

HOUSE OF REPRESENTATIVES—Tuesday, August 2, 1983

The House met at 12 o'clock noon.

The Rev. Dr. Duke Kimbrough McCall, president of the Baptist World Alliance, Louisville, Ky., offered the following prayer:

Our Father who art in heaven, we open our hearts and our hands to receive Thy good gifts this day. Give us a job worth doing and wisdom to do it well, for our own sake and the sake of all mankind.

We have worried and argued on the assumption that we are worth preserving from nuclear holocaust or just plain hunger. Alas, there is little supportive evidence of our importance outside our pride and our instinct for self-preservation.

Our best hope is that You, O God, thought we were worth saving because You loved us all. So be pleased to hear our prayer, in the name of Jesus Christ, our Saviour and 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 PRESIDENT

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

MESSAGE FROM THE SENATE

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

H.J. Res. 338. Joint resolution to correct Public Law 98-63 due to an error in the enrollment of H.R. 3069.

PRIVATE CALENDAR

The SPEAKER. This is the day for the call of the Private Calendar. The Clerk will call the bill on the Private Calendar.

CONVEYANCE OF THE LIBERTY SHIP "JOHN W. BROWN"

The Clerk called the bill (H.R. 1556) to authorize the conveyance of the Liberty ship *John W. Brown* to the John W. Brown preservation project.

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

H.R. 1556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of Transportation (hereinafter in this Act referred to as the "Secretary") may convey, without reimbursement but subject to the conditions set forth in section 2, the right, title, and interest of the United States in the vessel John W. Brown to the John W. Brown Preservation Project (hereinafter in this Act referred to as the "Project"), a nonprofit corporation organized under the laws of the State of New York. If such a conveyance is made, the Secretary shall deliver the vessel to the Project at the place where the vessel is located on the date of the enactment of this Act, in its present condition, without cost to the United States.

Sec. 2. The conveyance of the vessel John W. Brown under the first section of this Act shall be subject to the following conditions:

(1) The Project shall use the vessel as a nonprofit merchant marine memorial museum and may not use it for commercial transportation purposes.

(2) If the United States has need for the vessel at a later date, the Project, at the request of the Secretary, shall make the vessel available to the United States without cost to the United States.

(3) In the event the Project no longer requires the vessel for use as a merchant marine memorial museum, the Project shall at the discretion of the Secretary reconvey the vessel to the United States in as good a condition as when it was received from the United States, except for ordinary wear and tear, and shall deliver it to the United States, without cost to the United States, at the place where the vessel was delivered to the Project.

With the following committee amendment:

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

That, notwithstanding any other provision of law, the Secretary of Transportation (hereinafter in this Act referred to as the "Secretary") may convey, subject to such conditions he deems appropriate and subject to the conditions set forth in section 2, the right, title, and interest of the United States in the vessel John W. Brown to a nonprofit corporation (hereinafter in this Act referred to as the "recipient") for use as a merchant marine memorial. If such a conveyance is made, the Secretary shall deliver the vessel to the recipient at the place where the vessel is located on the date of the enactment of this Act, in its present condition, without cost to the United States.

Sec. 2. The conveyance of the vessel John W. Brown under the first section of this Act shall be subject to the following conditions:

(1) The recipient shall use the vessel as a nonprofit merchant marine memorial museum and may not use it for commercial transportation purposes.

(2) If the United States has need for the vessel at a later date, the recipient, at the request of the Secretary, shall make the

vessel available to the United States without cost to the United States.

(3) In the event the recipient no longer requires the vessel for use as a merchant marine memorial museum, the recipient shall, at the discretion of the Secretary, reconvey the vessel to the United States in as good a condition as when it was received from the United States, except for ordinary wear and tear, and shall deliver it to the United States at the place where the vessel was delivered to the recipient.

Sec. 3. Nothing in this Act shall require the Secretary to retain this vessel in the Reserve Fleet for a period longer than two years from the date of enactment.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment was agreed to.

● Mr. BIAGGI. Mr. Speaker, I rise in support of H.R. 1556—legislation to preserve one of the last Liberty ships—the *John W. Brown*. This bill authorizes the Maritime Administration to transfer the *John W. Brown* to an appropriate nonprofit organization, which would then establish a memorial honoring the men and women who built and crewed the merchant fleet that helped win World War II.

This museum will also serve as a vivid reminder of the need to maintain a fleet capable of transporting arms, supplies, and troops in the event of a national emergency. It is indeed unfortunate that many of our citizens are unaware of the crucial role played by our merchant marine during times of national crisis.

The risk undertaken by our merchant seamen is demonstrated by one grim statistic: During World War II, merchant seamen suffered a greater percentage of fatalities than any branch of the armed services, except for the Marines.

The role of the merchant fleet was so significant that General Eisenhower characterized the merchant marine as our fourth arm of defense.

H.R. 1556 will save the *John W. Brown*, which was one of 2,770 Liberty ships built in series construction. She was constructed in 41 days at the Bethlehem-Fairfield shipyard in Baltimore. She saw service in the Mediterranean as a troop transport, ferrying troops to the Anzio beachhead and transporting German POW's to North Africa.

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

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

After the war, Liberty ships served various functions: Some became naval auxiliary vessels; many were utilized as break-bulk transports by U.S. and foreign shipping lines; and a number were ultimately used in artificial reef projects.

In 1945, the *John W. Brown* became the Nation's first and—to my knowledge—only maritime high school. From then until last year she was used by the New York City Board of Education to teach young people the necessary skills to prepare for service at sea.

H.R. 1556 will facilitate the creation of a permanent living memorial to those valiant seamen who gave their lives so that others might live in freedom.

The establishment of this museum will also be a tribute to the workers who constructed the merchant fleet that helped us win the war. These workers—though they did not serve on the battlefield—worked long and hard to build the fleet.

Our merchant mariners and shipyard workers have long been neglected and ignored; this legislation, however, will create a suitable memorial to the valiant men and women who served with distinction, and I ask my colleagues to join me in supporting it. ●

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 authorize the conveyance of the Liberty ship *John W. Brown*."

A motion to reconsider was laid on the table.

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

REV. DR. DUKE KIMBROUGH McCALL

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

Mr. HUBBARD. Mr. Speaker, it is a pleasure and an honor to have Dr. Duke Kimbrough McCall, president of the Baptist World Alliance, to give our opening prayer and serve as our guest chaplain today.

Dr. McCall, now chancellor of the Southern Baptist Theological Seminary in Louisville, Ky., retired February 2, 1982, as president of the Southern Baptist Theological Seminary after three decades of leadership there. I am privileged to say that Dr. McCall and my late father, Dr. Carroll Hubbard, Sr., for 52 years a Baptist minister, were friends and closely associated with each other through the years.

It can be said that as president of the Baptist World Alliance that Dr. McCall is to Baptists internationally what Pope John Paul II is to Catholics around the world.

Ordained a Baptist minister in 1937, Dr. McCall was pastor of Broadway Baptist Church in Louisville for 3 years and president of New Orleans Baptist Theological Seminary from 1943 to 1946. Further, Duke McCall has held several national denominational posts over the years, including executive secretary-treasurer of the Southern Baptist Convention's Executive Committee.

He and his lovely, talented wife Marguerite, who died April 3 this year, raised four sons: twins Duke Kimbrough McCall, Jr., and Douglas Henry McCall, John Richard McCall, and Michael William McCall.

Dr. Duke McCall is admired by those who know him, including his colleagues in the Lord's work—Jewish rabbis, Catholic priests, and Protestant ministers.

I am pleased to have as my guests today Dr. Duke McCall and his grandson, Douglas McCall.

TELEPHONE RATE INCREASES

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

Mr. WRIGHT. Mr. Speaker, the Federal Communications Commission recently has promulgated a ruling which threatens to reach out and touch every American right in the pocketbook.

That ruling in effect will reduce long distance charges and greatly increase the charges for local telephone service.

Bell operating companies throughout the country have announced their request for unprecedented telephone rate increases in the wake of that ruling. We are seeing requests that could double or triple the average consumer's basic telephone bill.

But Judge Harold Greene, who decided the AT&T case on which the Federal Communications ruling was based, says that the access charge decision runs directly counter to the purpose of the court.

So I commend to my colleagues serious consideration of a bill which has been introduced in the Commerce Committee which would repeal the Federal Communications access charge decision and require the FCC to establish a formula under which local telephone service will remain affordable throughout the country.

DR. MARTIN LUTHER KING, JR.

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

Mr. ANDREWS of Texas. Mr. Speaker, today the House will vote on making the birthday of Dr. Martin Luther King, Jr., a national holiday. Martin Luther King, Jr., was a man of

vision. He had a vision of America which we must continue to strive to reach. He was a man who asked that the person who delivered his eulogy not say that he had won a Nobel Peace Prize or that he had received 400 or 500 other awards. All he wanted said was that Martin Luther King, Jr., tried to love and care for others.

Those tangible awards had little meaning. He wanted us to remember him as a drum major; a drum major for justice, a drum major for peace, and a drum major for righteousness. That is what this bill and this debate are all about. Martin Luther King, Jr., was a man who, during a speech in Detroit, Mich., not long before he died, said that "Every man, from a bass black to a treble white, is significant on God's keyboard."

Reverend King was a leader in the tradition of the Apostle Paul and Mahatma Gandhi. He understood that passive resistance can be mightier than force. He once said that "It is a strong man who can stand up to violence without resorting to violence." He was a man who believed in America; his determination was fired by the ideals for which this country was founded. He was a man who believed that "Injustice anywhere is a threat to justice everywhere."

Let us unite here to right an injustice which we in Congress have allowed to be perpetuated by our inaction. This recognition of Dr. King's birthday is not just a celebration of one man's life; it is a celebration of every American's inalienable rights. It is a celebration of justice, a celebration of progress, a celebration of hope. Martin Luther King, Jr., had a dream. Let us help America realize that dream. Now is the time to make real the promise of democracy. I urge my colleagues to support this important and timely legislation.

A CALL FOR TEXTILE FAIR TRADE LEGISLATION

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

Mr. DERRICK. Mr. Speaker, I rise on behalf of the 117,000 South Carolinians still employed in textiles and in behalf of those, who until 1982, had jobs in the 27 South Carolina mills that have been shut down. I ask the House Subcommittee on Trade to immediately develop legislation to combat foreign unfair trade practices.

Yes, the textile industry has had to update its equipment and refine its lines; it has done that and continues to do so, but the finest equipment in the world cannot compete against foreign governments subsidizing their textile companies in an all-out effort to

obtain a larger share of the U.S. market.

I am greatly disappointed with this weekend's trade agreement with China which strikes another blow to the U.S. textile industry. The President has promised repeatedly to limit textile imports to domestic market growth, but he has sold us out.

I do not ask for protectionism; I ask for fair trade.

Since the Reagan administration is not doing the job, I am asking the Congressman SAM GIBBONS' Subcommittee on Trade to bring about fair trade. The administration has talked it to death; I want to see the Congress give new life to textiles crafted in the United States.

Prior to his election, President Reagan promised he would make sure that textile jobs remain in this country. He said that fibers, textiles, and apparel provide 2.3 million jobs, a high percentage of which are held by minorities. Under Mr. Reagan, the number of jobs has dropped by 200,000.

Certainly the recession has played a role, but a big part of the problem has been our trade practices. From January through May of this year textile imports are up 21 percent over the same period last year. During the same 5 months our textile trade deficit is up 34 percent. Korea has increased its manmade fiber dress imports to the United States by 164 percent over 1982; Hong Kong's increase is 113 percent. As an indication of how severe our trade practice problems are, there has been a significant increase in the number of cases of foreign unfair trade filed with the International Trade Commission. There have been five cases, such as the dumping of polyester cloth from Japan and China, filed already in 1983.

We cannot waste any more time. There are more than 2 million Americans looking to Congress to provide help they cannot find anywhere else. It is time for unfair trade to cease.

A POLICY OF DOUBLE STANDARDS AND SPECIAL PRIVILEGES IN TAXATION

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

Mr. ALEXANDER. Mr. Speaker, we have heard much lately about debate-gate or brief-gate and about spies and moles around the Presidency. In all fairness, Mr. Speaker, it is my duty this morning to submit convincing evidence that there is right now, at this moment, a Democratic mole in Ronald Reagan's White House.

Mr. Reagan, in his address to the American Bar Association yesterday, said:

The explicit promise in the Declaration of Independence that we are endowed by our Creator with certain inalienable rights was meant for all of us. It was not meant to be limited or perverted by special privilege, or by double standards that favor one group over another.

Mr. Speaker, every Member of Congress knows that this was the work of a speech writer. And this speech writer is attempting to undercut and to subvert the President's policy of double standards and special privileges in taxation.

The effect of President Reagan's Tax Act of 1981 was to increase the burden of taxes for middle America and for lower-income Americans by about 10 percent and to decrease taxes for upper-income Americans by the same 10 percent. So disguised as a tax cut, it was the largest tax shift in American history.

It reminds me of the old country lawyer's adage: "The large print giveth, and the small print taketh away."

CIVIL RIGHTS

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

Mr. KILDEE. Mr. Speaker, the press has been full of reports lately of the administration's apparently new-found commitment to the cause of civil rights. Indeed, there has been a much publicized increase in the administration's civil rights posture during these last several weeks.

But it is by their deeds—not their words—that the Nation shall judge the Reagan administration's commitment to civil rights. And by every measure, this President's commitment has been found lacking.

From the shame of attempting to grant tax exempt status to schools which discriminate on the basis of race to the travesty of trickle-down economics, the Reagan administration has steadfastly impeded progress on civil rights issue. But more disturbing than the administration's drive to prevent the success of the civil rights movement, is their attempt to roll back many of the movement's past gains. There is no greater example of this retreat than the President's attempts to pack the U.S. Commission on Civil Rights.

The President has taken the unprecedented step of firing five of the six Commission members during his term. These firings are irresponsible and a clear effort to stack the Commission with members who will make the Commission ineffective as a civil rights monitoring organization.

The Civil Rights Commission was established as the conscience of our National Government. President Reagan is trying to remake the Commission into a mouthpiece for his administra-

tion and to stifle criticism of those administration policies which are unfair to many in our Nation. I urge the Senate to reject the President's nominations for replacements and I hope the courts will overturn the firings. It is essential for the Civil Rights Commission to be independent of the administration whose policies it is examining.

□ 1215

NEW YORK IS THE APPLE OF U.S. NAVY'S EYE

(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, Diana Ross and the U.S. Navy have something in common—they both love New York. They each displayed their affection for the greatest city in the world last week. Diana Ross gave a free concert viewed by almost half a million people in Central Park—and did it as her way of thanking New York City for all it had done for her career.

Last Friday, the U.S. Navy and their distinguished Secretary John F. Lehman, Jr., announced that the city of New York had been awarded the battleship *Iowa* and six other support ships all of which would be stationed in the Port of New York. Estimates show that this project will produce as many as 9,000 new jobs and over \$500 million a year to New York City's economy. It is said that nothing happens by itself. The *Iowa* contract came as the result of hard work and a special brand of bipartisan cooperation within our congressional delegation. Our colleague JOE ADDABBO and Senator AL D'AMATO were the guiding lights which helped steer the *Iowa* into New York City.

As a lifelong resident of New York City, I take special pride in her special week last week. The people of New York City do not always receive their fair share of the Federal pie—but at least in this one instance—New York City proved to be the apple of the U.S. Navy's eye.

THE TELEPHONE CRISIS

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

Mr. BATES. Mr. Speaker, the House Committee on Energy and Commerce and the Senate Committee on Commerce, Science, and Transportation held a rare, joint hearing on telephone legislation pending before this Congress.

There are now 12 bills before both Houses that attempt to reduce for the American consumer the great impact of the AT&T divestiture decisions. As

the author of three of those bills, I would like to call your attention to what must be addressed to avert a crisis in our telephone system.

First, we must insure that future service not fall below the current level of service to telephone customers.

Second, States must retain the authority to regulate service to insure that all areas and customers are covered, even if not profitable. Their role in depreciation decisions should be preserved.

Third, access charges derived from the availability of the telephone system reflect the benefits from the system.

Fourth, a universal fund be established which does not exclude any State with overall cost-efficient service if there are areas within the State where service costs are more than the national average.

These issues must be addressed if this Nation is to continue to retain its complex web of telecommunications and to preserve effective competition in the industry.

THE TEFLON PRESIDENCY

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

Mrs. SCHROEDER. Mr. Speaker, after carefully watching Ronald Reagan he is attempting a great breakthrough in political technology—he has been perfecting the Teflon coated Presidency.

He sees to it that nothing sticks to him. He is responsible for nothing—civil rights, Central America, the Middle East, the economy, the environment—he is just the master of ceremonies at someone else's dinner.

"Oh, that naval exercise." "Oh, that Interior Secretary." "Oh, that Middle East." "Oh, that acid rain." "Oh, that unemployment."

Harry Truman had a sign on his desk emblazoned with his motto: "The buck stops here." It has obviously been removed and Reagan's desk has been Teflon coated, also I could be wrong. Maybe Reagan does know what he is doing. The Rocky Mountain News on July 29 carried a cartoonist's version of the last Presidential press conference. Reported: "Mr. President, isn't your claim that your administration has done more for women just another fabrication?" Reagan: "I'm glad you asked. I'm willing to put my record against anyone else's! Check it out. You'll see we've had more fabrications than any previous administration!"

UNSAFE AND INEFFECTIVE DIET PILLS

(Ms. OAKAR asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. OAKAR. Mr. Speaker, I noted last week that the FDA chief, Dr. Arthur Hull Hayes, resigned rather unexpectedly. Of course, we all know he was under internal investigation by his department, the Department of Health and Human Services.

Mr. Speaker, I think he mirrored the laxity of FDA. As we all know, more than 69 percent of the over-the-counter drugs that FDA has tested—and they have not gotten to most of them—are unsafe and ineffective. Our Aging Health Subcommittee had a hearing last week at which we went in depth into the ineffective and unsafe diet pills that are being popularized by a super-duper campaign in advertising, and we saw examples of people who have suffered strokes and hypertension and hypnotic reactions, and so forth.

In fact, the majority of people who take those awful pills are very susceptible to those kinds of occurrences. The tragedy is that FDA is not using its discretionary power to enforce the law. They are not protecting the American consumer. Therefore, I have introduced a bill which deals with FDA. If they are not going to protect the consumer, we must make them.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry on the discretionary powers of the Speaker.

The SPEAKER pro tempore (Mr. KILDEE). The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, is it not the fair policy of the Speaker, when we are in the 1-minute speech period, that he first recognize the Democrats who were on the floor in the order that they arrived, and then the Republicans who have been sitting here for 45 minutes in the order in which they arrived, and then go back to those latecomers? Is that not the fair policy of the Speaker of this House?

The SPEAKER pro tempore. It is at the discretion of the Chair, and the Chair tries to be fair. The Chair is aware of no unfairness yet. The Chair now recognizes the gentleman from Arkansas.

Mr. SOLOMON. I thank the Speaker for being so fair.

NERVE GAS WEAPONS BACK IN THE NEWS AGAIN

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

Mr. BETHUNE. Mr. Speaker, the morning papers are full of the news that the armed services conference has caved in to the request of the moribund Chemical Corps to include the

production of nerve gas weapons in the conference report.

Of course, that is no surprise, because the armed services conferences members ooze prejudice for this faulty system. This House has found 2 years in a row that those weapons are not needed, and that is no surprise. The Department of Defense itself has admitted that the artillery shells we have are perfectly good until the year 1990.

This House has found that the Big Eye Bomb is a mechanical nightmare. It blows up on us, not the enemy. That is why this House has, for 2 years in a row, rejected this idiotic weapons system. Not only have we saved \$6 billion for the American taxpayer, but we have preserved a moratorium that has been in effect since 1969 which serves us well because we hold the high ground on this issue in the world when it comes to deciding who people can trust on the issue of arms control.

So I urge my colleagues to reject the conference report when it comes back if it includes this very ill-conceived weapons system.

A BANKER'S AND A CONGRESSMAN'S PERSPECTIVE ON IMF QUOTA INCREASE

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

Mr. MACK. Mr. Speaker, in a few days, we will again discuss the IMF and its quota increase of \$8.4 billion. It was said here that bankers are not Congressmen and Congressmen are not bankers. While that may be true, let me share a few thoughts after 16 years in the banking business.

First, you do not solve the problem of international finance by piling debt on top of debt.

Second, you do not solve the problem by committing to additional lending without knowing how much more money in future years will be needed.

Third, you do not solve the problem by working out a plan which does not have as its basis a full understanding of the specific losses that could occur over a certain period with a specific financial impact.

The conclusion, to which I have come, places the responsibility directly on our international lenders. They should develop the plan; they should forge the agreements, they should restructure the debt but without taxpayer dollars.

That is a banker's and a Congressman's perspective.

COMMUNIST HUMAN RIGHTS VIOLATIONS IN EL SALVADOR

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

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and I do not wish to revise and extend my remarks.

At 2 p.m. tomorrow, before the House Committee on Foreign Affairs Subcommittee on Human Rights, I will present, on behalf of the Central American Freedom Alliance and the Council for International American Security, a diary of public statements about specific incidents between October 1979 and June 1983 that documents for the first time the daily reality of terrorism used by Communist guerrillas in El Salvador.

Mr. Speaker, this is a compilation of broadcast, wire and press reports culled by the Foreign Broadcast Information Service of the Department of Commerce. More often than not, it shows what the guerrillas themselves report about their own terrorist activities through Radio Havana and their own propaganda organs. Based on this evidence, we can point to over 20,000 human rights violations, killings, maimings, kidnappings, hostage-taking, and terrorist assaults in public places by Communist insurgents in El Salvador.

This evidence is a matter of public record, and I invite the media to examine it closely.

REFORM OF EXPORT CONTROL LAWS ESSENTIAL—NOW!

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

Mr. BEREUTER. Mr. Speaker, if anyone doubts the need for the export control law reforms proposed in H.R. 3231, they only need to speak with their constituents.

Yesterday, for example, I received a letter from a small business in my district which demonstrated in graphic terms the appalling state of affairs regarding our export control program. On February 22 of this year, my constituent company filed with the Department of Commerce an export license application for a microprocessor controlled fraction collector, a device used in chemical and biochemical applications which collects liquids which are subsequently deposited into test tubes. The company sought export approval for this product in order that it might be exhibited in the Soviet Union. According to company officials, several telephone calls to the Department failed to obtain any expediting of this application.

The export license was finally granted, more than 5 months later, on July 26. The exhibition for which the prod-

uct was destined had been held May 25 through June 8, 7 weeks ago.

Company officials explain that their only competition internationally comes from a Swedish firm which can export its product free of licensing requirements.

Sadly, I must report that this excessive delay is not an unusual occurrence. No wonder, therefore, that U.S. exporters are losing ground daily in their battle to remain competitive internationally. Unless we act now to reform control laws which contribute nothing to our national security but which contribute to the economic well-being of our foreign competitors, our Nation's status as an economic superpower will be lost forever. That will be a truly fatal blow to our overall national security.

I urge my colleagues to join with me in giving overwhelming approval to H.R. 3231 when it reaches the House floor.

□ 1230

PROMOTE GRACE HOPPER TO COMMODORE

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

Mr. PHILIP M. CRANE. Mr. Speaker, I would like to call to your attention the work and contributions of a very special woman, Capt. Grace M. Hopper, U.S. Navy, who is currently serving on active duty with the Naval Data Automation Command in Washington, D.C.

During her 40-year association with the Navy, "the grand old lady of software" has made numerous contributions through her expertise in the computer field. Captain Hopper worked with the first large-scale computer, Mark I. She pioneered much of today's most widely accepted computer programming language, COBOL, and she invented the first practical compiler to translate English into machine language. She has been honored with more than 30 awards and recognitions for her outstanding advances in the computer field. She retired from the Navy at the age of 60. However, the Navy was compelled to recall her to active duty just 8 months later when the Pentagon discovered it was in need of her expertise in the computer field.

At 76, Captain Hopper is currently the oldest naval officer on active duty. In a May 1983 interview with Newsweek, she was quoted as saying, "I've received the highest award anybody can give me, and that is the privilege and the honor of serving proudly in the U.S. Navy." It is time the Navy recognized the outstanding contributions made by this officer recalled from retirement over a decade and a half ago, and promote her to the rank of commodore.

I am today introducing legislation that authorizes and requests the President to promote Capt. Grace M. Hopper to commodore. I ask that you, too, show Captain Hopper that she is a valuable part of our Navy, that she has contributed "above and beyond the call of duty" and that she is entitled to flag rank.

TOBACCO SUBSIDY PROGRAM FOUND WANTING

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

Mr. PETRI. Mr. Speaker, the tobacco lobby has asked us to support a procession of cure-alls under the guise of getting the tobacco subsidy program working. However, reality has voted to reject these so-called cures.

When the tobacco markets opened in Georgia and Florida last week, tobacco sold for an average of 12 cents a pound less than last year. The result was additional hardship on the tobacco farmers along with tremendous surpluses.

Last year, 14 percent of the tobacco sold during the first week of sale went into surplus. This year, the surplus for the first week was over 37 percent.

The tobacco lobby has held off major change by asking for studies in 1981, an assessment in 1982, and a price freeze in 1983. How long are we going to be fooled by these quack cures which only help absentee allotment holders and big corporations? Let us put the tobacco subsidy program out of its misery, now.

OPPOSITION TO CHEMICAL WEAPONS

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

Mrs. ROUKEMA. Mr. Speaker, I was most distressed yesterday to learn that the conferees to H.R. 2969, the Defense Department authorization bill, have decided to end the moratorium we have had since 1969 on the production of chemical weapons. This is a terrifying decision which must be reversed. History will not forgive us if we agree to produce these lethal binary chemical munitions.

The case has not been made for production of these weapons. The proponents have not answered the questions of deterrence or adequately addressed the foreign policy implications, specifically with respect to our NATO allies. A new weapons program will be established with little understanding of the impact upon foreign policy, military security, or comprehensive arms control.

Very recently, this House voted decisively 256 to 161 against chemical

weapons production. Subsequently, the other body approved production, but only after the Vice President was called in to cast an extraordinary tie-breaking vote. This can hardly be construed by the conferees as a mandate for production.

I urge the conferees to reverse this decision or be prepared for a challenge to the conference report when it is brought to the House floor.

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1797

Mr. WHITEHURST. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 1797.

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

There was no objection.

INTRODUCTION OF BILL TO AFFORD RELIEF TO SMALL HEALTH CLINICS

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

Mr. RICHARDSON. Mr. Speaker, recently the National Health Service Corps issued some guidelines on July 31, 1983, that would alter the payback system for rural health clinics all around this country. This has grave implications for many health clinics that are small and serve the poor and the elderly with adequate health care. Because of these new guidelines, these clinics will be placed in jeopardy. These new payback schemes are going to strangle them. Mr. Speaker, I say that a person's health should not be related to a person's wealth. Health care should be a basic human right for every American.

I have introduced a bill, H.R. 3649, which establishes new guidelines for payback schemes so that these rural health clinics, whether they are on an Indian reservation, in a Hispanic rural area, or in an inner city ghetto can survive.

I say, Mr. Speaker, that we cannot carry out these budget cuts to the point where those who can least afford to sustain them bear the brunt of this administration's excessive misguided priorities which produces inhumane regulations, which my bill will hopefully eliminate.

IN SUPPORT OF BILL MAKING A HOLIDAY OF MARTIN LUTHER KING, JR.'S BIRTHDAY

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

Mr. ROEMER. Mr. Speaker, this Nation is built on a single, revolution-

ary principle that all men are created equal. No classes, no racial barriers, no regional divisions.

Dr. Martin Luther King, Jr., made that deeply American principle come alive for millions of our citizens. He reaffirmed the American dream, planted its deeds in ghetto deserts and reminded a Nation to honor and respect its most precious resource; its people, all of them.

Three historic events establish America as unique among all nations: Our Revolution to create equality of opportunity, our Civil War to preserve national unity and our civil rights struggle to confirm human dignity and rights. Dr. King was the founding father of the civil rights movement in this country. In that sense, not in the sense that he was perfect for he was very human, Dr. King is owed a debt of gratitude by every American, regardless of race, color, or creed.

For this reason, I cast my vote for the establishment of a national holiday in his name. This holiday will honor Martin Luther King. It also ought to be a day of reflection on why we, as a Nation, are different: Our freedom. And on why we, as a Nation are great: Our resolve to make that freedom real for us all.

ACTION ON RECONCILIATION BILL URGED

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

Mr. PEASE. Mr. Speaker, as the Members of the House know, we face from the budget resolution reconciliation instructions to cut down on spending by a given number of billions of dollars and to have a modest increase in revenue. The reporting date of that reconciliation bill is supposed to be near the end of September. I hope very much that the House will meet that deadline.

The National Governors Association met over the weekend. Gov. Scott Matheson, the association chairman, warned that without responsible budget actions to reduce Federal deficits, we will have a recovery that is just "a blip on the horizon." He said in particular, that if we are not willing to face up to more taxes and make the decisions soon, we can kiss the recovery goodbye.

Mr. Speaker, none of us wants to have this recovery die in its tracks. I hope very much that the House will act on the reconciliation bill by the end of September.

WHAT TO DO WITH PROCEEDS FROM THE CHRYSLER WARRANTS

(Mr. SCHUMER asked and was given permission to address the House

for 1 minute, and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, the success of Chrysler and the Federal loan guarantee program has the Government in the anomalous position of holding 14.4 million very valuable Chrysler warrants. Two questions present themselves: How to dispose of the warrants and what to do with the revenues they bring.

The first question has been answered by the administration. Commendably, it plans to sell the warrants at fair market value, bringing in over \$300 million to the Federal Government. To suggest that the Government should surrender the warrants or sell them at less than full market value, as Chrysler had, is like a patient cured of a fatal illness who later belittles the severity of his sickness in order to avoid paying the doctor.

The second question is what to do with these dollars. Today I will be circulating a letter among my colleagues urging the administration to use the profits of these proceeds to retrain unemployed workers in auto and auto-related industries. It is upon these people that the greatest burden has fallen. It is these people who will give up the most in the smaller and entrenched auto industry.

Mr. Speaker, the least the Government can do is use those profits to help find these unemployed auto workers new skills and new jobs.

OPPOSITION TO CHEMICAL WEAPONS PRODUCTION PROVISION IN DEFENSE AUTHORIZATION LEGISLATION

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

Mr. PORTER. Mr. Speaker and ladies and gentlemen of the House, yesterday conferees on the Defense authorization bill agreed to include a provision in their conference report that would allow the production of chemical weapons. They did this despite the fact that the House voted against including such a provision, and the other body approved it only by a vote of 50 to 49, the 50th vote being that of the Vice President to break a deadlock—a vote of the administration, not a vote of a Member of that legislative body.

In my judgment, this country does not need chemical weapons and should not produce them but that is a question of public policy upon which reasonable minds might differ.

My objection today is that I believe it is an absolute outrage for any conference committee to insert a provision in a conference report that does not have the support of a majority of either House of the Congress. It seems

to me that we ought to change our rules so that conferees do not have authority to include such an unsupported provision.

But, Mr. Speaker, in any case, I, for one, do not intend to support the conference report on the Defense authorization bill if this provision is included.

CONTADORA'S ACHIEVEMENTS

(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, for the past 8 months the so-called Contadora group, made up of Mexico, Colombia, Panama, and Venezuela, has been running around Central America telling the world how peace can be achieved in that region of our hemisphere.

So far, the only thing that the four countries that make up the Contadora—Colombia, Mexico, Panama, and Venezuela—have been able to achieve is the establishment of a forum for our enemies to take pot shots at our Government.

Pravda, in an article on June 13, 1983, claimed that the United States was "sabotaging" the proposals made by the Contadora by refusing to support direct talks between Nicaragua and Honduras.

The following day, the China Daily wrote that the U.S. Government's refusal to hold dialog with the leftwing forces has met with opposition from the Central American countries.

We do not need this type of comment circulated among our friends throughout the world.

And we do not need the Contadora group and its highly suspicious motives.

If a joint government effort is needed to halt Communist terrorism in Central America and bring peace to that region—and one may very well be needed—then it should come from the already established Organization of American States, whose primary goals are to preserve peace and security and to promote the integral development of the member states.

WASHINGTON PARTY HOSTED TO CALL ATTENTION TO PLIGHT OF THE AFGHAN PEOPLE

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

Mr. RITTER. Mr. Speaker, this House has recently been exposed to some very pointed differences on our policy in Central America. I would like to call attention to an area of the world where those differences do not exist. That is the country of Afghanistan, suffering since 1979 under the weight of a brutal, Soviet invasion.

Last night in Washington, D.C., the Dawsons, Jane and Sam Dawson, two very gracious Washington hosts, held a gathering in their home to call attention to the plight of the Afghan people. Attending that party were Members from both sides of the aisle, including leadership Members of the House and the Senate. The Dawsons are part of a growing number of Americans who are sympathetic to the cause of the Afghan freedom fighters and who have decided to help.

Mr. Speaker, I think it is instructive to our friends in the Soviet Union who are listening to our debates on the floor of the House to recognize that the subject of Afghanistan is one which unifies both parties in the Congress. Members of this House can look forward to a sense-of-the-Congress resolution which I and others will be introducing shortly in bipartisan fashion to call attention to the plight of the Afghan people at the hands of the U.S.S.R. The resolution will also address the need for an appropriate response on behalf of the American people.

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BINARY CHEMICAL WEAPONS

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

Mr. ANTHONY. Mr. Speaker, several of my colleagues have come before the House today to complain about the fact that the conferees on the defense authorization bill have included the binary project. They have used typically emotional arguments. We cannot win that argument on an emotional basis, but if you will just stop momentarily and listen to the facts. Chemical weapons are abhorrent to everybody. That is a given fact; but we have chemical weapons now. That is not the issue.

The issue is very simply this: Are we going to have the capability as a deterrent effect to be able to safely transport and protect our soldiers in the battlefield? If we do not in this particular area, we are not doing our armed services justice.

I encourage my colleagues to vote on the defense authorization bill on the facts and not on emotion.

BINARY CHEMICAL WEAPONS—A REPLY

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

Mr. BONIOR of Michigan. Mr. Speaker, I would like to address the issue my colleague, the gentleman from Arkansas, has just raised.

I want to rise and express my strong objection to the agreement to end the

moratorium on the production of chemical weapons, which was approved yesterday by the conferees on the defense authorization bill.

The language that was accepted by the conferees is no compromise at all. It is merely a new package for an old request, one that was defeated in the House and which passed only by a single vote margin in the Senate.

Binary chemical weapons are morally repugnant. They have not been adequately tested. They will not, I believe, provide the safety that the gentleman previous to me spoke of and they will not contribute to our national security.

To approve funding for them at this time is not only unwise, but runs contrary to the express wishes of a majority of this Congress and to the bipartisan relationship that this issue has gathered in the White House over the past three or four Presidents.

SUPPORT A NATIONAL HOLIDAY FOR MARTIN LUTHER KING

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

Mr. LUNGREN. Mr. Speaker, today I rise to encourage all in this body, but particularly those on the Republican side, to support H.R. 3706, establishing a national holiday commemorating the life of Dr. Martin Luther King, Jr.

I was one of those who voted against this on suspension the last time it was up; but I have looked at it again. I have reviewed my position on it and have had a change of heart and vision as it relates to this bill.

I hope others will similarly take a look at this. It seems to me, reflecting on this issue, that I have to conclude that the importance of this occasion, the importance of the memory of Dr. Martin Luther King, Jr., and all he symbolizes with respect to the civil rights movement is such that if it takes a national holiday which happens to fall on a work day that we should go ahead and do that.

There is no doubt that Dr. Martin Luther King stands as a symbol to the black community; but it seems to me that he stands as a symbol to more than the black community, to all of us, black, white, red and brown, to suggest that we have a consensus of conscience in this country dedicated to the securing of civil rights for all. We may disagree from time to time as to how we achieve those goals, but it seems to me we ought to rally around his memory in support of this consensus.

PERMISSION FOR SUBCOMMITTEE ON MERCHANT MARINE OF COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING THE 5-MINUTE RULE ON WEDNESDAY, AUGUST 3, 1983

Mr. BIAGGI. Mr. Speaker, I ask unanimous consent that the Subcommittee on Merchant Marine of the Committee on Merchant Marine and Fisheries be permitted to sit at 10 a.m. on Wednesday, August 3, 1983, for the purpose of holding a hearing on H.R. 3156—a bill to amend the Merchant Marine Act of 1936 and for other purposes ("Merchant Marine Act of 1983").

The ranking minority member of the committee, the gentleman from New Jersey (Mr. FORSYTHE) and the ranking minority member of the subcommittee, the gentleman from Kentucky (Mr. SNYDER) have been apprised of the hearing date and time and are in accord with this request.

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

There was no objection.

EMERGENCY VIETNAM VETERANS' JOBS TRAINING ACT OF 1983

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2355) to establish an emergency program of job training assistance for disabled veterans and veterans of the Vietnam era, with Senate amendments thereto, and concur in the Senate amendments with amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments and the House amendments to the Senate amendments, as follows:

Senate amendments: Strike out all after the enacting clause and insert: That this Act may be cited as the "Veterans' Emergency Job Training Act".

TITLE I—VETERANS' EMERGENCY JOB TRAINING PROGRAM

Sec. 101. (a) Title 38, United States Code, is amended by inserting after chapter 43 the following new chapter:

"CHAPTER 44—VETERANS' EMERGENCY JOB TRAINING PROGRAM

"Sec.

"2101. Purpose.

"2102. Establishment of program; administration.

"2103. Eligibility; application; certification.

"2104. Employer job training programs.

"2105. Approval of programs.

"2106. Training establishments.

"2107. Nonqualifying programs of training.

"2108. Payments to employers.

"2109. Discontinuance of approval of employer programs; overpayments; penalties.

"2110. Coordination; information and outreach.

"2111. Inspection of records; investigations.

"2112. Termination of program.

"2113. Authorization of appropriations.

"§ 2101. Purpose

"The purpose of this chapter is to address the problem of severe and continuing unemployment among veterans by providing incentives to employers, in the form of payments to defray the costs of training or retraining, to hire wartime veterans who have been unemployed for long periods of time or have job skills that have been rendered obsolete by advances in technology or other industrial changes, for employment in stable, permanent positions that involve significant training or retraining.

"§ 2102. Establishment of program; administration

"(a) The Administrator and the Secretary of Labor (hereinafter in this chapter referred to as 'the Secretary') shall jointly carry out a program in accordance with the provisions of this chapter to assist eligible veterans in obtaining employment in stable, permanent positions that involve significant training or retraining. Assistance under the program shall be in the form of payments made to employers to assist them in defraying the costs of training or retraining eligible veterans employed in such positions.

"(b) Not later than sixty days after the date of the enactment of this chapter but in no event later than October 1, 1983, the Administrator and the Secretary shall enter into an agreement specifying their respective responsibilities for the administration of the provisions of this chapter. The agreement shall include specifications that the Administrator shall be responsible for the determination of whether a veteran meets the service requirements under section 2103 of this title and for payments to employers under section 2108 of this title, and that the Secretary shall be responsible for the determination of whether a veteran meets the unemployment requirements under section 2103 of this title and for job development activities under section 2110 of this title. The term 'administering agency' as used hereinafter in this chapter refers to the Veterans' Administration or the Department of Labor or both as specified in such agreement.

"(c) The Secretary shall carry out responsibilities under this chapter through the Assistant Secretary of Labor for Veterans' Employment established under section 2002A of this title.

"§ 2103. Eligibility; application; certification

"(a) For the purposes of this chapter, an eligible veteran is a veteran who—

"(1) acquired entitlement to educational assistance benefits from the Veterans' Administration under a program enacted by the Servicemen's Readjustment Act of 1944, the Veterans' Readjustment Assistance Act of 1952, or the Veterans' Readjustment Benefits Act of 1966 and who served during a period of war; and

"(2)(A) is unemployed and has been unemployed for at least fifteen of the twenty weeks immediately preceding the date of application for participation in a program under this chapter; or

"(B)(i) is unemployed and has been terminated or laid off from employment and is eligible for or has exhausted entitlement to unemployment compensation, and (ii) has no realistic opportunity to return to employment in the same or a similar occupation in the geographical area where the veteran previously held employment.

For the purposes of clause (2) of this subsection, a veteran shall be considered unemployed when the veteran is without a job and wants and is available for work.

"(b) A veteran who desires to undertake a program of job training under this chapter shall submit to the administering agency an application which shall specify the training objective to be pursued and shall be in such form and contain such information as the administering agency shall prescribe. The administering agency shall approve such application unless the administering agency finds that the veteran is (1) not eligible to participate in a program under this chapter, or (2) already qualified for the specified training objective.

"(c) A veteran who has been determined to be eligible under this section shall be certified as such by the administering agency, and the administering agency shall furnish such veteran with a copy of a certification of eligibility for presentation to an employer offering a program of job training under this chapter.

"§ 2104. Employer job training programs

"(a)(1) Except as provided in paragraph (2) of this subsection, in order to qualify as a program of job training under this chapter, a program of job training of an employer must provide training approved under this chapter for a period of not less than six months in an occupation in a growth industry, an occupation requiring the use of new technological skills, or an occupation for which demand exceeds supply.

"(2) A period of training of between three and six months may be approved where the administering agency determines, in accordance with standards which the administering agency shall prescribe, that the purpose of this chapter would be met.

"(b) The maximum period of training for which assistance may be paid on behalf of an eligible veteran under this chapter is twelve months, except that such period may be extended by the administering agency for a period of up to six additional months in the case of a veteran with a service-connected disability rated at (1) 30 percent or more, or (2) 10 or 20 percent if such veteran has been determined under section 1506 of this title to have a serious employment handicap.

"(c) Subject to the provisions of this chapter, an eligible veteran approved for participation in a program under this chapter may accept an approved program of job training offered to the veteran by any employer.

"§ 2105. Approval of programs

"(a) An employer may be paid assistance under section 2106 of this title on behalf of an eligible veteran employed by such employer and participating in a program of job training offered by such employer only if such program is approved in accordance with such procedures as the administering agency may by regulation prescribe and if the program meets the other requirements established under this chapter.

"(b) An employer offering a program of job training that the employer desires to have approved for the purposes of this chapter shall submit a written application for such approval. Such application shall be in such form and contain such information as the administering agency shall prescribe and shall contain a certification by the employer—

"(1) that the employer has planned for the employment of the eligible veteran in a position for which such veteran is to be trained and that the employer has no reason to expect that such position will not be available on a stable, permanent basis to such veteran at the end of the training period;

"(2) that the wages and benefits to be paid to an eligible veteran participating in the employer's program of job training will be not less than the wages and benefits normally paid to other employees participating in a comparable program of job training;

"(3) indicating the total number of hours of training to be offered for each eligible veteran, and describing the training content of the program and the objective of the training;

"(4) that the employment of an eligible veteran under this chapter—

"(A) will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits); and

"(B) will not be in a job (i) while any other individual is on layoff from the same or any substantially equivalent job, or (ii) the opening for which was created as a result of the employer having terminated the employment of any regular employee or otherwise having reduced its work force with the intention of hiring a veteran in such job under this chapter;

"(5) that the training content of the program is adequate, in light of the nature of the occupation for which training is to be provided and comparable training opportunities in such occupation, to accomplish the training objective certified under clause (3) of this subsection;

"(6) that the occupation or job for which training is to be provided customarily requires training of not less than an average of thirty hours per week for a period of not less than six months or such other period as may be approved under section 2104(a)(2) of this title;

"(7) that the length of the training period under the proposed program is not longer than the length of programs that employers in the community customarily require new employees to complete in order to become competent in the occupation or job for which training is to be provided;

"(8) that there is in the training establishment or place of employment such space, equipment, instructional material, and instructor personnel as are needed to accomplish the training objective certified under clause (3) of this subsection;

"(9) that the employer will keep records adequate to show the progress made by each veteran participating in the program, and otherwise to demonstrate compliance with the requirements of this chapter; and

"(10) that the program meets such other criteria as may be established by the administering agency.

"(c)(1) Except as provided in paragraph (2) of this subsection, the administering agency shall approve the proposed program of job training unless the administering agency finds that the application does not contain a certification and other information meeting the requirements of subsection (b) of this section.

"(2) The administering agency may withhold approval pending the outcome of an investigation of any matter under section 2111(c) of this title, and, based on such outcome, may disapprove such program, in accordance with regulations which the administering agency shall prescribe.

"(d) For the purposes of this section, approval of a program of apprenticeship or other on-job training for the purposes of section 1787 of this title shall be considered to meet all requirements for approval of a program of job training under this chapter.

"§ 2106. Training establishments

"Any employer may enter into an arrangement or agreement with an educational institution that has been approved for the enrollment of veterans under chapter 34 of this title in order that such institution may provide a program of job training (or a portion thereof) under this chapter. When such an arrangement or agreement has been entered into, the application of the employer shall so state and set forth a description of the training to be so provided.

"§ 2107. Nonqualifying programs of training

"No assistance under this chapter may be paid on behalf of an eligible veteran participating in a program of job training—

"(1) for employment in a seasonal, intermittent, or temporary job;

"(2) for employment under which commissions are the primary source of income;

"(3) for employment which involves political or religious activities;

"(4) for employment with any department, agency, instrumentality or branch of the Federal Government (including the United States Postal Service and Postal Rate Commission); or

"(5) if the training program will not be carried out in the United States.

"§ 2108. Payments to employers

"(a) Except as provided in subsections (b) and (c) of this section, the administering agency shall make quarterly payments to an employer of an eligible veteran participating in an approved program of job training under this chapter. The amount paid to an employer on behalf of an eligible veteran may not exceed the lesser of—

"(1) 50 percent of the wages paid to the veteran by the employer during the period for which payments are made; or

"(2) an amount for such period calculated on the basis of an annual rate of (A) \$9,000 in the case of an eligible veteran with a service-connected disability rated at (i) 30 percent or more, or (ii) 10 or 20 percent if such veteran has been determined to have a serious employment handicap under section 1506 of this title, or (B) \$6,000 in the case of any other eligible veteran.

"(b) If an employer to whom payments are made under this chapter is a private, for-profit enterprise employing five hundred or fewer employees, the administering agency may make such payments on a monthly basis.

"(c) Payment may not be made to an employer for a period of training under this chapter on behalf of a veteran until the administering agency has received—

"(1) from the veteran, a certification as to the veteran's actual employment and training with the employer during such period; and

"(2) from the employer, a certification—
 "(A) that the veteran was employed, and that the veteran's performance and progress were satisfactory during such period; and

"(B) with respect to the first such certification, indicating the date on which the employment of such veteran began.

"(d) No assistance may be paid on behalf of an eligible veteran under this chapter—

"(1) and to such veteran under chapter 31, 34, or 36 of this title for the same period;

"(2) if the employer is receiving any other form of assistance on account of the training or employment of such veteran, including assistance under the Job Training Partnership Act (96 Stat. 1322; 29 U.S.C. 1501 et seq.); or

"(3) if such veteran has completed a program of job training under this chapter.

"§ 2109. Discontinuance of approval of employer programs; overpayments; penalties

"(a) If the administering agency finds at any time that a program of job training previously approved by the administering agency for the purposes of this chapter thereafter fails to meet any of the requirements established under this chapter, the administering agency may immediately disapprove further participation by eligible veterans under that program. The administering agency shall provide to an employer whose program is disapproved under this section, and to each eligible veteran participating in such program, a statement of the reasons for, and an opportunity for a hearing with respect to, such disapproval. Such employer and such veteran shall be notified of such disapproval, such reasons, and such opportunity by a certified or registered letter, and a return receipt shall be secured.

"(b)(1) Whenever the administering agency finds that an overpayment of assistance under this chapter has been made to an employer on behalf of an eligible veteran as a result of a certification or information contained in an application submitted by an employer which was false or clearly unsupported in any material respect, the amount of such overpayment shall constitute a liability of the employer to the United States.

"(2) Whenever the administering agency finds that an overpayment of assistance under this chapter has been made to an employer on behalf of an eligible veteran as a result of a certification or information contained in an application submitted by a veteran which was false or clearly unsupported in any material respect, the amount of such overpayment shall constitute a liability of the veteran to the United States.

"(3) Any overpayment referred to in paragraph (1) or (2) of this subsection may be recovered in the same manner as any other debt due the United States.

"(c) Whenever the administering agency finds that an employer, willfully or with reckless disregard of the facts, has made a false certification under section 2105 or 2108(c)(2) of this title, or any regulation issued thereunder, or has caused the administering agency to make a certification or give approval contrary to such sections, or such regulation, such employer shall be subject to a civil penalty, imposed by the administering agency after an adjudication determined on the record after opportunity for a hearing before such agency, of not to exceed \$1,000 for each such violation. Such violation shall constitute a separate violation with respect to each individual employed by reason of such wrongful certification or approval. Actions by the administering agency to impose a civil penalty under this subsection shall be reviewable in the district courts of the United States.

"§ 2110. Coordination; information and outreach

"(a) The administering agencies shall provide for an outreach and public information program to inform private industry and business concerns (including small business concerns), educational institutions, trade associations, and labor unions of opportunities under this chapter, and to promote job development by encouraging employers and unions to make training programs available for eligible veterans. The administering agencies shall coordinate such program with those job counseling, placement, job development, and other services provided for under chapters 41 and 42 of this title and

with other similar services offered by other public agencies and organizations.

"(b) The administering agencies shall request and obtain from the Administrator of the Small Business Administration a listing of small business concerns, and, on a regular basis, update such listings. Such listings shall be used to identify and promote possible training and employment opportunities for eligible veterans.

"(c) The administering agencies, in consultation and cooperation with the Secretary of Education, shall take appropriate actions to advise educational institutions of the opportunities made available to veterans under this chapter and the opportunity for such institutions to enter into arrangements or agreements with employers pursuant to section 2106 of this title.

"(d) The administering agencies shall assist veterans and employers desiring to participate under this chapter in making application and completing necessary certifications.

"(e) In carrying out responsibilities under this chapter, the Secretary shall make maximum use of the services of State and Assistant State Directors for Veterans' Employment, disabled veterans' outreach program specialists, and employees of local offices appointed pursuant to sections 2003, 2003A, and 2004 of this title. The Secretary shall also use such resources as are available under title IV-C of the Job Training Partnership Act (96 Stat. 1322; 29 U.S.C. 1501 et seq.).

"(f) In carrying out the provisions of this section, the administering agencies shall endeavor to achieve an equitable regional distribution of training opportunities, based on a comparison of regional data concerning the rate of unemployment among veterans of a period of war, and taking into consideration the regional distribution of eligible veterans and approved programs of job training.

"§ 2111. Inspection of records; investigations

"(a) The records and accounts of employers pertaining to veterans on behalf of whom assistance has been paid under this chapter, as well as other records which the administering agencies determine are necessary to ascertain compliance with the requirements established under this chapter, shall be available at reasonable times for examination by authorized representatives of the Federal Government.

"(b) The administering agencies may monitor all participants under this chapter to determine whether they are complying with the requirements established under this chapter.

"(c) The administering agencies may investigate any matter they deem necessary to determine compliance with the requirements established under this chapter. The investigations authorized by this subsection may include examining records (including making certified copies thereof), questioning employees, and entering into any premises or onto any site where any part of a program of job training is conducted under this chapter, or where any of the records of the employer offering or providing such program are kept.

"§ 2112. Termination of program

"Assistance may not be paid to an employer under this chapter—

"(1) on behalf of a veteran who applies for a program of job training under this chapter after September 30, 1984; or

"(2) for any such program which commences after December 31, 1984.

"§ 2113. Authorization of appropriations

"There is authorized to be appropriated to the Administrator \$150,000,000 for the purpose of making payments to employers under this chapter."

(b) The table of chapters at the beginning of such title and at the beginning of part III of such title are each amended by inserting after the item relating to chapter 43 the following new item:

"44. Veterans' Emergency Job Training Program 2101."

(c)(1) Notwithstanding the provisions of section 2112 of title 38, United States Code (as added by subsection (a)), in the event that funds are not both appropriated under section 2113 of such title (as added by subsection (a)) and made available by the Director of the Office of Management and Budget to the Veterans' Administration on or before October 1, 1983, for the purpose of making payments to employers under chapter 44 of such title (as added by subsection (a)), assistance may be paid to an employer under such chapter on behalf of any eligible veteran if such veteran—

(A) applies for a program of job training under such chapter within one year after the date on which funds so appropriated are made available to the Veterans' Administration by the Director, and

(B) commences participation in such program within fifteen months after such date.

