troops remain in Cuba.

H. Res. 404. September 12, 1979. Rules. Amends the Rules of the House of Representatives to prohibit specified House committees from holding regular or additional meetings on days when the House is in session, other than for the purpose of taking testimony or receiving evidence, on certain days.

Provides for a scheduling service which shall be used by all the committees and subcommittees of the House to eliminate any meeting and scheduling conflicts.

H. Res. 405. September 12, 1979. Rules. Amends the Rules of the House of Representatives to prohibit specified House committees from holding regular or additional meetings on days when the House is in session, other than for the purpose of taking testimony or receiving evidence, on certain days.

Provides for a scheduling service which shall be used by all the committees and subcommittees of the House to eliminate any meeting and scheduling conflicts.

H. Res. 406. September 12, 1979. Foreign Affairs. Expresses the sense of the House of Representatives that the Soviet Union should remove its troops from Cuba as expeditiously as possible.

H. Res. 407. September 14, 1979. House Administration. Authorizes the withholding of city income taxes from Members and employees of the House of Representatives.

H. Res. 408. September 18, 1979. Sets forth the rule for the consideration of H.J. 399.

H. Res. 409. September 18, 1979. Sets forth the rule for the consideration of H.J. 402.

H. Res. 410. September 19, 1979. Authorizes the gross yearly compensation of five named minority party employees of the House of Representatives pursuant to the Legislative Pay Act of 1929.

Authorizes the appointment of the sixth minority party employee of the House of Representatives pursuant to the Legislative Pay Act of 1929.

H. Res. 411. September 19, 1979. Sets forth the rule for consideration of H.R. 5229.

H. Res. 412. September 20, 1979. Foreign Affairs. Welcomes Pope John Paul II on his visit to the United States.

H. Res. 413. September 20, 1979. Judiciary. Refers H.R. 5358 to the Chief Commissioner of the United States Court of Claims for further proceedings.

H. Res. 414. September 20, 1979. Sets forth the rule for the consideration of S. 832.

H. Res. 415. September 20, 1979. Sets forth the rule for the consideration of H.R. 5269.

H. Res. 416. September 20, 1979. Sets forth the rule for the consideration of H.R. 3546.

H. Res. 417. September 20, 1979. Sets forth the rule for the consideration of H.R. 2218.

H. Res. 418. September 20, 1979. Sets forth the rule for the consideration of H.R. 4955.

H. Res. 419. September 20, 1979. Sets forth the rule for the consideration of H.J. Res. 404.

H. Res. 420. September 21, 1979. Rules. Amends the Rules of the House of Representatives to require the recording of the names of Members requesting recorded votes.

H. Res. 421. September 25, 1979. Interstate and Foreign Commerce. Declares that it is the sense of the House of Representatives that the United States should establish a national energy plan that emphasizes the use of domestic coal as a means of displacing current foreign energy imports, while not violating national ambient air quality standards.

H. Res. 422. September 25, 1979. Foreign Affairs. Welcomes Pope John Paul II to the United States.

H. Res. 423. September 25, 1979. Education and Labor. Expresses the sense of the House of Representatives that the Secretary of Health, Education, and Welfare should delay issuing final regulations under Title I of the Elementary and Secondary Education Act of 1965 (financial assistance to local educational agencies for education of children from low-income families) until the Secretary has undertaken a thorough review and completed a comprehensive revision of the regulations under such title in consultation with representatives of groups whose membership includes parents, teachers, and administrators involved with implementing such title.

H. Res. 424. September 25, 1979. Sets forth the rule for the consideration of H. Res. 404.

H. Res. 425. September 25, 1979. Sets forth the rule for the consideration of H.R. 5369.

H. Res. 426. September 25, 1979. Waives certain points of order in the consideration of H.R. 5359.

H. Res. 427. September 25, 1979. Provides for the consideration of S. Con. Res. 36.

H. Res. 428. September 26, 1979. Government Operations. Disapproves the Reorganization Plan No. 3 transmitted to Congress by the President.

H. Res. 429. September 26, 1979. Foreign Affairs. Welcomes Pope John Paul II to the United States.

H. Res. 430. September 26, 1979. House Administration. Authorizes additional expenditures for the investigations and studies to be conducted by the House Committee on Merchant Marine and Fisheries.