(2) For the purposes of this subsection, the term "eligible veteran" shall have the meaning provided in section 2103(a) of such title (as added by subsection (a)).

SEC. 102. The amendments made by this title shall take effect on October 1, 1983.

TITLE II—VETERANS' ADMINISTRATION REORGANIZATION

SEC. 201. The requirements of section 210(b)(2)(A) of title 38, United States Code, shall not apply to the planned administrative reorganization at the Veterans' Administration Rehabilitation Engineering Center (hereinafter in this section referred to as "VAREC") at 252 Seventh Avenue, New York, New York, involving—

(1) the transfer to the Veterans' Administration Medical Center, New York, of twenty-four full-time equivalent employees from the VAREC Special Clinic team, five full-time equivalent employees from the VAREC Restoration Laboratory, and four full-time equivalent employees from the VAREC Research and Development Service;

(2) the administrative reassignment from the VAREC of eight employees (in addition to those described in clause (1)) who are orthotists or prosthetists and whose work stations are at nearby Veterans' Administration medical centers to those medical centers; and

(3) the reorganization of elements of the VAREC not providing direct patient services so as to continue them at 252 Seventh Avenue as the "Veterans' Administration Prosthetic Technology and Information Center", under the direct supervision of the Director, Prosthetic and Sensory Aids Service, Department of Medicine and Surgery, Veterans' Administration Central Office.

Amend the title so as to read: "An Act to amend title 38, United States Code, to establish an emergency job training program for wartime veterans."

House amendments to the Senate amendments:

In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert the following:

SHORT TITLE, TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "Emergency Veterans' Job Training Act of 1983".

TABLE OF CONTENTS

Sec. 1. Short title; table of contents.
Sec. 2. Purpose.
Sec. 3. Definitions.
Sec. 4. Establishment of program.
Sec. 5. Eligibility for program; duration of assistance.
Sec. 6. Employer job training programs.
Sec. 7. Approval of employer programs.
Sec. 8. Payments to employers; overpayments.
Sec. 9. Entry into program of job training.
Sec. 10. Provision of training through educational institutions.
Sec. 11. Discontinuance of approval of participation in certain employer programs.
Sec. 12. Inspection of records; investigations.
Sec. 13. Coordination with other programs.
Sec. 14. Counseling.
Sec. 15. Information and outreach; use of agency resources.
Sec. 16. Authorization of appropriations.
Sec. 17. Termination of program.
Sec. 18. Expansion of targeted delimiting date extension.
Sec. 19. Effective date.

PURPOSE

SEC. 2. The purpose of this Act is to address the problem of severe and continuing unemployment among veterans by providing, in the form of payments to defray the costs of training, incentives to employers to hire and train certain wartime veterans who have been unemployed for long periods of time for stable and permanent positions that involve significant training.

DEFINITIONS

SEC. 3. For the purposes of this Act:

(1) The term "Administrator" means the Administrator of Veterans' Affairs.

(2) The term "Secretary" means the Secretary of Labor.

(3) The terms "Veteran", "Korean conflict", "compensation", "service-connected", "active military, naval, or air service", "State", and "Vietnam era", have the meanings given such terms in paragraphs (2), (9), (13), (16), (20), (24), and (29), respectively, of section 101 of title 38, United States Code.

ESTABLISHMENT OF PROGRAM

SEC. 4. (a) The Administrator and, to the extent specifically provided by this Act, the Secretary shall carry out a program in accordance with this Act to assist eligible veterans in obtaining employment through training for employment in stable and permanent positions that involve significant training. The program shall be carried out through payments to employers who employ and train eligible veterans in such jobs in order to assist such employers in defraying the costs of necessary training.

(b) The Secretary shall carry out the Secretary's responsibilities under this Act through the Assistant Secretary of Labor for Veterans' Employment established under section 2002A of title 38, United States Code.

ELIGIBILITY FOR PROGRAM; DURATION OF ASSISTANCE

SEC. 5. (a)(1) To be eligible for participation in a job training program under this Act, a veteran must be a Korean conflict or Vietnam-era veteran who—

(A) is unemployed at the time of applying for participation in a program under this Act; and

(B) has been unemployed for at least 15 of the 20 weeks immediately preceding the date of such veteran's application for participation in a program under this Act.

(2) For purposes of paragraph (1), the term "Korean conflict or Vietnam-era veteran" means a veteran—

(A) who served in the active military, naval, or air service for a period of more than 180 days, any part of which was during the Korean conflict or the Vietnam era; or

(B) who served in the active military, naval, or air service during the Korean conflict or the Vietnam era and—

(i) was discharged or released therefrom for a service-connected disability; or

(ii) is entitled to compensation (or but for the receipt of retirement pay would be entitled to compensation).

(3) For purposes of paragraph (1), a veteran shall be considered to be unemployed during any period the veteran is without a job and wants and is available for work.

(b)(1) A veteran who desires to participate in a program of job training under this Act shall submit to the Administrator an application for participation in such a program. Such an application—

(A) shall include a certification by the veteran that the veteran is unemployed and meets the other criteria for eligibility prescribed by subsection (a); and

(B) shall be in such form and contain such additional information as the Administrator may prescribe.

(2)(A) Subject to subparagraph (B), the Administrator shall approve an application by a veteran for participation in a program of job training under this Act unless the Administrator finds that the veteran is not eligible to participate in a program of job training under this Act.

(B) The Administrator may withhold approval of an application of a veteran under this Act if the Administrator determines that, because of limited funds available for the purpose of making payments to employers under this Act, it is necessary to limit the number of participants in programs under this Act.

(3)(A) The Administrator shall certify as eligible for participation under this Act a veteran whose application is approved under this subsection and shall furnish the veteran with a certificate of that veteran's eligibility for presentation to an employer offering a program of job training under this Act. Any such certificate shall expire 60 days after it is furnished to the veteran. The date on which a certificate is furnished to a veteran under this paragraph shall be stated on the certificate.

(B) A certificate furnished under this paragraph may, upon the veteran's application, be renewed in accordance with the terms and conditions of subparagraph (A).

(c) The maximum period of training for which assistance may be provided on behalf of a veteran under this Act is—

(1) fifteen months in the case of—

(A) a veteran with a service-connected disability rated at 30 percent or more; or

(B) a veteran with a service-connected disability rated at 10 percent or 20 percent who has been determined under section 1506 of title 38, United States Code, to have a serious employment handicap; and

(2) nine months in the case of any other veteran.

EMPLOYER JOB TRAINING PROGRAMS

Sec. 6. (a)(1) Except as provided in paragraph (2), in order to be approved as a program of job training under this Act, a program of job training of an employer approved under section 7 must provide training for a period of not less than six months in an occupation in a growth industry, in an occupation requiring the use of new technological skills, or in an occupation for which demand for labor exceeds supply.

(2) A program of job training providing training for a period of at least three but less than six months may be approved if the Administrator determines (in accordance with standards which the Administrator shall prescribe) that the purpose of this Act would be met through that program.

(b) Subject to section 10 and the other provisions of this Act, a veteran who has been approved for participation in a program of job training under this Act and has a current certificate of eligibility for such participation may enter a program of job training that has been approved under section 7 and that is offered to the veteran by the employer.

APPROVAL OF EMPLOYER PROGRAMS

Sec. 7. (a)(1) An employer may be paid assistance under section 8a on behalf of an eligible veteran employed by such employer and participating in a program of job training offered by that employer only if the program is approved under this section and in accordance with such procedures as the Administrator may by regulation prescribe.

(2) Except as provided in subsection (b), the Administrator shall approve a proposed program of job training of an employer unless the Administrator determines that the application does not contain a certification and other information meeting the requirements established under this section or that withholding of approval is warranted under subsection (g).

(b) The Administrator may not approve a program of job training—

(1) for employment which consists of seasonal, intermittent, or temporary jobs;

(2) for employment under which commissions are the primary source of income;

(3) for employment which involves political or religious activities;

(4) for employment with any department, agency, instrumentality, or branch of the Federal Government (including the United States Postal Service and the Postal Rate Commission); or

(5) if the training will not be carried out in a State.

(c) An employer offering a program of job training that the employer desires to have approved for the purposes of this Act shall submit to the Administrator a written application for such approval. Such application shall be in such form as the Administrator shall prescribe.

(d) An application under subsection (c) shall include a certification by the employer of the following:

(1) That employer is planning that, upon a veteran's completion of the program of job training, the employer will employ the veteran in a position for which the veteran has been trained and that the employer expects that such a position will be available on a stable and permanent basis to the veteran at the end of the training period.

(2) That the wages and benefits to be paid to a veteran participating in the employer's program of job training will be not less than the wages and benefits normally paid to other employees participating in a comparable program of job training.

(3) That the employment of a veteran under the program—

(A) will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits); and

(B) will not be in a job (i) while any other individual is on layoff from the same or any substantially equivalent job, or (ii) the opening for which was created as a result of the employer having terminated the employment of any regular employee or otherwise having reduced its work force with the intention of hiring a veteran in such job under this Act.

(4) That the employer will not employ in the program of job training a veteran who is already qualified by training and experience for the job for which training is to be provided.

(5) That the job which is the objective of the training program is one that involves significant training.

(6) That the training content of the program is adequate, in light of the nature of the occupation for which training is to be provided and of comparable training opportunities in such occupation, to accomplish the training objective certified under clause (2) of subsection (e).

(7) That each participating veteran will be employed full time in the program of job training.

(8) That the training period under the proposed program is not longer than the training periods that employers in the community customarily require new employees to complete in order to become competent in the occupation or job for which training is to be provided.

(9) That there are in the training establishment or place of employment such space, equipment, instructional material, and instructor personnel as needed to accomplish the training objective certified under clause (2) of subsection (e).

(10) That the employer will keep records adequate to show the progress made by each veteran participating in the program and otherwise to demonstrate compliance with the requirements established under this Act.

(11) That the employer will furnish each participating veteran, before the veteran's entry into training, with a copy of the employer's certification under this subsection and will obtain and retain the veteran's signed acknowledgment of having received such certification.

(12) That the program meets such other criteria as the Administrator may determine are essential for the effective implementation of the program established by this Act.

(e) A certification under subsection (d) shall include—

(1) a statement indicating (A) the total number of hours of participation in the program of job training to be offered a veteran, (B) the length of the program of job training, and (C) the starting rate of wages to be paid to a participant in the program; and

(2) a description of the training content of the program (including any agreement the employer has entered into with an educational institution under section 8) and of the objective of the training.

(f)(1) Except as specified in paragraph (2), each matter required to be certified to in paragraphs (1) through (11) of subsection (d) shall be considered to be a requirement established under this Act.

(2)(A) For the purposes of section 8(c), only matters required to be certified in

paragraphs (1) through (10) of subsection (D) shall be so considered.

(B) For the purposes of section 11, a matter required to be certified under paragraph (12) of subsection (d) shall also be so considered.

(g) In accordance with regulations which the Administrator shall prescribe, the Administrator may withhold approval of an employer's proposed program of job training pending the outcome of an investigation under section 12 and, based on the outcome of such an investigation, may disapprove such program.

(h) For the purposes of this section, approval of a program of apprenticeship or other on-job training for the purposes of section 1787 of title 38, United States Code, shall be considered to meet all requirements established under this Act for approval of a program of job training.

PAYMENTS TO EMPLOYERS; OVERPAYMENT

SEC. 8. (a)(1) Except as provided in paragraph (3) and subsection (b) and subject to the provisions of section 9, the Administrator shall make quarterly payments to an employer of a veteran participating in an approved program of job training under this Act. Subject to section 5(c) and paragraph (2), the amount paid to an employer on behalf of a veteran for any period of time shall be 50 percent of the product of (A) the starting hourly rate of wages paid to the veteran by the employer (without regard to overtime or premium pay), and (B) the number of hours worked by the veteran during that period.

(2) The total amount that may be paid to an employer on behalf of a veteran participating in a program of job training under this Act is \$10,000.

(3) In order to relieve financial burdens on business enterprises with relatively few numbers of employees, the Administrator may make payments under this Act on a monthly, rather than quarterly, basis to an employer with a number of employees less than number which shall be specified in regulations which the Administrator shall prescribe for the purposes of this paragraph.

(b) Payment may not be made to an employer for a period of training under this Act on behalf of a veteran until the Administrator has received—

(1) from the veteran, a certification that the veteran was employed full time by the employer in a program of job training during such period; and

(2) from the employer, a certification—

(A) that the veteran was employed by the employer during that period and that the veteran's performance and progress during such period were satisfactory; and

(B) of the number of hours worked by the veteran during that period.

with respect to the first such certification by an employer with respect to a veteran, the certification shall indicate the date on which the employment of the veteran began and the starting hourly rate of wages paid to the veteran (without regard to overtime or premium pay).

(c)(1)(A) Whenever the Administrator finds that an overpayment under this Act has been made to an employer on behalf of a veteran as a result of a certification, or information contained in an application, submitted by an employer which was false in any material respect, the amount of such overpayment shall constitute a liability of the employer to the United States.

(B) Whenever the Administrator finds that an employer has failed in any substantial respect to comply for a period of time

with a requirement established under this Act (unless the employer's failure is the result of false or incomplete information provided by the veteran), each amount paid to the employer on behalf of a veteran for that period shall be considered to be an overpayment under this Act, and the amount of such overpayment shall constitute a liability of the employer to the United States.

(2) Whenever the Administrator finds that an overpayment under this Act has been made to an employer on behalf of a veteran as a result of a certification by the veteran, or as a result of information provided to an employer or contained in an application submitted by the veteran, which was willfully or negligently false in any material respect, the amount of such overpayment shall constitute a liability of the veteran to the United States.

(3) Any overpayment referred to in paragraph (1) or (2) may be recovered in the same manner as any other debt due the United States. Any overpayment recovered shall be credited to funds available to make payments under this Act. If there are no such funds, any overpayment recovered shall be deposited into the Treasury.

(4) Any overpayment referred to in paragraph (1) or (2) may be waived, in whole or in part, in accordance with the terms and conditions set forth in section 3102 of title 38, United States Code.

ENTRY INTO PROGRAM OF JOB TRAINING

SEC. 9. Notwithstanding any other provision of this Act, the Administrator may withhold or deny approval of a veteran's entry into an approved program of job training if the Administrator determines that funds are not available to make payments under this Act on behalf of the veteran to the employer offering that program. Before the entry of a veteran into an approved program of job training of an employer for purposes of assistance under this Act, the employer shall notify the Administrator of the employer's intention to employ that veteran. The veteran may begin such program of job training with the employer two weeks after the notice is transmitted to the Administrator unless within that time the employer has received notice from the Administrator that approval of the veteran's entry into that program of job training must be withheld or denied in accordance with this section.

PROVISION OF TRAINING THROUGH EDUCATIONAL INSTITUTIONS

SEC. 10. An employer may enter into an agreement with an educational institution that has been approved for the enrollment of veterans under chapter 34 of title 38, United States Code, in order that such institution may provide a program of job training (or a portion of such a program) under this Act. When such an agreement has been entered into, the application of the employer under section 7 shall so state and shall include a description of the training to be provided under the agreement.

DISCONTINUANCE OF APPROVAL OF PARTICIPATION IN CERTAIN EMPLOYER PROGRAMS

SEC. 11. If the Administrator finds at any time that a program of job training previously approved by the Administrator for the purposes of this Act thereafter fails to meet any of the requirements established under this Act, the Administrator may immediately disapprove further participation by veterans in that program. The Administrator shall provide to the employer concerned, and to each veteran participating in the em-

ployer's program, a statement of the reasons for, and an opportunity for a hearing with respect to, such disapproval. The employer and each such veteran shall be notified of such disapproval, the reasons for such disapproval, and the opportunity for a hearing. Notification shall be by a certified or registered letter, and a return receipt shall be secured.

INSPECTION OF RECORDS; INVESTIGATIONS

SEC. 12. (a) The records and accounts of employers pertaining to veterans on behalf of whom assistance has been paid under this Act, as well as other records that the Administrator determines to be necessary to ascertain compliance with the requirements established under this Act, shall be available at reasonable times for examination by authorized representatives of the Federal Government.

(b) The Administrator may monitor employers and veterans participating in programs of job training under this Act to determine compliance with the requirements established under this Act.

(c) The Administrator may investigate any matter the Administrator considers necessary to determine compliance with the requirements established under this Act. The investigations authorized by this subsection may include examining records (including making certified copies of records), questioning employees, and entering into any premises or onto any site where any part of a program of job training is conducted under this Act, or where any of the records of the employer offering or providing such program are kept.

(d) The Administrator may administer functions under subsections (b) and (c) in accordance with an agreement between the Administrator and the Secretary providing for the administration of such subsections (or any portion of such subsections) by the Department of Labor. Under such an agreement, any entity of the Department of Labor specified in the agreement may administer such subsections, notwithstanding section 4(b).

COORDINATION WITH OTHER PROGRAMS

SEC. 13. (a)(1) Assistance may not be paid under this Act to an employer on behalf of a veteran for any period of time described in paragraph (2) and to such veteran under chapter 31, 32, 34, 35, 36 of title 38, United States Code, for the same period of time.

(2) A period of time referred to in paragraph (1) is the period of time beginning on the date of which the veteran enters into an approved program of job training of an employer for purposes of assistance under this Act and ending on the last date for which such assistance is payable.

(b) Assistance may not be paid under this Act to an employer on behalf of an eligible veteran for any period if the employer received for that period any other form of assistance on account of the training or employment of the veteran, including assistance under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) or a credit under section 44B of the Internal Revenue Code of 1954 (26 U.S.C. 44B) (relating to credit for employment of certain new employees).

(c) Assistance may not be paid under this Act on behalf of a veteran who has completed a program of job training under this Act.

COUNSELING

SEC. 14. The Administrator and the Secretary may, upon request, provide employment counseling services to any veteran eligible to participate under this Act in order

to assist such veteran in selecting a suitable program of job training under this Act.

INFORMATION AND OUTREACH; USE OF AGENCY RESOURCES

Sec. 15. (a)(1) The Administrator and the Secretary shall jointly provide for an outreach and public information program—

(A) to inform veterans about the employment and job training opportunities available under this Act, under chapters 31, 34, 36, 41, and 42 of title 38, United States Code, and under other provisions of law; and

(B) to inform private industry and business concerns (including small business concerns), public agencies and organizations, educational institutions, trade associations, and labor unions about the job training opportunities available under, and the advantages of participating in, the program established by this Act.

(2) The Secretary, in consultation with the Administrator, shall promote the development of employment and job training opportunities for veterans by encouraging potential employers to make programs of job training under this Act available for eligible veterans, by advising other appropriate Federal departments and agencies of the program established by this Act, and by advising employers of applicable responsibilities under chapters 41 and 42 of title 38, United States Code, with respect to veterans.

(b) The Administrator and the Secretary shall coordinate the outreach and public information program under subsection (a)(1), and job development activities under subsection (a)(2), with job counseling, placement, job development, and other services provided for under chapters 41 and 42 of title 38, United States Code, and with other similar services offered by other public agencies and organizations.

(c)(1) The Administrator and the Secretary shall make available in regional and local offices of the Veterans' Administration and the Department of Labor such personnel as are necessary to facilitate the effective implementation of this Act.

(2) In carrying out the responsibilities of the Secretary under this Act, the Secretary shall make maximum use of the services of State and Assistant State Directors for Veterans' Employment, disabled veterans' outreach program specialists, and employees of local offices appointed pursuant to sections 2003, 2003A, and 2004 of title 38, United States Code. The Secretary shall also use such resources as are available under part C of title IV of the Job Training Partnership Act (29 U.S.C. 1501 et seq.). To the extent that the Administrator withholds approval of veterans' applications under this Act pursuant to section 5(b)(2)(B), the Secretary shall take steps to assist such veterans in taking advantage of opportunities that may be available to them under title III of that Act or under any other program carried out with funds provided by the Secretary.

(d) The Secretary shall request and obtain from the Administrator of the Small Business Administration a list of small business concerns and shall, on a regular basis, update such list. Such list shall be used to identify and promote possible training and employment opportunities for veterans.

(e) The Administrator and the Secretary shall assist veterans and employers desiring to participate under this Act in making application and completing necessary certifications.

AUTHORIZATION OF APPROPRIATIONS

Sec. 16. There is authorized to be appropriated to the Veterans' Administration

\$150,000,000 for each of fiscal years 1984 and 1985 for the purpose of making payments to employer under this Act and for the purpose of section 18 of this Act. Amounts appropriated pursuant to this section shall remain available until September 30, 1986.

TERMINATION OF PROGRAM

Sec. 17. (a) Except as provided under subsection (b), assistance may not be paid to an employer under this Act—

(1) on behalf of a veteran who applies for a program of job training under this Act after September 30, 1984; or

(2) for any such program which begins after December 31, 1984.

(b) If funds are not both appropriated under section 16 and made available by the Director of the Office of Management and Budget to the Veterans' Administration on or before October 1, 1983, for the purpose of making payments to employers under this Act, assistance may be paid to an employer under this Act on behalf of a veteran if the veteran—

(1) applies for a program of job training under this Act within one year after the date on which funds so appropriated are made available to the Veterans' Administration by the Director; and

(2) begins participation in such program within 15 months after such date.

EXPANSION OF TARGETED DELIMITING DATE EXTENSION

Sec. 18. (a) Subject to the limitation on the availability of funds set forth in subsection (b), an associate degree program which is predominantly vocational in content may be considered by the Administrator, for the purposes of section 1662(a)(3) of title 38, United States Code, to be a course with an approved vocational objective if such degree program meets the requirements established in such title for approval of such program.

(b) Funds for the purpose of carrying out subsection (a) shall be derived only from amounts appropriated pursuant to the authorizations of appropriations in section 16. Not more than a total of \$25,000,000 of amounts so appropriated for fiscal years 1984 and 1985 shall be available for that purpose.

EFFECTIVE DATE

Sec. 19. This Act shall take effect on October 1, 1983.

In lieu of the Senate amendment to the title of the bill, amend the title so as to read: "An Act to establish an emergency program of job training assistance for unemployed Korean conflict and Vietnam-era veterans, and for other purposes."

Mr. MONTGOMERY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments and the proposed House amendments to the Senate amendments be considered as read and printed in the RECORD.

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

Mr. HAMMERSCHMIDT. Reserving the right to object, Mr. Speaker, and I do not plan to object, but I would like to take this reservation to inquire of our distinguished chairman and to inform the Members of the House what we have conferred in with the Members of the other body.

I yield to the gentleman from Mississippi.

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

The distinguished chairman of our Subcommittee on Education, Training, and Employment, Mr. LEATH, is on the floor and will explain the differences between the bill as it originally passed the House and the proposed amendments in some detail; however, before he does that, if the gentleman will yield to me further, I would like to respond briefly. The committee is fortunate to have a leader as capable as the gentleman from Texas (Mr. LEATH). As chairman of the Subcommittee on Education, Training, and Employment, he made a decision early on that if Congress passed any jobs bill this year, he would make certain that Vietnam veterans were included. Various job proposals have surfaced in the Congress but this authorization for training for Vietnam and Korean veterans to qualify them for better jobs will be the first authorization to get to the President. The gentleman from Texas has delivered what he said he would earlier this year. We are all grateful for his dedication and hard work.

I want to thank the very able ranking minority member of the full committee, Mr. HAMMERSCHMIDT, for his splendid leadership and cooperation in helping to get this legislation enacted. We would not have been successful in getting a bill to the President without tremendous work on the part of the gentleman from Arkansas.

I also want to commend the gentleman from New York, the very able ranking minority member of the subcommittee, Mr. SOLOMON, for his leadership as well. He was totally committed to doing something to help reduce the high unemployment of Vietnam veterans; and this bill, which he has helped shape, will, to some degree, help bring that about. I am grateful to the gentleman.

Finally, I want to thank the very able and distinguished chairman of the Senate Committee on Veterans' Affairs, Mr. SIMPSON. The gentleman has been most understanding in helping us resolve differences between the bill passed by the House and the Senate amendments thereto. The distinguished gentleman from Wyoming has been most fair in his dealings with me and I am grateful for his cooperation. I also want to thank the distinguished ranking minority member of the committee, the gentleman from California (Mr. CRANSTON), for his willingness to work with us to get a bill to the President as quickly as possible. All members and staff of the Senate committee have been very helpful to those of us who have been working on this bill.

I appreciate the hard work of the members and staffs of both committees in developing this bill.

If the gentleman will yield further, the chairman of the subcommittee is on the floor and will briefly explain the major provisions of the proposed agreement.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield to the gentleman from Texas (Mr. LEATH).

Mr. LEATH of Texas. Mr. Speaker, as chairman of the Subcommittee on Education, Training and Employment, I am pleased to join with the distinguished chairman of the Veterans' Affairs Committee in urging the House to accept the amendments to H.R. 2355 we are considering today.

On June 7, the House overwhelmingly passed H.R. 2355 by a vote of 407 yeas to 10 nays. The Senate passed H.R. 2355, amended, by unanimous voice vote on June 15. Obviously, broad bipartisan support for this legislation has been clearly established in both Houses of Congress.

Veteran unemployment remains very high. In June, 365,000 Vietnam-era veterans between the ages of 25 and 44 had been unemployed 15 weeks or longer. In addition to this disturbing statistic, the rate of unemployment among Vietnam-era veterans was higher than that for nonveterans in all age groups. This situation has existed for many, many months. Although we are all greatly concerned by the high unemployment being experienced by so many segments of our population, we, as a nation, have made a particular commitment to provide special assistance to those who wore the uniform during time of war. Historically, too many Vietnam era and disabled veterans have experienced difficulty finding and maintaining suitable employment. Added to the chronically unemployed are veterans who, prior to the recent recession, were successfully employed but are currently out of work due to shifting industries and changing technology. Every effort must be made to assist all veterans who desperately need jobs. H.R. 2355 will go a long way toward assisting these long-term unemployed wartime and disabled veterans.

The amendments before us today blend the best features of H.R. 2355 as passed by the House and the Senate's amendments to this bill. Although a detailed discussion of the compromise will follow my statement, there are a few provisions I want to point out to my colleagues.

As passed by the House, H.R. 2355 would extend eligibility for job training to veterans of the Vietnam era and veterans disabled after August 4, 1964. The Senate amendment would extend eligibility for job training to all wartime veterans who have eligibility for GI bill benefits; that is, veterans of World War II, Korea, and Vietnam.

The compromise agreement limits eligibility to Korean conflict and Vietnam-era veterans. I want to emphasize that the broadening of the pool of eligibles beyond those included in the House-passed bill will in no way increase the cost of the bill. While the House-passed H.R. 2355 limited eligibility to the younger Vietnam-era veteran, we feel that it is equally important to provide training to Korean veterans who also have been displaced from their jobs and must acquire new skills in order to achieve meaningful employment.

Another issue of particular concern is the funding level provided for this job training program. The House-passed bill would provide \$25 million for fiscal year 1983, \$150 million for fiscal year 1984 and an additional \$150 million for fiscal year 1985. The Senate amendments would provide a total of \$150 million for the program. The compromise agreement establishes a funding level of \$150 million for fiscal year 1984 and \$150 million for fiscal year 1985. We are very pleased with this funding level and believe it will effectively accomplish the purpose of the bill to assist a substantial number of long-term unemployed wartime veterans.

The first concurrent budget resolution (H. Con. Res. 91) specifically allows for the funding level we have agreed on with the Senate. It is imperative that funds for this legislation be appropriated as soon as practicable. We had expected the HUD-Independent Agencies Appropriations Act for 1984 (Public Law 98-45) to include a Senate approved \$150 million for a veteran emergency job training program. We were deeply disappointed when the \$150 million was dropped by the conferees on that legislation (H.R. 3133). My good friend Ed BOLAND, chairman of the Subcommittee on HUD-Independent Agencies of the Appropriations Committee, however, stated very clearly on the floor that when the authorizing legislation is enacted, the Appropriations Committee will act swiftly to approve the authorized funds. I very much appreciate that assurance and feel confident that that commitment will be met.

I also want to emphasize our expectation that, following congressional approval of funding for the job training program contemplated by H.R. 2355, the Office of Management and Budget will expeditiously allocate the funds and the Veterans' Administration will implement this program without delay. During the consideration of this legislation, the administration demonstrated an incredible insensitivity to the needs of unemployed Vietnam veterans by opposing H.R. 2355. Administration representatives argued lamely that veterans needed no additional job training assistance, referring to the Jobs bill (Public Law 98-8)

and Job Training Partnership Act (JTPA) (Public Law 97-301). Public Law 98-8 has no money earmarked for jobs for veterans. The \$9.4 million provided for veterans under JTPA for fiscal year 1984 is woefully inadequate for this purpose and will not begin to address the needs of the hundreds of thousands of unemployed veterans. Make no mistake about it, it is the intention of the Congress that eligible veterans of Korea and Vietnam, who so badly need the job training assistance authorized in this legislation, will receive that assistance beginning October 1 of this year. There must be no delay.

Members should also note the compromise reached regarding the duration of assistance paid on behalf of each eligible veteran. The House bill would provide that training assistance would be paid for a period of up to 12 months for a veteran with a service-connected disability rated at 30 percent or more, or, for any other eligible veteran, 6 months with up to an additional 6 months of assistance available at the discretion of the Administrator. The Senate amendment on this provision would provide a maximum period of 12 months assisted training, except that an additional 6 months could be allowed for veterans with service-connected disabilities rated at 30 percent or more or at 10 or 20 percent if the veteran has been determined to have a serious employment handicap. The compromise agreement would provide 15 months of assistance in the case of a veteran with a service-connected disability rated at 30 percent or more and to a veteran with a service-connected disability rated at 10 or 20 percent who has been determined to have a serious employment handicap. Any other eligible veteran may receive up to 9 months of assistance.

As passed by the House, the payment made to an employer on behalf of a veteran participating in a program of job training would be limited to 50 percent of the veteran's starting wage. The Senate provision would limit the payment to 50 percent of the veteran's starting wage up to a maximum of \$9,000 for service-connected disabled veterans and \$6,000 for other eligible veterans. The compromise establishes a cap of \$10,000 on the total amount that may be paid to an employer on behalf of a veteran.

Finally, regarding the administration of the program, the House bill would provide that the program be carried out by the Administrator of Veterans' Affairs in cooperation with the Secretary of Labor. The Senate provision would provide that the program be carried out jointly by the Secretary and the Administrator, and that the responsibilities of each would be specified in an interagency agreement. The compromise agreement

would provide that the program shall be carried out by the Administrator and, to the extent specifically provided in the act, the Secretary. It is the feeling of the House Committee that through the years the VA has gained invaluable experience in handling programs of the kind authorized by H.R. 2355 and has in place a nucleus of professional people who are cognizant and sensitive to the many problems of administering a training program for veterans. The Veterans' Administration knows the problems of the past and is in an excellent position to assure that the program will be administered with a minimum of abuses. This long experience with on-job training makes the VA the logical agency to have primary responsibility for the program. The compromise agreement, however, specifically assigns to the Secretary primary responsibility for promotion and development of employment and job training opportunities. It is expected that the Disabled Veterans Outreach Program (DVOP) will be fully utilized in the outreach aspect of this new program as will be the field personnel of the Veterans Employment and Training Service—that is, the Regional and State Directors for Veterans Employment.

Mr. Speaker, we believe the amendments before us today are good ones. This modest program is designed to get veterans working again and to narrow the gap between veterans and their civilian counterparts whose education and employment were not interrupted by military service—and to do so on a short-term emergency basis in order to ride out these tough economic times that have hit all Americans so hard.

In closing, I would like to thank the distinguished gentleman from Mississippi, (Mr. MONTGOMERY) the chairman of the Veterans' Affairs Committee, and the ranking minority member of the committee, JOHN PAUL HAMMERSCHMIDT, for their assistance and cooperation in the development of this legislation. I also want to express my appreciation to GERALD SOLOMON, the ranking minority member of the subcommittee, whose cooperation and hard work has been most helpful in considering and advancing this legislation. I congratulate all members of the Subcommittee on Education, Training and Employment for their contribution in helping bring this most important bill to a successful conclusion.

I urge my colleagues to support these amendments.

There follows an explanatory statement of the House-passed bill, the Senate amendment (S. 1033), and the compromise agreement on H.R. 2355:

EXPLANATORY STATEMENT OF HOUSE BILL, SENATE AMENDMENT (S. 1033), AND COMPROMISE AGREEMENT ON H.R. 2355, THE "EMERGENCY VETERANS' JOB TRAINING ACT OF 1983"

This explanatory statement explains the provisions of H.R. 2355 as passed by the House of Representatives, the provisions of the bill as passed by the Senate with an amendment incorporating the provisions of S. 1033 as reported, and the provisions of a compromise agreed to by the Committees. The differences between the House bill, the Senate amendment, and the compromise agreement are noted below, except for clerical corrections, conforming changes made necessary by agreements reached between the Committees, and minor drafting, technical, and clarifying changes.

This explanatory statement is being presented in lieu of a joint explanatory statement of a committee of conference.

GENERAL

Both the House bill and the Senate amendment would establish a new, emergency program of job training for certain veterans, providing a system of payments to employers who hire and train eligible veterans who have been unemployed 15 out of the 20 weeks immediately preceding their application for participation in the program. Both would provide some administrative role for both the Veterans' Administration and the Department of Labor. Finally, the program established by the House bill and the Senate amendment would generally be closed to new applicants at the end of fiscal year 1984.

STATUTORY FORMAT

The House bill is in the form of a free-standing law. The provisions of the Senate amendment establishing the new program would be set forth in a new chapter 44 proposed to be added to title 38, United States Code.

The compromise agreement adopts the format of the House bill.

Hereinafter, citations to provisions in the Senate amendment that would be set forth in the proposed new chapter 44 of title 38 are made by reference to the "new section" number in title 38. For example, the reference to proposed new section 2102 of title 38 is referred to as "new section 2102".

PURPOSE

The House bill (section 2(b)) states the purpose of the legislation in terms of promoting job training and employment of unemployed Vietnam-era and disabled veterans; the Senate amendment (new section 2101), in terms of addressing veterans' unemployment problems by providing employers with financial incentives to employ and train certain unemployed wartime veterans.

The House bill (section 2 (a) and (c)), but not the Senate amendment, also contains Congressional findings relating to the need for this legislation and would require the Administrator of Veterans' Affairs and the Secretary of Labor to administer the new program in a vigorous and expeditious manner.

The compromise agreement (section 2) follows the Senate amendment.

ADMINISTRATION OF PROGRAM

The House bill (section 4) would provide that the program shall be carried out by the Administrator in cooperation with the Secretary of Labor.

The Senate amendment (new section 2102) would provide that the program shall be carried out by the Administrator, jointly

with the Secretary, and that the respective responsibilities of each must be specified in an interagency agreement (with certain responsibilities required to be assigned as specified in the legislation) entered into within 60 days after enactment but in no event later than October 1, 1983.

The compromise agreement (section 4(a)) would provide that the program established under this Act shall be carried out by the Administrator and, to the extent specifically provided in the Act, the Secretary.

As noted below under the heading "Inspection of Records; Investigations", the compromise agreement specifies (section 12(d)) that the Administrator may elect to enter into an agreement with the Secretary providing for Department of Labor entities specified in the agreement to carry out certain responsibilities of the Administrator relating to the monitoring of compliance (section 12(b)), and the conduct of any investigations necessary to determine compliance (section 12(c)). The compromise agreement also (section 15) assigns to the Secretary primary responsibility for promoting the development of employment and job training opportunities and joint responsibilities with the Administrator with respect to outreach and public information and assisting veterans and employers in applying to participate in the new program, and (section 14) authorizes the Secretary to provide certain employment counseling services.

An important goal of the Committees has been to minimize the administrative obstacles to swift implementation of the program, in order that veterans and employers might be brought into the program as expeditiously as possible, consistent with the emergency nature of this legislation.

The Senate amendment (new section 2102(c)), but not the House bill, would provide that the Secretary of Labor shall carry out the Secretary's responsibilities through the Assistant Secretary of Labor for Veterans' Employment established under section 2002A of title 38.

The compromise agreement (section 4(b)) contains this provision.

ELIGIBILITY FOR PROGRAM

The House bill (section 3(1)) would provide eligibility for veterans of the Vietnam era, as defined in section 101(29) of title 38 (the period beginning August 5, 1964, and ending on May 7, 1975), and for disabled veterans entitled to receive service-connected disability compensation from the VA for a disability incurred or aggravated any time after August 4, 1964.

The Senate amendment (new section 2103(a)) would provide eligibility for veterans of World War II (defined in section 101(8) of title 38 as the period beginning December 7, 1941, and ending December 31, 1946), the Korean conflict (defined in section 101(9) of title 38 as the period beginning June 27, 1950, and ending January 31, 1955), and the Vietnam era. Service during those periods would be specifically defined by reference to entitlement standards established under the GI Bills of those periods—generally, that the veteran was discharged under conditions other than dishonorable, and met certain minimum-service requirements: World War II—90 days; Korean conflict—90 days; and Vietnam era—180 days. These minimum service requirements would not be applicable to veterans discharged for service-connected disabilities.

Under both the House bill (section 5(a)) and the Senate amendment (new section 2103(a)), eligibility would further be condi-

tioned upon the veteran having been unemployed for not less than 15 of the last 20 weeks at the time of applying for participation in the program. A veteran would be considered "unemployed" when the veteran is without a job (to be determined, under the House bill, in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor) and wants and is available for work. Under the Senate amendment, but not the House bill, eligibility would be further conditioned upon the veteran being unemployed when applying to participate. As an alternative to unemployment for 15 out of 20 weeks, the Senate amendment, but not the House bill, would provide eligibility to an unemployed veteran who has been terminated or laid off from employment, is eligible for or has exhausted entitlement to unemployment compensation, and has no realistic opportunity to return to employment in the same or a similar occupation in the geographical area where the veteran previously held employment.

The compromise agreement (section 5(a)) would provide eligibility for a Korean conflict or Vietnam-era veteran who is unemployed and has been unemployed for at least 15 of the 20 weeks immediately preceding the date of application for participation in a program of job training. The term "Korean conflict or Vietnam-era veteran" would be defined to mean a veteran who served for one day or more during either of those periods and who (1) has served at least 181 days or (2) was discharged from service for a service-connected disability or is entitled to compensation for a service-connected disability. The term "unemployed" would apply to any period during which the veteran is without a job and wants and is available for work.

Although the compromise agreement does not contain the language from the House bill mandating the use of criteria from the Bureau of Labor Statistics in determining whether a veteran is without a job, it is the Committees' general contemplation that these criteria will be applied. However, the Committees wish to emphasize their intention that the fact that a veteran is or has been a "discouraged worker"—i.e., one who ceased looking for work because he or she believed none was available—should in no way preclude participation in the new program.

Veterans' applications

Both the House bill (section 5(b)) and the Senate amendment (new section 2103(b)) would require that veterans seeking to participate in a program of job training submit an application in such form and containing such information as is prescribed administratively. The Senate amendment, but not the House bill, would require the application to specify the training objective to be pursued.

The compromise agreement (section 5(b)(1)) follows the House bill with modifications that would clarify that a veteran's application is not for participation in a particular employer's program of job training and would require that an application contain the veteran's certification regarding unemployment status and military service requirements.

Approval of veterans' applications

The House bill (section 5(b)) would provide that an application of a veteran may not be approved if it is found that the veteran is already qualified for the job for which the training would be provided.

The Senate amendment (new section 2103(b)) would provide that a veteran's application must be approved unless it is found that the veteran either is not eligible or is already qualified for the specified training objective. In addition, under the Senate amendment, a veteran who has been determined to be eligible would be certified as such and would be furnished with a copy of a certificate of eligibility for presentation to an employer offering a program of job training.

The compromise agreement (section 5(b)(2)) follows the Senate amendment with three modifications:

First, the provision for disapproval of the veteran's application if the veteran is already qualified for the training objective is deleted. The Committees recognize that at this early stage of determining a veteran's basic eligibility, it would often be premature to require veterans to commit themselves to a particular training objective. The goal of precluding the payment of training assistance under this legislation on behalf of veterans who are already qualified in the proposed field of training should be adequately served by the requirement, derived from the House bill and contained in section 7(d)(4) of the compromise agreement (discussed below), that an employer certify that training will not be provided to veterans who are already qualified.

Second, approval of the veterans' application could be withheld if the Administrator determines that such withholding of approval is necessary in order to limit the number of veteran participants in a program of job training under this measure where it is determined that sufficient funds are not available to permit that veteran's participation. This change is designed to clarify the Administrator's authority to ensure that spending under the program does not exceed the funds appropriated. It corresponds to section 9 of the compromise agreement, which gives the Administrator authority to withhold or deny approval of an eligible veteran's entry into a program of job training on the basis of funding limitations. Thus, the Act contains two separate mechanisms for controlling obligations within the bounds of available funds: As an initial safeguard, the pool of veteran applicants having certificates may be limited, and, at a subsequent point in the pre-obligation process, the entry of veterans previously certified as eligible into VA-assisted training may be postponed or stopped in order to keep obligations within those bounds.

Third, the certificate of eligibility furnished to the veteran would be valid for only 60 days, would be required to specify the dates of issuance and expiration, and could be renewed upon application by the veteran. This provision is designed to provide both the Administrator and employers with a mechanism for ensuring that a veteran's eligibility is reasonably current and the Administrator with a further mechanism for estimating potential obligations of funds. Consistent with the provisions of section 10 of the compromise agreement, the Committees intend that the certificate also specify that it is subject to the availability of funds, that a veteran may not enter an approved program of job training under it until the employer has given the VA two weeks notice of intention to enter the veteran into such training, and any other matters that would be useful from the standpoint of the effective implementation of this legislation.

DURATION OF ASSISTANCE

The House bill (section 5(c)) would provide that training assistance could be paid for a period of up to twelve months in the case of a veteran with a service-connected disability rated at 30 percent or more, or, in the case of any other eligible veteran, for a period of six months with up to an additional six months of assistance available at the discretion of the Administrator.

Under the Senate amendment (new section 2104(b)), the maximum period of assisted training would be twelve months, except that an additional six months could be allowed for veterans with service-connected disabilities rated either at 30 percent or more or at 10 or 20 percent if the veteran has been determined to have a serious employment handicap under section 1506 of title 38, relating to vocational rehabilitation for certain veterans with service-connected disabilities.

The compromise agreement (in section 5(c)) contains the following maximum training-period provisions: fifteen months—across the board, without the need for individual extensions—in the case of certain veterans with service-connected disabilities rated either at 30 percent or more or at 10 or 20 percent if the veteran has been determined to have a serious employment handicap under section 1506 of title 38, and nine months in the cases of other veterans.

EMPLOYER JOB TRAINING PROGRAMS

The House bill (section 6(a)) would provide that, to qualify as a program for which assistance may be paid, a program of job training must provide training for a period of at least six months. Under the Senate amendment (new section 2104(a)), an assisted program must generally be for no less than six months, except that a program of between three and six months could be approved where the purposes of the program would otherwise be met.

The compromise agreement (section 6(a)) follows the Senate amendment.

The House bill (section 6(b)) would provide that an eligible veteran may select an approved program of job training with any employer. Under the Senate amendment (new section 2105(c)), an eligible veteran may accept an approved program offered to the veteran by any employer.

The compromise agreement (section 6(b)) provides that a veteran approved for participation and having a current certificate of eligibility may enter any approved program offered to the veteran by the employer.

The Senate amendment (new section 2104(a)), but not the House bill, would require that in order to qualify as a program of job training, an employer's program must offer training in an occupation in a growth industry, an occupation requiring the use of new technological skills, or an occupation for which demand for labor exceeds supply.

The compromise agreement (section 6(a)(1)) contains this provision. The Committees intend that the Administrator shall construe these terms liberally—that is, in the case of an occupation with respect to which there is some doubt as to whether it should be included in one of these three categories, that doubt should be resolved in favor of including it. In case of such doubt, it might be useful for the Administrator to consult with the Secretary of Labor or other appropriate entity in construing the statutory terms.

APPROVAL OF EMPLOYER PROGRAMS

Approval process

The House bill (section 8) would establish basically a two-step approval process for programs of job training. First, the employer would submit a written application containing a certification that certain criteria would be met; and, second, the Administrator would be required to conduct an investigation regarding the criteria for approval in order to determine whether the criteria are met.

The Senate amendment (new section 2105(c)) would require the employer to submit with the application a certification that all applicable criteria for job training programs would be met, and would essentially eliminate the requirement for the second step under the House bill, by mandating generally that a proposed program of job training with respect to which the application and certification comply on their face with the requirements of the legislation be approved without the need for any prior investigation. Investigation would be authorized, but not required, and approval of the proposed program being investigated could be withheld pending the outcome of the investigation, whereupon, depending on the outcome, the program could be disapproved.

The compromise agreement (section 7(a)(2) and (g)) follows the Senate amendment. The Committees believe that this approach will minimize administrative difficulties, enhance the attractiveness of the program to employers, and expedite implementation of the program. To the extent that such limited prior approval proves to be a less effective safeguard than mandatory prior investigation, the Committees believe that the post-approval safeguards in the compromise agreement—including the authorities regarding inspection of records, monitoring, investigation, discontinuance of approval, periodic certifications connected with each payment of assistance, and overpayment remedies with respect to both employers and veterans, as well as the availability of civil penalties under the Federal False Claims Act (31 U.S.C. § 3729-31) and criminal penalties under the Federal False Statements Act (18 U.S.C. § 1001)—should be sufficient to ensure that the requirements of this legislation will be able to be properly enforced so that limited resources will not be expended for nonqualified programs of training.

Criteria for approval of employer programs

Both the House bill (section 9) and the Senate amendment (new section 2107) would preclude assistance to programs of job training for employment in seasonal, intermittent, or temporary jobs (the House bill, but not the Senate amendment, providing an exception for seasonal jobs as determined to be appropriate), for employment under which commissions are the primary source of income, for employment involving political or religious activities, or where the training program would be carried out outside the United States. The House bill (section 6(b)), but not the Senate amendment, would exclude employers other than for-profit private employers. The Senate amendment (new section 2107(4)), but not the House bill, would exclude federal agencies.

The compromise agreement (section 7(b)) follows the Senate amendment.

The House bill (section 8(b)(3)) would require the employer to certify that there is a reasonable certainty that a position of the type for which the veteran is to be trained

will be available to the veteran at the end of the training period.

The Senate amendment (new section 2105(b)(1)) would require the employer to certify that the employer has planned for the employment of the veteran in an appropriate position at the conclusion of the training period, and that the employer has no reason to expect that such a position will not then be available to the veteran on a stable, permanent basis.

The compromise agreement (section 7(d)(1)) follows the Senate amendment.

Both the House bill (section 8(b)(1)) and the Senate amendment (new section 2105(b)(2)) would require the employer to certify that veterans participating in its program of job training will be paid no less than other employees in such a program or, under the Senate amendment, a comparable program.

The compromise agreement (section 7(d)(2)) follows the Senate amendment.

The House bill, but not the Senate amendment, would require a pre-approval finding, upon investigation, that the program of job training will not be given to veterans who are already qualified for the job for which training is to be provided.

The compromise agreement (section 7(d)(4)) follows the House bill, with an amendment modifying this provision so as to require that the matter be included in the employer's certification (rather than necessarily be subject to pre-approval investigation). The Committees note that this provision is intended only to require the employer to conduct a reasonable, good-faith inquiry into a veteran's qualifications, and that section 8(c) of the compromise agreement would impose upon the veteran, and not upon the employer, liability for overpayments to the employer which result from false or incomplete information furnished to the employer by the veteran.

The House bill (section 8(c)(1)), but not the Senate amendment, would require a pre-approval finding, upon investigation, that the job for which training is to be provided is one in which progression and appointment to the next higher classification are based upon skills learned through organized and supervised training on the job rather than on factors such as length of service and normal turnover.

The compromise agreement (section 7(d)(5)) contains a provision requiring the employer to certify that the job in question is one that involves significant training.

The House bill (section 8(c)(10)), but not the Senate amendment, would require a pre-approval finding that the training program will be stated in a written agreement signed by the employer and the veteran, and that a copy of the signed agreement will be provided to both the veteran and the VA.

The compromise agreement (Section 7(d)(11)) follows the House bill with an amendment modifying this provision so as to require that the matter be included in the employer's certification (rather than necessarily be subject to pre-approval investigation) and to refer to a copy of the employer's certification under this subsection (subsection (d) of section 7 of the compromise agreement) rather than to a written agreement.

Six other approval criteria which were included in substantially similar form in both the House bill (section 8(c)), as matters requiring pre-approval findings but not certification, and the Senate amendment (new section 2105(b)), as matters subject to certification, are included in the compromise agree-

ment. These criteria relate to the nondisplacement of current or laid-off workers (paragraph (3) of section 7(d)), the adequacy of training content (paragraph (6)), the full-time employment of participating veterans (paragraph (7)), the length of the period of training as compared to that customarily required by employers (paragraph (8)), the availability of adequate training facilities (paragraph (9)), and the maintenance of records adequate to show employer compliance (paragraph (10)).

The House bill (section 8(c)(11)) would authorize the imposition of additional criteria as to which pre-approval findings would be required. The Senate amendment (new section 2105(b)(10)) would similarly authorize additional criteria as to which certification, rather than pre-approval findings, would be required.

The compromise agreement (section 7(d)(12)) contains a provision authorizing additional criteria that the Administrator determines are essential for the effective implementation of the program established by the compromise agreement.

The Committees note their intention that this authority to impose additional criteria is intended to meet unforeseen problems clearly necessitating the imposition of additional requirements. The Committees stress that this provision is not intended to give the VA authority to impose undue restrictions as was done with respect to the targeted delimiting date extension program (enacted in section 201(a) of Public Law 97-72) and required Congressional action (section 201(a) of Public Law 97-306) undoing the restrictions and extending the program for a year.

The Senate amendment (new section 2105(b)(3)), but not the House bill, would require the employer's certification to indicate the number of hours of training and to describe the training content of the program and the training objective.

The compromise agreement (section 7(e)) contains this provision with amendments requiring that the certification also specify the length of the program and the starting rate of wages and describe any agreement the employer has entered into under section 8 of the compromise agreement, relating to the provision of training through educational institutions.

The compromise agreement (section 7(f)) would also clarify that generally each of the matters specified in section 7 (d) (1) through (11) of the compromise agreement as requiring employer certification prior to approval of a program of job training (i.e., not including matters that may be administratively required to be certified under paragraph (12) of section 7(d)) shall be considered to be affirmative substantive requirements. However, for purposes of section 8(c) of the compromise agreement, relating to overpayments, only the matters covered by paragraphs (1) through (10) would be considered requirements. Thus, a failure to provide a participating veteran with a copy of the employer's certification would not be grounds for an overpayment. For the purposes of section 11 of the compromise agreement, relating to the discontinuance of approval of veterans' participation in employer programs that fall out of compliance with requirements established under this legislation, the matters covered by all twelve paragraphs of section 7(d) would be considered such requirements. Hence, failures to provide participating veterans with copies of the employer's certificate and to meet requirements established administratively

under the authority in paragraph (12) could, by virtue of section 7(f)(2)(B), result in discontinuance of approval.

The Committees note, with respect to the requirement (under subsections (d)(1) and (f) of section 7 of the compromise agreement) that the employer plan for the permanent employment of the veteran after training, that it is not their intention that an employer's failure to continue a veteran's employment after the completion of training should, in and of itself, result in the creation of an overpayment. An overpayment on the basis of subsection (d)(1) would result only where there is an affirmative finding, based upon an investigation or other action under section 12, that the employer had in fact, at the time of making the certification under subsection (d), failed to make plans for the continuing employment of such veterans as may complete training under the employer's program, had made other plans inconsistent with such continuing employment, had no reasonable basis at that time for expecting that a position would be available to the veteran on a stable and permanent basis at the end of the training period, or did have some affirmative basis for expecting that such a position would not then be available. In the making of such an affirmative finding, the record of the employer in continuing or not continuing the employment of veterans would certainly be relevant.

PAYMENTS TO EMPLOYERS

Computation of amounts

The House bill (section 7(a)) would provide that the amount paid to an employer on behalf of a veteran for any period may not exceed 50 percent of the wages paid for that period, computed on the basis of the starting wage rate.