H. Res. 431. September 27, 1979. Foreign Affairs. Expresses the sense of the House of Representatives that the President should direct our United Nations Ambassador to seek an emergency agenda item concerning an emergency food and medical relief program for the people of Cambodia.

H. Res. 432. September 27, 1979. Veterans' Affairs. Expresses the sense of the House that the Secretary of Defense shall inter an Unknown Soldier of the Vietnam era in the Arlington Memorial Amphitheater.

H. Res. 433. September 27, 1979. Agriculture. Encourages the effective marketing of agricultural commodities by farmers.

H. Res. 434. September 27, 1979. Rules. Amends the Rules of the House of Represent-

atives to postpone for one day the final vote on any bill or resolution which was amended in the Committee of the Whole.

H. Res. 435. September 27, 1979. Rules. Amends the Rules of the House of Representatives to require that a portion of the time provided for general debate on any bill or resolution when the House is meeting in the Committee of the Whole shall be reserved and made available exclusively for a final period of general debate on the bill or resolution in its final form.

H. Res. 436. September 27, 1979. Rules. Amends the Rules of the House of Representatives to require that at least 500 copies of any proposed floor amendment be made available in the Hall of the House of Representatives for the use of other Members prior to the offering of such amendment.

H. Res. 437. September 27, 1979. Sets forth the rule for the consideration of H.R. 1885.

H. Res. 438. September 27, 1979. Sets forth the rule for the consideration of H.R. 3580.

H. Res. 439. September 27, 1979. Sets forth the rule for the consideration of H.J. Res. 341.

H. Res. 440. September 27, 1979. Waives certain points of order in the consideration of the conference report on H.J. Res. 404.

H. Res. 441. October 9, 1979. Sets forth the rule for the consideration of H.J. 412.

H. Res. 442. October 9, 1979. Sets forth the rule for the consideration of H.J. 413.

H. Res. 443. October 9, 1979. Post Office and Civil Service. Proclaims the week of October 14 through October 20, 1979, as "National Mobile Home/Manufactured Housing Week."

H. Res. 444. October 11, 1979. Waives certain points of order against the consideration of the conference report on H.J. 412.

H. Res. 445. October 12, 1979. Rules. Establishes in the House of Representatives an Ad Hoc Committee on Water Resources.

H. Res. 446. October 16, 1979. Rules. Amends the Rules of the House of Representatives to restrict provisions of and amendments to appropriation bills.

H. Res. 447. October 16, 1979. House Administration. Limits the use of the section of the Congressional Record entitled "Extensions of Remarks" by Members of the House of Representatives.

H. Res. 448. October 16, 1979. Merchant Marine and Fisheries. Directs the Department of the Interior to rename the Big Stone National Wildlife Refuge, Minnesota, to be known as the Lem Kaercher National Wildlife Refuge.

H. Res. 449. October 16, 1979. Foreign Affairs. Expresses the sense of the House of Representatives with respect to the failure of Chile to extradite certain individuals to the United States.

Urges the President to take certain actions with respect to Chile.

H. Res. 450. October 17, 1979. House Administration. Authorizes the printing as a House document of an anthology of Captive Nations Week proclamations, addresses, and other relevant material.

H. Res. 451. October 17, 1979. Foreign Affairs. Condemns the use of poison gas in Laos.

H. Res. 452. October 18, 1979. House Administration. Authorizes expenditures for the further expenses of investigations and studies conducted by the House Permanent Select Committee on Intelligence.

H. Res. 453. October 18, 1979. Appropriations. Disapproves the deferral of budget authority for fiscal year 1980 for prompting and developing fishery products (Deferral Numbered D 80–7).

H. Res. 454. October 18, 1979. Sets forth the rule for the consideration of H.R. 2727.

H. Res. 455. October 18, 1979. Sets forth the rule for the consideration of H.R. 3948.

H. Res. 456. October 18, 1979. Sets forth the rule for the consideration of H.R. 2313.

H. Res. 457. October 18, 1979. Waives certain points of order in the consideration of the conference report on S. 1030.

H. Res. 458. October 18, 1979. Sets forth the rule for the consideration of H.R. 2335.

H. Res. 459. October 18, 1979. House Administration. Prohibits the use of official funds for expenses of foreign travel by a specified Member of the House of Representatives.