The Senate amendment (new section 2108(a)) would provide that the amount paid to an employer on behalf of a veteran may not exceed the lesser of 50 percent of the wages paid during the training period in question, or a specified annual dollar limit. That limit would be \$9,000 in the cases of certain veterans with service-connected disabilities (including all veterans with disabilities rated at 30 percent or more, as well as those rated 10 to 20 percent disabled who have been determined to have a serious employment handicap under section 1506 of title 38), and \$6,000 in the case of any other veteran.

The compromise agreement (section 8(a)) provides that the training assistance amount paid to an employer on behalf of a veteran for any period shall be 50 percent of the veteran's wages for that period—not counting any increase over the starting rate and without regard to overtime or premium pay—up to a total of \$10,000 payable on behalf of any individual veteran.

The Committees stress that the rule relating to overtime and premium pay would apply regardless of the frequency or regularity with which such pay is paid for the job for which training is being provided.

Payment periods

Both the House bill (section 7(b)) and the Senate amendment (new section 2108(a)) would provide for payments to be made to employers on a quarterly basis. The Senate amendment (new section 2108(b)), but not the House bill, would authorize the making of payments on a monthly, rather than quarterly, basis to private, for-profit businesses with 500 or fewer employees.

The compromise agreement (section 8(a) (1) and (3)) follows the Senate amendment

with an amendment deleting the requirement that businesses be private and for-profit and establishing a requirement that the Administrator set a numerical limit by regulation.

The Committees recognize that cash flow problems sufficiently significant to warrant monthly payments may vary from one type of business or industry to another. Thus, the Committees believe that the Administrator should have considerable latitude in setting such limits, with the goal of attracting employers with relatively few employees into the program established under this legislation.

Certifications

Both the House bill (section 7(b)) and the Senate amendment (new section 2108(c)) would provide that no payment for a period of training may be made until individual certifications have been received from both the employer and the veteran. The veteran would be required to submit a certification as to the veteran's actual employment and training with the employer during the training period for which payment is to be made; and the employer would be required to certify that the veteran was employed and progressing satisfactorily during that period. The Senate amendment (new section 2108(c)(2)(B)), but not the House bill, would require the employer to indicate, in the first of these periodic certifications, the date on which the employment of the veteran began.

The compromise agreement (section 8(b)) contains these provisions with two modifications. First, each periodic certification by an employer would be required to include an indication of the number of hours worked by the veteran during the period for which payment is to be made; and, second, the employer's initial certification would be required to indicate the starting rate of wages paid to the veteran.

The House bill (section 7(a)), but not the Senate amendment, would specify that payments to employers employing disabled veterans may be used for the purpose of defraying the costs of making structural changes to the employer's workplace to remove architectural barriers.

The compromise agreement does not contain this provision.

The Committees note that nothing in the language of the compromise agreement would preclude employers from using training assistance payments to make reasonable accommodations to the needs of disabled veterans, which in the cases of certain types of disabilities (for example, blindness and deafness would not necessarily be structural). The compromise agreement, in providing that the purpose of such payments is to assist employers in defraying the cost of necessary training, specifies no limitations on the uses to which payments may be put by employers.

OVERPAYMENTS

The House bill (section 7(c)) would provide that, if a willful or negligent false certification by either an employer or a veteran were to result in an overpayment of training assistance, the amount of the overpayment would be a liability to the United States of the party making the false certification, subject to collection in the same manner as any other debt due to the United States.

The Senate amendment (new section 2109(b)) would provide that, if a certification or application which was false or clearly unsupported in any material respect were to result in an overpayment of assist-

ance, the party submitting that certification or information would be liable for the overpayment. As in the House bill, the overpayment could be collected in the same manner as any other debt due to the United States.

The compromise agreement (section 8(c)(1)(A)) would provide that an employer would be liable for any overpayment of assistance resulting from a certification, or information contained in an application, submitted by an employer that was false in any material respect. Also (under section 8(c)(1)(B)), if the Administrator finds that the employer has failed in any substantial respect to achieve compliance with any requirement (including matters deemed to be requirements for this purpose by virtue of section 7(f)(2)(A) of the compromise agreement—clauses (1) through (10) of section 7(d)) established under the compromise agreement (unless the employer's failure is the result of false or incomplete information provided by the veteran), any payment for the period of noncompliance would be an overpayment for which the employer would be liable.

A veteran's liability (section 8(c)(2)) for an overpayment would depend upon a finding by the Administrator that the veteran submitted material which was willfully or negligently false in any material respect in a certification or application submitted by the veteran to the Administrator or in information provided to an employer.

The compromise agreement (section 8(c)(3)) would further provide that overpayments recovered would be credited to funds available for payments under the compromise agreement and that, if no such funds remain, the amount of the overpayment recovered would be deposited into the U.S. Treasury. Finally, the compromise agreement (section 8(c)(4)) would authorize the Administrator to waive, in whole or in part, any such overpayment, in accordance with the terms and conditions of section 3102 of title 38, which authorizes waiver of recovery of claims under laws administered by the VA whenever the Administrator determines that recovery would be against equity and good conscience, and where application for relief from recovery has been made within 180 days of the date of notification of the indebtedness to the debtor.

Civil penalty

The Senate amendment (new section 2109(c)), but not the House bill, would authorize the administrative imposition of a civil penalty (up to \$1,000 for each individual wrongfully employed in a program of job training under the Senate amendment), after an adjudication determined on the record after opportunity for an agency hearing, on an employer who has, willfully or with reckless disregard of the facts, made a false certification or has caused the administering agency to give approval contrary to the requirements of the legislation. Actions to impose such a penalty would be reviewable in the Federal courts.

The compromise agreement does not contain this provision.

The Committees note the existence of general authority, under the False Claims Act (31 U.S.C. §§ 3729-31), regarding the assessment and collection of civil penalties, as well as criminal sanctions (18 U.S.C. § 1001), through judicial rather than administrative processes, in cases of knowingly false, fictitious, or fraudulent claims or statements made to representatives of the Federal Government. The Committees strongly urge the Administrator (and, where appropriate, the

Secretary of Labor) to ensure that, whenever in the implementation of the compromise agreement evidence of a violation of such a statute comes to light, the matter is vigorously pursued and, where appropriate, referred to the Department of Justice for action.

The Committees also note the existence of authority for the Department of Justice to provide, at the request of the agency involved, certain legal services in conducting investigations and examining witnesses, in connection with a claim before the agency (28 U.S.C. § 514), and believe that this authority may prove useful in determining whether any particular employer has acted knowingly and willfully in connection with the submission of a false claim, has submitted fraudulent materials, or has otherwise demonstrated conduct which would render that employer subject to the civil or criminal penalties noted above, or to any other applicable sanction established by law or regulation. In all such matters, the Committees urge prompt and full cooperation between the Administrator (and, where appropriate, between the Secretary) and the Attorney General, consistent with the terms and provisions of sections 514 and 516 (regarding representation by the Attorney General in any action in which the United States is a party) of title 28, and of applicable interagency agreements.

ENTRY INTO PROGRAM OF TRAINING

As noted above in the discussion of section 5(b) of the compromise agreement, under the subheading "Approval of Veterans' Applications", the compromise agreement (section 9) authorizes the Administrator to withhold or deny approval of a veteran's entry into an approved program of job training when necessary to avoid incurring obligations in excess of the funds available. The compromise agreement also requires that employers give the VA two weeks notice prior to a veteran's entry into VA-assisted training. That notice is intended to enable the Administrator to withhold or deny approval for the purpose of ensuring that obligations are not incurred in excess of available funds.

PROVISION OF TRAINING THROUGH EDUCATIONAL INSTITUTIONS

The Senate amendment (new section 2106), but not the House bill, would permit an employer to enter into an arrangement or agreement with an educational institution that has been approved for the enrollment of veterans under chapter 34 of title 38 for that institution to provide the program of training (or a portion thereof). When such an arrangement or agreement has been entered into, the application of the employer would be required to disclose that fact and describe the training to be provided by the institution.

The compromise agreement (section 10) contains this provision with amendments deleting any reference to "arrangements".

DISCONTINUANCE OF PAYMENTS FOR UNSATISFACTORY CONDUCT OR PROGRESS

The House bill (section 10), but not the Senate amendment, would authorize the Administrator to discontinue payments on behalf of a veteran based upon a finding by the Administrator that the conduct or progress of the veteran is unsatisfactory due to circumstances within the control of the employer.

The compromise agreement does not contain this provision. The Committees note that, under section 8(b)(2)(A) of the compromise agreement, quarterly payments

may not be made until the Administrator has received from the employer a certification that the veteran was employed by the employer during the period for which payment is to be made and that the veteran's performance and progress during that period were satisfactory. The Committees also note that such a certification is subject to investigation under section 12(c) and overpayment collection under section 8(c).

DISCONTINUANCE OF APPROVAL OF PARTICIPATION IN CERTAIN EMPLOYER PROGRAMS

Both the House bill (section 11) and the Senate amendment (new section 2109(a)) would provide a mechanism for the disapproval of further participation by veterans in a program of job training which, subsequent to its approval has fallen out of compliance with any of the requirements established under the legislation. The Senate amendment would authorize such disapproval (while the House bill would mandate it), and would establish a notice and hearing process to govern the disapproval process.

The compromise agreement (section 11) follows the Senate amendment.

INSPECTION OF RECORDS; INVESTIGATIONS

Both the House bill (section 12) and the Senate amendment (new section 2111(a)) would authorize examinations of the records and accounts of participating employers. The Senate amendment (new section 2111(b)) would also authorize the monitoring of program participants in order to determine compliance with the program requirements and investigation of any matter deemed necessary to determine compliance.

The compromise agreement (section 12 (a), (b), and (c)) follows the Senate amendment with an amendment adding a provision (section 12(d)), derived from the Senate amendment (new section 2102(b)), authorizing, but not requiring, the Administrator to enter into an agreement with the Secretary of Labor to provide for the administration of the provisions regarding monitoring and investigations, or any portion of those provisions, by the Department of Labor. Duties undertaken by the Department of Labor pursuant to such an agreement would be authorized to be carried out by any appropriate branch of the Department of Labor, notwithstanding the general requirement, contained in section 4(b) of the compromise agreement, that the responsibilities of the Secretary of Labor under the compromise agreement be carried out by the Assistant Secretary of Labor for Veterans' Employment.

COORDINATION WITH OTHER PROGRAMS

The House bill (section 14) would provide that a veteran may not receive benefits both under the House bill and under chapters 31 (relating to training and rehabilitation for veterans with service connected disabilities), 32 (relating to post-Vietnam era veterans' educational assistance), 34 (relating to the so-called "Vietnam-era GI Bill"), or 35 (relating to survivors' and dependents' educational assistance) of title 38, or chapter 107 of title 10 (relating to educational assistance for current enlistees), for the same period.

The Senate amendment (new section 2108(d) (1) and (2)) would similarly preclude simultaneous payments of assistance under the Senate amendment and under chapter 31 or 34, under chapter 36 (which includes provisions for the payment of Vietnam-era GI Bill benefits for correspondence courses and for apprenticeship or other on-job training) of title 38, or where the employer is receiving any other form of assistance on account of the training or employment of

the veteran. The Senate amendment (section 2108(d)(3)), but not the House bill, would prohibit the payment of assistance under the Senate amendment where the veteran on behalf of whom assistance is to be paid had already completed a program of job training under the program that would be established by the Senate amendment.

The compromise agreement (section 13) follows the Senate amendment with additional references, derived from the House bill, to chapters 32 and 35 of title 38.

COUNSELING

The House bill (section 16), but not the Senate amendment, would require the Administrator and the Secretary of Labor to provide counseling services, upon request, to eligible veterans in order to assist them in selecting a suitable program of job training.

The compromise agreement (section 14) contains this provision, with an amendment authorizing, rather than requiring, the provision of such counseling services.

INFORMATION AND OUTREACH; USE OF AGENCY RESOURCES

Both the House bill (section 15) and the Senate amendment (new section 2110) would provide that the responsibilities for information and outreach would be shared between the Veterans' Administration and the Department of Labor. Information and outreach activities would be targeted toward both veterans and employers; would be coordinated with services and opportunities provided for under chapters 41 (relating to job counseling, training, and placement services for veterans) and 42 (relating to employment and training of disabled and Vietnam-era veterans) of title 38, and with resources and programs available under the Job Training Partnership Act (Public Law 97-300) and would emphasize reliance on disabled veterans' outreach program specialists and other personnel appointed under relevant provisions of title 38. The Senate amendment, but not the House bill, would require coordination of such information and outreach efforts with the Small Business Administration and with the Department of Education, would require the administering agencies to assist veterans and employers in completing applications and certifications, and would require the administering agencies to endeavor to achieve an equitable regional distribution of the limited training funds available.

The compromise agreement (section 15) would require the Administrator and the Secretary of Labor to conduct jointly an outreach and public information program directed to both veterans and employers, as well as to educational institutions and labor unions, and would assign to the Secretary of Labor primary responsibility for promoting the development of employment and job training opportunities. It would require the Administrator and the Secretary to coordinate outreach and public information activities with other job counseling, placement, job development, and other services available through the VA and the Department of Labor, as well as with similar services offered by other public agencies and organizations (including Federal agencies). It would require the Administrator of Veterans' Affairs and the Secretary of Labor to make available sufficient personnel for facilitating effective implementation and to provide assistance to veterans and employers making applications and completing certifications. Further, it would require the Secretary to make maximum use of personnel currently available through the Office of

the Assistant Secretary for Veterans' Employment and Resources under the Job Training Partnership Act. Finally, the Secretary would be required to request and obtain certain information from the Small Business Administration in order to promote maximum training opportunities for veterans.

The Senate amendment (new section 2110(b)), but not the House bill, would require efforts to achieve an equitable regional distribution of training opportunities.

The compromise agreement does not contain this provision. However, the Committees note their belief that it would be useful for consideration to be given to developing a mechanism, if feasible, for equitable distribution.

AUTHORIZATION OF APPROPRIATIONS

The House bill (section 19) would authorize the appropriation to the VA of \$25 million for fiscal year 1983, \$150 million for fiscal year 1984, and \$150 million for fiscal year 1985, to carry out the House bill.

The Senate amendment (section 102) would authorize the appropriation to the VA of a total of \$150 million for the purpose of making payments to employers under the Senate amendment.

The compromise agreement (section 16) would authorize the appropriation of \$150 million for each of fiscal years 1984 and 1985 for the purpose of making payments under the compromise agreement, to remain available until September 30, 1986. The Committees note that these amounts have been specifically approved by the Congress for this purpose, in H. Con. Res. 91, the First Concurrent Resolution on the Budget for Fiscal Year 1984, and that such amounts have been set apart in that resolution from other amounts provided for in Function 700 for veterans' benefits and services generally.

The Committees expect that, if additional personnel ceilings and funds are necessary for the effective implementation of the provisions of the compromise agreement, the VA will request such additional ceilings and funds.

TERMINATION OF PROGRAM

The House bill program would (under section 18) be open to new veteran applicants during the 15-month period beginning July 1, 1983, and ending September 30, 1984. No assistance would be authorized to be paid after September 30, 1985.

The Senate amendment program would (under new section 2112) be open to new veteran applicants during the 12-month period beginning October 1, 1983, and ending September 30, 1984. No assistance would be authorized to be paid for any program commencing after December 31, 1984. The Senate amendment (section 101(c)) would also provide that, in the event that funds are not both appropriated and made available by the Office of Management and Budget (OMB) on or before the effective date, October 1, 1983, the termination dates for the program would be extended by periods equal to the period beginning October 1, 1983, and ending on the date funds are made available by OMB.

The compromise agreement (section 17) follows the Senate amendment.

EXPANSION OF TARGETED DELIMITING DATE EXTENSION

The House bill (section 13), but not the Senate amendment, would permit veterans, in lieu of participating in a program of job training, to pursue at an educational institution approved under chapter 34 of title 38 a full-time program of training with a voca-

tional objective or a full-time associate degree program with a vocational objective. Such programs would be required to be of at least six-months duration and in an employment field where it is found that there is a specified level of probability of long-term employment. Payments for periods of such training would be made monthly to reimburse the veteran for the cost of tuition, fees, books, supplies, and equipment, but could not exceed \$500 a month. Not more than \$25 million could be obligated for such a program in any fiscal year.

The compromise agreement (section 18) would authorize the VA to provide educational assistance, using up to \$25 million of funds appropriated under the compromise agreement, for the pursuit of an associate degree program (meeting the applicable title 38 requirements for such degree programs) with a predominantly vocational content. This assistance would be in the same amounts and be available under the same terms and conditions as are applicable to the pursuit of vocational objective courses under the targeted delimiting date extension provisions (section 1662(a)(3) of title 38) that were enacted in Public Law 97-72 and amended by Public Law 97-306 to provide certain Vietnam-era veterans whose GI Bill eligibility periods have expired a further opportunity to use their GI Bill benefits for vocational training. Thus, such assistance could be made available, until not later than December 31, 1984, for all Vietnam-era veterans who ever established GI Bill eligibility under chapter 34 of title 38 except in those cases in which it is determined that the veteran is not in need of the course involved in order to obtain a reasonably stable employment situation consistent with the veteran's abilities, aptitudes, and interests.

A ceiling of \$25 million of the total of the amounts appropriated under section 17 for both fiscal years 1984 and 1985 would be placed on expenditures for such assistance; no statutory minimum would be established for such expenditures.

This assistance—as in the case of GI Bill educational assistance and contrasted with veterans' participation in programs of job training under the compromise agreement (which is payable to veterans' employers)—would be payable to veterans.

EFFECTIVE DATE

The House bill would (under section 19) take effect on July 1, 1983. The amendments to title 38, United States Code, that the Senate amendment would make to add a new chapter 44 would (under section 102) take effect on October 1, 1983.

The compromise agreement (section 19) has an October 1, 1983, effective date.

The Committees intend that the VA and the Department of Labor develop now the necessary regulations and procedures for implementing this legislation and expect that the entire \$150 million authorized for fiscal year 1984 will be appropriated in the continuing resolution for fiscal year 1984. If the VA and the Department thus make the necessary preparations and funds are so appropriated, the program could begin on or about October 1, 1983.

VAREC REORGANIZATION

The Senate amendment, but not the House bill, would exempt the planned administrative reorganization of the Veterans' Administration Rehabilitation Engineering Center (VAREC) from the requirement, established under section 210(b)(2)(A) of title

38, that such reorganizations be proposed in a detailed report submitted to the appropriate Committees of Congress not later than the date that the President's budget is transmitted and not commence until the following October 1.

The compromise agreement does not contain this provision.

Mr. HAMMERSCHMIDT. Mr. Speaker, further reserving the right to object, I want to thank the gentleman for his explanation.

I congratulate the chairman of the Veterans Affairs Subcommittee on Education, Training and Employment, the gentleman from Texas (Mr. LEATH), and the ranking member, the gentleman from New York (Mr. SOLOMON) for their efforts in introducing and working so hard on this important measure.

At this time, under my reservation, Mr. Speaker, I yield to the gentleman from New York (Mr. SOLOMON), the ranking member.

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

Mr. Speaker, I rise in support of the bill before the House, H.R. 2355, the Emergency Veterans Job Training Act. I would also like to commend my distinguished subcommittee chairman, Mr. LEATH, the chairman of the full Veterans Affairs Committee, the distinguished gentleman from Mississippi, Mr. MONTGOMERY, and of course, the distinguished ranking member of the full committee, Mr. HAMMERSCHMIDT, for their leadership and diligence in helping to bring this important measure before the House today.

Mr. Speaker, H.R. 2355 is not just another "recession relief" bill, or which we have seen so many this year. To the contrary, H.R. 2355 is designed to address a serious problem of long standing and grave dimensions—the problem of high unemployment among our active duty and service connected disabled veterans. This is not a problem created by the recession which is now virtually ended, but rather a problem that has existed for many years.

As has been pointed out already today, this measure will not create added bureaucracies, and it will not increase Federal intervention in private businesses. Instead, H.R. 2355 is simple in approach and modest in cost. It simply authorizes an expansion of existing on-the-job training programs already administered by the Veterans' Administration. These VA employment training programs have already proved themselves to be highly successful in leading to worthwhile, permanent careers. The VA is prepared to move swiftly to fully implement the expansion of training programs authorized by this bill, with no major staff additions or administrative delays.

This is a carefully drafted approach to a problem that we have studied and

investigated in great depth during hearings earlier this year.

I strongly urge my colleagues to lend their wholehearted support to this legislation.

Mr. HAMMERSCHMIDT. Further reserving the right to object, Mr. Speaker, I commend the distinguished chairman of our full committee, the gentleman from Mississippi (Mr. MONTGOMERY) for his usual excellent leadership.

I yield to the gentleman if he has any further remarks to make at this time.

Mr. MONTGOMERY. Mr. Speaker, I would say there were only 10 Members who voted against this bill. Over 400 voted for it when it came up several months ago. This would be a great help to the Vietnam and Korean veterans and I certainly hope that we can get this unanimous request.

Mr. HAMMERSCHMIDT. Mr. Speaker, further reserving the right to object, as the distinguished chairman of the House Veterans' Affairs Committee and the subcommittee chairman has indicated, we have before us today a modest approach to addressing the problem of chronically high unemployment among some of our active duty and service-connected disabled veterans.

I congratulate the chairman of the Veterans' Affairs Subcommittee on Education, Training, and Employment, the gentleman from Texas (Mr. LEATH), and the ranking member, the gentleman from New York (Mr. SOLOMON), for their efforts in introducing and working so hard on this important measure. And of course, I commend the distinguished chairman of our full committee, the gentleman from Mississippi (Mr. MONTGOMERY), for his usual excellent leadership.

Mr. Speaker, the bill before us today is carefully designed to correct the unacceptable unemployment rates among our Nation's veterans. H.R. 2355 is a cautiously drafted, modest approach to providing useful on-the-job training. The term "on-the-job training" is chosen purposefully to underscore the point that by passing this bill today, we are not creating more public works jobs or make-work positions with Government entities.

Instead, this bill will expand existing VA on-the-job training programs, placing eligible veterans with private businesses across the United States.

I would also like to stress to my colleagues that the program expansion authorized under H.R. 2355 is ready to be fully implemented almost immediately. During hearings on this proposal, the Veterans' Administration testified that administrative costs will consume less than 3 percent of the total amount of funds authorized.

Mr. Speaker, I think we can all agree that this is a reasonable approach to a problem which has been

fully studied by our Veterans' Affairs Committee. Favorable action on H.R. 2355 will mean substantive progress in helping our unemployed veterans train for jobs in growth industries.

I strongly urge passage of this legislation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi that the amendments be considered as read and printed in the RECORD?

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MONTGOMERY. 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 extraneous material on the legislation just considered.

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

There was no objection.

EIGHTH ANNUAL REPORT OF NUCLEAR REGULATORY COMMISSION FOR FISCAL YEAR 1982—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read, and together with the accompanying papers, without objection, referred to the Committee on Interior and Insular Affairs and the Committee on Energy and Commerce.

(For message, see proceedings of the Senate of today, Tuesday, August 2, 1983.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion on which further proceedings were postponed on Monday, August 1, 1983, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 3409, by the yeas and nays;
H.R. 3564, by the yeas and nays;
H. Con. Res. 40, by the yeas and nays; and
S. 64, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic votes after the first such vote in this series.

FEDERAL SUPPLEMENTAL COMPENSATION ACT AMENDMENTS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3409, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSTENKOWSKI) that the House suspend the rules and pass the bill, H.R. 3409, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 338, nays 84, not voting 11, as follows:

[Roll No. 3001]

YEAS—338

Ackerman	DeWine	Horton
Addabbo	Dickinson	Howard
Akaka	Dicks	Hoyer
Albosta	Dingell	Hubbard
Alexander	Dixon	Huckaby
Anderson	Donnelly	Hughes
Andrews (NC)	Dorgan	Hutto
Andrews (TX)	Downey	Ireland
Annunzio	Duncan	Jacobs
Anthony	Durbin	Jeffords
Applegate	Dwyer	Jenkins
Aspin	Dymally	Johnson
AuCoin	Dyson	Jones (NC)
Barnard	Early	Jones (OK)
Barnes	Eckart	Jones (TN)
Bates	Edgar	Kaptur
Bedell	Edwards (AL)	Kasich
Beilenson	Edwards (CA)	Kastenmeier
Bennett	Emerson	Kazen
Berman	English	Kemp
Bethune	Erdreich	Kennelly
Bevill	Erlenborn	Kildee
Blaggi	Evans (IA)	Kindness
Boehler	Evans (IL)	Kogovsek
Boggs	Fascell	Kolter
Boland	Fazio	Kostmayer
Boner	Feighan	Kramer
Bonior	Ferraro	LaFalce
Bonker	Fiedler	Lantos
Borski	Fish	Latta
Bosco	Flippo	Leach
Boucher	Florio	Lehman (CA)
Boxer	Foglietta	Lehman (FL)
Breaux	Foley	Leland
Britt	Ford (MI)	Lent
Brooks	Ford (TN)	Levin
Broomfield	Fowler	Levine
Brown (CA)	Frank	Levitas
Broyhill	Frost	Lewis (CA)
Bryant	Fuqua	Lipinski
Burton (CA)	Garcia	Lloyd
Burton (IN)	Gaydos	Long (LA)
Byron	Gejdenson	Long (MD)
Campbell	Gephardt	Lowry (WA)
Carper	Gibbons	Luken
Carr	Gilman	MacKay
Chappell	Glickman	Madigan
Clarke	Gonzalez	Markey
Clay	Gore	Marlenee
Clinger	Gradison	Martin (IL)
Coats	Guarini	Martin (NC)
Coelho	Gunderson	Martinez
Coleman (MO)	Hall (IN)	Matsui
Coleman (TX)	Hall (OH)	Mavroules
Collins	Hall, Ralph	Mazzoli
Conte	Hall, Sam	McCain
Conyers	Hamilton	McCloskey
Cooper	Hammerschmidt	McCurdy
Corcoran	Hance	McEwen
Courter	Harkin	McGrath
Coyne	Harrison	McHugh
Craig	Hatcher	McKernan
Crockett	Hawkins	McKinney
D'Amours	Hefner	McNulty
Daschle	Hertel	Mica
Davis	Hightower	Michel
de la Garza	Hiler	Mikulski
Dellums	Hillis	Miller (CA)
Derrick	Hopkins	Miller (OH)

Mineta
Minish
Mitchell
Moakley
Mollohan
Montgomery
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nowak
O'Brien
Okar
Oberstar
Obey
Ortiz
Ottinger
Owens
Oxley
Panetta
Parris
Pashayan
Patman
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Rahall
Rangel
Ratchford
Regula
Reid

Richardson
Ridge
Rinaldo
Roberts
Rodino
Roe
Roemer
Rogers
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Seiberling
Sensenbrenner
Shannon
Sharp
Shelby
Sikorski
Simon
Sisisky
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Smith, Robert
Snowe
Snyder
Solarz
Spratt
Staggers
Stangeland
Stokes
Stratton
Studds

Sundquist
Swift
Synar
Tallon
Tauke
Taubin
Taylor
Thomas (GA)
Torres
Torrice
Towns
Traxler
Udall
Valentine
Vander Jagt
Vandergriff
Vento
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Williams (OH)
Wilson
Wirth
Wise
Wolf
Wolpe
Wright
Wyden
Wyllie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki

NAYS—84

Archer
Badham
Bartlett
Bateman
Bereuter
Bilirakis
Billey
Brown (CO)
Carney
Chandler
Chapple
Cheney
Conable
Coughlin
Crane, Daniel
Crane, Philip
Daniel
Dannemeyer
Daub
Dreier
Edwards (OK)
Fields
Forsythe
Franklin
Frenzel
Gekas
Gingrich
Gramm

Green
Gregg
Hansen (UT)
Hartnett
Holt
Hunter
Hyde
Lagomarsino
Leath
Lewis (FL)
Livingston
Shaw
Loeffler
Lott
Lowery (CA)
Lujan
Lungren
Mack
Marriott
Martin (NY)
McCandless
McCollum
McDade
McDonald
Molinaro
Moore
Moorhead
Morrison (WA)
Nielson

Olin
Packard
Paul
Pritchard
Quillen
Ray
Ritter
Robinson
Rudd
Schaefer
Schulze
Shaw
Shumway
Shuster
Skeen
Smith (NE)
Smith, Denny
Solomon
Spence
Stenholm
Stump
Thomas (CA)
Tucanovich
Walker
Weber
Winn
Wortley
Zschau

NOT VOTING—11

Dowdy
Goodling
Gray
Hansen (ID)

Heftel
Lundine
Rose
Siljander

St Germain
Stark
Weaver

□ 1300

Messrs. McDADE, BATEMAN, and LEWIS of Florida changed their votes from "yea" to "nay."

Messrs. BONKER, McGRATH, LENT, and CORCORAN changed their votes from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rules on which the Chair has postponed further proceedings.

ANNOUNCEMENT OF ACREAGE LIMITATION AND SET-ASIDE PROGRAMS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3564, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. DE LA GARZA) that the House suspend the rules and pass the bill, H.R. 3564, as amended, on which the yeas and nays are ordered.

The Chair will announce that this is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 329, nays 93, not voting 11, as follows:

[Roll No. 301]

YEAS—329

Ackerman
Addabbo
Akaka
Albosta
Alexander
Andrews (NC)
Andrews (TX)
Anthony
Applegate
Aspin
AuCoin
Barnard
Barnes
Bartlett
Bates
Bedell
Beilenson
Bennett
Bereuter
Bethune
Biaggi
Bilirakis
Boggs
Boland
Boner
Bonior
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Britt
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Bryant
Burton (CA)

Byron
Campbell
Carper
Carr
Chandler
Chappell
Chappie
Cheney
Clarke
Clay
Coats
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conyers
Cooper
Coughlin
Coyne
Craig
Crockett
Daniel
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson

Early
Eckart
Edgar
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Ferraro
Fiedler
Fields
Flippo
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gilman
Gingrich
Glickman
Gonzalez
Gore
Gramm
Gray
Gunderson
Hall (IN)
Hall (OH)

Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (UT)
Harkin
Harrison
Hartnett
Hatcher
Hawkins
Hefner
Hertel
Hightower
Hiler
Hillis
Hopkins
Howard
Hoyer
Hubbard
Huckaby
Hunter
Hutto
Ireland
Jacobs
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kaptur
Kastenmeier
Kazen
Kennelly
Kildee
Kogovsek
Kolter
Kostmayer
Kramer
LaFalce
Lantos
Leach
Leath
Lehman (CA)
Lehman (FL)
Leland
Levin
Levitas
Lipinski
Lloyd
Loeffler
Long (LA)
Long (MD)
Lowry (WA)
MacKay
Markey
Marlenee
Martin (IL)
Martin (NY)
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCurdy
McHugh
McKernan

McNulty
Mica
Michel
Mikulski
Miller (CA)
Mineta
Mitchell
Moakley
Molinaro
Mollohan
Montgomery
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Ortiz
Ottinger
Owens
Oxley
Panetta
Patterson
Paul
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pursell
Rahall
Rangel
Ratchford
Ray
Reid
Richardson
Ridge
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rostenkowski
Roth
Rowland
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schroeder
Schumer
Seiberling

Sensenbrenner
Shannon
Sharp
Shelby
Sikorski
Simon
Sisisky
Skeen
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stangeland
Stokes
Stratton
Studds
Sundquist
Swift
Synar
Tallon
Tauke
Taubin
Taylor
Thomas (GA)
Torres
Torrice
Towns
Traxler
Udall
Valentine
Vandergriff
Vento
Volkmer
Walgren
Watkins
Waxman
Weber
Weiss
Wheat
Whitley
Whittaker
Whitten
Williams (MT)
Wilson
Winn
Wirth
Wise
Wolf
Wolpe
Wortley
Wright
Yates
Yatron
Young (FL)
Young (MO)
Zablocki

NAYS—93

Anderson
Archer
Badham
Bateman
Berman
Boehlert
Burton (IN)
Carney
Clinger
Conable
Conte
Corcoran
Courter
Crane, Daniel
Crane, Philip
D'Amours
Dannemeyer
Dreier
Edwards (AL)
Erlenborn
Fish
Florio
Forsythe
Gibbons
Gradison

Green
Gregg
Holt
Horton
Hughes
Hyde
Kasich
Kemp
Kindness
Latta
Lagomarsino
Lent
Levine
Lewis (FL)
Livingston
Lott
Lowery (CA)
Lujan
Luken
Lungren
Mack
Madigan
Marriott
Martin (NC)
Martinez

McCain
McCollum
McDade
McDonald
McEwen
McGrath
McKinney
Miller (OH)
Minish
Moore
Moorhead
Nielson
O'Brien
Oxley
Packard
Parris
Pashayan
Pritchard
Quillen
Regula
Rinaldo
Roukema
Rudd
Schaefer

Schneider	Stump	Whitehurst
Schulze	Thomas (CA)	Williams (OH)
Shaw	Vander Jagt	Wolf
Shumway	Vucanovich	Wyden
Shuster	Walker	Wyllie
Snyder	Waxman	Zschau

NOT VOTING—11

Bliley	Heftel	Siljander
Goodling	Lewis (CA)	St Germain
Guarini	Lundine	Weaver
Hansen (ID)	Rose	

□ 1315

Messrs. HORTON, BURTON of Indiana, and WYDEN changed their votes from "yea" to "nay".

Mr. CAMPBELL and Mr. LEVITAS changed their votes from "nay" to "yea".

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to require the Secretary of Agriculture to make an earlier announcement of the 1984 crop feed grain program and of the 1985 crop wheat and feed grain programs."

A motion to reconsider was laid on the table.

MAINTAINING CURRENT EFFORTS IN FEDERAL NUTRITION PROGRAMS TO PREVENT INCREASES IN DOMESTIC HUNGER

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution (H. Con Res. 40) as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas, (Mr. DE LA GARZA) that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 40) as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 16, not voting 10, as follows:

[Roll No. 302]

YEAS—407

Ackerman	Bedell	Boxer
Addabbo	Bellenson	Breaux
Akaka	Bennett	Britt
Albosta	Bereuter	Brooks
Alexander	Berman	Broomfield
Anderson	Bethune	Brown (CA)
Andrews (NC)	Bevill	Brown (CO)
Andrews (TX)	Biaggi	Broyhill
Annunzio	Billrakis	Bryant
Anthony	Bliley	Burton (CA)
Applegate	Boehlert	Burton (IN)
Archer	Boggs	Byron
Aspin	Boland	Campbell
AuCoin	Boner	Carney
Barnard	Bonior	Carper
Barnes	Bonker	Carr
Bartlett	Borski	Chandler
Bateman	Bosco	Chappell
Bates	Boucher	Chappie

Clarke	Hammerschmidt	Miller (OH)
Clay	Hance	Mineta
Clinger	Harkin	Minish
Coats	Harrison	Mitchell
Coelho	Hatcher	Moakley
Coleman (MO)	Hawkins	Molinari
Coleman (TX)	Hefner	Mollohan
Collins	Hertel	Montgomery
Conable	Hightower	Moody
Conte	Hiler	Moore
Conyers	Hillis	Moorhead
Cooper	Holt	Morrison (CT)
Corcoran	Hopkins	Morrison (WA)
Coughlin	Horton	Mrazek
Courter	Howard	Murphy
Coyne	Hoyer	Murtha
Craig	Hubbard	Myers
Crockett	Huckabay	Natcher
D'Amours	Hughes	Neal
Daniel	Hunter	Nelson
Dannemeyer	Hutto	Nichols
Daschle	Hyde	Nielson
Daub	Ireland	Nowak
Davis	Jacobs	O'Brien
de la Garza	Jeffords	Oakar
Dellums	Jenkins	Oberstar
Derrick	Johnson	Obey
DeWine	Jones (NC)	Olin
Dickinson	Jones (OK)	Ortiz
Dicks	Jones (TN)	Ottinger
Dingell	Kaptur	Owens
Dixon	Kasich	Oxley
Donnelly	Kastenmeier	Packard
Dorgan	Kazen	Panetta
Dowdy	Kemp	Parris
Downey	Kennelly	Pashayan
Dreier	Kildee	Patman
Duncan	Kogovsek	Patterson
Durbin	Kolter	Pease
Dwyer	Kostmayer	Penny
Dymally	Kramer	Pepper
Dyson	LaFalce	Perkins
Early	Lagomarsino	Petri
Eckart	Lantos	Pickle
Edgar	Latta	Porter
Edwards (AL)	Leach	Price
Edwards (CA)	Lehman (CA)	Pritchard
Edwards (OK)	Lehman (FL)	Pursell
Emerson	Leland	Quillen
English	Lent	Rahall
Erdreich	Levin	Rangel
Erlenborn	Levine	Ratchford
Evans (IA)	Levitae	Ray
Evans (IL)	Lewis (CA)	Regula
Fascell	Lewis (FL)	Reid
Fazio	Lipinski	Richardson
Feighan	Livingston	Ridge
Ferraro	Lloyd	Rinaldo
Fiedler	Loeffler	Ritter
Fields	Long (LA)	Roberts
Fish	Long (MD)	Robinson
Flippo	Lott	Rodino
Florio	Lowery (CA)	Roe
Foglietta	Lowry (WA)	Roemer
Foley	Lujan	Rogers
Ford (MI)	Luken	Rostenkowski
Ford (TN)	Lungren	Roth
Forsythe	Mack	Roukema
Fowler	MacKay	Rowland
Frank	Madigan	Roybal
Franklin	Markey	Russo
Frenzel	Marlenee	Sabo
Frost	Marrriott	Sawyer
Fuqua	Martin (IL)	Schaefer
Garcia	Martin (NC)	Scheuer
Gaydos	Martin (NY)	Schneider
Gejdenson	Martinez	Schroeder
Gekas	Matsui	Schulze
Gephardt	Mavroules	Schumer
Gibbons	Mazzoli	Seiberling
Gilman	McCain	Sensenbrenner
Gingrich	McCandless	Shannon
Glickman	McCloskey	Sharp
Gonzalez	McCollum	Shaw
Gore	McCurdy	Shelby
Gradison	McDade	Sikorski
Gray	McEwen	Simon
Green	McGrath	Sisisky
Gregg	McHugh	Skeen
Guarini	McKernan	Skelton
Gunderson	McKinney	Slattery
Hall (IN)	McNulty	Smith (FL)
Hall (OH)	Mica	Smith (IA)
Hall, Ralph	Michel	Smith (NE)
Hall, Sam	Mikulski	Smith (NJ)
Hamilton	Miller (CA)	Smith, Robert

Snowe	Thomas (GA)	Whitten
Snyder	Torres	Williams (MT)
Solarz	Towns	Williams (OH)
Solomon	Traxler	Wilson
Spence	Udall	Winn
Spratt	Valentine	Wirth
Staggers	Vander Jagt	Wise
Stangeland	Vandergriff	Wolf
Stark	Vento	Wolpe
Stenholm	Volkmer	Wortley
Stokes	Vucanovich	Wright
Stratton	Walgren	Wyden
Studds	Walker	Wyllie
Sundquist	Watkins	Yates
Swift	Waxman	Yatron
Synar	Weber	Young (AK)
Tallon	Weiss	Young (FL)
Tauke	Wheat	Young (MO)
Tauzin	Whitehurst	Zablocki
Taylor	Whitley	Zschau
Thomas (CA)	Whittaker	

NAYS—16

Badham	Hartnett	Shumway
Cheney	Kindness	Shuster
Crane, Daniel	Leath	Smith, Denny
Crane, Phillip	McDonald	Stump
Gramm	Paul	
Hansen (UT)	Rudd	

NOT VOTING—10

Goodling	Rose	Torricelli
Hansen (ID)	Savage	Weaver
Heftel	Siljander	
Lundine	St Germain	

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1330

IRISH WILDERNESS ACT OF 1983

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 64, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. SEIBERLING) that the House suspend the rules and pass the Senate bill, S. 64, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 18, not voting 9, as follows:

[Roll No. 303]

YEAS—406

Ackerman	Bateman	Borski
Addabbo	Bates	Bosco
Akaka	Bedell	Boucher
Albosta	Bellenson	Boxer
Alexander	Bennett	Breaux
Anderson	Bereuter	Britt
Andrews (NC)	Berman	Brooks
Andrews (TX)	Bethune	Broomfield
Annunzio	Bevill	Brown (CA)
Anthony	Biaggi	Brown (CO)
Applegate	Billrakis	Broyhill
Archer	Bliley	Bryant
Aspin	Boehlert	Burton (CA)
AuCoin	Boggs	Burton (IN)
Badham	Boland	Byron
Barnard	Boner	Campbell
Barnes	Bonior	Carney
Bartlett	Bonker	Carper

Carr
Chandler
Chappell
Chapple
Cheney
Clarke
Clay
Clinger
Coats
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conable
Conte
Conyers
Cooper
Corcoran
Coughlin
Courter
Coyne
Craig
Crockett
D'Amours
Daniel
Daschle
Daub
Davis
de la Garza
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Erlenborn
Evans (IA)
Evans (IL)
Fascell
Fazio
Feighan
Ferraro
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Fowler
Frank
Franklin
Frenzel
Frost
Fuqua
Garcia
Gaydos
Geldenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Gore
Gradison
Gray
Green
Gregg
Guarini
Gunderson
Hall (IN)
Hall (OH)

Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (UT)
Harkin
Harrison
Hatcher
Hawkins
Hefner
Hertel
Hightower
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jeffords
Jenkins
Johnson
Jones (NC)
Jones (OK)
Jones (TN)
Kaptur
Kasich
Kastenmeyer
Kazen
Kemp
Kennelly
Kildee
Kindness
Kogovsek
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Lantos
Leach
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin
Levine
Levitas
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lloyd
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lungren
Mack
MacKay
Madigan
Markey
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McNulty
Mica
Michel
Mikulski

Miller (CA)
Miller (OH)
Mineta
Minish
Mitchell
Moakley
Molinari
Mollohan
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielsen
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Ottinger
Owens
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Rangel
Ratchford
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rostenkowski
Roth
Roukema
Rowland
Roybal
Rudd
Russo
Sabo
Sawyer
Schaefer
Scheuer
Schneider
Schroeder
Schulze
Schumer
Seiberling
Sensenbrenner
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Sikorski
Simon
Sisisky
Skelton
Slattery
Smith (FL)
Smith (IA)
Smith (NE)

Smith (NJ)
Smith, Robert
Snow
Snyder
Solarez
Solomon
Spence
Spratt
Staggers
Stangeland
Stark
Stenholm
Stokes
Stratton
Studds
Sundquist
Swift
Synar
Tallon
Tauke
Tauzin
Taylor

Crane, Daniel
Crane, Philip
Dannemeyer
Forsythe
Gramm
Hall, Ralph

Goodling
Hansen (ID)
Heftel

So the Senate bill, as amended, was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2250

Mr. DICKS. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of the bill, H.R. 2250.

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

There was no objection.

DESIGNATION OF THE BIRTHDAY OF MARTIN LUTHER KING, JR., AS A LEGAL PUBLIC HOLIDAY

Mrs. HALL of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3706), to amend title 5, United States Code, to make the birthday of Martin Luther King, Jr., a legal public holiday.

The Clerk read as follows:

H.R. 3706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6103(a) of title 5, United States Code, is amended by inserting immediately below the item relating to New Year's Day the following:

"Birthday of Martin Luther King, Jr., the third Monday in January."

Sec. 2. The amendment made by the first section of this Act shall take effect on the first January 1 that occurs after the two-year period following the date of the enactment of this Act.

Thomas (CA)
Thomas (GA)
Torres
Torrice
Towns
Traxler
Udall
Valentine
Vander Jagt
Vandergriff
Vento
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Wheat
Whitehurst
Whitley

NAYS—18

Hartnett
Jacobs
Latta
Leath
Loeffler
McDonald

NOT VOTING—9

Lundine
Rose
Savage

Patman
Paul
Skeen
Smith, Denny
Stump
Young (AK)

THE SPEAKER pro tempore. Does the gentlewoman from Indiana include an amendment in her motion?

Mrs. HALL of Indiana. Mr. Speaker, I do not.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentlewoman from Indiana (Mrs. HALL) will be recognized for 20 minutes, and the gentleman from California (Mr. DANEMEYER) will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Indiana (Mrs. HALL).

□ 1340

Mrs. HALL of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3345 designates the third Monday in January of each year a legal public holiday to commemorate the birthday of Dr. Martin Luther King, Jr., to take effect on the first January that occurs 2 years after enactment.

Martin Luther King gave to this great Nation a new understanding of equality and justice for all. He taught us that our democratic principles could be seriously impaired if they were not applied equally, and that tailoring these principles through non-violence would have a lasting effect.

Mr. Speaker, the legislation before us will act as a national commitment to Dr. King's vision and determination for an ideal America, which he spoke of the night before his death, where equality will always prevail.

Next year marks the 20th anniversary of Dr. Martin Luther King's Nobel Peace Prize Award, where he was recognized by all people of the world for bringing about a peaceful social revolution which changed the hearts and minds of men and women everywhere.

Mr. Speaker, the time is before us to show what we believe, that justice and equality must continue to prevail, not only as individuals, but as the greatest Nation in this world. It is America's turn to say thank you to Dr. Martin Luther King, Jr., and it is our duty as elected Representatives to nationalize this tribute.

H.R. 3345 has received overwhelming support from both the Committee on Post Office and Civil Service and the Subcommittee on the Census and Population, by reporting this bill to the House of Representatives with only one dissenting vote. I urge my colleagues to recognize the bipartisan support this legislation carries.

Mr. Speaker, let us all hold the memory of Dr. King and his vital contributions to this country in the highest esteem by supporting the Martin Luther King, Jr., public holiday.

Mr. Speaker, I urge the House to approve this legislation and I reserve the balance of my time.

Mr. DANNEMEYER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of an amendment to this bill that would designate the third Sunday in January as the date on which we recognize and honor the contribution of Dr. Martin Luther King, Jr., to this country. Unfortunately, that amendment is not in order under the procedure under which we are proceeding; namely, the suspension procedure, and it is for this reason that reluctantly I must oppose this measure in the form that it is brought to us at this time.

It is interesting that the given name of Martin Luther King, Sr., the father of Martin Luther King, Jr., was Michael; Michael King decided to become a great preacher, so he looked back in history to select the name of a great preacher and theologian, and he chose Martin Luther. That is how Michael King became Martin Luther King, Sr.

And since the man that we are talking about today, Mr. Martin Luther King, Jr., is named after a great name in the history of Western civilization, Martin Luther, I thought it would be appropriate to draw an analogy between these two men.

For example, Martin Luther was a great preacher. So was Martin Luther King, Jr. Martin Luther was a reformer. In the 16th century he brought great reform to the church as it existed at the time. Martin Luther King, Jr., has also brought reform to this country in the form of raising the sights and attitudes of people to recognize that we Americans are committed to the enjoyment of civil rights for all people.

Martin Luther was a great political leader of his time. Out of the thoughts which he brought to Western civilization came the writings that ultimately found their way in the Declaration of Independence and the Constitution of this country. Martin Luther King, Jr., was also a great political leader of his time.

Martin Luther was a theologian and a hymn writer and the translator. I do not think it has ever been said of Martin Luther King, Jr., that he was involved in these activities.

And the reason that I made this analogy is quite simple. Our society has chosen to recognize the contributions that Martin Luther made to Western civilization. How? The fourth Sunday in October is historically recognized in Germany, the birthplace of Martin Luther, and in this country and throughout Christendom as Reformation Sunday. And if our society can recognize the contributions of Martin Luther on a Sunday in October, it would seem appropriate and fitting that we recognize the contributions of Martin Luther King, Jr., on a similar day in our society.

We have nine holidays in this country. Three of them relate to recognition of persons—Washington's Birthday, Columbus Day and Christmas Day. These persons whom we recognize on these 3 days are, of course, noted in history. I question whether or not the contribution of Martin Luther King, Jr., is of equal stature to these three persons.

The House considered this matter 4 years ago. When it was brought up on suspension 4 years ago, it was defeated, and then subsequently came up under a rule, and we adopted an amendment. By a vote of 207 to 191, we adopted the third Sunday in January as the day on which we recognized Dr. Martin Luther King, Jr.

It has been estimated that the cost of this to the taxpayers, Federal taxpayers, is \$225 million in lost productivity in our Federal work force, per year. The private sector loss has been estimated at three times this amount.

And my final point is that the administration is opposed to the bill in its present form, that is, being brought up under the Suspension Calendar. The administration prefers that the bill be brought up under the amendment process so that amendments can be offered and considered, and let the House work its will in that form rather than under the suspension process that we now have before us.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I cannot really say what I want to say in 1 minute. It is impossible. I can just point out to you that when I was a young man I dreamed that the only way I could participate in this society was by being a revolutionist. I was absolutely convinced that the only way I would achieve equality in this Nation was by armed warfare. I was convinced of that because I was segregated in my schools, I had been segregated in the military, I had been segregated in my neighborhood.

When I was a young man I had absolute contempt for those older blacks who had been so brutalized and debased by this evil thing in this Nation that they were what we called Uncle Toms—stripped away of almost any sense of manhood, personhood, and womanhood.

And then came this man King, who somehow or another took that young militant and said to him: There is another way through nonviolence. He lifted a whole nation, a whole race of people. And more importantly than that, he took the tenets of the Judeo-Christian ethic and turned them into a weapon that changed the face of this Nation, and indeed the world.

What do you mean, "cost"? What was the cost of keeping us blacks where we were? All these extraneous things do not mean a thing to me. I

am talking about what is the right and decent thing to do, and to urge a vote for this bill in the form that it is.

Mr. DANNEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. COURTER).

Mr. COURTER. Mr. Speaker, first, I would like to ask the gentlewoman from Indiana (Mrs. HALL) for 1 additional minute.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. COURTER).

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

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

Mr. HOYER. Mr. Speaker, I rise in support of passage of this bill.

Mr. Speaker, 20 years ago this month, Dr. Martin Luther King, Jr., led over half a million people to the Nation's Capital to sound a joint declaration of protest: That America had defaulted on a promissory note to which all Americans were to have been heirs. That note contained the promise that all men and women would enjoy the riches of freedom and the security of justice.

But as he spoke the words which have become as integral a part of American history as the Great Lincoln and Douglas debates, Dr. King reminded us that for far too long, the benefits of liberty and opportunity—the basis of our democratic state—had been routinely denied to impoverished Americans, the overwhelming majority of whom were black.

Twenty years ago this month, Dr. Martin Luther King was able to pierce the veil of withering injustice and visualize a nation, his nation, where man's inhumanity to man would not flourish. As he shared with us his vision, he challenged each of us to make ours a world where "we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day."

In challenging us to work toward greatness, Dr. King planted the seed whose progeny will endure as long as the struggle against injustice endures.

Tragically, we find that 20 years later the disparity between the haves and the have nots is even greater. Within our borders, poverty is more and more a condition suffered by women and minorities and families are feeling the oppression of an economic crisis unparalleled since the Great Depression.

There is much work to be done, and while the dreamer has been silenced by an assassin's bullet, 20 years later his words live on with new applications to new oppression. The challenge is for us now to act in a responsible manner to insure that Dr. King and

his dream for his America—our America—are not forgotten.

Mr. Speaker, I am pleased to rise in support for the legislation making the third Monday in January a national holiday to celebrate the life and words of Dr. Martin Luther King, Jr. As a Federal holiday, each year we will be reminded of the higher goals and ideals which form the basis of this Nation. Each year we will be reminded of the path along which we have come and will see the new path to be forged ahead in our goal of freedom and justice for all people.

Mr. Speaker, Dr. King's contribution to our heritage was immeasurable. He forced us to see our faults, when we did not wish to see them. Yet he was able to address them in a manner in which we all came to see was a voice for opportunities that America needed to heed in order to continue to demonstrate her greatness.

Today, 20 years after the march on Washington, we have an opportunity to say to those for whom Dr. King's struggle meant the most—we have heard, and we will strive to make his America a reality. And if we continue to try, then his dream will live. For his contribution, a Federal holiday is only a small part in bringing that dream to reality. Such recognition, however, is the only fitting recognition for a man who has done so much for our Nation.

I urge my colleagues to support this legislation and to support our continued efforts to provide all Americans with the reality of liberty and the guarantee of justice.

Mr. COURTER. Mr. Speaker, I would like to make it clear that I am against bringing the legislation to the floor under suspension of the rule. My feeling on this point stems from my concern about the proliferation of the number of legal holidays we have in the United States.

In the past several months I have attempted to work out a compromise for this particular bill which would freeze the number of legal holidays to 9 rather than permitting their increase to 10 and then perhaps one day to 11 or 12.

A number of proposals were considered to this end. But all proved to be unworkable, for one reason or another. In addition, I was concerned that no optional holiday format should have the effect of giving lesser concern and stature to the day for Martin Luther King. This was also my concern with the proposal to establish a Martin Luther King Day on a Sunday, which seems to me similar to the argument that you can ride on the bus but you have to go to the back.

Nevertheless, I continue to believe that Congress must in the very future place a limit on the number of legal public holidays created in this country.

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To this end, I have introduced legislation today to do just that, freezing the number of holidays not at the present 9, but permitting 1 more for Dr. King, but then freezing it at 10.

Mr. Speaker, Dr. King had a dream of equality, equality of rights and opportunities for all children. It was for this dream that Dr. King lived, and it was for this dream that he died. It has been 15 years since the assassination of Dr. King, and his memory has only grown in stature. The impact of his gospel has grown in historical perspective.

Martin Luther King taught us that the greatest power in human history is not the power of armies or generals, but the power of one individual with moral strength. Dr. King asked for a society which judged men and women not by the color of their skin, but by the content of their character.

A holiday honoring Dr. Martin Luther King would acknowledge our debt to this great man and our national acceptance of his dream, a dream of a society free from hatred, free from prejudice, and free from violence, where there is equal opportunity for all Americans.

The legislation before us, Mr. Speaker, calls for creating the third Monday in January as a day in honor of the memory of Dr. Martin Luther King not only because of the strength of his leadership and the courage of his commitment, but also because of the unique contribution he made to the fundamental principle that all people are created equal.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. GARCIA).

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

Mr. GARCIA. I yield to my colleague, the gentleman from New York.

Mr. ADDABBO. Mr. Speaker, once again we find ourselves considering a resolution honoring Dr. Martin Luther King, Jr. The obligation to pay tribute to Dr. King with a Federal holiday has been overdue for some time. Surely, Mr. Speaker, few Americans have ever done as much to heal this Nation in a time of lingering crisis.

When America showed signs of becoming a nation divided in hatred along racial, generational, and ideological lines, Dr. King fought that hatred. He reached across those barriers with a clear vision of a republic firmly grounded in equality, and justice. Without violence indeed, with a powerful gentleness that demanded attention, Dr. King forced an entire country to see, some for the first time, the many injustices lurking within our system.

Mr. Speaker, Dr. King sought truth as the means to end injustice. No higher example can be found of a man's dedication to his country.

A Federal holiday honoring Dr. King will keep his actions, his methods, his principles forever in the minds of Americans. It will insure the survival of those principles long after those of us with a vivid memory of all he lived through, and died trying to solve, have made way for a new generation, molded by different experiences.

I have cosponsored resolutions honoring Dr. King in this way many times, and proudly do so again. I urge my fellow Members to give this resolution their full support, in the hope that we, in the spirit of Dr. King, can rekindle and maintain the commitment to equality so necessary in our struggle to build a truly just society.

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

Mr. GARCIA. I yield to my colleague, the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I rise in favor of the bill.

Mr. Speaker, as the original author of the Monday holiday legislation, I am delighted that the bill before us now proposes to honor the late Dr. King with a Monday holiday.

In fact, when the movement to create a national holiday on the birthdate of Dr. Martin Luther King, Jr., was first proposed, I recall a meeting of clergy and laymen that was convened in Albany, N.Y. in early January 1971, at the Sweet Pilgrim Baptist Church to generate support, for the proposal. When I was called on during the meeting to express my views, I expressed my strong support, as a long-time admirer of Dr. King, and then suggested that the most appropriated and acceptable procedure might be to make the King holiday a Monday holiday. This suggestion received the enthusiastic support of the assembled guests.

Shortly thereafter I introduced a bill to that effect, and over the years I have pressed for that solution.

I therefore want to commend the gentlelady from Indiana (Mrs. HALL) for her sponsorship of this legislation. And I would also point out that this arrangement places the commemoration of Dr. King on the very same place as we commemorate the discoverer of America, Christopher Columbus, the Father of his Country, George Washington, and the preserver of the Union, Abraham Lincoln.

Surely this is in my opinion, the finest possible tribute that a grateful Government can pay to Dr. King.

Mr. DOWNEY of New York. Mr. Speaker, will the gentleman yield?

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

Mr. DOWNEY of New York. Mr. Speaker, what an outrage. Can you imagine anything more preposterous than not recognizing one of the greatest men of all time. Peacemakers are God's children they allow all of us to

live and love. We have nothing without them. Who can we consider something or cross or cost compared to the limitless contributions of Dr. King.

Mr. GARCIA. Mr. Speaker, in the 1 minute that is allowed to me, I just want to make it very clear to my colleague from Indiana, having been down this road twice before as the floor manager of this bill, I want to congratulate her because of all the hard work that she has done.

Let me go a step further with my colleagues here. The question about whether Dr. Martin Luther King deserves a national holiday is one that, as far as I am concerned, means a resounding yes. To many of us, especially myself, I was elected to the New York State Legislature in 1965 as a result of the Voting Rights Act which passed in 1964. Had it not been for the work of Martin Luther King, walking the corridors of Congress to get that Voting Rights Act through, many of us in this Congress, especially those with brown faces and black faces, would not be sitting here today.

On behalf of this legislation, I believe that this holiday is long overdue.

Mr. Speaker, the issue today is clear cut: is Dr. Martin Luther King, Jr., deserving of a national holiday bearing his name and dedicated to his memory? The answer is a resounding "Yes."

Believe me, I have heard all the arguments against this bill; the costs are too great, the man is too controversial; the legacy is unsettled; and so forth. We have heard them before and they most assuredly will be heard today. Yet we, who are the beneficiaries of Dr. King's long march for justice and equality, are unmoved and unsympathetic to such attacks which can only be described as weak attempts to discredit the memory and contributions of this great American.

King's greatness is measured not only in the causes and struggles he championed, but in the spirit he aroused and the response he evoked from the American people to his lifelong pilgrimage for justice and equality.

Dr. King's struggle on behalf of black Americans evolved into a crusade for all Americans who were unemployed, poorly housed, disenfranchised, uneducated or undernourished.

Dr. King forced the Nation to confront these problems, and devise fair and compassionate remedies at a time when it would have been far easier to look the other way. But Dr. King would not let us look away. He challenged us to join his march and bring America's underclass and underprivileged out from shadows of discrimination and into the Nation's mainstream.

He made us look into the faces of America's homeless, its poor and unfed and not turn away—and then he made

us act because it was the only right thing to do.

That simply is the choice for us today: to do the right thing and pass this bill.

I am as convinced as even before that the spirit of Dr. King lives on, and the commitment to pursue his goals grows stronger with the passage of time. It is up to us, his beneficiaries, to see that his spirit lives on and his work progresses until the dimensions of Dr. King's dream are fully realized by all Americans.

I urge my colleagues to support this legislation.

Mr. DANNEMEYER. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from South Carolina (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Speaker, it is with a great sense of regret that I cast my vote today against H.R. 3706, designating the third Monday of January as a Federal holiday commemorating Dr. Martin Luther King, Jr. The fact is, I believe that Dr. King made significant contributions to the cause of equal rights, and I believe as strongly as anyone that it is entirely appropriate that he be honored. I have proved this with my votes in favor of a Sunday holiday to recognize his accomplishments and to provide for a statue of Dr. King in the U.S. Capitol.

But I cannot in good conscience vote to create another paid holiday which will, according to the Library of Congress, cost this Nation's taxpayers \$270 million for the pay and benefits and lost productivity of Federal workers alone, and up to another \$796 million assuming State and local governments follow Washington's lead. That is a combined cost to the taxpayers of over \$1 billion in direct costs and lost productivity. If one takes the gross national product, which last year was over \$3 trillion, and divides it by the number of working days in a year (about 250), the potential cost to the whole of American society for another holiday is a staggering \$12 billion. Now, I do not think the pricetag would reach that level, but the top dollar cost potential is a figure that must be considered.

I cannot in good conscience vote to create a paid holiday which would honor an individual, when no other American is so honored now that George Washington's Birthday has been redesignated President's Day.

And, I cannot in good conscience vote to send exactly the wrong signal when our economy is beginning to come around and productivity is finally on the rise.

Mr. Speaker, surely the great majority of us do want to honor Dr. King's memory and his contributions, but many of us also see the economic pitfall of creating another day of idleness for the American workforce. Very frankly, I resent those who would

question our motivations. I resent the tactics of the leadership who have denied us the chance to vote for a Sunday day of commemoration which would be so appropriate for a man who was an ordained minister of the Gospel and which is equally as appropriate as the Monday holiday proposed which would not even fall on Dr. King's birthday. I have to question if there is not a political motivation here, one that is particularly ugly in that it calls into question what should be unquestioned—the nearly universal respect of the American people and the Congress for Dr. King's memory and accomplishments.

In fact, Mr. Speaker, that is not the issue. The issue is only whether the holiday should fall on a weekday with substantial costs to our national economy, or whether we should designate the holiday on a Sunday. To me, the answer is clear. Shutting down the productive machine of this country would hurt most those that Dr. King was concerned about. Indeed, I believe Dr. King himself would far rather see tax dollars going to programs with real and tangible benefits to the Nation's needy.

I do not agree with everything Dr. King did, but I do acknowledge his great contributions to the black community and to achieving equal rights and opportunity for all. I do agree that he should be honored, either by a Sunday holiday or perhaps by changing one of our other holidays to Heroes' Day. Finally, however, I had to reject the spending priority embodied in H.R. 3706 which would have us allocate up to \$12 billion in lost production for a symbolic gesture which will not provide food nor jobs or security for those in need.

Mr. DANNEMEYER. Mr. Speaker, how much time has the minority consumed so far?

The SPEAKER pro tempore. The Chair will state that the gentleman has 13 minutes remaining.

Mr. DANNEMEYER. And Mr. Speaker, how much time does the majority have remaining?

The SPEAKER pro tempore. The gentlewoman from Indiana (Mrs. HALL) has 16 minutes remaining.

Mr. DANNEMEYER. Then perhaps the gentlewoman from Indiana (Mrs. HALL) should take some time at this time. Would that be appropriate?

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. BURTON).

Mr. FORD of Tennessee. Mr. Speaker, will the gentlewoman yield?

Mrs. BURTON of California. I yield to the gentleman from Tennessee.

Mr. FORD of Tennessee. Mr. Speaker, I rise in support of H.R. 3706, the Martin Luther King, Jr., holiday bill, and urge my colleagues to support this legislation. I wish to commend my col-

league Congresswoman KATIE HALL for her efforts in bringing this bill to the floor. However, I do wish to state for the record that this bill, which designates the third Monday of January of each year as a legal public holiday to commemorate the birthday of Martin Luther King, does not provide the full status of a national public holiday, and will not even conform to the 17 States, the District of Columbia, and the Virgin Islands, and the hundreds of cities, municipalities, and institutions across the Nation that have made his actual birth date a time of formal observance.

I will continue to support consistent efforts being made now and in prior Congresses to have Dr. King's actual birthday designated as a national holiday. The first bill to recognize the birthday of Dr. Martin Luther King, Jr., was introduced 15 years ago in 1968 by Congressman JOHN CONYERS. And, each year thereafter, Mr. CONYERS has introduced a bill to designate Dr. King's actual birthday a national holiday. In my 9 years of serving in the Congress, I have always supported legislation that would establish January 15 as a national public holiday in honor of Dr. King, and I wish to commend Mr. CONYERS for his unrelenting efforts and determination in introducing and pursuing the establishment of a King national holiday.

Fifteen years have passed since Dr. King's tragic assassination in my home city of Memphis. Dr. King devoted his entire life to the struggle for human rights and justice for all mankind. Arrested frequently, physically abused, and constantly threatened with the possibility of death, Dr. King never ceased his fight for our freedom. He perceived a dream and called on us to realize it, an American fitted to the specifications of its own constitution and ideals. Martin Luther King, a national figure dedicated to dependence on democratic processes, morality and nonviolence as a method of protest, epitomized the American political philosophy.

What remains is to make Dr. King's actual birthday a national holiday, to permit the Nation as a whole to commemorate his life and to reflect upon, and rededicate itself to, the ideals that he lived and gave his life for on the very date of his birth.

The mood of Congress and the country can only be called tragic if monetary or other concerns are placed above such ideals as justice and human rights. Anything less than a full legal holiday is an affront to the millions of Americans, black and white, who regard Dr. King as the individual who had the greatest positive impact on American life in this century. His supporters in the Congress will continue to push for a fitting memorial for him on the date of his birth.

Mr. PATTERSON. Mr. Speaker, will the gentlewoman yield?

Mrs. BURTON of California. I yield to the gentleman from California.

Mr. PATTERSON. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, as a sponsor of legislation to honor the achievements and the ideals of the late Dr. Martin Luther King, Jr., I am a proud American, ready to vote to designate his birthday as a national holiday.

It is fitting that we take this long overdue action as we approach the 20th anniversary, on August 27, of Dr. King's historic march on Washington—a march in which he proved himself to be a drum major for equality and for peace.

Dr. King's famous "I Have a Dream" speech, delivered on the steps of the Lincoln Memorial, has inspired many generations to continue the quest for equality and peace. Indeed, the speech had a profound effect on me and contributed to my embarking on a public service career to work toward these American ideals.

The history of mankind, it is said, records the course of human events, influenced and shaped by its leaders. Dr. King will surely be recorded for posterity as one who influenced and shaped the course of history in this century.

But I am not here so much to praise Dr. King, the man. His courage, dedication, and conviction have been well documented. Posthumously, he has earned the highest honors, including the Nobel Prize.

I am here to urge my colleagues to approve the legislation before us today to demonstrate our commitment to the ideals which inspired Dr. King—applied equality, nonviolence in the political and social processes, and human rights.

Dr. King supported the basic tenets of our Constitution, the right of equality and freedom for all. He was the spokesperson for minorities, the disenfranchised, and the poor. The Civil Rights Act is a living memorial to Dr. King's determination. Because of his work, many people have a better way of life.

Now, more than ever, we need to reflect and renew our commitment to Dr. King's goals. Over the last 30 months, the White House has tried to turn back the clock on gains we have made for civil rights. For example, the President supports a subsidy to private schools that discriminate racially, at the expense of public education. The administration has targeted tax cuts to the rich and budget cuts to the poor.

Black unemployment has climbed to 20 percent. Working women earn only 59 cents on every dollar earned by their male counterparts. We must demand from our President, and other leaders, a renewed commitment to justice and equality for all.

Dr. King's commitment to peace in the struggle for freedom is even more poignant today. In 1983, we must approach our problems abroad through a determined program of conflict resolution. In a world where nuclear stockpiles threaten our very existence, the importance of peace is paramount.

Finally the lesson we should learn from Dr. King's life is that we cannot close our eyes to the plight of the poor and oppressed people in our Nation and throughout the world. When a nation loses its regard for human rights, it loses its standing in the global community, and with its own people. America must set an example that our less fortunate neighbors can follow. We must help the developing countries and insist on respect for human rights.

America must turn Dr. King's dreams, for equality, peace, and human rights, into reality for the benefit of all. Declaring this great man's birthday a national holiday is a positive step in the right direction. It shows our neighbors that we are a nation truly committed to the ideals of peace and equality—at home and abroad.

Mrs. BURTON of California. Mr. Speaker, I speak today for the first time in my brief career as a Member of the House in support of a bill of major symbolic importance to this Nation—establishing Martin Luther King, Jr.'s, birthday as a national holiday. Recognizing Dr. King in this way will affirm this country's commitment to the rights of all men and women and to the pursuit of world peace.

Dr. King was a man of enormous courage and wisdom. Like Ghandi, he was truly among the great men of peace. He was the first civil rights leader to speak out against the war in Vietnam—an action which was condemned by many, both black and white. But he had the courage to do what was right and the vision to see that war is always begun by those in power but is fought by the powerless. As we find ourselves on the verge of another ill-advised military adventure, it is especially important to remember Dr. King.

I fervently hope the House passes this legislation and gets on with the effort to realize Dr. King's dream of racial, social, and economic justice.

Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. WYCHE FOWLER).

The SPEAKER pro tempore. Without objection, the gentleman from Georgia (Mr. FOWLER) is recognized for one-half minute.

There was no objection.

Mr. FOWLER. Mr. Speaker, I believe that history will attest that the greatness of a nation is not measured by the esteem in which it holds its politicians and its generals, but how it

treats its prophets and its poets. Martin Luther King, Jr., was a prophet and a poet and a patriot.

By honoring him, we honor all Americans of whatever color or faith who believe that the greatness of our country is living up to our patriotism by adhering to our principles.

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

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

Mr. RANGEL. Mr. Speaker, I rise to express my great joy and satisfaction that the House of Representatives has finally voted to honor Dr. Martin Luther King's legacy. By declaring his birthday a national holiday, we have made certain that his day will be forever enshrined.

Dr. King was the greatest advocate for peace in U.S. history, an advocate for the equality of all men regardless of race, class, or nationality. The American dream was enriched by his philosophy of brotherhood. If his memory is to live on to nourish this dream, we must be reminded of him periodically. This is the essence of why we did the right thing today. His memory will remain long after this generation has passed away, and his dream will never die.

The course of history was changed by this great man's dedication to his cause. Who can say what would have happened had he not committed himself to lifting up his people? We must never forget that it was for their sake that he lived, and for their sake that he was struck down. I hope that we never forget this.

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

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

Mr. WOLPE. Mr. Speaker, I rise in strong support of this legislation.

In establishing a Martin Luther King national holiday, we will not only be giving recognition to the life and accomplishments of a truly great American, but we will be providing a living memorial that can serve to inspire both present and future generations of Americans to a renewed dedication to the principle upon which this Nation was founded.

Surely no contemporary American better exemplified—in his words and in his actions—American values and traditions. For Americans everywhere—black and white, young and old, North and South—Dr. King symbolized the best in the Nation: the continuing struggle to achieve a truly open society, in which all Americans will have an equal opportunity to achieve their full human potential; the commitment to an ultimately integrated society in which racial and ethnic and religious prejudice and discrimination will not limit the ability of Americans to learn from and to enjoy one another; the advocacy of nonvio-

lent social change; the historical affirmation by Americans of the value and importance of the individual citizen.

I want to give particular emphasis to this last point, because in this period of public cynicism about politics and government, there is heard throughout our land the constant refrain that the individual citizen no longer counts in our country, that there is no way an individual can have impact on the economic and political decisions that affect all of our lives, that events are effectively out of control. Dr. Martin Luther King recognized, as have few other contemporary Americans, the ways in which such feelings of powerlessness can become their own self-fulfilling prophecy. His life was a direct and eloquent refutation of the alleged impotence of the individual citizen. It was a statement, by actual deeds, of the tremendous power available to a single individual who refuses to acquiesce to the established power, who refuses to accept social injustice in any form, and who is prepared to assume the risks that are inevitably associated with efforts to change the status quo.

There is a tendency to endow Martin Luther King with superhuman characteristics, but I suspect that Dr. King would far prefer to be remembered not for his extraordinary qualities, but his ordinary qualities; not for his strength but for his vulnerability; not for his courage, but for his fears. Because what Dr. King recognized, as few others have, is the revolutionary potential of a single individual's action and commitment.

He recognized, and showed us by his own personal example, that a single individual can make a difference—and that perfectly ordinary people, possessed of little more than a belief in themselves and in the rightness of their cause, and a willingness to accept risk; can turn our country around.

The establishment of a national holiday to pay tribute to the life of Dr. Martin Luther King is the least that can be done to assure that this message of commitment and inspiration will be forever before the American people.

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

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

Mr. CLAY. Mr. Speaker, I rise in support of H.R. 3706. This legislation is very special for all who cannot forget America's commitment to social and economic justice. This legislation will bring the overdue recognition to a man who exemplified what social justice is all about and who died as a result of that struggle.

This nonviolent apostle from Atlanta laid the foundation for the civil rights movement in our country and generated the drive for human rights around the world. He was a champion in the battles for equal treatment, in

jobs, housing, and educational opportunities. He was a champion in the battles for peace and freedom.

I know, Mr. Speaker, and fellow Members of the House that it will come as no surprise to you to hear me say as a legislator who is uniquely affected by the possible outcome of this debate that I favor the passage of legislation which would declare a national holiday in Dr. King's honor. I do, however, want you to know that I see broader implications in our decision at this point in history pertaining to the very future, and destiny of, not only black and other similarly affected minorities, but of our Nation as a whole.

We as a nation are strong, but nonetheless divided by differing sociocultural, political, and economic backgrounds. Are we willing to continue our forward momentum in America's bold and noble attempt to achieve a free and just democratic society?

It is significant that a statement of his hope for the world was symbolized twenty years ago in this man's famous "I have a dream" speech right herein the Nation's Capitol. He proclaimed universal truth when he stated, "I hope that my 4 little children will not be judged by the color of their skin, but by the content of their character." Regrettably, 20 years later, Dr. King's four little children, now all young adults, are not judged by the content of their character, but by the color of their skin.

Dr. King's life has meaning for each of us today and we should all work diligently in order that a national holiday will be declared in his honor.

Mr. Speaker, I attended a national meeting the other day of individuals who are professionally involved in the cause of education, and to my surprise and amazement, one of the public school teachers, said, "Some of our young people who were born in the latter sixties and early seventies do not even know who Martin Luther King, Jr. is. This is both a shame and disgrace to all of America."

Mr. Speaker, we cannot allow this to happen. Dr. King was persistent in support of his dream and all of us are richer and stronger because of this nonviolent apostle from Atlanta.

Mr. Speaker, a national holiday declared in Dr. King's honor will not allow our young people to forget a man who laid the foundation for the civil rights movement in our country and generated the drive for human rights around the world. Mr. Speaker, this would be a major failure on our part as legislators.

Dr. King's advocacy for "personhood" for all people is now dead. But he still lives. He lives in the hearts and minds of all people who treasure and support the sanctity of human life, human dignity, and social justice. If he were alive today, his voice would be

heard against the divisive and oppressive policies of the current administration. He would be in the forefront as a "drum major" for justice and for righteousness.

It is significant that Dr. King's remarkable contributions were fully in accord with and supportive of America's ideals and principles in our declaration of independence which declared more than 200 years ago that "all men are created equal, that they are endowed by their creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

Dr. King's brilliant life gave meaning to this national declaration of liberty and justice. Further, he practiced nonviolence and initiated direct action reminding our country to live by the principles upon which it was founded. Dr. King awakened a nation that had for centuries deprived many Americans from participating in the social, economic, and political institutions of the society. His basic philosophy was that every man still does have his chance, his opportunity, his right to live, to work, to be himself and become whatever his manhood and courage combine to make him. This is the promise of America.

The dreamer is gone but the dream lives on. We can take hope in the fact that Dr. King, in the face of adversity and enormous oppression never quit, but he resolved to keep on serving human kind. He never allowed his dream to die as he worked from Montgomery to Memphis where he met his tragic end in 1968. His life, in the midst of manifold activities that confront poor Americans is a radiant example that love can conquer hate and unity can come from division. This should serve as a beacon for all of us in a period of travail.

Mr. Speaker, and esteemed fellow Members, I shall not use this occasion to castigate those who pretend not to hear the roar and demands for justice. I shall not reproach those who pretend that they cannot see a further need for honoring Dr. King and declaring a national holiday in his honor to insure that Americans do not forget the monumental contribution of this man.

I will not criticize those who do not see a need for such a holiday. Nor will I question the motives, wisdom, and patriotism of those who speak out in opposition to this legislation. Or worst yet, I do not begrudge those who dare not speak because of cowardice and trepidation. I can only hope that greater than any notions to the contrary, the principles of simple decency and fairness will ultimately prevail.

Let me say further, in paraphrasing a quote from William Lloyd Garrison, you can be certain that those Americans who support this legislation are in earnest on this issue—we will not

equivocate, we will not excuse, we will not retreat a single inch.

Mr. Speaker, let the record show that I stand in favor of the declaration of a national legal public holiday in honor of Dr. Martin Luther King.

Let the record show, Mr. Speaker, that I stand shoulder to shoulder with all people of good conscience and firm convictions to work unceasingly for a better America.

Mrs. COLLINS. Mr. Speaker, will the gentleman yield?

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

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in strong support of this measure to make the birthday of Dr. Martin Luther King, Jr., a national holiday because it is long, long overdue.

In the sixties, during the awful times when I saw flashed across my television screen firemen turning water hoses on black Americans who were peacefully marching for their God-given rights, and policemen beating and dragging into paddywagons black men, women, and children as we sought our human rights, and segregationists standing in the doorways of schools to keep blacks from becoming educated, and ax wielding restaurateurs standing menacingly in front of restaurants threatening blacks who tried to eat there, and so forth.

But the scene I remember the most Mr. Speaker, is that of a big burly white policeman snatching the American flag out of the hands of a tiny little black boy, who was struggling mightily to keep it. That, Mr. Speaker, is a picture which will forever stay in my mind because it so clearly portrayed the visceral feeling embodied in this issue. On one side of the issue was the little black boy proudly waving the flag of his country and holding on to it tightly. On the other side was the big bad white policeman snatching away his hopes and his dreams—telling him in no uncertain terms that America, the land of his birth, didn't want to include him among her citizenry.

Mr. Speaker, I sincerely believe that if we fail to pass this measure in the House today, we will have again snatched the flag out of the hands of black Americans. We will have again indicated to those black kids sitting up there in the galleries, to their parents and grandparents, and to all folk the world over that this body of our democratic government does not live up to the preamble of the Declaration of Independence: "that all men are created equal." To my colleagues I say: Let us not live with the shame any longer. Let us—all of us—vote for this long, overdue measure to recognize the greatness of the accomplishments of Dr. Martin Luther King, Jr.

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

Mr. FOWLER. I yield to the gentleman from the District of Columbia.

Mr. FAUNTROY. Mr. Speaker, it was Tchaikovsky who said of Marian Anderson: "A voice like this comes once in a hundred years." In the hearing room, where the Subcommittee on Census and Population marked up H.R. 3345 last month, there hang the pictures of two great Americans who were truly the men of their centuries. The first is that of George Washington, the founding father and first President of our great Republic. No one questions that he was indeed the man of the 18th century. The second is that of Abraham Lincoln. No one questions the fact that the valiant leadership of Abraham Lincoln as saving our Union made him the "Man of the 19th Century."

When the history of the 20th century is written, few will question the fact that Martin Luther King, Jr., was the singularly most important man, with the most important message for this, the most violent century in the history of mankind. That message was this: "We must either learn to live together as brothers or we are all going to perish together as fools."

That message and the life work of Dr. Martin Luther King, Jr., which shaped it, has made the name of Martin Luther King, Jr., a trigger to the deep longings of people in every corner of this globe, particularly those who have survived the savagery of war in Europe, in Asia, and on the continent of Africa. America honors herself when she honors this man of world renown with a legal holiday.

The New York Times captured his significance from his time when it wrote:

It can be said of him as of few men in like positions, that he did not fear the weather and did not trim his sails, but instead challenged the wind itself to improve its direction and to cause it to blow more softly and more kindly over the world and its people.

There are those who say that nonviolence can never again be an effective tool for resolving human conflict; nevertheless, the vision of Martin Luther King, Jr., nags uncomfortably at the minds of statesmen and generals alike—a strange, brooding figure, standing somewhere in the distance with a beckoning truth, waiting for the world to catch up.

Favorable action of this measure today will assure that that truth will be forever etched in the mental skies of our everbroadening horizon as a nation.

It was Goethe who said:

What we have inherited from our fathers, we must earn again for ourselves, else we lose it.

Let us pass this bill that generations unborn might be inspired as Martin Luther King, Jr., inspired us to

become answers to Josiah Holland's prayer:

God, Give Us Men!

God, give us men! A time like this demands
Strong minds, great hearts, true faith and
ready hands;

Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;

Men who have honor; men who will not lie;
Men who have can stand before a demagogue

And damn his treacherous flatteries without winking!

Tall men, sun-crowned, who live above the fog

In public duty and in private thinking;
For while the rabble, with their thumb-worn creeds,

Their large professions and their little deeds,

Mingle in selfish strife, lo! Freedom weeps,
Wrong rules the land and waiting justice sleeps.

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

Mr. FOWLER. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I rise in support of H.R. 3706, designating the birthday of Martin Luther King as a legal, public holiday.

Let me take this opportunity to commend the leadership of the gentle lady from Indiana (Mrs. HALL) for bringing this legislation to the House floor.

The work of Martin Luther King, Jr., and his followers had a tremendous impact on the history of this country. As a religious leader, Dr. King preached to a national congregation about the human dignity of every man and woman. As a civil rights advocate, he spoke out against the inequality and injustice in American society. As a national political figure, Martin Luther King led the civil rights movement in an effective, but nonviolent way, despite the hatred and violence he faced. His memory, his work, and his words have become a permanent part of this country's memory and conscience.

Most Americans agree—whatever political philosophy—that this man deserves special recognition. I can think of no better way to honor this great man, to remember his works and words, or to reflect on the progress that must be made in the future, than a national, Federal holiday. Any other tribute—an observance or remembrance day—would fall short of our duty to focus on the message of Martin Luther King, Jr.

Twenty years ago this month, Dr. King published his "Letter from the Birmingham Jail." To me, one sentence in this letter capsulizes the message of this man. King wrote: "Injustice anywhere is a threat to justice everywhere."

Mr. Speaker, since 1971, Dr. King's birthday has been a legal holiday in my own State of Massachusetts. I urge the House today to take the first step,

to nationally recognize the accomplishments and contributions of Dr. Martin Luther King, Jr. I urge my colleagues to support H.R. 3706.

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

Mr. FOWLER. I yield to the gentleman from Kentucky.

Mr. HUBBARD. Mr. Speaker, I rise today in support of this important legislation to designate the birthday of Dr. Martin Luther King, Jr., as a national holiday.

Through Dr. King's leadership and faith, the American people were made aware of the dangers of segregation and discrimination which had divided our country. Dr. King's ideals became real for millions in this Nation, and they sparked a nonviolent movement which sought peaceful change and the complete removal of barriers due to race, creed, or religion.

I support this legislation, Mr. Speaker. I believe we should establish this holiday in order to say to our fellow countrymen that Dr. King's ideals must still be pursued and that America will truly be a Nation undivided for one and all.

Mr. LEVIN of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. LEVIN of Michigan. Mr. Speaker, I rise in strong support of this legislation.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. RODINO).

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

Mr. Speaker, I rise in strong support of the bill.

The House of Representatives in considering legislation that would designate the birth date of Dr. Martin Luther King, Jr., a national holiday is taking a significant step in the direction of giving proper national recognition to one of our great leaders.

As you know, I have for at last 15 years been introducing legislation that would designate the birth date of Dr. King a national holiday. In each session of Congress since the initial introduction, the legislation has gained in support and is now again being considered by the House. I trust that my colleagues will support the legislation and join the great majority of Americans who presently support a national holiday in honoring of Dr. King. We would be joining 16 States, the Virgin Islands, and the District of Columbia if we passed the legislation before us. It is time for us to move this legislation so that we can offer our support to those who are working to have the Senate pass a national holiday in honor Dr. King.

In introducing legislation that would

designate the birthday of Dr. King a national holiday, I never viewed it as an isolated piece of legislation to honor one man. Rather, I have always viewed it as an indication of the commitment of the House and the Nation to the dream of Dr. King. When we pass this legislation it should signal our commitment to the realization of full employment, world peace, and freedom for all.

The legislation we are considering today concerns a person who contributed much to American life. I do not think it is an exaggeration to say that Dr. King changed the face of America with the deeds and words. The sovereignty of the people is the central purpose of the American system of government. That purpose at various times in our history has manifested itself in public protests and petitioning of our government for the redress of grievances. Dr. King was the preeminent leader of popular political action in modern history. In practicing nonviolent direct action, he embodied a great tradition that originated with the Pilgrim settlement in the 17th century.

If we pass this legislation, we will be recognizing the heroic dimensions of Dr. King's life. We would also be expressing an appreciation of the fact that Dr. King's stature depended on many varied qualities; a singular self-discipline and steadiness; an unshakable faith in the basic goodness of human beings, a single-handed dedication to raising up the lives of the disadvantaged; his inspiring and unforgettable speech; and his exceptional courage. In passing this legislation, we would also be saying that Dr. King was more than a spokesman for black people in America, rather that he was speaking to the aspirations and interests of our Nation. This reality is best summarized in the following statement by Dr. King:

The struggle for peace and the struggle for civil rights as we call it in America, happened to be tied together . . . I feel that the people who are working for civil rights are working for peace; I feel the people who are working for peace are working for civil rights and justice.

It is clear that Dr. King taught us much about life and death during this brief stay on this Earth. Lerone Bennett, the historian and Dr. King's biographer, wrote the following with respect to what Dr. King taught us about life and death:

His grace, like Ghandi's grows out of a complicated relation not to oppression, but to the ancient scourges of man, to pain, to suffering, to death. Men who conquer the fear of these things in themselves acquire extraordinary power over themselves and others. . . . Reverend Martin Luther King, Jr. has taught us not only how to die, but also, and more importantly, how to live.

I am very pleased to be a part of the bipartisan effort which is behind the movement of the legislation in the House. I will vote in favor of the legislation and I encourage my colleagues to do the same.

Mr. RODINO. Mr. Speaker, 20 years ago this month Dr. Martin Luther King, Jr., stirred the conscience of the Nation with his eloquent "Let Freedom Ring" address here in Washington. It has been 15 years since Dr. King—at the pinnacle of his leadership and in the prime of his life—was assassinated in Memphis. Yet, we still do not have a national holiday to honor this man, the greatest leader in history in the struggle for full equality for black citizens. We should no longer delay honoring this great American and all that he represents. We should act now and designate the third Monday in January as a national holiday to honor Dr. King.

I am an original sponsor of legislation to so honor this man and the principles that he preached and for which he lived and died. For more than a decade, I have espoused this cause so that we Americans can set aside one special day to rededicate ourselves to the principles of social, political, and economic justice for all.

I do not propose this national holiday lightly. It takes a rare person of an extraordinary event to justify a national holiday. Dr. King was more than a rare person; he was unique. And the changes that grew out of his leadership were so extraordinary that they continue to have a profound and historic effect on the American way of life.

It is time for us to honor this man and his inestimable contribution to this Nation and the world by setting aside a public holiday in his name.

In 1975, I told the Southern Christian Leadership Conference:

They shot down the man—and they snuffed out his life—but they could not shoot down his dream. For his dream was stronger than life and more powerful than death. And the dream lives on.

Yes, the dream for which Dr. King gave his life lives on. But the dream—"That one day this Nation will live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal'"—is still for too many a dream deferred. We have moved closer to the ideal of Dr. King's but the journey is far from complete.

As we continue the struggle to reach "the sunlit path of racial justice," let us set aside this day to honor Dr. King's life and his great works. Let this day stand forever as a shining symbol of our commitment to the brotherhood of man—as an enduring expression of our determination to make the dream of Dr. Martin Luther King, Jr., a dream fulfilled.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. OAKAR).

Ms. OAKAR. Mr. Speaker, it has been a privilege to cosponsor H.R. 3706, and I count it an honor to rise in support of this bill to designate a public holiday in honor of Dr. Martin Luther King, Jr.

Federal law currently recognizes nine public holidays. Two of these holidays specifically recognize individuals, Christopher Columbus and George Washington. Both individuals played major roles at crucial points in American history. Without their vision, leadership and contribution, America would not be the oasis of freedom and democracy it is today.

The issue before us now is whether we should recognize another great and historic period in the life of the United States and commemorate a man who made major contributions to that era by designating a national holiday to honor Dr. Martin Luther King, Jr.

Mr. Speaker, like Columbus and Washington, Martin Luther King, Jr., was a visionary leader who made lasting contributions to our country at a critical time in our history. He impacted all of us regardless of our race, religion, sex, or economic status. He touched our conscience in a spirit of nonviolence and peace, for which he received the Nobel Peace Prize. He made us question our policies, our practices, and our beliefs. More importantly, he taught us a good deal about ourselves and our national commitment to the principles of justice and equality. I urge my colleagues to compare the America of 1958 with the America of 1968 to see what Dr. King meant to this country.

We are a better country because Martin Luther King, Jr., was here. And I urge my fellow Members to vote the recognition Dr. King's principles deserve.

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Mr. OWENS. Mr. Speaker, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentlewoman from New York.

Mr. OWENS. Mr. Speaker, I rise in support of this bill.

Mr. Speaker, Martin Luther King is a great American who deserves to have a Federal holiday designated for him as a monument to his achievements. Such a holiday would also be a national endorsement of the principles of nonviolent activism as a means of accomplishing peaceful change.

All Americans can take pride in the fact that Martin Luther King's life exemplified the very best of American traditions and philosophy. Martin Luther King was a pragmatist in the best sense of the word. While he devoutly believed that there was a heaven after death, he worked tirelessly

ly to make life on Earth more bearable for the least among us. Martin Luther King was a fervent exponent of the Judeo-Christian ethic which has guided this Nation since it was founded.

Above all, Martin Luther King was an apostle of nonviolence. In a world which is now threatened with extinction by violent nuclear war, the way of nonviolence must be promoted with new vigor. At this moment riots and wars are raging in several parts of the world. Those who worship the false gods of war and violence continue to create new bitterness and new cycles of revenge-seeking. This special recognition of Martin Luther King would send a message around the world that American stands for freedom and justice achieved through nonviolent and peaceful means.

The struggle for equality and justice in our society is ongoing. Despite major accomplishments of recent history, legislation such as the Voting Rights Act and the abolition of Jim Crow laws, there exists an undeniable imbalance between the races. Prejudices and misconceptions which are longstanding contribute to this imbalance and cause the problem to fester. These attitudes must change if America's inequities are to change. Passage of this legislation to make Martin Luther King's birthday a national holiday will make a significant contribution to that healing process. While we cannot legislate people's attitudes or perceptions, we can set aside a day for them to consider Dr. King's accomplishments. As an apostle of nonviolence, Dr. King led freedom marches, boycotts, and rallies in a successful effort to redirect the conscience of America, to resolve the problem of physical segregation and economic and social subjugation of people of color. He was a pragmatic leader, but he never lost sight of his ideals—freedom, equality, and justice.

Dr. King's life and struggle for mutual understanding and respect between the races is exemplary. It is my hope that consideration of his example will lead to acceptance of his example, and ultimately, a just society. So not only will this day allow us to look back upon Dr. King's great achievements, it will foster an understanding so vital if we are to realize Martin Luther King's dream.

Throughout the world the greatness of Martin Luther King is recognized and acknowledged. The Nobel Peace Prize was only symbolic of the millions of awards Martin Luther King won in the hearts of people everywhere. The vote for this holiday is a vote to enshrine an example of the very best that America has produced.

Mr. MOODY. Mr. Speaker, will the gentlewoman yield?

Ms. OAKAR. I yield to the gentleman from Wisconsin.

Mr. MOODY. Mr. Speaker, I rise in support of the bill.

Mr. Speaker, I am honored to be a cosponsor of H.R. 3706, a bill which would designate the third Monday in January as a Federal holiday to commemorate the life and work of Dr. Martin Luther King, Jr.

Dr. King was an extraordinary American, who sought to put an end to centuries of racial and social oppression through nonviolent action. He struggled, with other dedicated civil rights leaders, for the freedom and human dignity of all Americans.

Dr. King's work in civil rights was for the realization of the principles upon which this country was founded: liberty, justice, equality, and peace. He knew that if one person is denied freedom of opportunity, no one is truly free.

I was fortunate enough to be on the Lincoln Memorial 20 years ago this month when Dr. King delivered his inspiring "I have a dream" speech. His dream was that Americans would not be "judged by the color of their skin, but by the content of their character." All caring people share this goal for our Nation.

This country has come a long way in 20 years toward correcting the social and political injustices of the past. Yet, there is much left to be done if we are to realize fully Dr. King's dream. A day of recognition for the accomplishments and goals of Dr. King is a great tribute to a worthy American.

Ms. OAKAR. Mr. Speaker, I urge the adoption of this bill.

Mr. DANNEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANIEL B. CRANE).

Mr. DANIEL B. CRANE. Mr. Speaker, Martin Luther King, Jr., will be remembered in history as a very important man. He had a very definite impact on everyone of our lives, and was responsible for a change in the course of this great Nation. The civil rights movement was a period in our history that many have referred to as a second American revolution. A time when people of all races and creeds began to envision a dream of equal opportunity and social economic progress for all.

I feel that it is entirely proper and I support fully the concept of a commemorating birth date for this American. In recognizing this man and this period in history we would preserve for future generations the memory of a man who changed the lives of millions of Americans.

The question we are facing today is not whether we should recognize this man but rather in what manner. We are already facing a huge budget deficit, if not the largest in the 208 years of our history, and every effort we can

make at holding the line on these types of expenditures should be exercised. The cost of a national holiday on a regular workday is estimated at \$237 million including the premium pay for those individuals who would receive it. The spirit and intent of commemoration can be realized by the designation of another day, a nonwork day as a national day of recognition. In my estimation that would serve the purpose of recognizing the achievements of this man and this period of our history. I come from the great State of Illinois, the home of Abraham Lincoln. I am sure you will agree with me that history has shown he was a great man, one who also had an impact on the lives of millions of his fellow Americans. We do not commemorate his birthday with a separate national holiday.

It is for these reasons, I oppose this bill under suspension of the rules, I would rather support an amendment to this bill to recognize a Sunday in January as a national day of recognition. I would respectfully urge my colleagues to do the same.

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

Mr. DANIEL B. CRANE. I yield to the gentleman from Maryland.

Mr. MITCHELL. Mr. Speaker, the gentleman talks about cost. What about the cost to my race under that system of segregation that was so rigid in this Nation?

You talk about cost. What about the cost to my life when I had to endure what this Nation put on me as a black man?

Costs become irrelevant in this business, and I certainly hope that we do not hear any more of it.

Mr. Speaker, I thank the gentleman for yielding.

Mr. DANIEL B. CRANE. Mr. Speaker, I hope the gentleman will feel the same way about the Defense budget.

The SPEAKER pro tempore. The time of the gentleman from Illinois (Mr. DANIEL B. CRANE) has expired.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. TALLON).

Mr. MORRISON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. TALLON. I yield to my colleague, the gentleman from Connecticut.

Mr. MORRISON of Connecticut. Mr. Speaker, I rise in strong support of this legislation.

Few people would deny that Martin Luther King, Jr., was a great man. This is not the issue. Rather, the issue is the absence of an appropriate formal occasion to call attention to Dr. King's life, his social commitment, his determination, and the values of justice and equality that he preached and lived.

We in this Chamber—on both sides of the aisle—witnessed the growth and

development of the civil rights movement during the 1950's and 1960's, but children growing up today will never experience the power and leadership that Dr. King brought to our Nation. He preached a message of patriotism, brotherhood, and human dignity, cornerstones of a strong nation. A national holiday commemorating the birth of Dr. King will help to keep his dream alive by teaching our young people how much we value his memory and the principles he gave up his life advancing. It will also compel us, on an annual basis, to examine whether this Nation continues to make progress toward insuring that all of its citizens enjoy the benefits promised by our Constitution and laws.

The people of my district strongly support this legislation. Last January, 10 members of the Dixwell Community House Bikila Track Club of New Haven ran a 400-mile relay from Washington, D.C., to New Haven, Conn., to generate support for the movement to win this holiday. Later this month, hundreds of people from the New Haven area will travel to Washington to relive the historic march which took place here 20 years ago and which culminated in Dr. King's "I Have a Dream" speech, an address which electrified the Nation.

In his book "Why We Can't Wait," Dr. King made reference to a quotation which I would like to repeat, that "justice too long delayed is justice denied." Currently, 19 State governments—including my own State of Connecticut—have acted to memorialize his birthday. A bill to make January 15 a legal national holiday has been introduced in every Congress since Dr. King's death in 1968. The American people have waited long enough for this legislation. I am proud to be a cosponsor of this bill. I urge Members to reaffirm the principles Dr. King's life symbolized by voting in favor of establishing this national holiday.

Mr. TALLON. Mr. Speaker, today I rise in support of H.R. 3706, legislation to make the third Monday in January each year a national holiday in observance of the birthday of Martin Luther King, Jr.

The 1960's were volatile times that could have erupted in harsh, widespread violence at any time. Racial hostility and social injustice were to the point of irreparably tearing our country apart, and were a nation divided.

Lives were lost in this battle for principles that are founded in our Constitution. Yet, even more would have been lost had the man leading the movement for social justice and equal opportunity not been a man of nonviolence. A man who understood, like Ghandi, that long-lasting change

could best be accomplished through peaceful means.

That man was Dr. Martin Luther King, Jr.

Historically, since his death, his birthday has been a day to reflect on and rededicate the Nation to the purposes that he developed and gave his life for—achieving the American dream of freedom, equality, reconciliation and justice at home, as well as peace in the world.

Usually, as time goes by, the memory of our national leaders fades or tarnishes. Yet this is not the case with Dr. King. He stands among the small number of great leaders who gave their lives and for whom respect, honor, and admiration have grown with each passing year.

But most importantly, a national holiday in Dr. King's name would not be just a celebration of one man's life. It would be a time to memorialize the ideals he stood for and fought for—ideals that many in our Nation now take for granted.

We are fortunate to have lived in the same generation as this man. We remember his struggle. It is only fitting to recognize his birthday as a national holiday for future generations to learn from as well.

Mr. DANNEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. McDONALD).

Mr. McDONALD. Mr. Speaker, I rise in strong opposition to H.R. 3706, a bill designating the third Monday in January of each year a legal public holiday to commemorate the birthday of Martin Luther King, Jr.

At best, Martin Luther King, Jr.'s, prior associations and activities are questionable. This fact is reflected in the action taken by Attorney General Robert F. Kennedy, certainly one of the most liberal men to hold that high post, when he authorized wiretaps and other forms of surveillance of Martin Luther King, Jr. after the FBI developed evidence that King was associated with and being manipulated by Communists and secret Communist agents.

Consider the effusion from Political Affairs, official theoretical journal of the Communist Party, U.S.A., for May 1968, a month after King's assassination:

The Reverend Martin Luther King, Jr., the voice, inspiration and symbol of the Negro people's struggle for freedom and equality, is dead * * *. The man who, more than anyone else, personified the heroic determination of the black people to win their liberation now. One of humanity's great leaders has been silenced forever * * *. We must see that his memory not be desecrated. We must not fail to do all in our power to realize the dream for which he died.

I would like to emphasize that this is not a quote from the Washington Post or the Atlanta Constitution but from an official publication of the Communist Party, U.S.A.

Unfortunately, neither the Congress nor the American people have any idea what information was gathered by the FBI. Under court order in 1977, the FBI's surveillance records and tapes on Reverend King were sealed in the National Archives for 50 years or until the year 2027. Those who intend to vote for H.R. 3706 might well want to ask themselves why this action was taken? It would seem that those who support elevating Martin Luther King, Jr., to the status of a national hero by making his birthday a Federal holiday would wish to dispel those who have doubts and who question why King's record has been sealed in secrecy. Before acting prematurely, this House should either request that the records be made available or delay consideration until the information is released.

Recently, the tapes of Franklin D. Roosevelt and John F. Kennedy were made public. Similar review of Martin Luther King's tapes should also be permitted lest, after proclaiming his birthday a National holiday, any possible embarrassment to this Congress and the American people may occur when the tapes are eventually made public.

Let us take appropriate congressional action to have the records and tapes released. If there is nothing to hide, who would object?

This is not a measure to be taken lightly. In addition to the reasons cited, if King's birthday is made a national holiday, he will be the only American to be honored by name.

Mr. Speaker, so Members of this House can make a valued and informed judgment on the question before us, I strongly urge my colleagues to vote in opposition to legislation to designate the birthday of Martin Luther King, Jr., a legal public holiday until all the facts are before us.

At this point in the RECORD, I include the following:

[From the Congressional Record, Dec. 8, 1975]

MARTIN LUTHER KING, JR.'S RELATIONSHIP WITH THE COMMUNISTS

Mr. McDONALD of Georgia. Mr. Speaker, it is indeed interesting that Washington Post staff reporter Laurence Stern in a bylined story on December 8, 1975, has "revealed" that the identity of the "important secret member of the Communist Party" who was discovered by the Federal Bureau of Investigation to be a major "political influence" on Martin Luther King, Jr., was New York attorney Stanley Levison.

The article quotes an unnamed spokesman for the Senate Select Committee on Intelligence that the formal confirmation of Levison as the King associate who triggered the close FBI monitoring of King's activities was being kept secret for "national security" reasons.

In this context, "national security reasons" strongly imply the involvement of a foreign power in the Levison/King contacts. Has there been an enemy foreign power or powers involved with King and his organiza-

tion, the Southern Christian Leadership Conference? The answer is "Yes." Both the Russians and their East German subsidiaries have made every effort to court King, his successor, Ralph Abernathy, and the SCLC organization as a whole. If a person were acting as a Soviet KGB or East German intelligence agent, all of their contacts and all organizations and persons they influenced would be legitimate subjects for intensive investigation.

Stern's article cites the 1971 book, "Kennedy Justice," by Victor Navasky, for a detailed account of Levison's role in making the surveillance of King's activity as a high priority necessity. Navasky noted that Levison had been King's adviser on both legal and financial matters from the days of the Birmingham bus boycott. Mrs. Coretta Scott King's memoirs recount Levison's influence over a 12-year period, noting that he was always there "to offer assistance * * * always working in the background, his contribution has been indispensable."

Whatever the precise nature of Levison's contribution which caused the Justice Department to send an official to meet with King to entreat him to have no further contact with Levison—which King would not do—the public record of Communist and pro-Communist affiliations and activities of other close associates of Martin Luther King, Jr., are not being brought to the attention of the American people by the mass media.

The activities of these people are quite a different matter than the shadowy activities of Stanley Levison; and in the December 3, 1975, issue of Review of the News, Robert H. Reeder has done a public service by compiling the public records of a number of top King aides and associates. The article reads:

THE KING FILE

(By Robert H. Reeder)

Senator Frank Church (D-Idaho) has turned the Senate Intelligence Committee into a vehicle for smearing the late F.B.I. Director J. Edgar Hoover. Hoover's private files show that he had become convinced that Martin Luther King was a person of low moral character who had fallen under the control of the Communists. Church claims to find this absurd. Attorney General Robert Kennedy, however, did not find it absurd in the least and authorized F.B.I. surveillance of King—including wiretaps, which were maintained between 1963 and 1966.

Those wiretaps and other evidence proved that Martin Luther King was indeed a person of low moral character who had fallen under the control of the Communists. But Senator Church has, like Richard Nixon, ducked the issue by refusing to release the damning tapes. And the "Liberal" press has cooperated by laboring to create the myth that Martin Luther King was an innocent victim of Director Hoover's bad temper.

The F.B.I. has been accused of playing "dirty tricks" on Martin Luther King. It has been accused of threatening to release information in its files that would have been damaging to King's respectability. And almost nothing has been said about Martin Luther King's notorious immorality and Communist associates. The New York Times, on November 19, 1975, commented: "The committee staff members said they could find no justification for the bureau's attack on Dr. King." The Senate Intelligence Committee would like us to believe

that Martin Luther King was under surveillance because he criticized the F.B.I.

We do not know what information is in the substantial F.B.I. file on Dr. King but we do know that even the most cursory look at Martin Luther King's public record should convince the merest tyro that there was very good reason for Director Hoover to consider King "dangerous."

Martin Luther King was quoted in the New York World Telegram of July 23, 1964, as declaring: "[I am] sick and tired of people saying this movement has been infiltrated by Communists and Communist sympathizers. There are as many Communists in this freedom movement as there are Eskimos in Florida." One hardly has to look at the entire "freedom movement" to find evidence of Communist infiltration—though the level of infiltration was overwhelming when the whole movement is considered. Rather, to be scrupulously fair, let us look directly under Dr. King's nose—at those persons closest to him—and see what we find.

Hunter Pitts O'Dell came to work for the Southern Christian Leadership Conference (S.C.L.C.) late in 1960 as Dr. King's staff consultant. In the fall of 1962 he was promoted to acting staff director in charge of voter registration and integration workshops. During this period, O'Dell was a member of the National Committee of the Communist Party. The "Liberal" press ignored it. Finally, on October 26, 1961, the St. Louis Globe-Democrat revealed that in 1956 and 1958 Hunter Pitts O'Dell had been identified under oath as a Communist organizer.