H. Res. 460. October 18, 1979. House Administration. Authorizes funds for the further expenses of the investigations and studies to be conducted by the House Committee on Small Business.

H. Res. 461. October 19, 1979. Standards of Official Conduct. Amends the Rules of the House of Representatives to prohibit foreign travel by Members convicted of a felony.

H. Res. 462. October 22, 1979. Authorizes the printing as a House of Representatives document of the transcript of the proceedings of the Workshop on Congressional Oversight.

H. Res. 463. October 23, 1979. Elects a named Member to the House of Representatives Committee on Ways and Means.

EXTENSIONS OF REMARKS

H-BUMS BY HARRY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 26, 1979

● Mr. SKELTON. Mr. Speaker, Harry Dumford, who writes for the Lexington Advertiser-News, of Lexington, Mo., recently wrote an article about Americans' attitudes regarding the Iranian crisis. I wish to show it to the other Members of the body, as it reflects the thinking of many in western Missouri.

The article follows:

H-BUMS BY HARRY

It seems to me that not since December 7, 1941 have the American people been so united as they have been in the past week. The dastardly attempt to blackmail our country through the actions of a mob in Tehran, Iran has been the moral equivalent of another Pearl Harbor. It is my opinion that the United States should enunciate a clear set of principles to meet the situation.

While it is obvious that at the present moment there is little we can do to free the 60 Americans held in the embassy except play a waiting game in the hopes that they will soon be freed, nevertheless, we should be prepared eventually to announce to the world a course of action which will serve notice that we no longer will be patsys to the whims of the rest of the world.

A principle to which we already appear to be committed is that we will not bow to blackmail. The kidnapping of our embassy personnel—and that is what it amounts to—is a threat to the future safety of all diplomatic personnel. If it succeeds we can expect to be faced with the same situation again and again. We simply cannot afford to allow a foreign mob to dictate United States policy in any respect.

We may be forced to bide our time until our people are safely released and returned home, but it seems to me that we are dealing with fanatical, irrational people and we may have to bite our tongues for a period of weeks or months until the situation is resolved. In my opinion, we should then announce certain principles in our further dealings with Iran or any other country which acts in like manner.

We will not continue to feed the faces that curse America. We will not send our grain to those who vilify our country and shout for the death of our president. We will embargo every shipment of foodstuffs to them and will continue such embargo until they respond in friendly ways to our past generosity.

Further, we will not furnish technology of any kind to such a country; we will not allow oil drilling or refining equipment to be sent from Houston; we will not allow airplane parts to be airlifted to them when their planes sit on the tarmac and cannot take off without spare parts; we will furnish no computers, no telephone equipment, no training, nothing to aid them in any manner until they have made amends to our country in word and deed. We should make this clear and stick with it.

We should not only break off all diplomatic contacts, but we should act as if their country does not even exist. They will, of course, cut off our oil supply, but we should make it clear that somehow or other we'll get by without it.

There has been nothing that has riled Americans more in the past week than the sight of foreigners, here in the U.S. by the grace of our generosity, acting like they own this country and can dictate our course of action. We should certainly establish the principle that this is our country and anyone who is visiting here is doing so because we have allowed them to come, not because of any inherent right for them to be here. Ninety days should be sufficient to deport those Iranians now here and if it takes new legislation from the Congress to get this accomplished, so be it.

Pearl Harbor pulled the United States together in a bond of unity which lasted until after the victory was won. Current events have again united us against the enemies of our country in Iran. We should establish principles for dealing with such situations, and then we should follow the advice of Thomas Jefferson to stand like a rock.●

AFGHAN APPEAL TO UNITED NATIONS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 1979

● Mr. DERWINSKI. Mr. Speaker, many Members have become experts in recent weeks on Islam as a result of the tragic developments in Iran, Pakistan, and Saudi Arabia.

However, a positive development involving Islamic leaders must be noted in Afghanistan where inspiration for resistance against the Soviet-imposed gov-