What did Martin Luther King do? He announced that he had discharged Comrade O'Dell.

A few months later it was discovered that O'Dell had not been fired but promoted, and was now running King's large New York office! When the story hit, Dr. King claimed to have discharged O'Dell a second time. A subsequent check by U.P.I. determined that Hunter Pitts O'Dell of the National Committee of the Communist Party was still employed by Dr. Martin Luther King.

Bayard Rustin is the notorious homosexual King called "a brilliant, efficient and dedicated organizer and one of the best and most persuasive interpreters of nonviolence." He was secretary and advisor to King from 1956 to 1960, and went with him to Oslo to receive the Nobel Prize in 1964.

Rustin was an organizer, recruiter, and fund-raiser for the Young Communist League, served 28 months in prison during World War II for refusing to do work required of those who were conscientious objectors, was given 60 days in jail in California for lewd vagrancy in 1953, and while working for King was one of only five "impartial observers" at the Communist Party's closed-door 16th national convention in 1957. That is only part of the record.

Fred Shuttlesworth, longtime field secretary of King's S.C.L.C., was president of the Southern Conference Educational Fund (S.C.E.F.). This group was thoroughly investigated by Committees of both the House and Senate and repeatedly found to have been a major Communist operation. On November 26, 1963, Shuttlesworth was one of two honored guests at the 15th anniversary dinner of the National Guardian, described by a Congressional Committee as "a virtual official propaganda arm of Soviet Russia." A former bootlegger, Fred Shuttlesworth's Communist, Communist Front, and radical activities fill three typewritten pages. King said of Shuttlesworth: "Reverend Shuttles-

worth is my principal aide. Why, he gave me my start and he advised me from the very first. I depend on him."

James Bevel was Martin Luther King's chief aide in Chicago. He has declared: "We must move to destroy Western Capitalism." At a Black Power rally at Berkeley, California, in 1966 Bevel announced: "One of the problems of not being able to burn down the slums of Chicago is at this point not having the proper discipline required for the problems of carrying out that kind of a mission. That is why we haven't burned it down. . . . We are going to be part of an international revolution to end slavery. . . . I guess I hate Western Civilization more than most people. . . ."

The "Reverend" Bevel continued to emphasize the destruction of capitalism, and then he told the crowd that, when John Kennedy was President, Bevel had told people: "If the Vietcong jumped Jackie in my back yard, I wouldn't pull them off her."

Wyatt T. Walker, staff aide to Martin Luther King, was editorial adviser to the Marxist-Leninist Progressive Labor Movement. He was a familiar supporter of Communist Fronts.

Myles Horton was director of the Highlander Center, an outgrowth of the Highlander Folk School, in Tennessee, where King was trained. Martin Luther King was in fact listed as a sponsor of the Highlander Center on its stationery. Horton conceived the Highlander Folk School, described by a Joint Committee of the Tennessee Legislature as "a meeting place for known Communists and fellow travelers." The Georgia Commission on Education termed it a "Communist Training School."

James Dombrowski was another member of the Communist Party who was a close friend and advisor to Martin Luther King. Law enforcement authorities obtained a cancelled check made out to King from the Communist Front S.C.E.F. which was signed by Dombrowski and Benjamin Smith. Smith, according to Senator James O. Eastland (D.-Mississippi), ". . . is registered under the Foreign Agents Registration Act as an agent of Fidel Castro."

In a letter discovered by government investigators, King wrote to Comrade Dombrowski: "Dear Jim: This is just a note to acknowledge receipt of your letters of recent date. We, too, were more than happy to have you in our home, the fellowship was very very rewarding. . . . Very sincerely yours, Martin."

Carl and Anne Braden have both been longtime, notorious members of the Communist Party working in the Louisville area. The Bradens, officers of the S.C.E.F., were part of the "Louisville Seven"—a group responsible for purchasing a house in an all-white area of Louisville, selling it to a Negro family, and then dynamiting it to stir up racial trouble.

King wrote a letter to the Bradens in 1959 urging them to become permanently associated with his Southern Christian Leadership Conference.

A photograph taken at the 6th annual conference of the S.C.L.C. in 1962, and found in the files of James Dombrowski, shows Martin Luther King, Carl and Anne Braden, and James Dombrowski, and describes King on the back as "responding to Anne Braden's speech."

Aubrey Williams was president of S.C.E.F. until 1963. In 1945 the U.S. Senate rejected his appointment to a government post because of his affiliations with the Communist apparatus. In 1954, Williams was identified

under oath as a member of the Communist Party by two witnesses.

Two years later, in 1957, King was photographed with Williams, Myles Horton, Abner Berry (a member of the Central Committee of the Communist Party), and other comrades at a Communist training school in Tennessee. King referred to Williams as "one of the noble personalities of our times."

Ralph David Abernathy was Martin Luther King's top aide from the time of the Montgomery Bus Boycott. He succeeded King as head of the S.C.L.C. Abernathy accompanied Dr. King to that Communist training school in Tennessee in 1957. And they had more than their radical commitment in common. In the 1958 case of *Alabama v. Davis*, sworn testimony was introduced regarding sexual aberrations committed by Abernathy on a 15-year-old girl who sang in the choir of his church.

Not only is Abernathy an active supporter of such Communist causes as the effort to free Communist Angela Davis, but in 1972 he was an honored guest of the Soviet Union and of Communist East Germany (G.D.R.), where he declared: "As pastor and theologian, I am of the opinion that the G.D.R. embodies what we aspire to in the world." Two hours before his departure he told a Communist Party press conference: "What we are still fighting for in the U.S.A. is what has already been achieved in the G.D.R."

The East German Communists gave Abernathy a medal, and reported that agents of their leading religious Front had "for many years" been in correspondence with Martin Luther King. They presented the "Reverend" Abernathy with a German edition of Coretta King's *My Life with Martin Luther King*, and he declared: "President Kennedy once said in West Berlin that he was a Berliner. I want to change that and say: 'I am a Citizen of the [Communist] German Democratic Republic.'"

Little wonder that after lengthy investigation the Joint Legislative Committee on Un-American Activities for the State of Louisiana concluded in its three-part Report on the activities of S.C.E.F. that the Southern Christian Leadership Conference, headed by Martin Luther King, was "substantially under the control of the Communist Party through the influence of the Southern Conference Educational Fund [S.C.E.F.] and the Communists who manage it."

If Martin Luther King was "sick and tired of people saying this movement has been infiltrated by Communists and Communist sympathizers," it was because he knew it was true.

And so did J. Edgar Hoover and the F.B.I. Director Hoover spoke out many times to warn of Communist involvement in the "civil rights" movement. On one occasion, he said: "We do know that Communist influence does exist in the Negro movement and it is this influence which is vitally important." Hoover declared that the Communist Party "strives only to exploit what are often legitimate Negro complaints and grievances for the advancement of Communist objectives. . . . Racial incidents are magnified and dramatized by Communists in an effort to generate racial tensions."

Mrs. Julia Brown is a brave and gracious Negro lady who spent more than nine years as a member of the Communist Party in Cleveland, serving as an undercover operative for the Federal Bureau of Investigation. According to Mrs. Brown:

"... Mr. King was one of the worst enemies my people every had.

"I know that it is considered poor taste to speak ill of the dead. But when someone served the enemies of our country while alive, and his name is still used by his comrades to promote anti-American activities, shouldn't people who know the truth speak out?

"I learned many surprising things while I served in the Communist Party for the FBI. Communist leaders told us about the demonstrations that would be started, the protest marches, the demands that would be made for massive federal intervention. Every Communist was ordered to help convince American Negroes that we are no better off than slaves. Wherever we went and whatever we did, we were to promote race consciousness and resentment, because the Communists know that the technique of divide and conquer really works.

"We were also told to promote Martin Luther King, to unite Negroes and whites behind him, and to turn him into some sort of national hero. We were to look to King as the leader in this struggle, the Communists said, because he was on our side!

"I know they were right, because while I was in the Communist Party I learned that Martin Luther King attended a Communist training school. I learned that several of his aides and assistants were Communists, that he received funds from Communists, and that he was taking directions from Communists.

"Most Americans never look at the Communist press in this country. If they did, they would learn that the Communists loved Martin Luther King. He was one of their biggest heroes. And I know for a fact the Communists would never have promoted him, financed him, and supported him if they couldn't trust him. He carried out their orders just as slavishly as Party members in Cleveland, Ohio."

Little wonder that F.B.I. Director J. Edgar Hoover called Martin Luther King "the most notorious liar in the country."

We do not know what additional information Mr. Hoover had on King, but after years of electronic surveillance he certainly knew much more than we have been able to present in this brief survey from the public record. Yet the Senate Intelligence Committee has refused to release the F.B.I. file on King. They chose instead to attack the F.B.I. for using "dirty tricks," and members of the Committee staff said "they could find no justification for the bureau's attack on Dr. King." Incredibly, a U.P.I. release on November 19, 1975, declared: "A top FBI official said Wednesday that the Bureau had no legal justification for its smear campaign against Dr. Martin Luther King, Jr. but suspected, without evidence, he might be under 'Communist influence.'"

"Suspected, without evidence. . ." That is, as we have seen simply not true. And the distortion is intended to damage the reputation of both the F.B.I. and the late Director J. Edgar Hoover.

John J. McDermott, Assistant Director of the F.B.I., spoke on November 21, 1975, before a Connecticut group which aids families of policemen, firemen, and corrections officers killed in the line of duty. He said the F.B.I.'s six-year surveillance of Martin Luther King was justified because of concern that King was influenced by subversives. He put it this way: "We did what we felt we had to do for the welfare of the nation at the time. Don't forget they [radicals and Communists] were bombing the

Pentagon. They said they were going to shut down the government." Another F.B.I. official reminded us that the King projects "were started at a time when cities were being burned. . . ."

We believe most Americans would agree that our law enforcement authorities should keep under surveillance any person or group about which there is substantial evidence of involvement in such crimes as revolutionary violence, Communist subversion, and conspiracy with agents of a foreign power to overthrow the U.S. Government by force and violence. To the extent the F.B.I. maintained such surveillance under J. Edgar Hoover, we heartily applaud its efforts.

[From the CONGRESSIONAL RECORD, Oct. 31, 1979]

LEST WE FORGET

Mr. McDONALD. Mr. Speaker, today we were supposed to consider H.R. 5461—a bill to make Martin Luther King's birthday a paid Federal holiday. There are many reasons to be opposed to another Federal holiday, but lest we forget some of King's prior associations and activities, I would like to place in the RECORD at this point an article from the Review of the News for April 24, 1968. I commend it to the attention of my colleagues:

LEST WE FORGET

Who killed Martin Luther King? And why?

Well, who stood to profit?

You will recall that King first came to notice in 1955, as head of the Montgomery Bus Boycott launched by Mrs. Rosa Parks. Mrs. Parks was a student at the Highlander Folk School, which was organized with the help of Don West, then district director of the Communist Party of North Carolina, and which was of course a Communist training school—cited as such by several government agencies. And King ran the boycott of the Montgomery Improvement Association, which had been formed by the Rev. Fred Shuttlesworth, who is a former convict, says the Joint Legislative Committee on Un-American Activities of the State of Louisiana, and "has been affiliated with several communist-front organizations."

Another former convict is Bayard Rustin, who in 1953 was arrested by the Pasadena Police Department for homosexual activities. The Allen-Scott Report for August 16, 1963, reports that in 1936, as a college student, Rustin joined the Youth Communist League, "and was active in its operation on the campus and elsewhere"; and that in World War II, he was arrested for making speeches opposing our war against Hitler, and served twenty-six months in federal prison.

And in 1955 he became Dr. King's "secretary."

In March, 1957, at a meeting in Atlanta, they formed the Southern Christian Leadership Conference. The meeting probably couldn't have been called in February, because Mr. Rustin, Dr. King's secretary, was then attending the sixteenth national convention of the Communist Party.

The president of SCLC was of course the Rev. Dr. King. The vice-president of SCLC was the Rev. Fred Shuttlesworth. And Shuttlesworth later became the new president of the Southern Conference Educational Fund—which has been described by three government agencies as a department of the Marxist Conspiracy. It was organized by Communists, is run by Communists and is the most important Communist organization in the South.

Mr. Carl Braden has served as field director and has been named under oath as a Communist Party member. His wife Anne, an SCEF official, has also been named under oath as a Communist.

Mr. Braden is a former convict, of course. You have to be to get anywhere in the Movement. While in Louisville, he was convicted of a felony—a little matter involving some dynamite.

Mr. Aubrey Williams was SCEF president until 1963. In April, 1954, he was named under oath as a Communist. It was Williams, a Communist, whom Shuttlesworth—King's vice president—replaced as president of SCEF, a Communist organization.

And there was James A. Dombrowski, executive director of SCEF, who has also been named under oath as a Communist Party member.

On October 7, 1958, Dr. King wrote a letter to Anne Braden, in which he urged her and her husband Carl—both already well known as Communists—to become permanently associated with his SCLC.

And on August 16, 1960, King wrote the following letter to Communist Dombrowski: "Dear Jim. This is just a note to acknowledge receipt of your letters of recent date. We, too, were more than happy to have you in our home, the fellowship was very rewarding. I will expect to hear from you when Bishop Love returns to the country. At that time we can set the date for an Atlanta meeting. Very sincerely yours, Martin."

In fact, King actually filed an affidavit in federal court in New Orleans, strongly supporting Dombrowski and SCEF—and refused to repudiate the affidavit even after being shown proof that he was actually a Communist.

Indeed, a photograph exists which shows Martin Luther King along with Anne Braden, Carl Braden and James Dombrowski (the last three all identified Reds), the back of which reads as follows in Dombrowski's handwriting: "The 6th Annual Conference of the Southern Christian Leadership Conference, Birmingham, Alabama, September 25 to 28, 1962."

And there is a check, issued by the Southern Conference Educational Fund, signed by James A. Dombrowski, and dated March 7, 1963, to the order of Martin Luther King, in the amount of \$167.74, with a notation on it: "New York expenses"—and Dr. King's endorsement on the back.

The Louisiana Committee on Un-American Activities concludes that the Southern Christian Leadership Conference—founded by Dr. King—is "sustantially under the control of the Communist Party through the influence of the Southern Conference Educational Fund and the Communists who manage it."

There is also the fact that on the Labor Day weekend of the year 1957, in a speech at the Communist Highlander Folk School, King called Communist Aubrey Williams "one of the noble personalities of our times," and had his picture taken with Abner W. Berry, of the Central Committee of the Communist Party.

And there is Hunter Pitts O'Dell, who was exposed in 1956 as a southern district organizer for the Communist Party, in 1962 as a member of the National Committee of the Communist Party—and as late as the summer of 1963, was still employed by Dr. King to help run the SCLC.

In fact, we read in the *Boston Globe* of April 15, 1964: "Official warnings have again been given to King about another, even

more important associate who is known to be a key figure in the covert apparatus of the Communist Party. After the warnings, King broke off his open connection with this man, but a second-hand connection none the less continues. . . ."

And last September, the nationally syndicated *Allen-Scott Report* revealed that "the FBI has unimpeachable evidence, including photographs, showing that King is now listening to a man who . . . has been one of the Communist party's biggest money raisers in this country." He it was apparently who wrote King's statement in April, 1967, at the UN, that Congress is "wild with racism"; and his statement later in the year, at his SCLC convention, that the U.S. is the "greatest purveyor of violence in the world today."

Dr. King of course was the inventor of "nonviolence." What actually was "nonviolence?" How did it work? Well, in *Saturday Review* for April 3, 1965, he tells us:

"1. Nonviolent demonstrators go into the streets to exercise their constitutional rights.

"2. Racists resist by unleashing violence against them.

"3. Americans of conscience in the name of decency demand federal intervention and legislation.

"4. The Administration, under mass pressure, initiates measures of immediate intervention and remedial legislation."

Now, remember, this isn't my idea. This is straight from King himself. And observe that according to Dr. King himself, the violence that usually occurred in one of his demonstrations wasn't unexpected, wasn't to be avoided, wasn't something to be sorry about. It was exactly what he wanted. It was the point to the whole Production.

It was in fact, said Dr. King, the *only* reason for a "non-violent" demonstration: to generate more pressure on the Congress to install more collectivism.

"For weeks," explains *Newsweek* of March 22, 1965, "Martin Luther King had been escalating his Selma voter-registration campaign toward the state he calls 'creative tension'—the setting for a paroxysm of segregationist violence that can shock the nation to action. . . ."

"The Negroes' rationale in holding night marches," explains the *New York Times* of February 24, 1964, "is to provoke the racist element in white communities to show its worst."

So King's "nonviolence," to repeat, not only wasn't in any way an attempt to avoid violence—according to King himself, violence was an inescapable, essential, desirable part of it. "Nonviolence" meant only that King himself did not use the violence—he caused it. He provoked it, finally forcing "racists"—everyone who doesn't own a pair of sandals and doesn't need a bath—either to lie down and die or to retaliate, so that King could play the innocent victim. "Nonviolence" in short was nothing else but a demonstration of dialectical materialism, the pseudoscience invented by Marx, according to which Marxists advance by controlling both sides of the conflict; by advancing a thesis, which provokes an antithesis—a reaction by reactionaries—a struggle which produces a synthesis, which becomes a new thesis, and continues until the complete victory of Socialism.

"In short," said King in *Stride Toward Freedom* (New York, Harper & Row, 1958, pp. 94-95), "I read Marx as I read all of the influential historical thinkers—from a dialectical point of view, combining a partial

yea and a partial no. . . . The Kingdom of God is neither the thesis of individual enterprise nor the antithesis of collective enterprise, but a synthesis which reconciles the truths of both."

So the ironic truth is that King contributed to his own murder. For in Memphis he was once again applying his philosophy of "nonviolence," was he not? Once again, he was trying to provoke violence according to stage 2 of his tactics.

And he succeeded.

And what were the "immediate intervention and remedial legislation" King was after according to stage 4?

In the Selma March, for instance, in 1965, the violence he provoked according to stage 2, followed on schedule by the sympathy of stage 3, caused the lightning passage of the "voting rights" bill, under which the federal government grabbed from the state power to register voters—the point being, of course, that in any dictatorship, whether Communist or Nazi, all the power must be centralized.

And soon King's organization will launch his "Poor People's March" on Washington. The plan as you know envisions the actual interruption of Congress unless "poor people" are handed about \$100 billion—which would be used as usual to recruit, train, finance and defend the Communist gangs which are destroying our country, through the "war on poverty." For such an amount of course you have to put on a good show. You need some really bloody "nonviolence."

And where is it all heading? What is the goal? Suppose the "Poor People's March" does manage to interrupt Congress. Suppose in fact that so many "poor people" physically occupy the government, that the government is paralyzed and cannot function. What would we have?

What we would have of course is the Russian Revolution. We would have a coup—the seizure of our government by "nonviolence": by force.

Now imagine once again that you are one of the small band of rich, educated and not at all oppressed conspirators secretly running the communication of America. And once again you are looking down from your skyscraper in New York. Your scheme to create a race war is going very well. You are sorry you had to wait so long, of course—you remember wishing years ago that you could immediately indulge your great love of killing—but you knew that Americans of both colors had to be properly prepared. So you began with something Americans could be sold: "nonviolent integration," and you used a clergyman named King to sell it—to capitalize on the fact that black Americans have sometimes been the victims of injustice—and to sell it so as deliberately to create the bitterness you need.

But now it's 1968, and your scheme is going very well. There's lots of beautiful killing and blood. "Watts was glorious," you said, if you happen to be Herbert Aptheker. Now you no longer need to bother with such nonsense as "integration." Yet at the same time, you have serious problems. Your use of King is being more and more exposed. His use of violence is becoming understood. Everybody says he is becoming unpopular. In fact, he is turning from an asset into a liability. "Reactionaries" are preventing the passage of important Communist legislation. King is doing his best, but you are having difficulty, for instance, getting that \$100 billion.

Suppose King were violently removed? you ask yourself. You no longer need him—

so suppose he were brutally murdered as part of his next demonstration of dialectical materialism. That would be the ultimate in "nonviolence." With one 30.06 bullet you could blame "white racism," as usual, restore King's reputation, further accustom Americans to martial law, pass your Communist legislation—and at the same time notify your troops around the country that "nonviolence" is dead, too, and should be replaced by guerrilla warfare.

So you call in your shooters and you order the hit.

Observe the first results of the murder. Riots and looting raged for a week making Americans of both races furious. Many feel great sympathy for the victim. And in New York, Nelson Rockefeller was able to ram through a \$6 billion "urban renewal" program which lets the state intervene over the heads of the mayors.

Rockefeller participated by the way in a memorial march for King, arm linked with Charles Kenyatta, head of Harlem's Mau Mau Society—named for the Communist terrorists of Kenya. Whether or not Kenyatta is just another psycho, I don't know, but he specializes in appearing in public with a machete on which a Bible has been impaled.

In fact that's what he was carrying when Rockefeller took his arm.

And in Washington, Johnson's Communist housing bill was passed. When the Communists grabbed Russia, they naturally also grabbed housing, using the welfare of workers as the excuse. They didn't say they were doing it for black people, because no black people are there. They said that everyone had the "right" to a certain living space, and moved those who had less in with those who had more. Remember that no black people were involved—everybody who was, was as white as the Governor of Mississippi—so those who resisted weren't racists, were they? They resisted because the point as always was not to establish "racial justice," but to control the population. And Party members and sympathizers naturally got the best.

The same thing will now begin to happen here.

This is why we must continue telling the truth about Martin Luther King; not for revenge, or just to destroy a phony reputation, but because of the use to which his murder—like that of John F. Kennedy—is being put.

So who killed King?

The fact that Ramsey Clark heads the investigation is suspicious enough. Anybody who believes Clark has any interest in truth should be sent immediately to me. I'm trying to sell the Brooklyn Bridge. And observe that his investigation already smells like last week's mackerel.

If and when Clark ever presents a suspect, you can bet we will be told he is a "right-wing extremist."

So what should Americans do now?

1) Demand that we be told all the facts and that the investigation continue until King's killers are found. Then we might as well also find out who killed Medger Evers, blew up the four little black girls in that church in Birmingham in 1963, and helped Communist Oswald kill Kennedy.

2) Refuse to be intimidated. King was almost entirely a creation of public relations—of a bunch of crooked reporters, most of them white. Like the barrage of publicity after the Kennedy assassination, the current propaganda is designed not only to advance Communism but to demoralize the

opposition—to make Americans uncertain and guilty. In fact, on Long Island, for instance, hoodlums stoned automobiles whose drivers refused to turn on their headlights "for the King." Needless to say, the growing number of Americans of both colors aware of what King really was, and really was doing, will not be given coverage on CBS. You are not as alone as that lie net would have you think.

3) Continue exactly as we have been—telling the truth—explaining that "free hand-outs" are nothing but the bait of dictators: that the trouble in this country isn't caused by black people, but by the small band of criminals—most of them white—who have been framing them; and that the "civil rights movement," which now has taken the life of Martin Luther King, was designed from the beginning to enslave us all.

[From the Congressional Record, Nov. 9, 1979]

VIRGINIA TAXPAYERS ASSOCIATION OPPOSES MARTIN LUTHER KING HOLIDAY

Mr. McDONALD. Mr. Speaker, in view of the fact that I am told we will again be considering next week, legislation to make Martin Luther King's birthday a paid Federal holiday, I believe it to be appropriate to include in the CONGRESSIONAL RECORD the testimony by the Virginia Taxpayers Association before the Senate Judiciary Committee in opposition to that measure on June 21, 1979. This is especially true, since, to the best of my knowledge, the Senate Judiciary Committee has never published their hearings. Therefore, I commend this statement to the attention of my colleagues:

TESTIMONY OF KENNETH WHITE, PRESIDENT, VIRGINIA TAXPAYERS ASSOCIATION

Mr. Chairman, my name is Kenneth White and I am President of the Virginia Taxpayers Association, a federation of local taxpayer organizations and individuals from all 10 congressional districts in Virginia. The Virginia Taxpayers Association was organized six years ago as a broad-based taxpayer organization working to reduce government taxes and spending at all levels of government—local, state and federal—and to preserve the freedom of the individual American citizen. The VTA has become widely known not only across Virginia but among followers of the taxpayer movement all over the United States, and reports of our activities have been carried in publications printed in many other states.

Immediately following the success of Proposition 13 in California a year ago, we called a state capitol press conference attended by the principal Virginia media in Richmond where we announced plans to obtain property tax reductions similar to those in California and where we made the statement: "Taxpayers are the boss", a slogan that was immediately carried as the lead item in a national Associated Press news story and was featured on network television. A Lynchburg, Va. News lead editorial specifically favoring our VTA position on the Panama Canal treaty was carried in the Congressional Record July 18, 1978. For the last six years we have represented taxpayers of our state at the annual legislative sessions of the Virginia General Assembly in Richmond on a wide variety of taxpayer matters, we have twice appeared in televised debates with the Virginia attorney general on the subject of state general obligation bonds, we have assisted in the continuing defeat of the so called Equal Rights Amendment in the Virginia legislature, and we are

currently promoting vigorously a constitutional amendment that would give Virginia taxpayers the right of initiative and referendum as now enjoyed in some 22 other states and the District of Columbia.

Regarding the proposal now before the Senate Judiciary Committee to establish a federal holiday on January 15, Martin Luther King's birthday, we do not believe the present economic situation will permit the United States to afford any more federal holidays for any reason whatsoever. As a result of destructive policies tolerated and deliberately encouraged by Congress over many years, capital has been exported from the United States to foreign countries to a point where today many industries are more efficient and productive in advanced nations overseas than here at home, and the United States is no longer competitive in producing many kinds of goods. Intolerable ever-increasing minimum wage laws passed by Congress are only one of the reasons for this. Also Congress has by its beneficence with taxpayers' resources made federal employees a specially privileged class—as well as increasing beyond reason the number of such employees—and U.S. News & World Report revealed in its June 18, 1979 issue that each workday federal offices are closed costs taxpayers \$194.5 million. (Of course this figure is in Federal Reserve Notes, or what the January, 1979 Reader's Digest admits is "phony money", but this really counterfeit currency, for which we have Congress to thank also, is the only thing made available for use in most statistics today.) So what is really the proposal now before this committee is the insane idea of declaring another federal paid holiday in a less and less productive nations which is already bankrupt, and where the country's national debt can never possibly be paid by the taxpayers. Frankly, for any congressional committee to seriously consider such a proposal is a farther reason why members of Congress as a class today rate so low in all the public opinion polls. Do members of this committee really wonder why there is a national tax revolt today?

Of course, the cost of the holiday cannot be limited to federal pay alone, since state and local government employees also would be affected and a great many private employers would feel compelled to pay their employees for not working also. So the total economic consequences would be disastrous. Moreover, coming at a time so soon after Christmas and New Year's Day the January 15 date would be particularly unnecessary for an additional holiday.

There is now no federal legal holiday honoring any American except our first and greatest President, George Washington. In the light of all the other great American patriots who are not so honored, including Thomas Jefferson and Patrick Henry, it would be singularly inappropriate to devote a holiday to one who did as much to increase federal bureaucracy, federal regulation and federal encroachment on American life as Martin Luther King. Representative John Ashbrook of Ohio has placed massive documentation in the Congressional Record of King's unwavering service to Communist causes, and it would be impossible in this brief time to restate all of Ashbrook's unchallengeable facts, but we would like to incorporate herewith by reference Congressman Ashbrook's lengthy and authoritative material. We should keep in mind that it was a very liberal Democrat attorney general, Robert Kennedy, who ordered government personnel to investigate thoroughly

King's subversive connections and activities. All of this might perhaps be considered by some King adulators to be merely academic history of no account in today's world, except for its extreme importance in the area of ideals and symbolism. The honorable ranking minority member of this Judiciary Committee, Senator Thurmond, is certainly as well informed as any member of Congress on the overwhelming importance given by Communist forces to symbolism, for it was the honorable Senator from South Carolina who single-handedly gave to the American public some years ago his historic report in Muzzling American Military Forces in which many significant but sometimes hidden Communist devices and influential symbols were revealed. It was just a few days ago from this hearing date, June 11, 1979, that Communist interest in Martin Luther King was confirmed by a most unimpeachable source, Tass, the Soviet news agency. It was on that date that the Soviet propaganda machine declared, according to an Associated Press dispatch from Moscow that President Carter's decision to submit a bill to Congress making Martin Luther King's birthday a national holiday was "a serious success for the progressive forces in the U.S.A." (the Tass agency).

It needs to be asked publicly, and also answered publicly, why are the ruthless Communist butchers so interested in making Martin Luther King's birthday a holiday in a foreign country (that is, foreign to the Soviet Union), and why should the United States do anything of this kind and of such symbolic importance to bring special pleasure to such enemies of mankind?

We can only conclude by warning this committee that if the committee wishes by its actions to add further fuel to the fast-growing national tax revolt, an affirmative vote on the question now before us will certainly do it.

Thank you very much.

[From the Congressional Record, Nov. 13, 1979]

Mr. McDONALD. Mr. Speaker, it has been suggested that the birthday of Martin Luther King, Jr., be declared a national holiday. I strongly oppose this plan. King practiced and preached confrontation politics. Nonviolence was the facade behind which hatred and violence were nurtured. The American Nazi Party in its obscene plan to march in the predominately Jewish town of Skokie, Ill., was merely emulating King's provocative confrontation tactics in white communities in the past.

Recently, the Washington Post contained a column by William Raspberry, a strong supporter of King, protesting the action of Hosea Williams, head of the Atlanta chapter of the Southern Christian Leadership Conference, in presenting the "Martin Luther King, Jr., Peace Medal" to the Libyan dictator, Qaddafi. According to Raspberry, while Williams heads a dissident faction in SCLC, other black leaders refuse to condemn his presentation of the medal. Corretta Scott King, widow of Martin Luther King, Jr., would only say that the medal was not an official medal of the SCLC.

In many ways, Qaddafi is an appropriate recipient. He, like King, collaborates with the Communists. You will remember that Attorney General Robert Kennedy authorized wiretaps of King's home and office to obtain evidence of his relationship with Communists. Qaddafi, also, mouths phrases

about peace while providing training to terrorists and support for other dictators such as Idi Amin in Uganda.

As I have pointed out in the past, terrorism is a violent attack on noncombatants for the purpose of intimidation to gain a military or political objective. Terrorists are not freedom fighters—neither were the young hoodlums set loose in our streets by the inflammatory rhetoric of Martin Luther King, Jr.

The recent embrace of Yasser Arafat by those who inherited MLK's mantle makes it clear who will benefit from the suggested national holiday. Arafat, the Soviet cutting edge in the Middle East, heads the most vicious international terrorist organization currently functioning. A national holiday on MLK's birthday will bring aid and comfort to those who want Arafat to "overcome."

[From the Congressional Record, June 18, 1980]

AMERICANS, STOP THINKING LIKE COMMUNISTS

Mr. McDONALD. Mr. Speaker, Julia Brown, who was for many years an undercover member of the Communist Party of the United States for the FBI addressed the council of the John Birch Society here in Washington on June 9, 1980. She felt it appropriate at that time to restate her testimony before the Senate Judiciary Committee of 1 year ago pertaining to the possible enactment of a Federal paid holiday in honor of the late Martin Luther King. Her testimony, then, as now, is deserving of wider attention. This lady has given a lot to her country and her views are not popular in some circles but they are valid in my view. I commend it to the attention of my colleagues.

Her testimony follows:

MRS. JULIA BROWN—JUNE 9, 1980

Thank you, Mr. Welch.

Members of the council, ladies and gentlemen, it is an honor to attend a gathering such as this—even more of an honor to be asked to speak.

I have done a great deal of speaking throughout the United States, and I have come to Washington on many occasions to testify before various government agencies. I believe this is the first time that I have ever appeared before an audience in this city to deliver a speech, instead of to provide testimony.

My most recent visit to Washington occurred just about one year ago when I addressed the Senate Judiciary Committee. The matter under consideration was a bill to declare a national holiday in honor of Martin Luther King. As you know, the measure did not pass last year. Unfortunately, however, it is still being promoted by a large number of Senators and Congressmen. I am strongly opposed to such a proposal. If I may, I would like to repeat the short testimony I gave to the Senate Judiciary Committee last June.

Mr. Chairman, I, Julia Brown, joined the Communist Party in December, 1947, thinking I was joining a legitimate civil rights movement. Finding out that I was a true member of the Communist Party which advocated the overthrow of the U.S. Government, I decided to leave the organization, but I had to bide my time to avoid suspicion. Subsequently I went to the FBI to report what I had heard and seen. In 1951, I was asked by the FBI to go back into the Communist Party as an undercover agent to report on their subversive activities.

While at the Communist Party meetings, which only Party members attended, I frequently heard Martin Luther King discussed, and was told by Frieda Catz that he was in training for a civil rights movement. Frieda Catz was a Party member from Cleveland, Ohio, who had been assigned to my training and education within the Communist Party. On learning this, I reported it to my contact in the FBI. He told me that the Bureau knew that Martin Luther King had high level connections with the Communist Party, and I should report anything else that I heard about his activities. I continued to report until 1960, over ten long years.

In Martin Luther King's early years of agitation, he was the hero of America's communists. The cells that I was associated with in Cleveland were continually being asked to raise money for Martin Luther King's activities and to support his civil rights movement by writing letters to the press and influencing local clergymen, and especially black clergymen, that Martin Luther King was a good person, unselfishly working for the American Negro, and in no way connected with the Communist Party.

There are many great American Negroes such as George Washington Carver and Booker T. Washington who provide the youth of America with an example they can follow. Martin Luther King provides an example of agitation and manipulation for goals dictated by hatred and envy. The memory of Carver and Washington would be dishonored if your committee acts favorably in this matter.

Mr. Chairman, while I was in the Communist Party, as a loyal American Negro, I knew Martin Luther King to be closely connected with the Communist Party. If this measure is passed honoring Martin Luther King, we may as well take down the stars and stripes that fly over this building and replace it with a red flag.

And that was my message to the Senate Judiciary Committee on June 2, 1979.

I would like to believe that what I said would have been enough to stop the glorification of Martin Luther King. But we all know that, even if they never name a holiday after him, there are still too many Americans who hold that man to be like a god. What has happened, of course, is that there are too many of our fellow citizens who actually have been conditioned to think exactly the way Communists want them to think.

And not just about Martin Luther King! Right now, in America, huge numbers of our people have been convinced that they should rely on government to provide all the necessities of life, and even to provide the distinction between right and wrong. Government has become the source of everything for many Americans. Such attitudes never built this great country and made it such a wonderful land of plenty.

On the contrary, the attitude that holds that government is the provider is the one that dominates countries like Soviet Russia, China and Cuba. But Americans who think like the Communist do not appreciate the difference between a free country such as ours, and a slave country such as exists in Red Russia.

When I was working for the FBI as a member of the Communist Party, it became evident to me that the Party's open and announced intention regarding our country was quite different from its quiet and more important intention. The announced intention was to overthrow the United States government by force and violence.

But, while all Communists were told to build for the day when that overthrow could be accomplished, a great deal more of the Party's efforts were directed towards making the United States government larger and more of a dominant influence over the lives of the American people. Actually, Communists were seeking to strengthen the federal government all the time—through socialistic legislation and through increasing government control over the free enterprise system. Communists were seeking to destroy the U.S. government and to build it into an all-powerful force at the same time.

Except for the area of military defense, no American should want a powerful central government. This is what Communists want, yet, today, millions of Americans not only want a big, federal bureaucracy—they also want to cut back on needed military and defense programs. They have been led to think exactly like the Communists want them to think.

A good example of what is happening to America came to mind with the establishment of the new cabinet-level Department of Education. This is something that Communists have always wanted. And just a few weeks ago, this new Department came into existence.

William Z. Foster called for this Communist goal in a very explicit way in his famous book "Toward Soviet America". In that book, Foster, who was the National Chairman of the Communist Party of the United States actually stated that one of the steps toward the creation of a Communist America was the creation of a National Department of Education. And he wrote his book in 1932! His book was so important to the Communists that it was published simultaneously by two publishing houses, only one of which was openly Communist.

Only a short time after Foster wrote his book, however, American Communists received orders to suppress it. The book turned out to be too explicit. And so, from that time on American Communists did whatever they could to hide the publication of Foster's plans by destroying "Toward Soviet America." Communists were allowed to read it, but no one else was to see it. Through the efforts of some patriotic anti-Communists, however, this book was republished in 1961. It carried a Foreword by Congressman Francis Walter, who was at that time the Chairman of the House Committee on Un-American Activities.

On page 316 of "Toward Soviet America," Communist Party Chairman William Z. Foster wrote as follows: "Among the elementary measures the American Soviet government will adopt to further the cultural revolution are the following; the schools, colleges and universities will be coordinated and grouped under a National Department of Education and its state and local branches." Then he said: "The studies will be revolutionized, being cleansed of religions, patriotic and other features of the bourgeois ideology. The students will be taught internationalism and the general ethics of the new Socialist society."

So, here we have the national Chairman of the Communist Party calling for the establishment of a National Department of Education. And he wanted it to remove religion and patriotism from the schools, and at the same time promote internationalism and Socialist ethics. Socialist ethics means that whatever is good for the state is right; whatever is not good for the state is wrong. That amounts to no real ethics at all.

In 1979, Congress passed the legislation which set up this Communist-desired Education Department. Then, President Carter selected as the nation's first Secretary of Education a Los Angeles Judge named Shirley Hufstедler who is a member of the Board of Trustees of the Aspen Institute for Humanistic Studies. In other words, the lady chosen to run the Department of Education, which Communists have wanted since 1932, is a Humanist.

What do Humanists believe in? Well, the Humanist Manifesto published in 1973 says that Humanists do not believe in God; reject any standard of ethics; and oppose national sovereignty. According to the same document, Humanists are for: world government, sexual freedom, abortion, and an end to parental control over children. Does any of that differ from William Z. Foster or any other Communist's design for America? No, it does not!

Am I saying that Mrs. Hufstедler is a Communist? No, I'm saying that she is a Humanist. And although not all Humanists are Communists, my experience tells me that all Communists are Humanists.

So, not only have Congress and the President followed Communist desires in creating a federal Education Department, but an ideal Communist choice to head it has been chosen by Mr. Carter.

You are not going to read or hear about this shocking information in the public news media. It takes a group like The John Birch Society to focus attention on these matters. And, without information such as this, most of the American people will end up thinking exactly as Communists want them to think—that a federal Department of Education is a good thing, and that the lady judge will be a good administrator.

Years ago, this Society produced a film about the civil rights movement called *Anarchy USA*. I was pleased to appear in a portion of that film. And I was even more pleased to know that the film did a great deal of good.

Many times, in *Anarchy USA*, Soviet dictator Lenin was quoted as saying: "Communism must be built with non-Communist hands." That lesson was drummed into all Party members when I was in the Party. The Communist strategy aimed at deceiving people into accepting and working for Communist programs, without ever letting it be shown that Communism was the result.

This strategy is still working very well today. If you need proof that it is, I ask you: How long has it been since you took a look at the Communist Manifesto? Or, have you ever looked at it? If you have, you know how many present federal programs have been called for by Karl Marx in his famous document. And you know how many other programs dreamed up by Marx are being proposed.

The heavy progressive income tax and the Federal Reserve System are planks in the Communist Manifesto. Federal takeover of land and land-use controls can be found in it. The Manifesto calls for an end to the rights of inheritance, which has largely been accomplished. Yet, all these Communist programs were sold to Americans as something else.

The Manifesto calls for federal control of communications and transportation—and the appropriate federal agencies are already in place to accomplish those tasks. Government ownership of business is called for, and we are well along this road. Establishment of industrial armies is proposed, and we have VISTA, CETA and other such agen-

cies. Finally, the Communist Manifesto calls for free education for all in government schools. The Communists want no diversity in education. They want a government controlled by them to be everyone's teacher.

Maybe we should extend a great big thank you to all the people who in recent years, have started private schools. They may not know that they are refusing to go along with Karl Marx's program, but they know enough to know that something is terribly wrong in the government schools. I certainly hope that the private school movement grows stronger and stronger in America.

What I am telling you, of course, is that America is being converted into a Communist country. It is not hard to see this if you know what to look for. This conversion is certainly being accomplished by Communists. But they get tremendous help from Democrats and Republicans. The problem is that the American people do not know what the Communist program is. And they also do not know what the American system is supposed to be.

One of the greatest goals of Communism has always been to get people dependent on government. The American system has always meant that government should leave us alone and merely protect our rights.

The Communist way costs tremendous amounts of money. The taxes and controls that result from government taking care of huge numbers of people actually lead to a destruction of jobs and businesses. In turn, this leads to more people becoming dependent on government.

We all read recently about the horrible riot in Miami. It resulted in fifteen deaths, 370 injuries and millions of dollars in property damage. The riot was a chilling reminder of what happened twelve to fifteen years ago—in Watts, Detroit, Newark and so many other places.

One aspect of the Miami riot that has received little attention was its terrible savagery. One of the victims was killed after being dragged from his car and beaten. He died when a car was driven back and forth over his body—several times. A group standing by cheered! Another victim was so badly mutilated that he could not even be identified.

We like to think that, because there have been no large riots in over a decade, there has been a big improvement in race relations. I wish I could say that such was the case.

What has happened is that Communists and those who do their will have accomplished two major goals. First, they have convinced a great many Americans that government is supposed to be the provider. And, second, they have slowed down American industry—which means that there are fewer jobs, fewer opportunities to start a small business, and fewer Americans able to be independent of government.

When America's productivity slows down, who gets hurt first? The unskilled worker who lives in the inner city gets hurt first. And, because of what he has been told, he immediately looks to government to take care of him. What he doesn't know, and what leaders like Martin Luther King never told him is that too much government took away his job in the first place.

The government programs that are supposed to help him actually turn out to make him a slave—to government! Deep down, he knows this. He ends up hating the system, and hating the people who administer it. It is then very easy to make his hatred racial in nature.

As I see reports in the newspaper about steel mills closing, and automobile plants shutting down, and America not growing the way it always has grown, I become very concerned. It has been almost twenty years since I served the FBI in the Communist Party. The Party members that I know were all trained to use this type of economic disorder to further the cause of Communism and to further the destruction of America. And, even though the Communist Party receives little attention today, its people are still active and still able to turn many things to a Communist purpose.

Even worse, self-serving politicians of all races continue to push for the same goals as the Communists. They have no regard for the people they claim to be helping. And they have no regard for the country they are supposed to be serving.

It is more than foolish to make government larger and more powerful. Doing so is the certain road to a Communist America. And I, for one, think that the Carters, the Kennedys and lots more like them don't even care about what they are doing to America—as long as their own nests are feathered.

The task that remains for real Americans is to tell the truth about where this country is headed—and who is taking all of us down the road to a Communist America. What has to be done is to get more Americans to stop thinking like the Communists want them to think.

It has been obvious to me for a long time that this organization is doing the right thing. I have travelled all over the United States to speak for the John Birch Society's speakers bureau. The Society members that I met in cities and towns everywhere were fine people who were not taken in by Communist propaganda.

They helped to slow down the rush toward Soviet-style rule here in America. But there is still plenty left to be done. Only now, there is less time to do it.

So I urge all of you who are part of this wonderful group to keep working hard. You're on the right track. And, to those of you who are not members, or who are not hard-working members, I ask you to get busy. If you don't, the Communists will win with all the help that they're getting from those Democrats and Republicans. They will win because the American people did not know the difference between Americanism and Communism.

Julia Brown does not ever want a situation to develop where she has to say: "I told you so!"

Julia Brown would much rather be able, in a few years to say: "I was part of a great team that helped to save America."

Thank you very much.

[From the Congressional Record, Sept. 14, 1981]

Mr. McDONALD. I thank the chairman for yielding me this time.

Mr. Speaker, I rise in opposition to House Concurrent Resolution 153, a resolution authorizing a statue of Martin Luther King, Jr. to be placed in the U.S. Capitol. At best, Martin Luther King's prior associations and activities are questionable. Until all information is available, passage of this measure could prove an embarrassment to this Congress and the American people.

Under court order in 1977, the FBI's surveillance records and tapes on Reverend King were sealed in the National Archives for 50 years or until the year 2027. The sup-

porters of this resolution might want to ask themselves why this action was taken? Before acting prematurely, we should either request that the records be made available or delay consideration until the information is released. At this point in time we should not authorize putting a statue of Martin Luther King, Jr., in a place of honor in our Nation's Capitol until all the facts are before us.

Rev. Martin Luther King, Jr., who professed nonviolence, in fact was wedded to violence. He sought out violence; he courted and provoked violence against his followers and by his followers because he believed violence was necessary to the achievement of his ends. Reverend King said as much in an article he wrote for the Saturday Review of April 3, 1965.

In this article he wrote:

"The goal of the demonstrations in Selma, as elsewhere, is to dramatize the existence of injustice and to bring about the presence of justice by methods of nonviolence."

He continued by writing that that goal can be achieved when four things occur:

"1. Nonviolent demonstrators go into the streets to exercise their constitutional rights.

"2. Racists resist them by unleashing violence against them.

"3. Americans of conscience in the name of decency demand federal intervention and legislation.

"4. The Administration, under mass pressure, initiates measures of immediate intervention and remedial legislation."

In other words, the demonstrations were a staged media event, a dramatization to attract the newspaper reporters and television cameramen and make a local event into a national issue. But the second necessary ingredient for Reverend King's scenario was violence.

In communities where ad hoc gangs of thugs did not appear to attack demonstrators, night marchers were staged to lure out nightriders. And when all else failed to provoke violence, demonstrators led by Reverend King and his Southern Christian Leadership Conference deliberately violated the laws by holding marches and parades without permits, violating court injunction and provoking police officers. In some areas such as Birmingham and Selma, Reverend King was successful in provoking the violence he felt was necessary for him to win his goals.

During the Albany, Ga., protests in 1962, where the law enforcement authorities avoided confrontation despite provocations, King generated little publicity. When he was eventually arrested leading an illegal demonstration in July, Reverend King refused to pay the fine so that he could remain in jail as a so-called martyr. After a black man paid Reverend King's fine and he had to leave jail, he called the event having been "kicked out of jail."

In Birmingham, Reverend King welcomed truant students from high schools and even younger into the demonstrations although they were in great danger. Let us remember what he said after the murder of four young girls attending Sunday school in a bomb explosion and after two teenaged boys were shot to death during the riot that followed. In the Nation of March 9, 1964, Reverend King wrote:

"The keys to victory in Birmingham were the refusal to be intimidated; the indomitable spirit of Negroes to endure; their willingness to fill the jails; their ability to love their children—and take them by the hand

into battle; to leave on that battlefield six murdered Negro children, to suffer the grief, and resist demoralization and provocation to violence."

And so for Reverend King, "six murdered Negro children" were "keys to victory." In other words, martyrs helped him achieve his ends and he saw this, and he deliberately continued to court violence.

In his book, "Why We Can't Wait," Reverend King wrote:

"Looking back, it is clear that the introduction of Birmingham's children into the campaign was one of the wisest moves we made."

But the New York Times editorially disagreed, stating that—

"The presence of hundreds of children among the marchers made all these marches especially perilous adventures in brinkmanship."

It is also appropriate to question whether or not Rev. Martin L. King, Jr., really found racism repugnant in light of his support of discrimination in jobs and housing so long as the discrimination was in favor of blacks; in light of the formation in February 1966, in Chicago of what Reverend King called a common front with the violence-oriented, virulently racist Nation of Islam (NOI) or Black Muslims; and in light of the statements of some of Reverend King's closest aides such as Rev. James Bevel.

During the 1963 Birmingham disorders, Reverend Bevel told students:

"We need an army of captains and sergeants and privates to fight the white man this summer. I want captains to march whole schools to jail after graduation."

While Reverend King did not advocate race hatred, he did not bar alliances with racists and he did not keep them from his personal staff.

In 1966 during the Chicago housing campaign, the association of Reverend King and his Southern Christian Leadership Conference with violence was even more open. With Reverend King's knowledge, his aide, Reverend Bevel, showed films of the violence during the Watts riots in Los Angeles to Chicago residents being recruited to participate in his equal housing campaign. Among those particularly singled out for contacts and for those film showings were the leaders and members of Chicago's notoriously violent criminal youth gangs.

Reverend King told newsmen that the film showings had been intended "to show the negative results of rioting" and to demonstrate that rioters who destroyed their own communities accomplished nothing. But that is not how the Chicago street gangs interpreted the films. Whenever the film showed a black rioter attacking a police officer, they cheered. And whenever law enforcement officers were shown, they hissed and booed. In fact, Reverend Bevel's film shows for youth gang members were nothing other than audiovisual seminars in mayhem.

One might have expected after the riot that Rev. Martin L. King, the noted advocate of nonviolence, would have broken all contact between SCLC and the gangs; but that is not what happened. Instead Reverend King and SCLC executive director Rev. Andrew J. Young met with the gang leaders for several hours. The gang leaders pledged a truce and said they would "try nonviolence." The truce did not last till the end of that day. Five young men were shot and violence increased to include 2 deaths and 13 wounded so that a State curfew was imposed 2 weeks after the truce.

As one of Rev. Martin L. King, Jr.'s critics, Dr. Joseph Harrison Jackson, then president of the National Baptist Convention, noted at the time:

"There is a danger of using nonviolence in such a way that it will create violence."

One of these ways is to teach the young contempt for the law. Reverend King's "nonviolent civil disobedience" taught that any law an individual personally and subjectively disagrees with or feels is unjustly restrictive can be arbitrarily broken at will.

This is not the lesson we should teach young Americans, but it is the lesson we would teach them by making a hero of Rev. Martin L. King, Jr., and by placing a statue of him in our Nation's Capitol.

COMMUNIST MANIPULATION OF REVEREND KING AND HIS MOVEMENT

The Communist Party, U.S.A., has attempted to use virtually every real or imagined grievance of every segment of American society—the young, the old, women, American Indians, blacks, Latinos and European ethnic groups—to develop and exacerbate divisions among us. The Communists made the most of the opportunity to stir up race hatred provided by the civil rights movement, and the man around whom the Moscow-line Communists collected was Rev. Martin L. King.

The whole range of Communist Party members, sympathizers, and front groups were mobilized to aid Reverend King's campaigns.

Some of the support was via the former Highlander Folk School, now the Highlander Research and Education Center. In sworn testimony before the Senate Internal Security Subcommittee in 1954, Paul Crouch, a former CPUSA official and organizer described Highlander as being run "ostensibly as an independent labor school, but actually working in close cooperation with the Communist Party." Prominent among Highlander's supporters was the old International Union of Mine, Mill & Smelter Workers, now merged with the United Steelworkers of America. Mine-Mill was found by the Subversive Activities Control Board to be Communist-infiltrated.

Reverend King, in a very famous photograph, is shown attending a 1957 Labor Day Weekend seminar at the Highlander Folk School. The man sitting next to Reverend King in the photograph, Abner W. Berry, a top official of the CPUSA, wrote in the Daily Worker that the seminar had enabled those attending to reestablish communications with each other "that had been disconnected during the past few years." The disconnection had taken place after the Civil Rights Congress disbanded rather than register as a Communist Party front.

Reverend King's support of Highlander goes beyond attendance at one seminar. In its 1958-59 27th Annual Report of the Highlander Folk School quoted Reverend King as saying:

"You have given the South some of its most responsible leaders in this great period of transition."

Two years later, Highlander and Reverend King's Southern Christian Leadership Conference ran joint training programs for civil rights activists.

One of Reverend King's closest SCLC aides was Jack H. O'Dell, now with Rev. Jesse Jackson's Operation PUSH. Under the name, Hunter Pitts O'Dell, Jack O'Dell had been one of the Communist Party's top organizers in the South. When his affiliation with this totalitarian party became known,

Reverend King, under pressure, fired O'Dell. The controversy was reopened when it was discovered that O'Dell had been rehired by Reverend King's New York SCLC chapter.

The important point is not that a Communist Party organizer had penetrated Reverend King's confidence, because a Communist could sneak into almost any organization. What is important is that when this man was exposed to Reverend King as a member of an organization that proposes to impose a systematic totalitarian regime on this country, that has been repeatedly demonstrated to be controlled by the Soviet Union, a dictatorship whose troops only a few years earlier in 1956 had slaughtered Hungarian freedom fighters; with all this, Rev. Martin L. King fired O'Dell only because his continued presence would give ammunition to segregationists and race-baiters.

But then, he had O'Dell rehired in New York. And their association continued. O'Dell, who is still an editor of Freedomways magazines, the Communist Party's propaganda arm directed at blacks, appeared with Reverend King at a Freedomways affair in Carnegie Hall in February 1968.

That Freedomways magazine affair was to celebrate the 100th anniversary of the birth of W. E. B. DuBois who in his senility married a young Communist and joined the CPUSA. In his prime, W. E. B. DuBois understood how the Marxist-Leninists wanted to use black people. He wrote in 1931:

"The Communists, seizing leadership of the poorest and most ignorant blacks head them toward inevitable slaughter and jail-slavery, while they hide safely in Chattanooga and Harlem.

"DuBois responded to the Communists' plan:

"American Negroes do not propose to be the shock troops of the Communist Revolution, driven out in front to death, cruelty and humiliation in order to win victories for white workers.

"DuBois pointed out further that the Communists only pretend to speak for white workers and actually serve to polarize tensions between black and white workers.

"DuBois denounced the American Communists for being the mouthpiece of Moscow, and went on to say:

"Unfortunately, American Communists are neither wise nor intelligent."

In his keynote speech that evening, Reverend King said:

"So many would like to ignore the fact that DuBois was a Communist in his last years."

And he went on to denounce anticommunism as "irrational" and "obsessive."

A key point of Reverend King's speech was to attack U.S. support for the South Vietnamese against Communist aggression. The struggle against the Vietcong he termed a "senseless, cruel unjust war." For the record, it should be noted that it is the Vietnamese Communists who have proved to be senseless and cruel. In May 1979, more than 80 persons, organized by entertainer Joan Baez, most of whom had once opposed U.S. participation in the Vietnamese war, published an advertisement charging that the Communist conquerors of Vietnam held 200,000 political prisoners, that they starved and tortured prisoners and that some were used as living mine detectors, clearing minefields with their hands and feet.

Reverend King had more Communist agents than merely Jack O'Dell in his entourage. King's long-term adviser was New

York attorney Stanley Levison, who FBI investigations revealed to be a "Communist agent." Levison says he was not a party member, but that is not what the FBI found him to be. You do not have to be a party member to be an agent, and you do not have to be working for the Russians to be a Communist agent.

After the FBI produced for King the evidence that Levison was a Communist agent, acting for a foreign power, he declined to separate himself from this adviser.

Communists other than those in the CPUSA were involved with Reverend King's activities. His wife, for example, was active with Women Strike for Peace in the Early 1960's. In hearings before the House Committee on Un-American Activities, Women Strike for Peace was shown to be an affiliate of the Women's International Democratic Federation (WIDF), an internationally active Communist front controlled by the International Department of the Soviet Communist Party Central Committee. And starting with the marches in Selma in 1963, King had active support from a number of disarmament and ban-the-bomb groups who worked with the World Peace Council (WPC), like the WIDF which is virtually its women's auxiliary controlled by the KGB and the Soviet Communist Party Central Committee. A more detailed report on those international Soviet fronts by the Central Intelligence Agency was published in the House Intelligence Committee's hearing, "The CIA and the Media," in 1978.

It is not without significance that in 1971, when the East German regime welcomed Rev. Ralph D. Abernathy, whom they identified as Reverend King's successor, the GDR's propaganda brochure said:

"The GDR was on the side of Martin Luther King and Ralph Abernathy in the 1950's when they organized the historic boycott of the omnibuses of Birmingham * * *"

For these and other reasons in the public record, I urge rejection of this ill-conceived resolution.

[From the Congressional Record, Oct. 7, 1981]

"THE SPIKE" IN REALITY—AN EARLIER CHAPTER IN HOW THE SOVIETS FUNDED AMERICAN COMMUNISTS

Mr. McDONALD. Mr. Speaker, as was mentioned during the debate on the placing of a bust of Martin Luther King in the House or Representatives, there is a 50-year seal on the Martin Luther King file, but some facts are already before the public. These concern his connections with the Communist Party of the United States. These connections are firmly established and if there are those who still doubt it, please read the item I am today inserting by my colleague JOHN ASHBROOK. This statement appeared in Human Events for October 10, 1981. The statement follows:

[From Human Events, Oct. 10, 1981]

THE KING-U.S.S.R. CONNECTION—HOW THE SOVIETS FUNDED AMERICAN COMMUNISTS¹

(By Representative JOHN M. ASHBROOK)

On Feb. 6, 1980, the House Intelligence Committee heard testimony from John

¹ Reproduced in the publication Human Events is a Chase Manhattan check for \$20,000 made payable to the Communist party publication, The Worker. This check was drawn on the order of the Bank for Foreign Trade in Moscow through a Soviet-owned bank in Paris. It was one of many.

McMahon, then the deputy director for operations for the Central Intelligence Agency. McMahon, one of the most experienced and highly regarded CIA officials, was describing to Committee how the Soviet Union carried out their covert action which they call "active measures" against the free world. These are the Soviet operations to influence events in the target countries. They include forgeries, media placement, agents of influence, and funding of Communist and subversive groups.

McMahon described how the Soviets channeled \$50 million a year to the Communist parties of the free world. I asked him how much of that comes into the United States. He responded that the CIA does not trace Soviet operations in this country and that we should get the information from the FBI.

Actually, I already knew a great deal about this Soviet operation in our country. As the ranking minority member of the House Committee on Un-American Activities and later the Internal Security Committee, I was able to trace the Soviet subsidies for U.S. Communist party publications from the Soviet Bank for Foreign Trade through a Paris bank owned by the Soviet Union to the Chase Manhattan Bank and into the coffers of the Communist Party, U.S.A. The Paris bank, Banque Commerciale Pour L'Europe Du Nord, is often used to launder Soviet funds to Communist and terrorist groups in the free world.

I also knew something even more startling. Herb Romerstein, a House Intelligence Committee staffer who pays close attention to these matters, had briefed me on a top-secret FBI penetration of the Communist party apparatus that was smuggling in KGB cash for the use of the American Communists. I know much more, but unlike the liberals, I cannot reveal information that is still classified.

I am free to discuss this one aspect, however, because a recent book by David J. Garrow, the FBI and Martin Luther King, Jr., has now revealed the identities of the men who penetrated the supersecret Communist operations for the FBI.

For almost three decades two brothers, Morris and Jack Childs, had been FBI informants deep in the apparatus that transferred Soviet funds to the CPUSA for subversive activities in the United States. According to the book, they had revealed to the FBI that one of their co-workers in the apparatus was Stanley Levinson, a white lawyer who served as the chief, behind-the-scenes, adviser to Martin Luther King, Jr. Jack Childs died last year but his brother Morris continued to serve the FBI, undercover, until the publication of the Garrow book. In a rare example of FBI humor, the brothers were called by the code name "Solo."

The brothers had been Communist party members long before they agreed to cooperate with the FBI. Morris Childs was a member of the Communist party's National Committee. He had served as editor of the Daily Worker and as the state leader of the party in Illinois. But, even more important, he had close associations with the Soviet Communist party and intelligence agencies.

In 1931, he served as a Communist International official in Moscow directing the American Communist students at the Lenin School, the Soviet's international training school. He was a close associate of Solomon Lozovsky, a high Soviet official who ran the Communist-controlled Red International of

Labor Unions, which was closely linked to the Soviet intelligence service. Lozovsky was arrested by the Soviet secret police in 1949 or 50 and was murdered in 1952 during one of the periodic anti-Semitic purges. It may be that the brothers' break with communism was caused by their observations of the true nature of the Soviet regime.

The Garrow book is sympathetic to King and his adviser, Levison. Nevertheless, it confirms the information that many of us had concerning the Communist influence on King's activities. As the FBI files on the Martin Luther King case have been sealed for 50 years, to avoid embarrassment to King's family and supporters, the Garrow book becomes particularly significant.

According to the book, Levison dropped out of the Communist financial manipulations and established a relationship with King in the late 1950s. Members of Levison's family revealed to Garrow that Levison had been associated since 1965 with Victor Lessiovski, a top Soviet official at the United Nations. They told him that they suspected that Lessiovski was a KGB agent. Indeed, he is. Lessiovski, until recently the personal assistant to the secretary-general of the United Nations, is one of the highest-ranking KGB officers ever to serve in the United States. His relationship to Levison shows that the adviser to King remained under KGB control even after leaving the Communist party financial apparatus.

Garrow also reveals that it was Levison who recommended fellow Communist Hunter Pitts O'Dell, also known as Jack O'Dell, to be an employee of King's Southern Christian Leadership Conference. O'Dell, then a National Committee member of the Communist party, became a highly trusted King aide. He now works for Jesse Jackson in Operation PUSH.

It was the activities of these two Communists, Levison and O'Dell, that caused Atty. Gen. Robert Kennedy to authorize the famous wiretaps on King. According to Garrow, Kennedy tried on a number of occasions to convince King to get rid of his Communist advisers. King would promise to do so, but each time slipped Levison and O'Dell in through the back door.

The 50-year seal on the Martin Luther King file leaves many questions unanswered. One of these is: Did King get any of the Soviet Money? Another is: What role, if any, did the Soviets play in moving King from civil rights activities to anti-Vietnam War agitation?

Sooner or later skullduggery always gets revealed. Now we know some of the details of the Soviet financial support for Communist and subversive activities in the United States. Will we really have to wait 50 years before learning the whole truth about Martin Luther King?

TESTIMONY OF HON. LARRY P. McDONALD OF GEORGIA BEFORE THE HOUSE RULES COMMITTEE ON THE CONSIDERATION OF THE RULE TO H.R. 5461, DECEMBER 4, 1979

Mr. Chairman, let me first thank you for the opportunity to address the subject of a national holiday for the late Dr. Martin Luther King, Jr. before your committee today, and for the openness in allowing public debate and testimony on the rules governing the final determination of this event. This is in fact what I am here to address, congressional openness and fairness.

It seems to me that the individuals who seek the institution of this holiday are at counter purposes with themselves by wanting to proceed under a closed or modified closed rule, in effect gagging public debate.

Those who most openly advocate Dr. King's contribution claim it was based upon his support of the Democratic process, a process obviously steeped in the need for openness, candor, and accessibility to all the people. This is not a position which supports a limited public debate. If he was a man of the people and took his case directly to them, shouldn't we be willing to trust the outcome of this holiday to the full voice of the people; an open discussion and full amendment process in the House of Representatives? There is no question that clearly we should do so.

Parliamentary technicalities such as a modified open rule or a closed rule are the procedures used to expedite complicated legislation where amendments and debate become self defeating and bog down the congressional process. But to utilize them to cut down debate, generally, when it is unnecessary or, specifically in this case, when it is contrary to the need for a full national pronouncement of support; this is counter to reason and a violation of our congressional procedure. In my view it should be an embarrassment to the supporters of Dr. Martin Luther King to have him institutionalized in any other manner than a fully open rule.

If his fame and greatness are as genuinely accepted by this country that he deserves to be recorded in history as equal to George Washington in his contribution to society, let the voice of the people speak in his behalf through their representatives without restraint. An open rule is the only appropriate basis under which to consider this proposed holiday.

Thank you.

TESTIMONY OF HON. LARRY P. McDONALD OF GEORGIA BEFORE THE HOUSE CENSUS AND POPULATION SUBCOMMITTEE ON REV. MARTIN LUTHER KING, JR. HOLIDAY LEGISLATION, FEBRUARY 23, 1982

Mr. Chairman, I wish to thank you for inviting me to testify on legislation to elevate Rev. Martin Luther King, Jr. to the status of a national hero by making his birthday a federal holiday. I strongly oppose such action.

There is ample documented evidence that Rev. Martin Luther King, Jr. was not the man of nonviolence he professed to be, but that he was in fact wedded to violence and willing to work with America's violent enemies to achieve his goals. Let's look at some facts.

Attorney General Robert F. Kennedy, certainly one of the most "Liberal" men to hold that high post, authorized wiretaps and other forms of surveillance of Rev. Martin Luther King, Jr. after the FBI developed evidence that Rev. King was collaborating with and being manipulated by Communists and secret Communist agents.

Martin Luther King's long-term advisor was New York attorney Stanley Levison, identified by the FBI as a "Communist agent." When the FBI produced for Rev. King the evidence that Levison was a Communist agent, acting for a foreign power, King declined to separate himself from this advisor and their collaboration continued until King died.

Supporters of Rev. Martin Luther King, Jr. obtained a court order in 1977 sealing the FBI's surveillance records and tapes on Rev. King in the National Archives for 50 years or until the year 2027. If the FBI files had not proved King's involvement with the Communists, we can rest assured that they would have been released as part of the attack on the FBI during the 1970's.

Stanley Levison was not the only Communist in Rev. King's entourage. One of King's closest aids in the Southern Christian Leadership Conference (SCLC) was Jack H. O'Dell, who now is an executive of Rev. Jesse Jackson's Operation PUSH. O'Dell was one of the Communist Party, U.S.A.'s top Southern organizers. When his Communist Party role became a public issue, King said O'Dell was fired. But a short time later, O'Dell was quietly rehired by King's New York City SCLC office and remained a King advisor until his death.

The point is not that a Communist could penetrate King's confidence, but that he refused to disassociate himself from those whose loyalty is to an aggressive, blood-stained enemy of the United States.

Rev. Martin Luther King was not a man of nonviolence. He sought out violence and provoked violence against his followers because he believed violence was necessary to achieve his ends. Rev. King wrote this in an article published in Saturday Review in April 1963, in which he said it was necessary to "Dramatize the existence of injustice and to bring about the presence of justice" in four steps. Rev. King wrote that these were:

"1. Nonviolent demonstrators go into the streets to exercise their constitutional rights. 2. Racists resist them by unleashing their violence against them. 3. Americans of conscience in the name of decency demand federal intervention and legislation. 4. The Administration, under mass pressure, initiates measures of immediate intervention and remedial legislation."

Violence was a necessary ingredient in Rev. King's scenario. In communities where demonstrators were unable to provoke attacks, night marches were staged to lure out the nightrider element. When all else failed, Rev. King and his followers deliberately violated the laws by holding marches without parade permits, by violating court injunctions and provoking law enforcement officials—a tactic we saw repeated by the Nazi's in their provocations against the Jews of Skokie, Illinois.

A primary example of this tactic by King was in Albany, Georgia, in 1962. There law enforcement officials avoided confrontations with the result that Rev. King generated little publicity. When King eventually managed to be arrested while leading an illegal demonstration, he refused to pay his fine so he could stay jail as a so-called "martyr." After a black man paid the fine and he was freed, King called the event being "kicked out of jail."

I think it essential to keep in mind what Rev. King wrote in *The Nation* in March 1964, after the Birmingham campaign and bombing deaths of four young girls attending Sunday school followed by a riot in which two teenaged boys were killed. King wrote that the "keys to victory in Birmingham were the refusal to be intimidated; the indomitable spirit of Negroes to endure; their willingness to fill the jails; their ability to love their children—and take them by the hand into battle; to leave on that battlefield six murdered Negro children; . . ." He was admitting that martyrs helped him achieve his ends and deliberately continued to court violence and create martyrs.

This is not the lesson we should teach young Americans, but it is the lesson we would teach them by designating Martin Luther King, Jr.'s birthday as a national holiday and, thus, making a hero of him.

If we wish to honor a black American, which I agree is long overdue, it would be certainly more appropriate to honor one

who has stood the test of time and proven without a doubt and without controversy that he is indeed a great American who deserves to be so honored. Two such individuals are Booker T. Washington and George Washington Carver. As you know, Booker T. Washington was a world-renowned and respected agricultural chemist and George Washington Carver was a respected black educational leader. They both literally rose "Up From Slavery" and epitomize the American spirit and determination to rise above poverty and adversity. By their statements, by their writings, by their actions, by their accomplishments, by their lives they represent achievement and ideals which black Americans, and all Americans for that matter, can be proud. These are the types of men we should consider honoring rather than Martin Luther King, Jr. whose prior associations and activities are questionable at best.

Until the FBI's records and tapes of Rev. King are heard by both the Congress and the American public, passage of legislation to designate a national holiday in his honor should not occur.

Recently, the tapes of Franklin D. Roosevelt and John F. Kennedy were made public. Similar review of Rev. King's tapes should also be permitted lest, after proclaiming his birthday a federal holiday, any possible embarrassment may occur when the tapes are eventually made public. Let's take one step at a time in the proper order.

It would seem that those who support this legislation would wish to dispel those who have doubts and who question why Rev. King's record has been sealed in secrecy.

Before acting prematurely, let us take appropriate Congressional action to have the records and tapes released. If there is nothing to hide, who could object?

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. BETHUNE).

Mr. BETHUNE. Mr. Speaker, as a Republican and as a former FBI agent, I rise in strong support of the Martin Luther King holiday bill.

In the 1960's we in Arkansas rallied around Winthrop Rockefeller. I was a Democrat at the time. I became a Republican because we wanted to break the stranglehold that Orville Faubus and machine politics had had on our State for a long time which had suppressed not just black citizens but all citizens in our State, and we Republicans, in the finest tradition of Abraham Lincoln, brought blacks in government, and we Republicans, in the finest tradition of Abraham Lincoln, made changes in the election laws and opened up the political process for blacks in Arkansas.

And do you know what we learned out of all that? The great changes are not made here in the legislative chambers or in the judicial halls. The great changes in this world are made in the hearts and minds of men and women. Attitudes are so important.

I think that this holiday for Martin Luther King will give us an annual opportunity to recommit ourselves to the proposition that all men are created equal. It will nourish the spirit of reconciliation that we need so desperately in this country right now.

Mr. Speaker, I urge all Members and I urge particularly the Members on my side of the aisle to support this bill. Let us make this a bipartisan effort, as it should be.

Mr. Speaker, this legislation is a long overdue testimonial to Dr. King and the thousands of Americans, black or otherwise, who worked and fought for an America where equality prevails for all citizens regardless of race, color, creed, sex, or national origin.

This legislation poses a positive symbol of recognition for the dedicated efforts expended for fundamental rights that are guaranteed by our Constitution—the guarantee of life, liberty, and the pursuit of happiness for all citizens of these United States. Dr. King stood for and died for the principles upon which this Government was established, the very principles which brought our forefathers to these shores. The principles, cherished by all, yet denied to a segment of our population simply because of the color of their skin.

I also believe this legislation has importance because of the need to commemorate the contribution that black Americans have made to the greatness of this country. There are and have been extensive efforts to recognize the accomplishments of Americans of other ethnic groups, but few paying just tribute to the contributions of black Americans. In my home State alone, we have erected monuments and/or named public facilities on behalf of Count Pulaski—a Polish American—Lafayette—a French American—native American tribes, and so forth. There is a McArthur Park named after the great Army general, who happened to have been born there, and there is recognition of Robert E. Lee.

It is my belief that black children need heroes and positive role models, just as much as children of other racial groups. The opportunity to identify with a national hero of one's own race lends itself to a type of pride that engenders an emotional desire to succeed or to emulate. Recognizing the accomplishments of black American heroes can only have a positive effect on our society. Dr. King is indeed a hero to Americans of all races, but especially to black Americans. Recognizing his birth is a tribute to all people who contributed to the civil rights movement. His dream of a society where all men of all races could live as brothers is not a black dream, but an American dream.

Dr. King was a great American and a man of Christ. He fought for and died for a greater America, and for this reason, we owe this legislation to his memory.

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Mr. DANNEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BATEMAN).

Mr. BATEMAN. Mr. Speaker, I rise in reluctant opposition to H.R. 3706, the bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday.

The roster of Americans who could reasonably be considered for the honor of having their birthdays designated as national holidays is a long one. It is apparent, given that fact, that not all can be so honored. Were we to follow such a course, we could reach the point where there are more holidays than workdays in the year—a pleasant prospect, perhaps, but not a practical one.

Therefore it is essential that we be extremely selective as to those whose birthdays are singled out as holidays. The cost of a holiday is considerable.

The Congressional Budget Office, in a cost estimate incorporated into the committee report on this legislation, notes that Federal premium pay alone amounts to \$24 million, offset in part by \$7 million in fuel savings. And this says nothing about the costs of a shutdown in the private sector, to the degree that the holiday is observed by business and industry, and the cost to State and local government.

In view of the contributions of Martin Luther King, Jr., I would concur in the proposal of the gentleman from California (Mr. DANNEMEYER), that we designate the third Sunday of each January as a commemoration of Dr. King's birthday. I think that would be an appropriate step.

But if we are to add a 10th Federal holiday to the calendar in honor of a distinguished American, it strikes me that one of America's greatest leaders should next be so honored. That preeminently great American is Thomas Jefferson.

It is no slur upon Dr. King to state that Jefferson should be the next American to have his birthday declared a legal holiday. After all, Jefferson is the author of the Declaration of Independence, one of our greatest Presidents, and more than any other, the man who articulated the ideals which animated the American Revolution and shaped the Republic in which we live. Moreover, we inherited, and procured by peaceful means, our transcontinental boundaries by the acquisition of the Louisiana Territory, an expanse of land secured for us by the diligence and boldness of Thomas Jefferson as President.

We also should consider that occasions as well as persons can rightly be the subjects of a tribute in the form of a national holiday. I hope that I will not be accused of parochialism if I suggest that there could appropriately

be a Yorktown Day to commemorate the military victory on October 19, 1781, when American independence was secured. Yorktown is indeed in my congressional district, but its significance to every American is obvious.

For all of these reasons, I find it impossible to support H.R. 3706 as reported to the House by the Committee on Post Office and Civil Service. My lack of support is not evidence of a lack of respect for Dr. King, but rather a reflection of the priorities and practicalities which I have recited.

Mrs. HALL of Indiana. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. SCHUMER).

Mr. SCHUMER. Mr. Speaker, I rise in strong support of H.R. 3706.

Today and throughout the committee proceedings on this bill, we have heard proposals for a plebiscite, for a Sunday holiday, and for other types of half-holidays.

The struggle for civil rights, the struggle between the races in this country has been a struggle for one thing, for one simple ideal—equality. It would be the ultimate irony if Dr. King's memory were commemorated by an unequal holiday.

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

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

Mr. CROCKETT. Mr. Speaker, today we have before us a bill to honor a man of peace, the late Dr. Martin Luther King, Jr. He was a man whose thirst for justice and whose strength of will exemplified the best qualities of the American spirit. He was a pioneer of American history—not of the inhospitable 18th century settlements along the east coast, nor of the later efforts to tame the rugged lands of the plains and West.

Instead, Dr. King was a pioneer of the spirit—he showed us the new frontiers of human justice and equality that lay just beyond our grasp in this century. He led us through the difficult struggle to overcome the obstacles of prejudice and apathy, and let us share in his dream of a nation unbound by racial or ethnic hatred.

I urge my colleagues to join with me today in voting to honor Dr. Martin Luther King, Jr., by designating a national holiday in his honor.

Mr. DANNEMEYER. Mr. Speaker, I yield 1 minute to my colleague, the gentleman from California (Mr. LUNGREN).

Mr. LUNGREN. Mr. Speaker, I rise as a Republican and as a fiscal conservative in support of this bill.

I also rise as someone who voted against this bill when it was on suspension the last time.

Ever since I cast that vote I have been thinking about it and wondering if I did the right thing. I have come to the conclusion that I did not; not that I now fail to realize there are costs in-

involved here and certainly we ought not to minimize those costs, and not because there are no other great heroes that perhaps some think ought to be recognized in our galaxy of great Americans, but because I think we ought to recognize that this country is unique in a number of ways. One is exemplified by the founding of this Republic. The second is exemplified by the Civil War that decided that this country would remain unified because certain principles that originally brought this country together were worth preserving.

The third great unique movement in this country, in my judgment, is that of the civil rights movement.

What does Dr. Martin Luther King stand for? As a young person growing up in southern California, frankly, I was too young to be involved in the civil rights movement and probably would not have been involved in any way, either directly or indirectly, save for the example of Dr. Martin Luther King.

I reflected upon that after my vote several years ago.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 more minute to the gentleman from California (Mr. LUNGREN).

Mr. LUNGREN. Mr. Speaker, I appreciate the grant of additional time.

I reflected back on my experiences during my growing up years. I recall that Dr. Martin Luther King stood as an inspiration to me. He made me recognize that there were people in this country that were not accorded the same rights that I was given, that despite what our country's essential document said, not all men and women were created equal, at least as far as the implementation of our laws were concerned; that we had not fulfilled that obligation which we had so proudly promised in our beginning documents.

Dr. Martin Luther King stirred inside me a feeling that we had to walk together if we were going to work out the problems of this country.

So I suggest that this holiday is not just for the black Americans, but it is for all Americans—white Americans, red Americans, brown Americans, and black Americans.

The symbolism of this holiday is particularly important today because we have tremendous disagreements among all of us as to how we achieve those civil rights goals. Because we have these disagreements, it sometimes appears that the entire subject is divisive and we forget about the fact that we all are committed to a consensus of conscience on civil rights in this country. If this day does nothing else but give us 1 day to reflect, 1 day to pray, 1 day to think about and remember the commitment that we all have,

then it will be worth it, no matter the cost.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. KEMP).

Mr. KEMP. Mr. Speaker, would the gentleman from California yield 1 more minute to me?

Mr. DANNEMEYER. Mr. Speaker, I yield 1 more minute to the gentleman from New York (Mr. KEMP).

The SPEAKER pro tempore. The gentleman from New York (Mr. KEMP) is recognized for 2 minutes.

Mr. KEMP. Mr. Speaker, I appreciate that.

You know, a number of years ago I watched a fascinating documentary, interviewing refugees from Vietnam in refugee camps in Thailand. The network interviewer went up to an old woman of almost 90 years of age and asked: "What keeps you going? What are you hoping to do with your life?"

She said: "I dream of living in the United States of America."

She did not know America from the newspapers. She did not know America from being able to speak very good English. She just knew America from the standpoint of what America means as an idea, as a dream. It was an idea and a dream that here was a place in which people were free to be all that God meant them to be. Here was a place in which all people were created equal and that the Government was instituted to help preserve those rights that were given to us, not by the Government, but by an inalienable source.

I just returned with my wife from the Soviet Union. They have beautiful documents about guaranteed rights in the Soviet Union, the right to emigrate, the right to join your family, the right to speak, the right to join a labor union; but, unfortunately, the rights which are given to them by the Government are denied by the Government because those rights do not come from that inalienable source. That which the Government gives, it can take away and thus the Russian Revolution was flawed from the beginning.

The Martin Luther King holiday is not just a holiday for a civil rights leader. It is more importantly, as the gentleman from California pointed out, a holiday to commemorate that idea, that dream that all people have all over this country and indeed the world, to live in freedom, justice, dignity, to be able to know that those rights are guaranteed by Government through our Constitution but are given to us by God, that inalienable source.

I have changed my position on this vote because I really think that the American Revolution will not be complete until we commemorate the civil rights revolution and guarantee those

basic declarations of human rights for all Americans and remove those barriers that stand in the way of people being what they were meant to be.

The gentleman from California suggested he changed his position and so did I because this is the time in which we must truly say that America is one nation, one people, one family, one country dedicated to rights not only for all Americans, but for all people everywhere. Ending racial segregation through constitutional means is as important a contribution to this country and our American Revolution as holding the Union together.

I want to see my party stand for that. If we lose sight of the fact that the Republican Party was founded by Mr. Lincoln as a party of civil rights, of freedom, and hope, and opportunity, and dreams, and a place where all people could be free. If we turn our backs we are not going to be the party of human dignity we want as Republicans to be known for.

I ask that we make this a unanimous vote today and vote for ourselves and for our country, and for the future of our children by showing the world this Nation is still the land of opportunity and freedom.

This is a vote to help make the American dream a reality.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Speaker, I rise in support of H.R. 3706.

On April 4, 1968, I was visiting the nearby city of Memphis and was at a place only about 10 blocks away from the Lorraine Motel where Martin Luther King was slain.

The news of his death spread like an electric current throughout that city and throughout our Nation, and a pall of silence fell upon the people of Memphis and the people of America as well.

□ 1420

At the news of Dr. King's death, everyone realized that a great American leader had fallen.

Martin Luther King struggled so that all citizens could aspire to and share in the American dream. He gave his life for dignity, for equality, and for justice.

It is right; it is proper that we memorialize the life of Martin Luther King so that his vision of America can live forever.

"I don't care what happens to me now. I have been to the mountaintop," Dr. King said, a day before he was cut down by a sniper, in the prime of his life and mission.

Martin Luther King himself desired no glory. It is not for his sake that we should honor him with a national holiday, but for our own.

Let us prove, at long last, that this prophet of mankind does have honor in his own country.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. EDWARDS).

Mr. DANNEMEYER. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. EDWARDS).

Mr. EDWARDS of Oklahoma. Mr. Speaker, I support this resolution and I do so not because Dr. King is more deserving of a tribute than, say, Andrew Jackson, or John Adams, or Dwight Eisenhower, but because what Martin Luther King did was to give real meaning to the promise that in this country every citizen is a first-class citizen.

Before Martin Luther King, before the marches, before the sit-ins, blacks in my district rode in separate seats in the back of the bus. They could not use the restaurants or the restrooms that the rest of us used. They could not go to the same schools we went to.

They stood outside the system, outside the professions, and outside the good jobs. The American dream, if you were black, was poverty and isolation.

Martin Luther King did not create violence and bloody revolution. He defused it by creating a new awareness, a disturbed conscience, and finally a new national cohesiveness.

It is less the man than the achievement that we celebrate with such a holiday.

Dr. King gave his life for the cause of freedom and equality. Let us have the courage to vote to celebrate that cause.

I agree with the gentleman from Maryland (Mr. MITCHELL) this issue transcends the cost of one holiday. This is an issue that goes to the heart of what America is all about.

What this resolution celebrates is what we as Republicans and conservatives believe in, and I ask all of my colleagues to vote for it.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. GINGRICH).

Mr. GINGRICH. Mr. Speaker, we should honor Dr. Martin Luther King, Jr.

Yesterday President Reagan was welcomed to Georgia by Mayor Andrew Young, a disciple of Dr. King, and the second black mayor of Atlanta.

Without Martin Luther King, Jr., the advances in ending segregation and establishing civil rights would almost certainly not have occurred.

While Dr. King was black and the fight to end segregation directly affected the black community, his birthday should be celebrated by all Americans as a demonstration of the virtues of freedom and a free society.

When America's conscience was challenged, Americans responded. Unlike the Soviet Union and South

Africa, our Nation responded to a direct challenge by living up to our best ideals.

All Americans can be proud that our religious tradition was carried on by Reverend King, our intellectual tradition was extended by Dr. King, the great nonviolent protest theories of Henry Thoreau were put into practice by the man, Martin Luther King, Jr.

For all time, all lovers of freedom will look back to Dr. King's life and to America's response to his challenge as an inspiration; because he enriched freedom for all, we owe ourselves a day to remember and relearn the lessons he taught.

Mrs. HALL of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. GILMAN).

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

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

Mr. DELLUMS. Mr. Speaker, I rise in support of the legislation.

Last November, as a birthday present from two members of my staff, I received a copy of "Let the Trumpet Sound," the excellent recent biography of Dr. Martin Luther King, Jr., by Stephen B. Oates. Reading this book was a painful personal pilgrimage, as well as an act of intellectual, spiritual, and political homage to an extraordinary person who has been such a major force in my own life's commitment to the cause of world peace, human rights, and equal justice for all.

More important, reading this book reinforced my determination to see to it that the 98th Congress passes legislation insuring a national holiday of remembrance and reverence in memory of the achievements of Dr. Martin Luther King, Jr. He was much more than a great American and the most noble of our Nobel Peace Laureates: He was a great human being whose life of commitment, action, and sacrifice has been a beacon of hope and inspiration for nonviolent social change to literally millions of people around the world.

In America, he was the living embodiment of the highest principles professed in the Declaration of Independence: That all are created equal and endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness. He challenged the conscience of America by confronting both church and state on the spiritual and political immorality of segregation in our society. It was Martin Luther King, Jr., standing in the shadow of the Lincoln Memorial on August 28, 1963, who had the courage to stand up to white America on behalf of nonwhite America and say:

When the architects of our Republic wrote the magnificent words of the Consti-

tution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir * * *. It is obvious today that America has defaulted on this promissory note, insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check; a check which has come back marked insufficient funds. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. And so we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

As a citizen of the world, Martin Luther King, Jr., carried his message into the global arena: The message of human rights, true brotherhood and sisterhood through the justice of shared equality, and the reconciliation of nations through diplomatic negotiation, rather than the violence of war and destruction. In accepting the Nobel Peace Prize in Oslo, Norway, in December 1964, he spoke of "the need to overcome oppression and violence without resorting to violence and oppression." He then went on to say:

I refuse to accept the cynical notion that nation after nation must spiral down a militaristic stairway into the Hell of thermonuclear destruction. I believe that unarmed truth and unconditional love will have the final word in reality. That is why right temporarily defeated is stronger than evil triumphant.

It was Martin Luther King, Jr., using his eminence as a Nobel Peace Laureate, who chose to speak out on the insanity and immorality of the war in Indochina, despite the warnings and threats of other so-called leaders in the civil rights movement. Early on, he warned that the bombs being dropped in Indochina would explode in the ghettos of America. In a speech in Los Angeles, he directly challenged Lyndon B. Johnson's false claim that America could have both guns and butter with these words:

The promises of the Great Society have been shot down on the battlefields of Vietnam. The pursuit of this widened war has narrowed domestic welfare programs, making the poor, White and Negro, bear the heaviest burden * * *.

On April 4, 1967, in the speech at Riverside Church in New York City, he made one of the most cogent critiques of American cold war interventionism and escalation ever uttered by a public figure. His peroration was a cry from the heart that is even more poignant when read in the light of the madness of the contemporary nuclear arms race:

Somehow this madness must cease. We must stop now. I speak as a child of God and brother to the suffering poor of Vietnam. . . . I speak for the poor in America who are paying the double price of smashed hopes at home and death and corruption in Vietnam. I speak as a citizen of the world, for the world as it stands aghast at the path we have taken. I speak as an American to the leaders of my own nation. The great ini-

tiative of the war is ours. The initiative to stop must be ours.

Were Martin Luther King, Jr., still alive today, he would be in the forefront of the movement to reverse the course of the nuclear arms race, and to prevent this Nation from continuing its overt and covert military intervention in Central America. And he would be in the forefront of the opposition to this administration's concerted effort to turn back the clock on the progress that has been made in the fields of civil and human rights in the past 20 years—progress that has been achieved through the bloody sacrifice of many brave, brave women and men in this society.

As we prepare to commemorate the 20th anniversary of the march on Washington, the legacy of Dr. Martin Luther King, Jr., is still, tragically, an unfulfilled dream. During a lifetime that was all too brief—only 39 years—Martin Luther King, Jr., was cursed, reviled, and spat upon, beaten, jailed, and stabbed, denounced as an extremist by the media, and as a nigger, and a traitor in the highest councils of Government. Finally, in an attempt to slay the dream, they slew the dreamer.

It is for us, the living, to make certain that his dream never dies. It is for us, the living, to insure that his life's work will be remembered beyond a statue inside the Nation's Capital. It is for us, the living, to insure that a national holiday, commemorating the legacy of his commitment, achievement, and sacrifice will be a constant reminder of what this Nation can be—and ought to be. It is for us, the living, to fulfill his dream, in the words of the civil rights anthem, that "we shall live in peace someday * * *."

Mr. FORD of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. FORD of Michigan. Mr. Speaker, I rise to support H.R. 3345, which designates the third Monday in January of each year as a legal, public holiday commemorating the birthday of Dr. Martin Luther King, Jr.

There is no doubt in my mind that this is a responsible course of action, both in terms of the past and the future. Dr. King and the cause he represented are indeed deserving of this kind of national recognition.

Dr. King was a nonviolent man who dedicated his life to the cause of equality. He exemplified our Nation's commitment to social justice.

He led a national campaign that pricked America's social conscience. And in the end he gave his life in that struggle.

Without question Dr. King and his work set the stage for the civil rights movement in this country. His eloquence, his passion, and his personal commitment captured the minds and hearts of millions upon millions of

Americans and set them on a course of action—blacks and whites alike.

Dr. King was only 39 years old when his life was snuffed out by an assassin's bullet. By most ways of reckoning such things, his most creative years lay ahead of him. His untimely death was a tragedy for all America.

To be sure Dr. King's life was one of unselfish dedication. He worked tirelessly and without thought of personal reward for justice, equality, peace, and dignity.

What impressed me most about his vision and his cause was that it far transcended the narrow confines of a race struggle. His dream was for all Americans—blacks, whites, Jews, Protestants, and Catholics.

In large measure this proposed Federal holiday would go far beyond recognizing the birth of Dr. King. I fervently hope it will be an occasion to celebrate freedom and tolerance in America.

I especially want to commend my distinguished colleague from Indiana, KATIE HALL, for her skillful and dedicated stewardship of this bill.

Mr. GILMAN. Mr. Speaker, I rise to join in honoring a distinguished American, Dr. Martin Luther King. This measure, H.R. 3706, designating Dr. King's birthday as a national holiday, is a befitting commemoration of his life and his significant contributions to mankind. In a time of struggle, Dr. King's leadership provided our troubled Nation with a renewed sense of values and purpose. He reminded us that the principles upon which this Nation was founded are meaningless unless applied equally to all, regardless of race, color, creed, sex, or national origin.

In recognizing Martin Luther King's birthday, we do far more than honor this leader. A national remembrance in his honor serves as an appropriate reminder that many of his dreams and struggles for civil rights remain unfulfilled. Dr. King touched the conscience of America, preaching that love and understanding would prevail in the ultimate struggle between good and evil. He shared with us his dream that someday all God's children would be free and equal. And yet, his dreams and ambitions came to a tragic end because of the very hatred and bigotry that Dr. King sought to end.

If, as a Nation, we remember Dr. King's birthday each year, it will help instill a spirit of purpose and determination in all of us to fulfill the dreams of this inspiring leader. Such an annual reminder of that troubled era, a legal holiday in King's name, would appropriately honor the man, and his dreams and, at the same time, remind us all of our continuing responsibility to pursue equal justice for all. As I have done in the past, I renew my sup-

port for this worthy proposal and urge my colleagues to do the same.

Mr. DANNEMEYER. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. FRENZEL).

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

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

Mr. FOGLIETTA. Mr. Speaker, I rise in support of the legislation.

Mr. Speaker, today we have the opportunity to recognize, finally, the unique contributions made to this Nation by the late Reverend Dr. Martin Luther King. I rise to urge every Member of the House to vote in favor of this resolution, which will make Dr. King's birthday a national holiday.

Dr. King was an extraordinary man, whose struggle was the ultimate American struggle. His cause was, and is, as basic to our history and to our future as the Declaration which founded this Republic: "We hold these truths to be self-evident, that all men are created equal." It is our loss as a nation that the truths which we have held to be self-evident have not been the truths to which we have dedicated ourselves. Dr. King lived those words, and fought to make them a reality, as few other men in our history have.

Martin Luther King was a voice for peace, a symbol of courage, and a light in the long struggle to equality. His determination gave people throughout this land who had no voice the courage to speak: his leadership as a man of nonviolence gave vent to 200 years of anger and frustration in a way which forced people to listen.

Without Dr. King there might never have been a Civil Rights Act. Without Dr. King there might never have been a march on Washington to bring to the legislature of this land a list, not of demands, but of rights which the Constitution guaranteed but which the Nation applied only selectively.

Mr. Speaker, Martin Luther King was a man of wisdom, of vision, of strength, and of courage. He helped shape the future we live today. His belief, his work, and his dreams should be a beacon as we set course for the future.

These are the characteristics which mark great men. These are the characteristics which made Washington, Lincoln, and Jefferson leaders, and examples to us, and to our children. Martin Luther King was such a leader, such an example.

We honor our Nation by marking the birth of this great man, even as we honor the man.

I urge the House to vote "aye."

Thank you.

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

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

Mr. SAVAGE. Mr. Speaker, I rise in support of the measure.

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

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

Mr. BOEHLERT. Mr. Speaker, I rise in support of the legislation.

Mr. Speaker, on April 4, 1968, I sat in a church basement meeting in suburban Washington and was both shocked and appalled at what I heard. I was angry and I was upset.

No, it was not because of the tragic news yet to come from Memphis. My shock, my anger came because there was underway in that place of reverence—keep in mind this was a meeting in a church, a house of worship, a place of God—a heated debate among my then neighbors over a major issue of the day: open housing.

I was appalled because I heard people with whom I lived in a comfortable suburb in this so-called land of opportunity talking of denying housing access in "our" area to what they referred to as "those" people.

Regretfully, the "those" people were distinguished, and clearly so, only by the color of their skin. What was taking place in that meeting was a far from orderly attempt to deny equality of opportunity for fellow citizens. It made me sick.

I had my say, and the more I reflect upon what I said, the prouder I am.

Memories fade in terms of the letter of what I said, but not the spirit.

I doubt if there was any special eloquence, but I do know I quoted liberally from the news reports of the time and about the work of Dr. Martin Luther King, not just the work of Dr. King, but the necessity of it.

I talked about opportunity, and equality, and fairness, and things like that.

The presentation was not long because, you see, the meeting was interrupted by a report on the events in Memphis. The horror of it all was not so much that a fellow human being had been killed, tragic though such a thing always is, no matter what the circumstances, but rather the horror of it all was the reason Dr. King was gunned down.

Dr. King's life was taken because of who he was, what he was doing, what he stood for. His crusade, and it is fair to call it that, was not simply for those of his own race, but rather for all of his brothers and sisters who were Americans. His crusade was for me. For us.

What this remarkable man achieved in his lifetime cannot be accurately measured. But I know what I have told my children. We as a country and a people have traveled a long way toward the cherished dream of equali-

ty for all in my lifetime. Dr. King, more than any other individual, is responsible for that progress. It cost him dearly. It benefits us greatly.

I do not want just another holiday, we probably have too many of them already and most have lost their significance and are viewed as simply another day off. And I realize it is costly in terms of dollars and cents for the Federal Government to approve another holiday.

I know all the arguments that have been mentioned but I also know, in my heart of hearts, that this special day of recognition is warranted. It is warranted for Dr. King who gave so much for so many and it is warranted as long overdue recognition for the oh so many positive contributions made by other black Americans from the early days of our Republic, contributions that have more often than not been overlooked or ignored.

In short, Mr. Speaker, this is a salute and a symbol. Let us do it for all the right reasons.

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

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

Mr. FISH. Mr. Speaker, I take great pride in joining my colleagues today in support of H.R. 3706, legislation designating Dr. Martin Luther King, Jr.'s, birthday a national holiday. I have long been a supporter of this effort and I congratulate the gentleman from Michigan (Mr. CONYERS) for his 15-year pursuit of this worthwhile cause and the gentlewoman from Indiana (Mrs. HALL) for bringing this measure before us today.

By furthering the civil rights of American blacks, Dr. King contributed to the cause of freedom for all Americans, regardless of race or creed. By strengthening the cause of justice, he inspired millions throughout the world in mankind's common aspirations.

Last year, the Congress partly recognized Dr. King's contributions by approving a bill to place a bust of him in the U.S. Capitol. Dr. King is the first black man to receive such an honor. While this is an important achievement, it is not enough. That is why I have again lent my support to H.R. 3706, to make Dr. Martin Luther King, Jr.'s, birthday a legal public holiday. Our desire to achieve this goal should override consideration of cost or inconvenience.

Dr. King's message of redemption and reconciliation is no less meaningful today than during his lifetime. His life's work and unyielding adherence to achieving social change through nonviolence serves as a great example during these turbulent and troubled times.

Bestowing such an honor on Dr. King would transcend his status as a

black civil rights leader. Such an act would recognize that Dr. King spoke as an American about the spiritual liberation of all people. This year we have a chance to make our commemoration of his dream a permanent reality. He spoke of brotherhood, an end to poverty, of justice, of peace, for all mankind. We must continue to work together in furthering his vision of the future.

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

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

Mr. SKELTON. Mr. Speaker, I rise in support of the legislation.

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

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

Mr. GEKAS. Mr. Speaker, I, too, support the legislation.

Mr. Speaker, to recognize the life of Dr. Martin Luther King, Jr., is to salute the themes on which our country was founded. The dream that he articulated was the same one that inspired our forefathers to give birth to the ideal we call America.

The opportunity for full realization of American citizenry is the goal for which we should continue to strive for all citizens. In our continuing efforts, the vision of Dr. Martin Luther King, Jr., will be a driving force.

Mr. FRENZEL. Mr. Speaker, the bill before us, H.R. 3345, is not a new bill. The idea of adding another, new Federal holiday, to honor the late Dr. Martin Luther King, Jr., was thoroughly debated and voted on in 1979.

As I have emphatically stated and strongly believe, Martin Luther King was a distinguished and prominent American citizen who helped teach many of us the true meaning of brotherhood and equality. He was a good man, an effective leader, and one who deserves to be honored and remembered by a fitting memorial.

One such memorial that I supported in 1981 was the creation of a bust or statue of Dr. King, to be placed in the Capitol. This resolution passed and a commission is currently in the process of choosing a sculptor. I wholeheartedly support and applaud this memorial that will be enjoyed and revered by Americans and foreign visitors alike. I know it is not the final memorial, but it demonstrates the House's willingness to honor Dr. King.

But what is this alleged tribute that is before us again today? It is not a fitting memorial to give certain privileged workers a day off to salute the ideals of Dr. King. Dr. King deserves a day, but do Federal employees, including ourselves, rate another day off with pay.

Government employees, as far as I know, already have more holidays than any other class of employees. They are supposed to be here, to serve

and assist the public. On too many occasions already they are on holiday when the rest of our constituents are working and want Federal services.

And what is the cost of another Federal holiday? It is \$235 million, unbudgeted. To spend another quarter of a billion with our budget already plagued by deficits seems to me to be an unsuitable memorial. And that is only the annual cost. It will grow and grow each year.

When the Federal Government gives a holiday it puts great pressure on the private sector to do the same. As this proposed holiday spreads, it will have a marked effect on productivity. The potential cost is in billions of dollars.

I know that many of those supporting this Federal holiday have noble intentions. Yes, I agree that we should have a day to pay respect, honor, and to reflect on a man of such great achievements, beliefs, and hopes. We can do so without giving an extra day's pay to a certain specific class of Americans. A commemorative day is a good idea. In my judgment, that would be a suitable memorial.

Another paid Federal vacation day is certainly not needed or in order. It is another dip into the taxpayers pockets to pay a special class of Americans which already has plenty of holidays. We do not have to be foolish with the taxpayers' money to honor Dr. King.

I submit the following:

[From the Congressional Record, Nov. 13, 1979]

Mr. FRENZEL. Mr. Speaker, Martin Luther King, Jr., was a distinguished and prominent American citizen who helped teach many of us the true meaning of brotherhood and equality. He was a good man, an effective leader, and one who deserves to be honored and remembered by a fitting memorial.

Unfortunately, H.R. 5461 does not provide a suitable memorial. This bill simply provides another day off with pay for bureaucrats.

It also provides about \$200 million worth of inflation through a nonnegotiated raise to an elite group of people who have just received a 7-percent pay raise, and who already receive more paid holidays than most American employees.

It has been alleged that there is little or no extra cost to the taxpayers in this bill. If Government employees have been working at full capacity, and I believe we should give them the benefit of the doubt, somebody is going to have to do the work that would have been done on the holiday. That seems to work out to a \$200 million kick in the head to the taxpayers.

If we were to canvass our constituencies we would surely find little enthusiasm to pay for another paid holiday for bureaucrats. Many taxpayers did not get the 7-percent pay raise, nor do they get the splendid pension benefits that Government employee get.

In addition to the costs to the taxpayer, inflationary costs would soon reverberate through the private sector, too. Whenever Government employees are handed a benefit, private employees will claim it, too. Another paid holiday will soon be stimulating

inflation in private industry, too, perhaps by as much as \$3 billion.

Dr. Martin Luther King, Jr., was too good a person for us now to attempt to exacerbate inflation in his name. There are many suitable noninflationary memorials which could be voted by this House. I believe this bill does not provide a fitting tribute, and it should be voted down.

□ 1430

I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from California (Mr. DAN-NEMEYER) has 1 minute remaining.

Mr. DANNEMEYER. I reserve the balance of my time.

Ms. OAKAR. Mr. speaker, I make a point of order that a quorum is not present.

Mr. DANNEMEYER. I yield to the gentleman from Kansas such time as he may consume.

Ms. OAKAR. Regular order.

The SPEAKER pro tempore. The Chair will not entertain the point of order at this time.

The gentleman from California yielded to whom?

Mr. DANNEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. SLAT-TERY).

Mr. SLATTERY. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, "holiday" is defined as "a day on which custom or the law dictates a halting of general business activity to commemorate or celebrate a particular event." The birth of Dr. Martin Luther King, Jr., is an event worthy of commemorating and, as such, is worthy of being designated a national holiday.

In my lifetime and in the lifetimes of many of my colleagues, few individuals have had as profound an effect on America and on the world, as did Dr. King. Few others before or since Dr. King have committed themselves so fully and so steadfastly to the principles of equality, justice and harmony among all people.

Today, as we debate making Dr. King's birthday a national holiday, we must keep in mind several issues. The principles upon which Dr. King based his philosophy and his actions are the same principles upon which much of recent legislation has been founded. In Congress, these principles have been translated into enactment of voting rights, civil rights, fair housing, and economic opportunity legislation. Furthermore, the movement toward arms reduction and peaceful coexistence of all nations is predicated upon those same principles.

While some with a myopic perspective choose to view Dr. King's beliefs and his actions narrowly, I choose to view his beliefs and his actions on a worldwide scale. Because he believed

in the dignity of all people and devoted his life to achieving that ideal, the significance of Dr. King's contributions transcends all nations and races. At the time of his tragic death, Dr. King truly had become an international leader.

I am proud to have had the opportunity to cosponsor legislation designating Dr. King's birthday a national holiday. I am not proud, however, that we find ourselves again debating an issue that has been introduced every year since 1968. I am proud that the Senate of my home State, Kansas, has had the wisdom and foresight to pass a resolution earlier this year memorializing Congress to declare Dr. King's birthday a national holiday. The members of the Kansas Senate are concerned, as I am, that passage of this legislation is long overdue.

We can pay no greater tribute to Dr. King in the 20th anniversary year of the historic March on Washington, than to reaffirm our commitment to equality and justice and to make his birthday a national holiday.

Mr. DANNEMEYER. Mr. Speaker, I yield such time as he may consume to the gentleman from the Virgin Islands (Mr. DE LUGO).

Mr. DE LUGO. Mr. Speaker, I rise in support of the legislation.

Mr. Speaker, I wish to add to the voices of many of my colleagues who rise in support of Mrs. HALL's bill designating Martin Luther King's birthday as a holiday. I find it hard to view my comments as part of a debate on the issue since it seems that the conclusion must be foregone: This country needs to celebrate Martin Luther King's birthday. We need to celebrate the individual who epitomized the struggles of many black leaders in this country and whose discipline and strength of purpose brought black Americans further into the mainstream of this country than any single person in our history.

Martin Luther King's achievement is important for all Americans, for the further we are from discrimination, the closer we are to the pride and dignity we all want to feel about these United States. Thus, apart from the recognition due to a man to whom we all owe an immense debt, Americans need this day as a reminder of the commitment we all must have to the values set forth in our Constitution. These are values which we personally hold as immutable and which we have an interest in protecting for each other.

I urge any Member who may have doubts on this matter to consider the importance that celebrating Martin Luther King's birthday holds for the very spirit of our Nation.

The SPEAKER pro tempore. The gentlewoman from Indiana.

Mrs. HALL of Indiana. Mr. Speaker, I ask that the gentleman from California yield back the balance of his time.

Mr. DANNEMEYER. The gentleman from California reserves the balance of his time.

The SPEAKER pro tempore. The gentlewoman from Indiana.

Ms. OAKAR. Will the gentlewoman yield to me?

Mrs. HALL of Indiana. I yield to the gentleman.

Ms. OAKAR. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair does not have to entertain a motion for a call of the House at this time and chooses not to.

Ms. OAKAR. I am sorry, I did not hear the Speaker.

The SPEAKER pro tempore. The point of order cannot be made when the Chair has not put the pending question, and the Chair has discretion whether to entertain a motion for a call of the House at this time and now recognizes the gentlewoman from Indiana.

Mrs. HALL of Indiana. Mr. Speaker, I yield 2 minutes to the distinguished majority leader of the U.S. House of Representatives, the gentleman from Texas (Mr. WRIGHT).

Mr. STOKES. Mr. Speaker, will the distinguished leader yield to me?

Mr. WRIGHT. Yes, I yield to my friend, the gentleman from Ohio.

Mr. STOKES. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, it has been 14 years since Dr. Martin Luther King, Jr., was assassinated in Memphis at age 39. The first bill proposing to establish a Federal holiday in honor of Dr. King was introduced by my esteemed colleague, Mr. JOHN CONYERS, JR., on April 8, 1968, less than 1 year after Dr. King's tragic assassination by James Earl Ray. Since then, over 50 bills have been introduced to establish Dr. King's national holiday.

Mr. Speaker, during hearings on many of these bills, there has been no lack of eloquence or evidence concerning the extraordinary achievements of the man who was the Nobel Peace Prize winner in 1964. During hearings that have been held there has been no lack of recognition of the man's indelible impact on the consciousness and consciences of people throughout the world. His name has been linked with those of George Washington, Abraham Lincoln, and—for his nonviolence—the name of Gandhi. I find it ironic that Americans saw fit to select "Gandhi" as the best picture of the year in 1982 and yet, their Representatives have refused to award a native Gandhi the recognition that typically accompanies superhuman contribution to society.

The arguments that have been advanced to prevent the establishment

of a national holiday in Dr. King's honor have, in fact, centered upon his being human. Whenever Dr. King was an ordinary man—and all extraordinary people throughout history have had their ordinary moments—Dr. King was singularly held accountable for not being extraordinary. Any political statements, viewpoints, or opinions, any behaviors or actions that were not unequivocally exceptional, have been held against him.

Mr. Speaker, what other man has inspired millions and who gave his life in the cause of every principle of decency imaginable—freedom, justice, equality, compassion, faith in humanity, hope, love, and nonviolence—has been so mercilessly scrutinized. Who, among those who would excoriate this man, expects that his or her own mortality will leave a more illustrious aftermath than that of the late Dr. Martin Luther King, Jr.?

When superhuman people exhibit human imperfections, they are somehow deemed, thereafter, to be subhuman. I do not agree with this logic, nor do I see the presence of human imperfections in anyone as a sufficient justification for denying him a national holiday although his achievements have been outstanding. The requirement of perfection has not been a condition for the awarding of national holidays to other leaders, and it ought not to be a condition that should be met by the only black man for whom such serious annual consideration has been given to be so honored.

Mr. Speaker, it is beyond my comprehension, and therefore beyond my belief, that dollars and cents arguments have also been adduced to justify the prevention of the establishment of a national holiday to honor Dr. King and the universal principles for which he stood. And yet these arguments have been presented. Every year someone ticks off the dollars and cents that this Nation would lose by honoring Dr. Martin Luther King, Jr., with a public holiday.

Various substitutes, therefore, have been proposed to recognize Dr. King. These substitutes have included the placing of a statue or a bust of Dr. King in the Capitol, or designating some Sunday as his day of recognition. But the life that Dr. King gave was not a substitute. It was not a facsimile thereof. It was the genuine thing: his own and his only life. I cannot accept, therefore, Mr. Speaker, a substitute tribute, an ersatz award, for this man who was true to humanity, true to the causes of freedom and justice, true to his commitment to nonviolence, true to his belief in the basic integrity of the American people, true to his dream.

Thank you, Mr. Speaker, for hearing my words in support of the passage of H.R. 3706 which has been introduced

this year by the gentlewoman from Indiana, Mrs. KATIE HALL, to designate the third Monday of January each year as a legal public holiday to commemorate the birthday of Dr. Martin Luther King, Jr.

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

Mr. WRIGHT. Yes, I yield to the gentleman from Louisiana.

Mr. ROEMER. Mr. Speaker, I rise in support of the measure.

Mr. Speaker, much has been made here by the opponents of this resolution of the cost to the taxpayer of the Martin Luther King, Jr., national holiday.

I have a long established, hard-earned reputation in the House as a fiscal conservative. I am cautious and careful when it comes to spending the taxpayers' money.

With that background I reviewed and ask other Members to review the Congressional Budget Office's estimate of the annual cost of this holiday. CBO estimates a cost of \$18 million annually. That works out to a cost of 7.6 cents per citizen per year.

For 7.6 cents per citizen we honor a man who led the civil rights revolution in our country—a revolution which ranks with the Civil War and the Revolutionary War of 1776, as one of the three most important events in our Nation's history.

For 7.6 cents per citizen we honor a man who reaffirmed the American dream that all men are created equal, who planted its seeds in ghetto deserts, and who reminded a nation to honor and respect its most precious resource: its people—all of them.

For 7.6 cents per citizen we not only honor an imperfect man who fought and died for the perfect dream, we also set aside a day of reflection on why we as a nation are different: our freedom. And on why we as a nation are great: our resolve to make the dream of freedom real for every American.

Is honor and the American dream worth 7.6 cents per citizen? I believe that at any price it is worth the cost, at 7.6 cents it is a steal.

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

Mr. WRIGHT. Yes, I yield to the gentleman from Pennsylvania.

Mr. GRAY. I thank the gentleman for yielding.

Mr. Speaker, I too want to join my colleagues in expressing my strong support for H.R. 3706, which designates the third Monday in January as a legal public holiday, commemorating the birthday of Dr. Martin Luther King, Jr.

Mr. Speaker, a few Members in this Chamber have expressed reservations about supporting H.R. 3706, due to its potential costs to the Government. Well, according to the CBO, there may be a potential budgetary impact of ap-

proximately \$18 million to the Federal Government resulting from additional Federal holiday.

However, there is every reason to believe that these costs will be partially offset by additional tax revenues which might be generated from increased retail sales and consumer activity on such a holiday. In my mind the costs involved here are immaterial, however.

Second, there are those who say there are too many Federal holidays already, and we will do just as well by commemorating Dr. King's Birthday on the third Sunday in January instead of Monday.

In response, national holidays have heretofore been reserved for some of the greatest persons in our history.

Martin Luther King was one of the greatest men in our history, and in fact was a major force in reshaping the history of the United States in the 20th century.

For those who argue for a Sunday commemorative holiday I say, let us not confuse a national holiday with a holy day.

This legislation honors Dr. King not only for the strength of his leadership and the courage of his commitment to human rights, but also for his unique contribution to the fundamental principle that all men are created equal.

Finally, Mr. Speaker, in Dr. King's last speech, he said that he has been to the mountaintop, and had a vision that true equality for all people would become a reality.

By honoring Dr. King's birthday, we bring that vision a little closer.

By honoring Dr. King's birthday, we honor a man not only because he changed American peacefully, but because he was a man who symbolizes the hopes and aspirations of millions of Americans.

Martin Luther King's day must be a day for all America, because Martin Luther King's dream is the American dream.

Mr. WRIGHT. Mr. Speaker, I hope we will pass this bill and establish this annual holiday commemorating the birth of Martin Luther King, Jr. What could be more fitting than to have a time near the beginning of each year to pause and reflect upon the basic principle of the oneness of humanity so eloquently espoused by this remarkable nonviolent man who served as a hair shirt to the Nation's conscience and, for doing that, was slain.

From his unjust imprisonment Martin Luther King wrote that our generation shall have to repent not only for the hateful things said and done by the bad people but for the unthinking silence of the good people.

We need in this and in recurring generations recurring reminders of that solemn truth. And we can use a recurrent opportunity to renew our commitment to this Nation's funda-

mental goals of equality, fairness, and freedom and human dignity.

It was 20 years ago this month that Martin Luther King stood in the shadow of the Lincoln Memorial and proclaimed his now famous phrase, "I have a dream." Is it not the same dream to which this Nation proclaims its allegiance enshrined in the Jeffersonian words "All men are created equal"?

While the full implication of that dream is elusive and may never be wholly fulfilled, it must be pursued, and the distance narrowed between the promise of American principles and the reality of American life.

Passage of this bill today will not fulfill that dream, but it will fuel it and provide an annual time of renewal.

Just as Martin Luther King called upon people to stand up and be counted on the side of justice and dignity and self-respect, I call upon my colleagues today to stand up and be counted in behalf of this bill.

The SPEAKER pro tempore. The Chair will announce that the majority has the right to close, and the minority must use its time before that time or yield it back.

Mr. DANNEMEYER. How much time does the minority have, Mr. Speaker?

The SPEAKER pro tempore. The minority has 1 minute remaining.

Mr. DANNEMEYER. I thank the Speaker.

Why this matter came on the Suspension Calendar has not been made clear to me or to other Members of the Chamber. As the Members know, when it comes on the Suspension Calendar, no amendment is in order.

I believe that the amendment that should be in order is the opportunity for the House to express its will as to whether or not we recognize what Martin Luther King, Jr., has contributed to this country in the form of a holiday on a workday or on a Sunday. I happen to believe that this recognition day should be on a Sunday in order that we save the private work force the cost of another day off for employees and also the public sector employers of that same cost impact.

We should not overlook the words of a Washington, D.C., supermarket clerk who said as follows: "The man died trying to help black garbage men keep their jobs. Let us have a 'King Day' but make people stay in school an extra hour and let people work overtime."

I think that gentleman's observation is entitled to respect, but unfortunately the way this procedure has been brought in the House, we cannot even give the Members of the House the opportunity to vote on giving life to what this gentleman recommended.

I ask for a "no" vote.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. HALL of Indiana. Mr. Speaker, I yield the remainder of my time to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts (Mr. O'NEILL).

Mr. DIXON. Mr. Speaker, will the Speaker yield?

Mr. O'NEILL. I am happy to yield to the gentleman from California.

Mr. DIXON. Mr. Speaker, this month marks the 20th anniversary of Dr. King's historic march on Washington, and it is fitting that the House is voting today on legislation that gives much deserved recognition to the life and work of this truly great American.

Twenty years ago, Martin Luther King shared with us a dream. A dream which became a vision for millions of Americans. A dream that sparked a nonviolent movement that promoted a peaceful end to much of the inequality of treatment some Americans received because of their race, creed, or color.

Dr. King focused this country's attention on the democratic principals and ideals upon which it was founded, and made us live up to the fundamental tenets of the Declaration of Independence and the Constitution—the equality of man and our quest for a more perfect union.

Today, our House has the opportunity to take a step forward in developing a more perfect union.

In commemorating a holiday to honor Dr. King, we give ourselves the opportunity to reflect upon the growth of our country, and acknowledge the problems we have yet to overcome.

The resolution reported by the House Post Office and Civil Service Committee offers a thoughtful balance to holiday legislation that has been introduced in every Congress since Dr. King's untimely death in 1968.

In response to the concern that a floating holiday would cause difficulty for business and industry, it establishes the King observance on the third Monday of each January.

In recognition of the 16 States and many cities that have already enacted holidays in Dr. King's honor, the effective date of this observance is January 1985. This date provides State and local governments, as well as the private sector, the opportunity to bring their observances in line with the national holiday.

Conflicts persist, our Nation and the world face many problems which result from the separation of people because of ignorance and fear. In establishing this holiday, we can indicate our belief that the ideals Dr. King lived and died for must still be pursued.

I urge you to indicate this body's resolve to maintain a strong and visible

posture in securing basic civil and human rights in all of this country's endeavors through peace, compassion, and understanding so purposefully advocated by Dr. King by voting in favor of H.R. 3706.

Mr. O'NEILL. Mr. Speaker, it was two decades ago that I had the privilege to hear Dr. Martin Luther King proclaim "I have a dream" in his magnificent oration at the Lincoln Memorial.

Probably 50 Members of Congress went down that day to join 250,000 people by the reflecting pool. I remember a few petty men in the Congress of the United States asked for unnecessary rollcalls and quorum calls in order to force us to leave that historic occasion and return to the floor.

Martin Luther King changed America—all of America. He changed it not by a force of arms but by moral force.

He asked us to become the country that we always claimed to be: a country of equal justice, of equal opportunity, a country where all men—all men—are created equal.

He asked America to be as good as its Declaration of Independence, to be as good as its Bill of Rights. He asked all of us to take the words of our Founding Fathers and make these words come alive for all people. He asked for an American society that judges men and women not by the color of their skin but by the content of their character.

Martin Luther King showed our country the way to achieve equal opportunity and equal justice through nonviolence, through the enforcement of civil rights.

Many of us still remember in 1955 when a tired black woman, in Montgomery entered a bus and sat up front, where blacks were not allowed to sit.

A white came aboard and she was supposed to move back. Tired, weary and proud, she accepted jail, rather than move to the back.

Martin Luther King started this movement. Because he protested, because he marched, he brought segregation to its knees. And justice prevailed in that southern city.

The great monument to Martin Luther King will not to be built by what we decide here today. That monument is the historic tide of black Americans into the American democratic system, as citizens, as teachers, as professionals, as politicians, as leaders.

This living monument will endure and flourish to remind future generations of what Martin Luther King did—and what he led the rest of us to do.

The decision we make in the House today is not on Martin Luther King's place in history. That place is already secure. It grows stronger each day.

What we must decide is whether to ratify the decision of history or to

remain silent. I urge my colleagues not to remain silent but to give to this great man the official honor that history has already bestowed on him.

Greatness has been proven by this great Nobel Prize winner. Human rights and civil rights are his monument.

I urge my colleagues to give ourselves an annual memorial to a man who set the true standard of what our country stands for. I urge my colleagues: Give Martin Luther King his day.

● Mr. McGRATH. Mr. Speaker, I rise in strong support of this legislation, which would commemorate the birthday of Martin Luther King, Jr., as a national public holiday.

Mr. Speaker, this great Nation of ours has been built and sustained by great men and women. All of us can probably think of any number of individuals whose contributions to this Nation deserve to be remembered and commemorated in one manner or another.

Why, then, do we take this opportunity to single out one man among many, Dr. Martin Luther King?

I think the answer is simply that there have been few individuals in the history of this country—perhaps no others—who have been so deeply committed to the sacred principles on which this Nation was founded. There have been few individuals who have done more to stir the conscience of this Nation to extend the basic rights of our Constitution to so many people.

The American of today is different in many ways from the America of a generation ago. In some ways things have not improved for the better. But in some ways, at least, we are a significantly better society. We are better because we are more tolerant of each other. And we are better because the laws of this land now require fair housing, voting rights, equal employment opportunity, and more educational opportunity.

Would we have achieved this state of affairs had there never been a Dr. Martin Luther King? Probably.

Would we have achieved this state of affairs in the time we have without Dr. Martin Luther King? Absolutely not.

Martin Luther King was many things—a clergyman, a political leader, a statesman, and perhaps most important, a prophet. It is fitting and proper that we set aside a day in his honor, not only because of what he did in the short time God granted him on this earth, but because we need to rededicate ourselves at least 1 day a year, to the principles for which he stood and gave his life.

I urge all my colleagues, Republican and Democrat, black and white, to support this legislation. ●

● **Mr. BORSKI.** Mr. Speaker, I rise to express my full support for passage of H.R. 3345, which would designate the birthday of Dr. Martin Luther King, Jr., as a national holiday.

We are long overdue in remembering the contribution of one of the greatest men in this Nation's history. Dr. King worked toward the achievement of equality and justice for all Americans. He courageously stood for the principles of equal rights, social justice, and political opportunity for all. His efforts awakened America to the fact that racial discrimination and inequality still exist, over a century after the Emancipation Proclamation and the passage of the 14th and 15th amendments to the Constitution. Efforts have been made ever since his tragic death in 1968 to establish this national holiday. It is time we formally recognize this great American by setting aside the third Monday in January to remember him.

Dr. King strove for social change through the use of nonviolence. He showed us those aspects of our society that required change, yet did so in a way that worked within the existing system. The period witnessed a dramatic upsurge in public support for the civil rights movement, with subsequent progress in equal housing, employment, and political participation. Dr. King's accomplishments are testament to the fact that an individual can make a difference in our society, and do so without violence.

The observance of Martin Luther King's birthday is more than the remembrance of a great man. It is a moment in which we can remember the principles on which this Nation was founded. This Nation was founded on the belief that every individual is equal under the law, and thus is afforded every opportunity for personal advancement. Our future depends on our continued dedication toward the goal of full equality for all our people. Dr. King once expressed his dream that people "not be judged by the color of their skin, but by the content of their character." The observance of this national holiday demonstrates our continued commitment to the ideals that Dr. King sought to teach us.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation.●

● **Mr. MOORE.** Mr. Speaker, the House should be permitted to freely and openly construct the most meaningful way to annually observe and honor the contributions to our society left by Dr. Martin Luther King, Jr. Today a bill is brought to the House floor to declare the third Monday of each January a national legal holiday in honor of Dr. King. Others wish to set this observance on a Sunday or wish to establish a holiday in some manner without increasing the total number of holidays allowed Federal employees. These alternatives cannot

be offered today as the procedure used to consider H.R. 3706 prevents consideration of any amendments.

The central question should be observance of a holiday with the Nation's attention drawn only to the message of Dr. Martin Luther King. Instead, we are presented with a bill and a procedure that violates the freedom of open debate and decision Dr. King held so precious. I cannot vote for H.R. 3706 under these terms. I cannot vote for a bill that places emphasis on Federal employees having another day leave in the same context as the genuine purpose of this holiday. I do support recognizing his birthday in an appropriate manner as determined through the full legislative process.

The last Congress with my support approved authorization for placement of a bust or statue of Dr. Martin Luther King, Jr., in the U.S. Capitol and I have urged the Joint Committee on the Library to act expeditiously in its selection of a sculptor for this purpose including consideration of a nationally recognized black sculptor from Louisiana. I trust time will not be lost in making sure this work is undertaken, completed, and the statue or bust placed in a prominent position in the Capitol for all to view and remember.●

● **Mr. FIELDS.** Mr. Speaker, I rise in opposition to this legislation, H.R. 3706, which would designate the third Monday in January as a legal public holiday to commemorate the birthday of Martin Luther King, Jr.

Mr. Speaker, I share my colleagues' respect and admiration for the late Dr. Martin Luther King. However, I cannot support the legislation before us here today for a number of reasons.

First of all, I oppose this legislation being brought before the House on the Suspension Calendar. I believe legislation dealing with Federal holidays should be brought up before the House on the regular Union Calendar so that other alternatives such as the one offered by Mr. DANNEMEYER would have the opportunity to be reviewed and debated by the whole House.

Additionally, I am most concerned about the cost of a new Federal holiday. The personnel cost of a holiday to the Federal Government alone is \$221,000,000, according to the Office of Personnel Management. And although the Federal Government has no jurisdiction to propose national holidays for other Federal employees, individual States usually follow its lead. The added personnel costs of such action could result in 10 or 20 times the \$221 million estimate for the Federal Government.

Mr. Speaker, I am also most concerned about the precedent we set here today if we were to pass this legislation. Presently, there are nine paid Federal holidays. The last time Congress enacted legislation designating a

paid Federal holiday was in 1941. Mr. Speaker, I believe if we pass this legislation we will be opening the floodgates for future such actions. I feel as one of the earlier speakers that we in Congress should instead enact a Federal policy respecting Federal holidays and the procedures to be followed for such commemorative days.

Finally, Mr. Speaker, I find it quite interesting to note that of the nine current Federal holidays, none is dedicated to any of the great figures of American history, including George Washington, Abraham Lincoln, or Theodore Roosevelt. Instead of the legislation before us here today, I believe we should instead act on legislation which would recognize all great American historic figures including Dr. Martin Luther King, Jr.

Thank you, Mr. Speaker.●

● **Mr. MINETA.** Mr. Speaker, I rise to support this legislation.

Martin Luther King served all Americans by pursuing the promised land of equal opportunity peacefully and bravely. All public officials should recognize the force and importance of that example.

Martin Luther King was indeed an American hero. There can be no doubt about that. But he was and is much more than a hero. He lives on as a symbol—a symbol of freedom and compassion, of peace and equality.

And we should understand that by voting for this legislation, by voting to recognize this great man, we are voting to pay homage to our Nation's most basic and important principles.

I urge my colleagues to pay homage.

Thank you.●

● **Mr. COYNE.** Mr. Speaker, I rise in strong support of H.R. 3706, a bill to designate the third Monday of January as a holiday in honor of Dr. Martin Luther King.

If ever we needed to set aside a day of the year to reflect on the inspiration of a man of peace, now is the time. Dr. King's views on the arms race are as appropriate today as they were in 1964 when he accepted the Nobel Peace Prize. He then said:

I refuse to accept the cynical notion that nation after nation must spiral down a militaristic stairway into the hell of nuclear destruction.

Dr. King, suggesting his own eulogy just 2 months before he died, remarked that if he were to be remembered he hoped it would be as a "drum major for justice and for peace." He said to his wife, Coretta Scott King:

Yes, if you want to say that I was a drum major, say that I was a drum major for justice; say that I was a drum major for peace; I was a drum major for righteousness; and all the other shallow things will not matter . . .

What could be more fitting that a national holiday in honor of a man who devoted his life to peace and jus-

tice? I have heard the arguments against designating a day in January as Dr. Martin Luther King Day, arguments which suggest that it will somehow lessen worker productivity or increase Government costs. I do not find them convincing. The Commonwealth of Pennsylvania has had a State holiday in honor of Dr. King for a number of years. It continues to function as well as any other State. I hope this Congress will follow the example of Pennsylvania. Dr. King inspired not only our State, he inspired the Nation.

I urge my colleagues to vote yes on H.R. 3706.

At this point I would like to include in the CONGRESSIONAL RECORD the text of a 1981 Pittsburgh City Council resolution which calls on the Congress to declare a holiday in honor of Dr. Martin Luther King.

The resolution follows:

RESOLUTION NO. 34

Whereas, the Reverend Martin Luther King, Jr. dedicated his life and endeavors to the achievement of a just and healthy society and the enhancement of respect and trust in our institutions and the insurance that all citizens are treated equally before the law; and

Whereas, his outstanding contributions included the Nobel Peace Prize and other forms of international recognition; and

Whereas, January 15 is the birthdate of this great American and is celebrated throughout the United States of America; and

Whereas, celebrations are held in schools, churches and community centers; and

Whereas the Commonwealth of Pennsylvania has designated January 15 as a State holiday; and

Whereas, the United States Congress has been petitioned to designate January 15 as a National legal holiday; Now, therefore, be it

Resolved, That the Mayor and the Members of Council of the City of Pittsburgh on behalf of the residents of the City of Pittsburgh do honor and recognize the birthdate of the Reverend Martin Luther King, Jr. and encourage the Congress of the United States to designate January 15 as a National legal holiday.●

● Mr. MARKEY. Mr. Speaker, today, we debate a bill that should pass the Congress 435 to 0. The need for Dr. King's birthday as a time of national remembrance should be self-evident. It would be a time to rekindle his call to us—black or white or brown or whatever—his call to us for justice and equality for all Americans.

After all, it was 20 years ago this summer that Dr. King came to Washington to bring the needs and demands of his people to our attention. Like so many high school students of the time, I heard Dr. King's message and was moved. It affected our generation, wherever we were, and changed our hearts and our minds.

But that was 20 years ago. Many American youths—and adults—have not heard Dr. King's message. Many lead lives which are still racially isolated, still insulated from the call of his words and his deeds and his accom-

plishments. A holiday to remind us of his work—1 day each year—would be more than an important means of honoring a slain national leader: It would be a needed national educational effort to keep us on track; on the road to freedom and justice for all people. It is our failure of the past few years, our failure to keep moving, keep rolling down this path which demonstrates how desparately this holiday is needed now. I urge my colleagues to vote for H.R. 3706.●

● Mr. LUKEN. Mr. Speaker, I urge the House of Representatives to pass H.R. 3706, legislation establishing a national holiday in honor of Dr. Martin Luther King, Jr.

I firmly believe that Dr. Martin Luther King made substantial contributions to the social, political, and spiritual foundations of this country. His courageous advocacy of peace, equal justice, and nonviolence establishes him as one of the truly great leaders in American history. His dream of an America with equal justice for all became a vision for millions of Americans and it sparked a movement which sought peaceful change and the removal of barriers due to race, creed, or religion. A national holiday commemorating the birth of Dr. King gives this great American leader the recognition which his life and work so richly deserve.

H.R. 3706 should be passed overwhelmingly by the House of Representatives, designating the third Monday of January of each year as a legal public holiday to commemorate the birthday of Martin Luther King, Jr. The effective date of this observance is January of 1985, which gives State and local governments, as well as the private sector, the opportunity to prepare for observance of this new national holiday. The Congress should recognize the important contributions of Dr. King and establish a national holiday which will allow all Americans to reflect upon the ideals for which he stood.●

● Mr. WIRTH. Mr. Speaker, our Nation has always celebrated its great leaders: People who, through foresight and wisdom have united our Nation in times of turmoil and apprehension and challenged us to be great. George Washington led us through a war and into our life as a new and uncertain nation. Abraham Lincoln held that nation together through its darkest and most painful crisis.

Mr. Speaker, in our time we have known such a man: Dr. Martin Luther King, Jr. Born without the advantage of skin color enjoyed by Washington and Lincoln, King brought to a confused and troubled nation a new understanding of its commitment to equality, justice, and human dignity.

To Dr. King, these were not simply words to be set in stone and then defended as one would a city or a strate-

gic hill top. Rather, they were dynamic realities, born fresh every day of commitment and action. From his church in Atlanta, from the buses and highways and jails of the South, and from the streets of the North, King reminded this Nation of the human dignity and the equality which is everyone's "inalienable right."

From the steps of the Lincoln Memorial, Dr. King shared with us a dream which we must continually make our own. For it will only be through such vigilance that we will maintain not only those freedoms won by King and his nonviolent civil rights movement, but all those rights and liberties we have struggled for over 200 years to preserve.

Mr. Speaker, 1 day our Nation will realize "the true meaning of its creed." And when we do, we must remember Dr. Martin Luther King, Jr., the great American who pointed the way. That day will truly be his day. But we can start today by remembering King as we do all our heroes, and by dedicating a day each year to his memory, to his words and deeds, and to the work we have remaining to make his dream a beautiful reality.●

● Mr. DORGAN. Mr. Speaker, I was proud to vote today in favor of honoring Dr. Martin Luther King, Jr. Dr. King's vision of an America with true equality for all and his commitment to the pursuit of justice through nonviolent change should be recognized by this country.

It would be my preference, however, that we find a different way to memorialize this great man than by establishing another national holiday. That is costly to the Federal Government as well as to the private sector.

One specific suggestion is to establish a national day of remembrance on the third Sunday of January. Or, we could consider memorials or fitting tributes such as those memorials in Washington, D.C. which acknowledge the greatness of many for whom there is no formal holiday.

I would hope that the Senate might modify our bill so as to preserve the intent of the House action but not create a new Federal holiday. Dr. King was a truly extraordinary American. I believe his legacy must be appropriately honored, and that is why I voted for the concept embodied in this legislation.●

● Mr. TOWNS. Mr. Speaker, Dr. Martin Luther King, Jr. was undoubtedly one of the greatest men in the history of our country, who lived up to the highest ideals of humanity. He was instrumental in leading the search for freedom for all Americans, within an unbending framework of nonviolence.

Dr. King's ideals are as relevant today as they were in the 1960's, a decade which he influenced tremen-

dously. He is a man we must never forget, because the ideas and values which he so strongly and unselfishly believed in, were for the betterment of all mankind.

A national holiday in Dr. King's name would be a day in America for millions of citizens, of all races, to reflect on, and rededicate the Nation to, the purposes of his life's work. Time often diminishes the memory of great leaders. This is not the case with Dr. King. He is among a small number of great leaders for whom respect, honor, and admiration have grown increasingly with time.

Further, this holiday would not just be a celebration of one man's life, although extraordinary. Rather, it would be a day for the entire Nation to memorialize the ideas he represented and the moral purpose that we desperately need to recapture today. ●

● Mr. PHILIP M. CRANE. Mr. Speaker, my vote in opposition to H.R. 3345, designating the birthday of Martin Luther King, Jr., a legal public holiday should not be interpreted as a statement that we should not honor the man and his vision. Rather it is the question of the effect of most legislation we pass—the cost to the taxpayer and to our Nation's business of removing another productive workday from the calendar year. It will cost \$225 million in lost Federal work force productivity. The U.S. Chamber of Commerce estimates it will cost businesses \$4.3 billion.

I also question the propriety of Dr. King's being so honored. Jesus Christ is the only individual whose birthday is now so recognized. We have discontinued honoring George Washington's birthday, instead we celebrate President's Day.

It should be noted that the States are at liberty to create whatever State holidays they choose; 17 States now honor Dr. King's birthday, two of them designate it a Sunday. In Illinois, we honor Lincoln, in Virginia they honor Robert E. Lee, and in Alabama they honor Jefferson Davis. Let the States take this action.

Finally, when the bill was considered in the House Committee on Post Office and Civil Service, an amendment was offered that would proclaim Sunday such a day. If it is the intent of the bill's proponents to provide a day commemorating Dr. King's efforts to gain equal justice for all, it seems to me the best way to do this is to designate a Sunday for such a day. It should be noted that this option was precluded by the procedure used to bring the bill to a vote. The Washington Post quoted a supermarket clerk who commented on the matter of establishing a Federal holiday for Dr. King:

The man died trying to help black garbage men keep their jobs . . . Let's have a

King Day, but make people stay in school an extra hour and let people work overtime.

Mr. Speaker, it is that sentiment which I am sure Martin Luther King would have endorsed. ●

● Mr. GEJDENSON. Mr. Speaker, I rise to congratulate my colleagues in the House on the passage of H.R. 3706, a bill to make the third Monday in January a national holiday in commemoration of the birthday of Dr. Martin Luther King, Jr. It is particularly fitting that this bill has passed the House at this time while we are preparing to celebrate the 20th anniversary of Dr. King's historic 1963 march on Washington.

In my home State of Connecticut we have recognized Dr. King's birthday as a State holiday for several years, the time is long overdue for the Federal Government to officially honor this great man in the same way. I would hope that the Members of the Senate and the President will act swiftly to complete action on this very important measure.

Dr. King was one of our greatest leaders, in one of our most troubled times. By setting aside a day to honor his memory we can insure that future generations will learn of Dr. King's valiant struggle for civil rights and justice for all people. I can think of no man who would serve as a finer example for our young people, and with much of what Dr. King set out to accomplish still not achieved, we must do all we can to encourage others to follow in his footsteps. I was proud to vote with the majority of my colleagues in the House today to honor Dr. King and reiterate my hope that the Senate and the President will follow suit. ●

● Mr. BIAGGI. Mr. Speaker, I not only rise in support of this legislation but also with a certain sense of indignation over how long it has taken us to achieve what this bill sets out to do. H.R. 3706 would designate the third Monday in January of each year as a legal public holiday to commemorate the birthday of Dr. Martin Luther King, Jr. We must pass this bill if we are to correct an injustice of history of tremendous magnitude.

The detractors from this legislation concentrate their efforts on raising arguments about the cost of establishing another legal Federal holiday. There are nine such holidays in existence today and I do not recall any of them being subjected to this degree of scrutiny if not outright delay.

A national holiday is perhaps the only real and fitting tribute this Nation could pay to the memory of Dr. Martin Luther King Jr. Dr. King was a man of enormous influence over this Nation and remained so until he met a sudden death by assassination. Yet almost 14 years after the fact, we have failed to establish any appropriate na-

tional tribute to the memory of Dr. Martin Luther King.

I am not persuaded by the arguments of those who charge the cost of a new Federal holiday would be prohibitive and this serves as a justification for us not observing this holiday. It does seem to me that by having the day designated on a Monday would serve to minimize the extra costs.

The issue to me is basic—do we at long last pay an appropriate national tribute to the illustrious Dr. Martin Luther King, Jr., by designating his birthday as a national holiday—or do we continue to prolong this omission of history? I urge us to pass this bill in sufficient time for it to be the focal point at the upcoming 20th anniversary observance of Dr. King's famous march on Washington—an event which so acutely shaped the course of civil rights in this Nation. Let us not promote in this Congress the same type of injustice which Dr. King fought so hard to eliminate from our society. Therefore, I urge passage of H.R. 3706. ●

● Mr. NICHOLS. Mr. Speaker, Dr. Martin Luther King, Jr., was a great leader of our generation, and, in the minds of many citizens, he is undoubtedly respected equally with President Abraham Lincoln, who brought about the end of slavery in this great Nation. We honor President Lincoln on the Sunday in February that falls nearest his birthday, and the House should at least be allowed this same choice when considering such an appropriate recognition of Dr. King.

By considering this bill under suspension of the rules, the Members' hands are tied, and the only choice is to accept another paid Federal holiday at the expense of the taxpayers, or not. This is not an appropriate way to consider honoring Dr. King. While the Congressional Budget Office has estimated the costs to be \$24 million, I recall that when this was considered back in 1979, a figure of \$212 million was noted in the RECORD.

As we are currently facing a budget deficit of \$200 billion, and interest rates have started to climb again, another paid Federal holiday is simply the wrong signal for the House to send to the financial market. This will only serve to further increase prices and place additional burdens on our poor and elderly; another holiday for our postal workers will only serve to further increase the cost of postage for our citizens who cannot get about as easily, and who are more dependent on the mail.

Mr. Speaker, I would want to support some appropriate recognition of the work of Dr. King, but this legislation is too restrictive and offers no alternative. I do not believe that the taxpayers of our Nation can afford another Federal holiday at this time, and

the bill before us offers no other choice.●

● Mr. LEHMAN of California. Mr. Speaker, I rise today to express my support for H.R. 3345, designating the third Monday in January of each year a legal public holiday to commemorate the birthday of Dr. Martin Luther King, Jr.

Passage of a bill such as H.R. 3345 is long overdue. Dr. Martin Luther King, Jr., made monumental contributions to the Civil Rights Act and was responsible in large part for the U.S. greater national commitment to the achievement of equality.

Like many of the greatest men in history, Martin Luther King, Jr., proved that there is no limit to what can be accomplished by peaceful means. Today we are witnessing hostility in almost every corner of the world. Iran and Iraq have waged a senseless war for the last 32 months, religious turbulence continues in the Middle East, in Africa, Chad is struggling to counter the military dominance of Libya, and in Central America the United States is financing a covert war which most Americans know very little about.

Surely, today more than ever, we could benefit from a day which would serve as a constant reminder that peace can be a valuable tool in obtaining one's objectives.

Although Martin Luther King, Jr., is no longer with us, the perpetuation of his memory will serve as a reminder and a lesson for all of us that skin color and violence should play no role in our relations with the people around us.●

● Mr. RATCHFORD. Mr. Speaker, today I rise in remembrance of a dream, and of a dreamer, the late Dr. Martin Luther King, Jr. Dr. King, being the wise and sightful man that he was, had a vision that one day all men would rise up in recognition of the bond that we all share as human beings. King believed that man was capable of expressing a deeply rooted love and that his love could overshadow all of our differences, all of our hates and prejudices. I too believe in Dr. King's dream. Though he has been dead for many years now, I know that the dream is not dead. This is why I am here today asking my fellow Congressmen to join me in recognition of the important contributions Dr. King made to our Nation, by supporting his birthday as a national holiday.

Dr. King once said that, "The man who won't die for something is not fit to live." King did not simply die for the sake of blacks and the poor. He died for blacks and whites, for all of mankind. He believed as do I, that if we are to truly be a great world leader, we must caress all of our people, making everyone an equal part of our Nation. In his famous 1963 speech, Dr. King said:

We will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing, Free at last! Free at last!

This is the caliber of man we had in Dr. King.

Everyone here today knows of Dr. King's heroic story and his quest for equality for all mankind. I, therefore, will not elaborate too much on his role in the civil rights movement and his use of nonviolent action. However, one campaign deserves particular praise. Dr. King's Birmingham campaign in 1962. Under Dr. King's leadership, the Gandhi method of nonviolent resistance was revised, tested, and proven to be an effective vehicle for bringing about social change in the United States. By attacking the economic power of Birmingham, King and his associates gave the civil rights movement life by bringing it to the attention of America. Protesters, trained in nonviolent resistance, were peaceful and turned the other cheek, even while being attacked by dogs. Hundreds at a time were jailed and beaten. Even more alarming to the millions of Americans, who viewed this movement on television, was the use of young children, also trained in nonviolent action. These children stood up to the fangs of police dogs and many were jailed. In the face of this revolution and bravery, the moral conscience of the Nation was deeply stirred. To all the country, Dr. King's fight became the fight of decent Americans of all races and creeds.

Priests and rabbis, young and old, black and white, followed King and were instrumental in his accomplishments. Members of every class, faith, and profession joined hands and marched alongside King. This army fought a long hard battle with their one weapon, love.

Progress toward the eradication of racial injustice was indeed one of Dr. King's accomplishments, yes. But there is a much larger story. Dr. King's movement enlarged the concept of brotherhood to a vision of total interrelatedness. Nonviolence, as practiced by Dr. King proved to not only be the answer to the needs of blacks, but to the most adequate needs of all humanity. Since Dr. King's heroic stand for human rights, we have seen the use of his tactics and philosophy by several groups seeking equality; womens groups, religious groups, war protestors, and students. Dr. King's struggle had a significant impact on the achievements made by these groups of all of America. We are all, therefore, deeply indebted to Dr. King for his guidance in the area of social change.

Dr. King and his dream inspired us to attempt to reach new heights, to reach beyond our wildest imagination, to a world of peace and love for man-

kind; a world where men are judged by their deeds instead of by the color of their skin, social status, or religion. He knew that the hate, so deeply embedded in our society, would destroy us; or at least prevent us from reaching our greatest potential. We must, therefore, preserve his legacy, and grasp this message, so that generations to come will know of this great man and his struggle for human rights. A day each year named in honor of this great American, is not simply a day of remembering his movement, but a day that we can stop and relish the dream he had for us, a day to explore the possibilities of his dream coming true. Dr. King's birthday, as a national holiday would symbolize our commitment to world peace and love of mankind.

Its been 5 years since legislation was introduced which would make King's birthday a national holiday. Those of us who believe in the dream have kept the faith and the dream alive. Many counties and cities already observe such a holiday. All arguments against the passage of this legislation have been fully considered and found without merit. The need for this holiday is indeed needed today more than ever.

Dr. King's contributions to our Nation, and certainly his sacrifice cannot possibly be measured. He was a man of love, who used love to obtain his objectives. King was jailed several times, beaten, stabbed, and had his house bombed. In the light of all of this, King continued to fight his enemy with love. "Hate is rooted in fear, and the only cure for fear is love," was a favorite saying of King's. With his undying love for mankind King helped to break still another chain which enslaved our country's black and poor. He forced America to take a look at itself and its hypocrisies. How many men in our lifetime, in this country, can you remember having such an impact on our Nation. We may never see such a man again. We must, therefore, not forget his courage or his sacrifice. He had but one message; that we must love one another. By doing so, Dr. King felt that we could overcome all of our barriers. We must remember King and his legacy, for as we strive to fulfill his dream, we are really striving for a better, more peaceful life for ourselves.●

● Mr. OTTINGER. Mr. Speaker, I urge the passage H.R. 3706, a bill which would establish a legal Federal holiday on the birthday of Martin Luther King, Jr.

Such a holiday would serve foremost as a tribute to and commemoration of Dr. King's lifetime of struggles on behalf of the cause of freedom and equality, a cause for which he gave his life. The extent of Dr. King's contributions to the movement for civil rights and social justice is beyond estimation.

As organizer, orator, lobbyist, leader, and as the great strategist of nonviolent protest, Dr. King gave every ounce of his energy to help build a more just society.

His accomplishments, however, cannot be measured merely in numbers of laws passed, numbers of institutions integrated, numbers of protest goals achieved as a result of his efforts. By all these measures, and many more, his accomplishments can only be described as superhuman. But perhaps even more important was Dr. King's accomplishment as the greatest moral leader of his generation, perhaps of this century. Dr. King inspired people of all backgrounds and faiths to defy a system which for so long had perpetuated discrimination and injustice; and he exhorted all Americans to live up to the vision of brotherhood embodied in our Bill of Rights. A member of one of the most alienated groups in American society, he became his generation's greatest expositor of the American dream.

A commemoration of Dr. King's birthday would also serve as a testament to all the thousands of individuals who gave their time, their strength, and in some cases their lives, in the cause which Dr. King so valiantly guided. His principal strategy was one of mass action, and it is fitting that a day of remembrance for Dr. King should be viewed equally as a day of remembrance for the anonymous thousands who shared his struggle. Those who fought, and those who continue to fight, the battles of the civil rights movement have, as Dr. King put it, "through tenacity and creative commitment, injected new meaning into the veins of American life."

Dr. King was also a vocal leader against our foolish participation in the Vietnam war. He was a great advocate of peace. Were he with us today I have no doubt he would be leading us in protest against our involvement in President Reagan's Central American war—as sadly no leader has arisen to do today.

The most important function of a holiday on Dr. King's birthday, then, would not be to look back in order to pay tribute, but to look forward, to dedicate ourselves to the causes for which Dr. King ceaselessly toiled. In his last book, "Where Do We Go From Here: Chaos or Community?" Dr. King observed that—

Much has been done, but it has been accomplished by too few and on a scale too limited for the breadth of the goal. Freedom is not won by passive acceptance of suffering. Freedom is won by a struggle against suffering.

That observation remains equally accurate today.

A few weeks from today a coalition of groups from all across the country will hold a demonstration on the Mall

to mark the 20th anniversary of the March on Washington. They will be calling on our Nation to take up Dr. King's unfinished agenda, to recommit ourselves to the fulfillment of the dream he expounded 20 years ago. The establishment of a Federal holiday on the birthday of Martin Luther King, Jr., would provide a national day of re-dedication to that dream, to the goal of a truly just national community.●

● Mr. IRELAND. Mr. Speaker, Dr. Martin Luther King's place in American history has been guaranteed by his commitment to equal justice for all and change through nonviolence.

Today, as that struggle to promote freer and more diverse access to this country's resources continues, the unrelenting growth of Government spending and deficits clearly stands as the greatest obstacle to full employment, equal access to opportunity and prosperity—matters of great concern to all Americans.

Given this reality, the creation of another Federal holiday—with its accompanying adverse fiscal implications—does not seem to be the proper vehicle to honor Dr. King. The cost to our government of a new Federal holiday would be a minimum of \$235 million at the Federal level and an additional amount at the State level.

Dr. King's message was inspirational and spiritual. His day of recognition ought to reflect that fact.

I would support an alternative proposal to set aside a specified Sunday as the holiday, or declare a national day of prayer and meditation in his honor.

My feeling on this matter are very sincere and I would not be in favor of creating an additional holiday for any American.●

● Mr. MATSUI. Mr. Speaker, I rise in support of H.R. 3706 designating January 15 as a national holiday in honor of Dr. Martin Luther King.

A relentless campaigner for human rights, racial justice, and world peace, Dr. King's words remain insightful and much needed today. In fact, over the last 15 years the importance of Dr. King's efforts have become increasingly apparent.

In today's vote, the House can at long last provide the special recognition that this great American leader deserves. In designating this holiday, we not only recognize the contribution of black Americans to our Nation's progress; we as well underscore our society's awareness that greatness comes in many forms. As we rightly honor certain presidents and military achievements, we can also honor a man who did not hold elective office, but whose main achievement was to remold the conscience of an entire nation.

Mr. Speaker, I urge support today for this resolution in the interest of all Americans, for it is this vast constitu-

ency which Martin Luther King ultimately served so nobly.●

● Mrs. SCHROEDER. Mr. Speaker, I rise in support of this legislation to create a national holiday commemorating the birth of Dr. Martin Luther King, Jr. It is most appropriate, and long overdue, that we recognize Dr. King's great contribution to the struggle for civil rights and social justice in this country by creating a holiday in his honor.

Dr. King's actions have touched all our lives. He was able to focus the Nation's attention on the institutional barriers that prevented black Americans from voting, getting a quality education, and receiving just treatment from the courts. Numerous pieces of legislation, including the Civil Rights Act of 1964, and the Voting Rights Act, were enacted largely in response to Dr. King's persistence in demanding that all Americans, regardless of the color of their skin, receive the constitutional protection of equal protection under law.

The nine national holidays currently observed by Government agencies were created to remind us of something great in American history. We should create a national holiday honoring Dr. King because he personified the inexorable, irresistible yearning for social justice of the American people. He represents that part of the American soul which refuses to tolerate prejudice and injustice, surely one of our Nation's greatest strengths.

Creation of a national holiday to honor Dr. King's struggle for racial equality is particularly urgent now. Under the current administration, affirmative action in education and employment has fallen into disfavor as a national policy. The Assistant Attorney General for Civil Rights, William Bradford Reynolds, has repeatedly stated his opposition to any affirmative action programs. A King holiday will surely create renewed awareness of the cause to which Dr. King dedicated his life. It is my hope that renewed interest in the struggle for racial equality will prevent further erosion of the gains made by black Americans in recent years.

I urge my colleagues to vote in favor of this legislation.●

● Mrs. KENNELLY. Mr. Speaker, I rise in support of H.R. 3345, the bill to designate the birthday of Martin Luther King, Jr., as a national public holiday.

National recognition and commemoration of this great American and the ideals for which he stood is long overdue. In time of racial strife, he spoke eloquently for brotherhood, social justice, human dignity and peace in the world. He sought the achievement of these goals through nonviolent social protest—indeed his life epitomized the nonviolent struggle against injustice.

His visionary leadership enabled this country to move closer to the ideals of racial and social justice upon which it was founded than multitudes of armies ever could have done. Martin Luther King, Jr., laid the foundation for the civil rights movement in this country, and his legacy lives on in our lives today.

Not only was King a living embodiment of the ideals upon which America was founded, his message was a beacon of hope and inspiration to people of all races and creeds seeking nonviolent social change all over the world. Dr. King lived for his dream of America as a land of equal rights and equal opportunity for all. And he was killed for that dream. It is our responsibility to see that his dream lives on, and that it is visibly symbolized and honored by the creation of a national holiday. A national day of remembrance would accord King the prominent place he deserves in our Nation's history, and it would remind us each year that America still has a distance to go to realize Martin Luther King's dream. Each year on January 15, we must rededicate our lives to the struggle against bigotry and injustice. ●

● Mr. BROWN of California. Mr. Speaker, the Reverend Dr. Martin Luther King, Jr. had a dream, a utopian vision in which humankind could coexist peacefully, productively, and harmoniously regardless of racial, religious, or ethnic differences. Dr. King did more and has come closer than anyone to allowing this dream to materialize. King was the catalyst for the dream of a world community in which all individuals would live together in humaneness and respect.

Dr. King devoted his life to eliminating racial prejudice and bigotry in all forms through nonviolent means. Dr. King's advocacy of passive resistance is modeled after that great sage and leader, Mahatma Gandhi. Dr. King is perhaps our country's foremost example of our national commitment to strive for equality without resorting to violence. To quote Dr. King:

Nonviolence is the answer to the crucial political and moral questions of our time; the need for man to overcome oppression and violence without resorting to oppression and violence. Man must evolve for all human conflict a method which rejects revenge, aggression, and retaliation. The foundation of such a method is love.

Dr. King's life, education, and sacrifice stand as an inspiration to all of us. I believe that it is time to honor Dr. Martin Luther King, Jr. by establishing a Federal holiday to commemorate Dr. King's birthday. It is time not merely to recognize the contribution he has given to this country, but to dedicate a day each year to the everlasting imprint he has left on the world. As a long-time supporter of this effort, I urge the passage of this resolution. ●

● Mr. SIMON. Mr. Speaker, I want to join my colleague, Mrs. HALL, the gentle lady from Indiana, my friends and colleagues in the Congressional Black Caucus—especially Mr. CONYERS—and other Members of the House in supporting passage of H.R. 3706.

I have a special purpose and personal reason for supporting enactment of legislation making Dr. King's birthday a national holiday. I joined Dr. King at the second anniversary celebration of the 1956 Montgomery bus boycott. As a freshman legislator in the Illinois House and the sponsor of major civil rights legislation in the Illinois legislature, Dr. King invited me to join him in a flight from southern Illinois to Atlanta and then to Montgomery to share in the celebration of one of the most significant civil rights achievements then on record. I had the opportunity during that time to better understand the man who was fast becoming a living legend in this Nation's civil rights history.

The self-styled "drum major for justice" was also a prophet of peace. He not only mobilized and led the 382 day bus boycott in Montgomery, he also called on the Nation's leaders to reject nuclear war and human devastation in Southeast Asia, and fought for human dignity and living wage for sanitation workers in Memphis. During his all too brief lifetime, he became a national hero, a warrior for racial justice, a Nobel Prize winner, and a shepherd to the masses.

While enactment of this legislation has symphonic meaning for all American citizens, especially black Americans, it has substantive meaning as well. Today the House of Representatives should put behind it questions of cost an color, and lift up the character and achievements of Rev. Martin Luther King, Jr.

I urge my colleagues to join me in voting "aye" on H.R. 3706. ●

● Mr. DONNELLY. Mr. Speaker, since 1968, the House has considered legislation to establish a national holiday in honor of Dr. Martin Luther King, Jr. This month marks the 20th anniversary of Dr. King's historical march on Washington, and I think it only fitting that today, we pass H.R. 3706, in order to once and for all give this great American the recognition he so deserves.

As a result of Dr. King's faith and leadership, the American people were awakened to the real damages of segregation and discrimination which had divided our Nation. Seventeen States, including my home State of Massachusetts have already enacted holidays in his honor. To approve legislation to designate 1 day in tribute to this great American leader is a small price for this body to pay in light of his many outstanding achievements.

The ideals that Dr. King lived and died for must continue to be pursued for the sake of world peace. I sincerely hope that my colleagues will support passage of H.R. 3706. ●

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentlewoman from Indiana (Mrs. HALL) that the House suspend the rules and pass the bill, H.R. 3706.

The question was taken.

Mr. DANNEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. DANNEMEYER. 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 338, nays 90, not voting 5, as follows:

[Roll No. 304]

YEAS—338

Ackerman	Collins	Garcia
Addabbo	Conte	Gaydos
Akaka	Conyers	Gejdenson
Albosta	Cooper	Gekas
Alexander	Corcoran	Gephardt
Anderson	Coughlin	Gibbons
Andrews (NC)	Courter	Gilman
Andrews (TX)	Coyne	Gingrich
Annunzio	Crockett	Glickman
Anthony	D'Amours	Gonzalez
Aspin	Daschle	Gore
AuCoin	Daub	Gradison
Barnard	Davis	Gray
Barnes	de la Garza	Green
Bates	Dellums	Guarini
Bedell	Derrick	Gunderson
Bellenson	DeWine	Hall (IN)
Bennett	Dicks	Hall (OH)
Bereuter	Dingell	Hall, Ralph
Berman	Dixon	Hamilton
Bethune	Donnelly	Hance
Bevill	Dorgan	Harkin
Biaggi	Dowdy	Harrison
Bliley	Downey	Hartnett
Boehlert	Duncan	Hatcher
Boggs	Durbin	Hawkins
Boland	Dwyer	Hefner
Boner	Dymally	Hertel
Bonior	Dyson	Hightower
Bonker	Early	Hiler
Borski	Eckart	Hillis
Bosco	Edgar	Hopkins
Boucher	Edwards (AL)	Horton
Boxer	Edwards (CA)	Howard
Breaux	Edwards (OK)	Hoyer
Britt	Emerson	Hubbard
Brooks	English	Huckaby
Broomfield	Erdreich	Hughes
Brown (CA)	Evans (IA)	Hunter
Broyhill	Evans (IL)	Hyde
Bryant	Fascell	Jacobs
Burton (CA)	Fazio	Johnson
Burton (IN)	Feighan	Jones (NC)
Byron	Ferraro	Jones (OK)
Carper	Fish	Jones (TN)
Carr	Flippo	Kaptur
Chandler	Florio	Kasich
Chappell	Foglietta	Kastenmeier
Chappie	Foley	Kazen
Cheney	Ford (MI)	Kemp
Clarke	Ford (TN)	Kennelly
Clay	Forsythe	Kildee
Coats	Fowler	Kogovsek
Coelho	Frank	Kolter
Coleman (MO)	Frost	Kostmayer
Coleman (TX)	Fuqua	LaFalce

Lantos	Nowak	Skelton
Leach	O'Brien	Slattery
Lehman (CA)	Oakar	Smith (FL)
Lehman (FL)	Oberstar	Smith (IA)
Leland	Obey	Smith (NJ)
Lent	Olin	Snowe
Levin	Ortiz	Solarz
Levine	Ottlinger	Spratt
Levitas	Owens	Staggers
Lewis (CA)	Oxley	Stark
Lewis (FL)	Panetta	Stokes
Lipinski	Parris	Stratton
Livingston	Patman	Studds
Lloyd	Patterson	Swift
Long (LA)	Pease	Synar
Long (MD)	Penny	Tallon
Lowery (CA)	Pepper	Tauzin
Lowry (WA)	Perkins	Thomas (CA)
Luken	Pickle	Thomas (GA)
Lundine	Porter	Torres
Lungren	Price	Torricelli
Mack	Pritchard	Towns
MacKay	Rahall	Traxler
Madigan	Rangel	Udall
Markey	Ratchford	Valentine
Martinez	Regula	Vander Jagt
Matsui	Reid	Vandergriff
Mavroules	Richardson	Vento
Mazzoli	Ridge	Volkmer
McCloskey	Rinaldo	Walgren
McCurdy	Ritter	Walker
McDade	Roberts	Watkins
McEwen	Rodino	Waxman
McGrath	Roe	Weber
McHugh	Roemer	Weiss
McKernan	Rose	Wheat
McKinney	Rostenkowski	Whitley
McNulty	Roukema	Whittaker
Mica	Rowland	Whitten
Michel	Roybal	Williams (MT)
Mikulski	Russo	Williams (OH)
Miller (CA)	Sabo	Wilson
Mineta	Savage	Wirth
Minsh	Sawyer	Wise
Mitchell	Schneider	Wolf
Moakley	Schroeder	Wolpe
Mollohan	Schulze	Wortley
Moody	Schumer	Wright
Morrison (CT)	Seiberling	Wyden
Morrison (WA)	Shannon	Wylie
Mrazek	Sharp	Yates
Murphy	Shaw	Yatron
Murtha	Sikorski	Young (AK)
Myers	Siljander	Young (MO)
Natcher	Simon	Zablocki
Neal	Sisisky	Zschau
Nelson	Skeen	

□ 1450

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

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1500

GENERAL LEAVE

Mrs. HALL of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on H.R. 3706, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

Mr. EDWARDS of Oklahoma. Mr. Speaker, reserving the right to object, and I shall not object, I take the reservation only to notify the House that on this very historic occasion, a majority of both parties in the House voted for the bill just passed.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

CONFERENCE REPORT ON H.R. 3329, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1984

Mr. LEHMAN of Florida. Mr. Speaker, I call up the conference report on the bill (H.R. 3329) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1984, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 26, 1983.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. LEHMAN) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. COUGHLIN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. LEHMAN).

Mr. LEHMAN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the conferees on the fiscal year 1984 transportation appropriations bill had two basic objectives: First, to provide the resources necessary to meet our Nation's transportation program objectives for the coming

year; and second, to produce a conference agreement which will become a public law.

We believe we have achieved both of these objectives. The conference agreement would provide \$10,932,207,225 in new budget authority. That is \$367.7 million less than the House bill and \$78.25 million more than the Senate bill. We have strong indications from the administration that the conference agreement is acceptable to them and that the bill will be signed into law.

Mr. Speaker, some Members might question why this conference agreement is so far below the House-passed bill. The major reduction from the House bill occurs in the FAA account—which has been cut by about \$200 million in line with the Senate bill.

In my view, the House conferees would not have agreed to the Senate aviation figures but for a July 13 letter sent to the chairman of the Senate Appropriations Committee by Secretary DOLE. That letter states that the lower Senate figures would allow the department, which includes the FAA, to operate effectively and goes on to say that the FAA Administrator believes that the Senate figures would not severely impact the implementation of the national airspace system plan.

The purpose of this letter is to convey my appreciation for the actions taken by the Senate Subcommittee on Transportation in marking up the fiscal year 1984 DOT Appropriations Bill. The excessive appropriation levels of the House passed bill were dramatically reduced and much of the objectionable bill and report language was deleted. Barring any unforeseen circumstances, the Department can operate effectively within the Subcommittee's levels. In particular, FAA Administrator Helms has indicated that the FAA levels, although reduced below those requested by the Administration for fiscal year 1984, will not severely impact the implementation of the NAS plan in 1984—the Administration remains committed to the outyear funding requirements associated with the NAS plan.

I would recommend that an enacted Appropriations Bill along the lines of that of the Subcommittee be signed by the President.

Mr. Speaker, in agreeing to the lower aviation funding levels, we are taking the Secretary and the FAA Administrator at their word.

I will add, however, that the administration will have a lot of explaining to do at next year's budget hearing. I will be particularly interested to hear the FAA explain why it testified that \$1 billion in the facilities and equipment account was essential for the continued implementation of the NAS plan only to learn 3 months later that they believe that a \$750 million level would have no severe impact on the implementation of that plan. I will also be interested to know why the

NAYS—90

Applegate	Hutto	Paul
Archer	Ireland	Petri
Badham	Jeffords	Pursell
Bartlett	Jenkins	Quillen
Bateman	Kindness	Ray
Billrakis	Kramer	Robinson
Brown (CO)	Lagomarsino	Rogers
Campbell	Latta	Roth
Carney	Leath	Rudd
Clinger	Loeffler	Schaefer
Conable	Lott	Sensenbrenner
Craig	Lujan	Shelby
Crane, Daniel	Marlenee	Shumway
Crane, Philip	Marriott	Shuster
Daniel	Martin (IL)	Smith (NE)
Dannemeyer	Martin (NC)	Smith, Denny
Dickinson	Martin (NY)	Smith, Robert
Dreier	McCain	Snyder
Erlenborn	McCandless	Solomon
Fiedler	McCollum	Spence
Fields	McDonald	Stangeland
Franklin	Miller (OH)	Stenholm
Frenzel	Molinaro	Stump
Goodling	Montgomery	Sundquist
Gramm	Moore	Tauke
Gregg	Moorhead	Taylor
Hall, Sam	Nichols	Vucanovich
Hammerschmidt	Nielson	Whitehurst
Hansen (UT)	Packard	Winn
Holt	Pashayan	Young (FL)

NOT VOTING—5

Hansen (ID)	Scheuer	Weaver
Heflter	St Germain	

FAA can apparently operate with \$145 million less than the amount they claimed they required at our April budget hearing. Mr. Speaker, the statements made in the Secretary's July 13 letter combined with the FAA's reaction, or lack thereof, to the aviation funding levels contained in the Senate bill raise serious questions in my mind about the FAA's entire budget formulation process.

The other significant reduction from the House bill contained in the conference agreement is a \$100 million cut in the section 9 mass transit block grant. Frankly, this was the price exacted by the administration to get this bill signed. Although the House conferees were reluctant to make this reduction, I would point out that the conference level of \$2.39 billion is still \$415 million more than the President's budget request for section 9 and does not include the cap on operating assistance requested by the President.

Other major highlights of the conference agreement are as follows:

For the Coast Guard, the conferees have provided a total of \$2.45 billion. This is \$51 million more than last year's level. This amount includes \$369 million for acquisition, construction and improvements which will continue the major procurements of 13 new 270-foot cutters, 41 new jet aircraft, and 90 short-range helicopters. We read the Secretary's July 13 letter as endorsing these figures even though they are \$45 million below the budget request.

As I mentioned earlier, the conference agreement contains over \$3.6 billion in new budget authority for the FAA, and limits obligations for airport grants to \$800 million. According to the Secretary, this will provide a sufficient funding level for the FAA in fiscal year 1984.

In the highway area, the conference agreements limits obligations for the Federal-aid highway program to \$12.52 billion. This is a reduction of \$80 million, or 6 tenths of 1 percent, from the House level. According to our best information, over the first 9 months of fiscal year 1983, the States have obligated highway funds at a rate of \$915 million per month. This works out to about \$11 billion for the year. If the same spending pattern holds true for fiscal year 1984, the conference level of \$12.52 billion would provide a cushion of \$1.5 billion for discretionary projects, administrative costs, and special nonformula

funds. We think this spending level will not do damage to the highway program. But I can assure my colleagues that, if state highway spending patterns change significantly, we will give full consideration to revising the highway obligation limitation.

The conference agreement also includes up to \$21 million for emergency assistance connected with the Mianus Bridge disaster in Connecticut, and \$15 million for railroad-highway crossing demonstration projects.

For highway safety, the conference agreement provides \$78 million in new budget authority for operations and research of the National Highway Traffic Safety Administration. In addition, obligation limitations totaling \$142.9 million are established for three other highway safety programs.

I want to take this opportunity to caution NHTSA about a small matter, but one which has significant symbolic value. Over the years, various congressional committees have expressed concern about the proliferation of so-called advisory committees throughout the Federal Government. We may take an in-depth look at DOT advisory committees in next year's hearings. But I want to warn NHTSA that one of those whose effectiveness we question is the National Highway Safety Advisory Committee. This advisory committee seems to have a penchant for holding national conferences at taxpayers' expense, which appear to produce little of real value. I especially would like NHTSA to take a close look at the need for this group's proposed national conference in May 1984 in light of similar conferences planned in the same month, and the need for this group to establish subcommittees which hold national meetings in order to plan national meetings. I expect NHTSA to be much tougher in approving funds for these and similar activities and will examine NHTSA's actions during the fiscal year 1985 budget hearing. If no improvements are forthcoming the committee will take appropriate action.

For the Federal Railroad Administration, the conference agreement provides about \$950 million in new budget authority. This includes \$716.4 million for Amtrak, \$100 million for the Northeast corridor project, and \$35 million for Rock Island labor protection payments.

For mass transit, the conference agreement provides a total of \$4.243

billion which is comprised of \$3.02 billion in new budget authority and a limitation of \$1.225 billion on contract authority obligations. In total, the conference agreement provides \$477 million more for transit than was requested by President Reagan.

In the general provisions section, there are three provisions which are of keen interest to many Members. The first is section 314 which concerns National Airport. That provision requires the Secretary to hold in abeyance for 60 days her proposed rulemaking to adjust the annual passenger ceiling at National. The purpose of this provision is to allow further dialog on this issue among all interested parties and to afford congress another opportunity to address this issue in the upcoming continuing resolution should there continue to be major problems.

Another general provision of note is section 315 concerning the repayment of maritime Administration construction differential subsidies. The provision in the conference agreement would prohibit enforcement of the secretary's proposed construction differential subsidy rule for 60 days following promulgation of that rule. Section 315 also requires that enforcement of the CDS rule be held in abeyance for at least 60 days from the date of enactment.

Section 319 of the conference agreement prohibits the FAA from closing any facilities prior to December 1, 1983. In addition that provision requires the FAA to submit to Congress a detailed, site-specific, and time-phased plan for all facility closures by October 1, 1983. This will enable us to evaluate more fully the adequacy of the FAA's facility consolidation plans.

Mr. Speaker, all the House conferees signed the conference report. I want to single out in particular one of those conferees, the gentleman from Pennsylvania, the ranking minority member (Mr. COUGHLIN) for his cooperation and leadership in helping to fashion this conference report. I greatly appreciate his assistance.

Mr. Speaker, this conference agreement is fiscally responsible and meets the transportation needs of our Nation. I urge adoption of the conference report.

I insert at this point in the RECORD a table listing the conference figures in detail:

	FY 1983 Enacted	FY 1984 Estimates	House	Senate	Conference	Conference compared with Estimates
TITLE I - DEPARTMENT OF TRANSPORTATION						
Office of the Secretary						
Salaries and expenses.....	40,400,000	42,537,000	41,275,000	41,275,000	41,275,000	-1,262,000
Transportation planning, research, and development....	4,900,000	7,256,000	2,500,000	7,256,000	4,878,000	-2,378,000
(Limitation on working capital fund).....	(70,909,000)	(68,198,000)	(67,750,000)	(68,198,000)	(67,974,000)	(-224,000)
Total, Office of the Secretary.....	45,300,000	49,793,000	43,775,000	48,531,000	46,153,000	-3,640,000
Coast Guard						
Operating expenses.....	1,577,403,000	1,687,806,000	1,675,289,000	1,648,256,000	1,656,256,000	-31,550,000
Appropriation for debt reduction.....	-254,650	-263,544	-263,544	-263,544	-263,544	---
(By transfer).....	(26,450,000)	---	(12,550,000)	(12,550,000)	(12,550,000)	(+12,550,000)
Total, operating expenses.....	1,577,148,350	1,687,542,456	1,675,025,456	1,647,992,456	1,655,992,456	-31,550,000
Acquisition, construction, and improvements.....	400,000,000	378,600,000	369,000,000	370,900,000	369,000,000	-9,600,000
(By transfer).....	(9,000,000)	---	---	---	---	---
Alteration of bridges.....	12,700,000	13,200,000	7,400,000	12,600,000	8,600,000	-4,600,000
Retired pay.....	336,000,000	341,300,000	341,300,000	341,300,000	341,300,000	---
Reserve trainings.....	50,000,000	54,805,000	54,805,000	54,805,000	54,805,000	---
(By transfer).....	(4,000,000)	---	---	---	---	---
Research, development, test, and evaluation.....	20,000,000	22,000,000	23,500,000	22,000,000	22,500,000	+500,000
Offshore oil pollution compensation fund.....	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	---
(Limitation on obligations).....	(60,000,000)	(60,000,000)	(60,000,000)	(60,000,000)	(60,000,000)	---
Deepwater port liability fund.....	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	---
(Limitation on obligations).....	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	---
National recreational boating safety and facilities improvement fund.....	5,000,000	---	---	---	---	---
(Limitation on obligations).....	---	(15,000,000)	(10,000,000)	(15,000,000)	(12,500,000)	(-2,500,000)
(Liquidation of contract authorization).....	(7,500,000)	(15,000,000)	(10,000,000)	(15,000,000)	(12,500,000)	(-2,500,000)
Total, Coast Guard.....	2,402,848,350	2,499,447,456	2,473,030,456	2,451,597,456	2,454,197,456	-45,250,000
Federal Aviation Administration						
Headquarters administration.....	55,974,000	62,076,000	56,900,000	56,900,000	56,900,000	-5,176,000
Operations.....	2,522,483,000	2,639,522,000	2,593,300,000	2,500,000,000	2,500,000,000	-139,522,000
Subtotal, Operations and headquarters administration.....	2,578,457,000	2,701,598,000	2,650,200,000	2,556,900,000	2,556,900,000	-144,698,000
Facilities, engineering, and development.....	18,255,000	---	---	---	---	---
Facilities and equipment (Airport and Airway Trust Fund).....	617,550,000	1,000,000,000	985,500,000	750,000,000	750,000,000	-250,000,000
(By transfer).....	(7,450,000)	---	---	---	---	---
Research, engineering and development (Airport and Airway Trust Fund).....	103,000,000	285,984,000	278,000,000	263,452,000	263,452,000	-22,532,000
Grants-in-aid for airports:						
Rescission.....	---	---	-143,500,000	---	---	---
(Limitation on obligations).....	(750,000,000)	(700,000,000)	(900,000,000)	(800,000,000)	(800,000,000)	(+100,000,000)
(Liquidation of contract authorization) (Airport and Airway Trust Fund).....	(234,000,000)	(745,000,000)	(745,000,000)	(745,000,000)	(745,000,000)	---
Operation and maintenance, Metropolitan Washington Airports.....	31,955,000	34,557,000	34,557,000	34,557,000	34,557,000	---
(By transfer).....	(500,000)	---	---	---	---	---
Construction, Metropolitan Washington Airports.....	11,080,000	15,250,000	11,750,000	15,250,000	14,250,000	-1,000,000
Total, Federal Aviation Administration.....	3,360,297,000	4,037,389,000	3,816,507,000	3,620,159,000	3,619,159,000	-418,230,000

	FY 1983 Enacted	FY 1984 Estimates	House	Senate	Conference	Conference compared with Estimates
Federal Highway Administration						
(Limitation on general operating expenses).....	(192,250,000)	(202,687,000)	(198,600,000)	(202,687,000)	(200,000,000)	(-2,687,000)
Motor carrier safety.....	11,800,000	13,020,000	13,020,000	13,020,000	13,020,000	---
(By transfer).....	(1,000,000)	---	---	---	---	---
Motor carrier safety grants.....	---	10,000,000	8,000,000	10,000,000	8,000,000	-2,000,000
Highway safety research and development.....	7,700,000	8,600,000	8,500,000	8,500,000	8,500,000	-100,000
(By transfer).....	(300,000)	---	---	---	---	---
Highway beautification.....	500,000	---	---	---	---	---
Highway-related safety grants:						
(Limitation on obligations).....	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	---
(Liquidation of contract authorization)						
(Trust Fund).....	(22,998,000)	(9,738,000)	(9,738,000)	(9,738,000)	(9,738,000)	---
Rescission of contract authority.....	-9,623,000	---	---	---	---	---
Territorial highways.....	3,000,000	---	---	---	---	---
Railroad-highway crossings demonstration projects.....	---	---	35,700,000	---	15,000,000	+15,000,000
Federal-aid highways						
(Limitation on obligations).....	(12,375,000,000)	(12,600,000,000)	(12,600,000,000)	(12,600,000,000)	(12,600,000,000)	---
(Limitation on obligations -- general provision)						
(Liquidation of contract authorization)(Trust						
Funds).....	(8,500,000,000)	(11,600,000,000)	(11,600,000,000)	(11,600,000,000)	(11,600,000,000)	---
Highways crossing federal projects (reappropriation)	400,000	---	---	---	---	---
Emergency relief (contract authority).....	---	---	---	---	20,000,000	+20,000,000
Humanus bridge emergency assistance.....	---	---	---	---	1,000,000	+1,000,000
Interstate transfer grants-highways.....	518,000,000	---	---	---	---	---
Right-of-way Revolving Fund (limitation on direct						
loans) (Trust Fund).....	---	(30,000,000)	(30,000,000)	(30,000,000)	(30,000,000)	---
Bridge replacement.....	23,200,000	---	---	---	---	---
Highway demonstration project.....	33,000,000	---	---	---	---	---
Access highways to public recreation areas on certain						
lakes.....	---	---	---	4,270,000	4,270,000	+4,270,000
Waste isolation pilot project roads.....	---	---	---	5,800,000	5,800,000	+5,800,000
Total, Federal Highway Administration.....	587,977,000	31,620,000	65,220,000	41,590,000	75,590,000	+43,970,000
National Highway Traffic Safety Administration						
Operations and research.....	74,000,000	77,998,000	78,000,000	78,000,000	78,000,000	+2,000
(By transfer).....	(300,000)	---	---	---	---	---
Highway traffic safety grants:						
(Liquidation of contract authorization).....	(103,552,000)	(118,000,000)	(118,000,000)	(118,000,000)	(118,000,000)	---
State and community highway safety (limitation on						
obligations).....	(95,000,000)	(77,000,000)	(100,000,000)	(100,000,000)	(100,000,000)	(+23,000,000)
(Liquidation of contract authorization)						
(trust fund).....	(2,000,000)	---	---	---	---	---
Alcohol safety incentive grants (limitation on						
obligations).....	---	---	(37,950,000)	(37,950,000)	(37,950,000)	(+37,950,000)
Highway safety education and information						
(liquidation of contract authorization)						
(trust fund).....	(1,000,000)	---	---	---	---	---
Total, National Highway Traffic Safety	74,000,000	77,998,000	78,000,000	78,000,000	78,000,000	+2,000
Administration.....						
Federal Railroad Administration						
Office of the Administrator.....	13,000,000	13,867,000	11,680,000	11,680,000	11,680,000	-2,187,000
(By transfer).....	(225,000)	---	---	---	---	---
Railroad safety.....	28,000,000	26,514,000	26,500,000	28,900,000	28,900,000	+2,386,000
Railroad research and development.....	17,000,000	16,675,000	16,225,000	16,225,000	16,225,000	-450,000
Rail Service Assistance.....	31,675,000	9,340,000	14,240,000	24,240,000	24,240,000	+14,900,000
Authority to borrow.....	---	854,000	854,000	854,000	854,000	---
(By transfer).....	---	---	(10,000,000)	---	---	---
Settlements of railroad litigation.....	18,499,000	---	---	---	---	---
Appropriation for debt reduction.....	-18,499,000	---	---	---	---	---
Conrail labor protection.....	10,000,000	20,000,000	16,000,000	16,000,000	16,000,000	-4,000,000
(By transfer).....	(10,000,000)	---	(4,000,000)	(4,000,000)	(4,000,000)	(+4,000,000)
Rock Island labor protection.....	---	---	35,000,000	35,000,000	35,000,000	+35,000,000
Northeast corridor improvement program.....	115,000,000	100,000,000	100,000,000	100,000,000	100,000,000	---
Grants to the National Railroad Passenger Corporation						
Computer rail service (by transfer).....	780,000,000	662,000,000	720,000,000	716,400,000	716,400,000	+54,400,000
Payments to the Alaska Railroad Revolving Fund.....	(90,000,000)	---	---	---	---	---
Payments to the Alaska Railroad Revolving Fund.....	7,600,000	---	---	---	---	---
Railroad Rehabilitation and Improvement Financials						
Funds:						
Appropriation.....	7,100,000	---	---	---	---	---
Appropriation for debt reduction.....	-7,100,000	---	---	---	---	---
(Limitation on loan guarantees).....	(600,000,000)	---	---	---	---	---
(Limitation on new loan guarantees).....	(100,000,000)	---	(20,000,000)	(20,000,000)	(20,000,000)	(+20,000,000)
Redeemable preference shares:						
Appropriation (Authority to borrow).....	5,000,000	---	---	---	---	---
Emergency rail facilities restoration (limitation						
on direct loans).....	(2,301,000)	---	---	---	---	---
Illinois feeder line assistance (by transfer).....	---	---	(3,000,000)	---	(3,000,000)	(+3,000,000)
Total, Federal Railroad Administration.....	1,007,275,000	849,250,000	940,499,000	949,299,000	949,299,000	+100,049,000

	FY 1983 Enacted	FY 1984 Estimates	House	Senate	Conference	Conference compared with Estimates
Urban Mass Transportation Administration						
Administrative expenses.....	28,406,602	29,666,000	29,200,000	29,666,000	29,200,000	-466,000
(By transfer).....	(204,398)	---	---	---	---	---
Research, development, and demonstrations and university research and trainings.....	58,250,000	52,000,000	54,800,000	54,800,000	54,800,000	+2,800,000
Formula grants.....	1,268,500,000	1,973,500,000	2,488,592,200	2,388,592,200	2,388,592,200	+415,092,200
Discretionary grants.....	1,691,650,000	---	---	---	---	---
(Limitation on obligations).....	---	(1,100,000,000)	(1,250,000,000)	(1,200,000,000)	(1,225,000,000)	(+125,000,000)
(Liquidation of contract authorization) (Trust Fund).....	(55,000,000)	(242,000,000)	(242,000,000)	(242,000,000)	(242,000,000)	---
(Liquidation of contract authorization).....	(681,135,000)	---	---	---	---	---
Interstate transfer grants-transit.....	412,000,000	380,000,000	335,000,000	270,000,000	295,400,000	-84,600,000
Washington Metro.....	240,000,000	230,000,000	275,000,000	230,000,000	250,000,000	+20,000,000
Total, Urban Mass Transportation Administration.....	3,698,806,602	2,665,166,000	3,182,592,200	2,973,058,200	3,017,992,200	+352,826,200
Saint Lawrence Seaway Development Corporation						
(Limitation on administrative expenses).....	(1,740,000)	(1,825,000)	(1,800,000)	(1,800,000)	(1,800,000)	(-25,000)
Research and Special Programs Administration						
Research and special programs.....	20,022,000	20,287,000	20,200,000	20,200,000	20,200,000	-87,000
Office of the Inspector General						
Salaries and expenses.....	25,355,000	25,895,000	25,895,000	26,795,000	26,795,000	+900,000
Bid risings investistative support.....	---	---	900,000	---	---	---
Total, Office of the Inspector General.....	25,355,000	25,895,000	26,795,000	26,795,000	26,795,000	+900,000
Total, title I, Department of Transportation:						
New budget (obligational) authority.....	11,221,880,952	10,256,845,456	10,646,618,656	10,209,229,656	10,287,385,656	+30,540,200
Appropriations.....	(11,251,957,602)	(10,256,255,000)	(10,789,528,200)	(10,208,639,200)	(10,266,795,200)	(+10,540,200)
Appropriations for debt reduction.....	(-25,853,650)	(-263,544)	(-263,544)	(-263,544)	(-263,544)	---
Authority to borrow.....	(5,000,000)	(854,000)	(854,000)	(854,000)	(854,000)	---
Rescission.....	(-9,623,000)	---	(-143,500,000)	---	---	---
(By transfer).....	(149,629,398)	---	(29,550,000)	(16,550,000)	(19,550,000)	(+19,550,000)
(Limitations).....	(193,990,000)	(204,512,000)	(200,400,000)	(204,487,000)	(201,800,000)	(-2,712,000)
(Limitations on direct loans).....	(2,301,000)	(30,000,000)	(30,000,000)	(30,000,000)	(30,000,000)	---
(Limitations on loan guarantees).....	(600,000,000)	---	---	---	---	---
(Limitations on new loan guarantees).....	(100,000,000)	---	(20,000,000)	(20,000,000)	(20,000,000)	(+20,000,000)
(Limitation on working capital fund).....	(70,909,000)	(68,198,000)	(67,750,000)	(68,198,000)	(67,974,000)	(-224,000)
(Liquidation of contract authorization).....	(9,607,185,000)	(12,729,738,000)	(12,724,738,000)	(12,729,738,000)	(12,727,238,000)	(-2,500,000)
TITLE II - RELATED AGENCIES						
Architectural and Transportation Barriers Compliance Board						
Salaries and expenses.....	2,020,000	1,700,000	1,900,000	1,900,000	1,900,000	+200,000
National Transportation Safety Board						
Salaries and expenses.....	19,970,000	19,735,000	20,615,000	21,062,000	20,858,000	+1,123,000
Civil Aeronautics Board						
Salaries and expenses.....	23,825,000	20,890,000	18,400,000	16,100,000	18,400,000	-2,490,000
(By transfer).....	---	---	(2,400,000)	---	---	---
Payments to air carriers.....	48,400,000	50,800,000	50,800,000	50,800,000	50,800,000	---
Total, Civil Aeronautics Board.....	72,225,000	71,690,000	69,200,000	66,900,000	69,200,000	-2,490,000
Interstate Commerce Commission						
Salaries and expenses.....	65,600,000	58,038,000	59,000,000	62,000,000	60,000,000	+1,962,000
Payments for directed rail service (limitation on obligations).....	(10,000,000)	(10,000,000)	(5,000,000)	(10,000,000)	(5,000,000)	(-5,000,000)
Panama Canal Commission						
Operating expenses.....	405,378,635	424,362,000	418,962,000	409,662,000	409,662,000	-14,700,000
Capital outlay.....	29,024,000	29,438,000	29,438,000	29,438,000	29,438,000	---
Total, Panama Canal Commission.....	434,402,635	453,800,000	448,400,000	439,100,000	439,100,000	-14,700,000
Department of the Treasury						
Office of the Secretary (Investment in Fund Anticipation Notes).....	(5,000,000)	---	---	---	---	---

	FY 1983 Enacted	FY 1984 Estimates	House	Senate	Conference	Conference compared with Estimates
United States Railway Association						
Administrative expenses.....	2,950,000	---	2,500,000	2,100,000	2,100,000	+2,100,000
(By transfer).....	---	---	(400,000)	(400,000)	(400,000)	(400,000)
Airline Deregulation Study Commission						
Salaries and expenses (by transfer).....	---	---	---	(500,000)	---	---
Washington Metropolitan Area Transit Authority						
Interest payments.....	51,663,569	51,663,569	51,663,569	51,663,569	51,663,569	---
Total, title II, related agencies:						
New budget (obligational) authority.....	648,831,204	656,626,569	653,278,569	644,725,569	644,821,569	-11,805,000
(By transfer).....	---	---	(2,800,000)	(900,000)	(400,000)	(400,000)
(Limitation on obligations).....	(10,000,000)	(10,000,000)	(5,000,000)	(10,000,000)	(5,000,000)	(-5,000,000)
RECAPITULATION						
Grand total, titles I and II:						
New budget (obligational) authority.....	11,870,712,156	10,913,472,025	11,299,897,225	10,853,955,225	10,932,207,225	+18,735,200
Appropriations.....	(11,900,788,806)	(10,912,881,569)	(11,442,806,769)	(10,853,364,769)	(10,911,616,769)	(-1,264,800)
Appropriations for debt reduction.....	(-25,853,650)	(-263,544)	(-263,544)	(-263,544)	(-263,544)	---
Authority to borrow.....	(5,000,000)	(854,000)	(854,000)	(854,000)	(854,000)	---
Rescission.....	(-9,623,000)	---	(-143,500,000)	---	---	---
(By transfer).....	(149,629,398)	---	(32,350,000)	(17,450,000)	(19,950,000)	(+19,950,000)
(Limitations).....	(193,990,000)	(204,512,000)	(200,400,000)	(204,487,000)	(201,800,000)	(-2,712,000)
(Limitations on obligations).....	(13,350,000,000)	(14,622,000,000)	(15,022,950,000)	(14,882,950,000)	(14,820,450,000)	(+198,450,000)
(Limitations on direct loans).....	(2,301,000)	(30,000,000)	(30,000,000)	(30,000,000)	(30,000,000)	---
(Limitations on loan guarantees).....	(600,000,000)	---	---	---	---	---
(Limitations on new loan guarantees).....	(100,000,000)	---	(20,000,000)	(20,000,000)	(20,000,000)	(+20,000,000)
(Limitation on working capital fund).....	(70,909,000)	(68,198,000)	(67,750,000)	(68,198,000)	(67,974,000)	(-224,000)
Memoanda:						
(Appropriations to liquidate contract authorizations).....	(9,607,185,000)	(12,729,738,000)	(12,724,738,000)	(12,729,738,000)	(12,727,238,000)	(-2,500,000)
(Appropriation for debt reduction).....	(25,853,650)	(263,544)	(263,544)	(263,544)	(263,544)	---
Total, appropriations including appropriations to liquidate contract authorization and appropriations for debt reduction.....						
	(21,503,750,806)	(23,643,473,569)	(24,024,898,769)	(23,583,956,769)	(23,659,708,769)	(+16,235,200)

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

Mr. Speaker, the chairman of the subcommittee, the gentleman from Florida (Mr. LEHMAN), and the House conferees have, I think, brought home the bacon in an \$11 billion transportation appropriations bill that can be signed by the President, and the Office of Management and Budget has so indicated.

I certainly rise in support of the bill. The subcommittee chairman did a superb job in representing the interests of the House in this bill which, as I said, contains some \$10.9 billion in new obligational authority. It is \$873 million less than fiscal year 1983, \$367 million less than the House-passed bill, and \$18 million over the budget estimates.

It is a compromise reached not only by the House and Senate, the majority and the minority, but also by the Department of Transportation and the Office of Management and Budget.

In order to get a bill that would be signable, the House and the Senate conferees often took the lower of the

two figures, and let me just give some highlights of the bill.

For the Coast Guard, it contains \$1,656 million for Coast Guard operations and \$369 million for acquisition, construction, and improvements. Both of these levels, we are informed, are levels with which the Coast Guard can live.

With regard to aviation, the bill contains \$2,500 million, with nothing from the trust fund, for Federal Aviation Administration operations. It contains \$750 million for facilities and equipment, and it contains an \$800 million limitations on obligations for airports grants in aid. The Federal Aviation Administration has signed off on all of these levels.

The bill contains \$716,400,000 for Amtrak, which is \$54 million above the administration's budget request.

It contains \$2,388 million for Urban Mass Transportation Administration formula grants and \$1,255 million for discretionary grants, including \$195 million for bus, \$545 million for rail modernization, and \$339 million for new starts. In the statement of the managers, the conferees direct the

Secretary to reprogram excess new starts into rail modernization.

The bill contains \$18,400,000 for the CAB, the Civil Aeronautics Board, for a period of 10 months, and \$60 million for the Interstate Commerce Commission, providing for 1,150 staff years.

With regard to National Airport, it holds the proposed rulemaking in abeyance for 60 days after enactment, and with regard to construction differential subsidy, it holds the enforcement of any rule in abeyance for 60 days after enactment.

It holds closures or consolidations of flight service stations in abeyance prior to December 1, 1983, and provides that that FAA shall report to Congress no later than October 1, 1983.

I certainly want to congratulate, particularly the subcommittee chairman, the staff, and the conferees on both the House and the Senate sides. It took a lot of bargaining, and it took a lot of work to get a bill that in its present form can be signed by the President.

Mr. Speaker, I urge adoption of the conference report.

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

Mr. COUGHLIN. I am happy to yield to my colleague, the gentleman from Kansas.

Mr. GLICKMAN. Mr. Speaker, I know that we worked together on the issue of National Airport, and I know my colleague, the gentleman from Minnesota (Mr. SABO), was also involved. I think the conferees ended up with a good compromise on that issue, putting in abeyance for a couple of months a rules change on the number of passengers at National Airport but still recognizing that there may need to be some limits.

It did not go as far as I wanted, but it did go far in recognizing that there must be reasonable changes in the way the entire airport structure in this area operates in order to protect the safety and convenience of passengers.

So, Mr. Speaker, I congratulate my colleague, the gentleman from Pennsylvania (Mr. COUGHLIN).

Mr. COUGHLIN. Mr. Speaker, I think it is important that the rule-making be allowed to proceed to at least examine the passenger cap at national airport, to see if it is the appropriate passenger cap, and to see if some other more appropriate passenger cap might be desirable. That is what we were seeking to provide in the legislation.

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

Mr. COUGHLIN. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Speaker, I just want to follow that up and say that I appreciate the fact that the conference committee was able to work that out in a spirit of reconciliation with Mrs. Dole. I thank the gentleman, and I thank the members of the committee.

Mr. COUGHLIN. Mr. Speaker, I know that the gentleman from Virginia (Mr. WOLF) has worked very, very hard on this indeed. I appreciate his efforts, and I commend him for it.

Mr. Speaker, I reserve the balance of my time.

Mr. LEHMAN of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. RATCHFORD), a member of the subcommittee.

Mr. RATCHFORD. Mr. Speaker, I think what we have here today is a good conference report and a conference report in the truest sense.

There was a lot of give and take in reaching the point at which we find ourselves today. The National Airport issue is a prime example. That just did not happen. There was the give-and-take back and forth, and finally a resolution. In addition to that, we now have a conference report that is defensible from the point of view of the budget. I think that is important, too. We are not just passing another appropriation bill; we are passing another appropriation bill which can be signed into law.

Third, it needs to be said that the emphasis now is on mass transit, and that is clearly where it needs to be. When we started out this February, this document containing the appropriation for transportation did not in my judgment clearly reflect the mass transit needs of this country. It did not reflect the difficult vote taken by Members of Congress last December in the form of a 5-cent increase in the gas tax, with 1 cent of that allocated to mass transit. That allocation, that difficult vote, that priority is now reflected in this bill.

From a State point of view, the Connecticut congressional delegation would like to thank both the members of the committee and the conferees for recognizing that we had a national problem that emerged after this bill left our Chamber. The Mianus River Bridge in Greenwich, Conn., which is truly the link between the Connecticut Thruway and the connecting point between the rest of the country and all of New England collapsed. We appealed to the committee, and the committee responded.

That particular bridge is in the district of the gentleman from Connecticut (Mr. MCKINNEY). Because of the emergency nature of the situation, we felt a response was needed by the Congress. The conferees on both sides of the aisle agreed. So the Connecticut delegation unanimously, Republicans and Democrats, come before you today to say, "Thank you."

Mr. Speaker, on balance this is a good report, a fair report, one that meets our mass transit needs and one that ought to be passed in a quick period of time this afternoon with limited debate.

Mr. COUGHLIN. Mr. Speaker, I yield 5 minutes to a distinguished member of the subcommittee, the gentleman from Michigan (Mr. PURSELL).

Mr. PURSELL. Mr. Speaker, I rise in support of the Transportation appropriations conference report for fiscal year 1984. The approval of this conference report will demonstrate that year after year Congress has met its responsibilities by approving a bill before the new fiscal year begins.

This is a tribute to Mr. LEHMAN, respected chairman of the subcommittee, Mr. COUGHLIN, ranking Republican of the subcommittee, Mr. WHITTEN, chairman of the full committee and their Senate counterparts. Most of all it is a tribute to this body. By avoiding unnecessary delays, by battling for a bill acceptable to the administration, and by addressing the critical transportation needs of America, we can be proud that by land, sea or air, America's transportation system is second to none.

I also want to make special reference to a small, but increasingly significant aspect of the Transportation appropriations bill. This is the St. Lawrence

Seaway Development Corporation. The Corporation is much like the tip of an iceberg. It is visible to both the United States and Canadian shippers, but the great bulk of the corporation's work is visible only to those who depend daily on the St. Lawrence Seaway for their livelihood. From the grain farmers and merchants throughout the Midwest to the coal fields of Appalachia, the St. Lawrence Seaway opens the heartland of the United States to the world for navigation, trade and economic growth.

Just recently the Seaway Development Corporation witnessed the passage of the 1 billionth metric ton of cargo through its locks and channels. It is my belief that the potential of the seaway has not been fully realized. By modernizing the seaway, by increasing the annual tonnage passing through it, by providing greater access for the industries and shippers of the Midwest to the markets of the world, we can accelerate economic recovery. Based upon the actions taken during this session of Congress, it appears there is significant support for this effort.

This year, Congress has eliminated the seaway's construction debt. By so doing, we have saved shippers and consumers thousands of dollars. Congress has also continued to support the U.S. Army Corps of Engineers additional locks study by approving several hundred thousand dollars. The corps expects to complete this study and recommend to Congress several proposals to improve the operation of the locks and expand the seaway's usage.

Finally, Mr. Speaker, on a more personal note, I have prepared a slide presentation of the history and current status of the St. Lawrence Seaway. This 18½-minute presentation is intended to introduce and educate the public and potential seaway users, to the benefits and conveniences of the St. Lawrence Seaway system. During the August recess, I plan to travel throughout the Midwest and Canada showing this slide presentation. Included in my travels will be tours of the Soo Locks and the Welland Canal, as well as numerous conversations with Canadian seaway officials. I will also present this film to interested Members and staff this fall. In viewing the future of the St. Lawrence Seaway, I believe that we must make every attempt to coordinate the United States plans and actions with those of our Canadian counterparts.

The need for a strong partnership is paramount. Together we must move to recognize the seaway as a resource of unmatched opportunity. I urge the adoption of this report.

□ 1520

Mr. COUGHLIN. Mr. Speaker, I yield 5 minutes to the distinguished

gentleman from Kentucky (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, I thank the gentleman for yielding this time to me.

I have asked for this time, Mr. Speaker, to engage in a colloquy with the gentleman from Minnesota (Mr. SABO), who I understand authored the provisions with regard to the National Airport in the Appropriations Committee.

In that connection, Mr. Speaker, I want to compliment my colleague from Minnesota for his leadership and efforts to maintain the strong position the House has had for years with regard to preventing an undue reduction in service which would adversely impact scores of cities in the eastern half of the country in service to National Airport. While I regret that the House position did not prevail in conference, I recognize that if the method of calculating the passenger ceiling at the airport is revised satisfactorily, further reductions in the number of scheduled airline flights may be avoided. I would, however, appreciate a clarification of the conferees intent on this matter.

Mr. SABO. Mr. Speaker, if the gentleman will yield, I would be pleased to do so, and I might add, I appreciate the leadership my colleague from Kentucky has displayed throughout the years on this issue. It is my strong hope that the Secretary will adhere to the conferees' direction on this matter so that we will once and for all put this matter to rest.

The issue of National Airport was perhaps the most contentious of those dealt with in the transportation bill this year. Although there was concern of the conferees about lowering the passenger ceiling, we were all aware of Secretary Dole's strong desire to proceed with the proposed rulemaking. Therefore, in the interest of compromise, we decided not to prohibit the Secretary from proceeding with the rulemaking but to hold its effective date in abeyance for 60 days after enactment of this bill. During that time we expect the Secretary to establish a dialog among all of the interested parties in an effort to reach an accord on a final policy. This interval will give us the opportunity to review any changes in the policy, to insure that it reflects the wishes of the Congress and, to the greatest extent possible, that we are in agreement on a final policy.

Of primary importance is the desire of the conferees that the Secretary should reconsider the means by which the passenger level is calculated, especially whether certain connecting flight passengers or short runway and commuter operations—which may place a lesser burden on ground and/or air facilities—might be appropriately exempted, or calculated on less than a one-for-one basis. After extensive

discussions on this matter, we believe that by recalculating the method of determining the level, the interests of the varying parties can more equitably be achieved. For example, passengers connecting from one flight to another do not burden the airport's crowded roadways, parking lots or curbs. In most instances they do not claim luggage. They simply move from one gate to another within the walls of the terminal buildings. It does not appear equitable that these connecting passengers should be included in the passenger count on a one-for-one basis. Additionally, the Secretary has proposed exempting 30 daily operations by 50 seat commuter airplanes from the commuter hourly limit. Perhaps those passengers carried on exempted flights should also be calculated on a different basis than is currently done.

The conferees have made it clear that we do not wish to draft the minute details of the regulations. This is properly within the jurisdiction of the Department. However, because of the historical involvement of the Congress in the development of National Airport policy, we fully retain the recourse to legislative remedies, if the regulations do not adhere to the wishes of the conferees with regard to changing the method by which the ceiling is calculated.

Mr. Speaker, I thank the gentleman for yielding to me, and I hope that explanation is satisfactory.

Mr. COUGHLIN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, would the gentleman from Minnesota respond to a question?

I hope we are not doing something which is another way of exceeding the current cap there.

I think the gentleman is saying and I want to be sure that this is clear, that Mrs. Dole has the flexibility and the leeway to make a lot of different changes. The gentleman is not trying to have the people who then land and take off someplace else and not get out, not counted at all? The gentleman is not trying to change this totally, is he?

Mr. SABO. Mr. Speaker, if the gentleman will yield, in this bill we change nothing. We simply give some guidance to the Secretary, indicating that there well may be passengers who should be counted on a different basis than one on one.

We expect to review whatever regulations she may promulgate and make a judgment on whether they are fair. If they are not fair, the conference report indicates that the alternative of a legislative remedy remains for the future.

Mr. WOLF. I understand that, but the gentleman will have to acknowledge that Senator ANDREWS also has

some opinions about this, too, and there are other people.

I think and I hope that we are doing this in a spirit of reconciliation. What we are doing has to be some sort of compromise. It cannot be all give or all take. I hope that is what the gentleman is trying to say.

I was a little concerned when the gentleman was talking about not counting these passengers, not counting this or not counting that, as to what kind of legislative history we were making. The gentleman is not suggesting that we go back up to where we are. There must be some give and take. Is that what the gentleman is saying?

Mr. SABO. That is a judgment we will have to make at a later date.

I would hope that the Secretary would seriously re-examine her suggested rules in light of the suggestions of the conferees, so that we might have a rational policy for the National Airport, one that can be agreed upon and one that also promotes the greatest efficiency within air transport.

Mr. WOLF. But the gentleman is again, if I may say, seeking a compromise. That is what the gentleman is interested in, is it not?

Mr. SABO. What we are seeking at this point is a serious review by the Secretary of her proposed rules.

Mr. WOLF. The Secretary has acknowledged that she is doing that; and I think she is doing that in a good faith effort. I think the gentleman is seeking, and I wanted the gentleman to say, hopefully, a compromise in a spirit of reconciliation, not binding the Secretary or binding anybody, asking to go back and look at this; but I think a compromise is what everyone is looking for. Is that what the gentleman's understanding is?

Mr. SABO. The gentleman from Minnesota is looking for sound policy. I do not intend to prejudice what the Secretary's decision might be at this point. I simply do not know what the result of the re-examination of National Airport policy by the Secretary will be.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. COUGHLIN. Mr. Speaker, I yield 2 additional minutes to the gentleman from Virginia.

Mr. WOLF. Mr. Speaker, I think there was a deficiency when we were speaking before. I think the gentleman should also acknowledge that it is important for the airlines to also work in a spirit of reconciliation with Mrs. Dole. Mrs. Dole attempted this process also and is not a single participant. It takes two to tango here. I would hope that the airlines also would participate.

Second, I hope Mrs. Dole is not taken advantage of here. The message

to Mrs. Dole is to approach this in a spirit of reconciliation, a compromise in the true sense of the word. I would hope that is what we are seeking here.

Mr. SABO. Mr. Speaker, if the gentleman will yield further, the conference report indicates that we would desire that the Secretary and the air carriers sit down together and work at achieving a goal that is rational and makes sense for the National Airport. That obviously will involve discussion by both the Secretary and the air carriers.

□ 1530

But it is also clear that the final people to make the policy judgment remains the Congress.

Mr. WOLF. I understand that and it has always been that way.

I thank the gentleman and I hope Mrs. Dole takes note of this and that the airlines take note that we are looking for a compromise.

I yield back the balance of my time.

Mr. COUGHLIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. PARRIS).

Mr. PARRIS. Mr. Speaker, I rise in support of the conference report to the transportation appropriations for fiscal year 1984. As you know, within this legislation is language which will allow the Secretary of Transportation to set the cap at Washington National Airport at a level which is more conducive to air safety. Currently, the passenger level is set at 16 million. With the pending legislation in place, the passenger level may be set at a lower figure, thus allowing traffic to be carried over to Dulles and Baltimore-Washington Airports by the year 1985.

In addition to the flexibility allowed to the Secretary of Transportation on the setting of the cap after 60 days, I am also pleased that the conference language provides for a study of transportation to and from the airports. This would include analysis of bus transportation and Interstate 66 HOV lanes.

I have always said that National is an accident waiting to happen. Although there is room for improvement, I am glad that Congress is taking appropriate steps to make National Airport a safer, less congested facility.

In addition to that issue, I am particularly pleased that the conference committee has added an additional \$20 million to the amount originally proposed by the Senate for the Washington metro system which will assist and permit that agency to continue their construction program without undue delay.

Mr. LEHMAN of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. RAY).

Mr. RAY. Mr. Speaker, I want to thank the distinguished chairman of

the committee and his committee for doing such a fine job in bringing this bill to the floor.

Mr. Speaker, I am a member of the Subcommittee on Procurement and Military Nuclear Systems of the House Armed Services Committee.

My subcommittee is very familiar with the waste isolation pilot project. This project will yield important and valuable information on the safe handling of nuclear wastes.

Mr. LEHMAN's motion is in support of some critical planning and design work to be done for roads associated with this project.

Both our subcommittee and the full committee strongly support this project, and I urge my colleagues to support Mr. LEHMAN's motion.

Mr. LEHMAN of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. GLICKMAN).

Mr. GLICKMAN. Mr. Speaker, I rise in support of the conference report.

But I want to indicate my concern about the funding levels in two FAA accounts. The conference report appropriates about \$235 million less than what came out of this House in the area of facilities and equipment in the airport airways trust fund. It does, however, appropriate roughly what we put in the House bill in the research and development part of the fund.

My concern is that last year we passed dramatic increases in the airline ticket taxes and the aviation fuel taxes and that tax money was supposed to go into the development of a national air space system to modernize the movement of aircraft in this country so that we will have a continued efficient and safe airline and aviation system in America. Now it appears that those increased revenues are not being spent is promised.

My concern is that the numbers as recommended by the conference may in fact result in a restriction in the development of that plan. The letter that Secretary Dole wrote that the gentleman from Florida referred to indicates that these figures will "not severely restrict the operations of this new air space plan."

But the implication is that while it will not severely restrict the operation, it might restrict it in some degree.

So I guess I would ask the gentleman from Florida this question: If it appears through the normal oversight of this committee and other committees, as well as the Public Works Committee and my own Committee on Science and Technology that we are unduly pushing back and delaying the procurement and related items in the operation of the national air space plan, will the subcommittee of the Appropriations Committee recommend a supplemental appropriation in order to insure that the millions of dollars that people are paying in airline ticket taxes and fuel taxes from general avia-

tion and other airplane operations will be used for the moneys they were intended to be used?

Mr. LEHMAN of Florida. Will the gentleman yield?

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

Mr. LEHMAN of Florida. I would assure the gentleman that should such occasion occur, the subcommittee would certainly consider a recommendation from the administration for a supplemental appropriation.

Mr. GLICKMAN. I would close by saying I think this is an important bill. But I think airline safety is one of the key functions of the Government and I know that the committee feels that way as well. And improving and modernizing our system will determine if we have an efficient airway system, and I hope that the committee will monitor this closely.

I thank the gentleman.

Mr. COUGHLIN. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise to discuss one particular section of the Department of Transportation Appropriations Conference Report, specifically the railroad-highway crossing demonstration projects portion found on page 10 of the report.

It is my understanding that this section provides \$15 million for railroad-highway crossings demonstration projects. It presents a compromise—a disappointing compromise from the standpoint of this Member.

The initial House version of the bill provided \$35 million for these projects. It included specific earmarking language for key projects now ready to fully utilize the appropriated funds. Because of the failure of the other body to include any funds for the program, the conferees agreed to a much lower figure, and stripped the bill of any earmarked language for specific projects.

I want to commend the chairman and ranking Republican member of the transportation appropriations subcommittee and the ranking Republican member of the full committee for their efforts in support of the higher figure that included earmarking for specific projects. They have been key supporters in the battle to win recognition of, and support for, a demonstration project in Lincoln, Nebr. I know they tried to retain the House language, but the "zero" option position taken by the Senate gave them little maneuvering room in which to work.

Mr. Speaker, this railroad-highway crossing demonstration project was first authorized over 10 years ago largely at the urging of my predecessors in the Nebraska congressional delegation. The program has been a legislative priority for this Member since I

came to Congress in 1979. The program is designed to implement grade separations and other safety features at points where highways and tracks intersect and present life-threatening situations for the nearby residents.

Although Nebraskans in Congress supported the program at its inception and have supported it in the 10 years since, very little of the benefits from the program have gone to Nebraska. This year, however, the House bill earmarked \$6.5 million for Lincoln, Nebr., the home of the first State-authorized "railroad safety transportation district." The funds were to go for completion of work on the North 27th Street Viaduct.

Needless to say, our momentary victory was short lived. Since the Nebraska Legislature created a Railroad-Highway Transportation Safety District, the local officials in Nebraska have planned and executed their portion of the project.

Realizing the stringent financial restrictions existing within Federal programs, they scaled their request back by two-thirds, from over \$20 million to \$6.5 million. Furthermore, the city has brought the project to the point where the Federal funding would be used immediately for right-of-way acquisition and construction, upon completion of which the project would be fully usable by the traveling public.

Having visited just a few minutes ago with the chairman of the Appropriations Subcommittee and acknowledging his reservations and limitations upon discussion in the colloquy of any specific references to projects, I would like to engage in a colloquy with the chairman and the gentleman from Pennsylvania working around that reservation.

The conference report notes that the projects listed in the House report are worthy of meritorious consideration by the Federal Highway Administration obligating the funds. That is clear enough and I appreciate that statement.

Mr. Chairman and Mr. COUGHLIN, the conference report on page 10 also directs the Federal Highway Administration to follow the House committee's report instructions to insure the development of a construction financing plan prior to the funding that is found on page 43 of the House report.

The language makes reference to advice not to obligate until there is a viable financing plan for construction of the project.

I understand that because of the position of the conferees of the other body that the earmarking would be impossible on your part now or counterproductive.

Now to the question. Is it safe to assume that this means funding preferences should be given to segments or sections of projects that could really be used by the traveling public upon

completion of this particular segment funded?

I would ask the chairman if he would care to respond to that question.

Mr. LEHMAN of Florida. Will the gentleman yield?

Mr. BEREUTER. I yield to the chairman of the subcommittee.

Mr. LEHMAN of Florida. I certainly understand the gentleman's concern with this particular rail-highway crossing demonstration project and as the gentleman says, we have many more projects than can be funded with the \$15 million in the conference report.

I can only reiterate what is in the conference report. It says:

The conferees note that the projects listed in the House report are, among others, projects worthy of meritorious consideration.

The Department should note the instructions contained in the House report regarding obligations in this program.

The facts of life are that we have more programs than we have money. I wish the gentleman the best of luck in seeking funding for his project.

Mr. BEREUTER. I thank the chairman. All I am really trying to find out is why the subcommittee specifically requires a financing plan. I assume it is so that we do not end up buying right-of-way on which a project then is eventually not constructed. That was my only question.

Mr. LEHMAN of Florida. The gentleman is correct; yes.

Mr. BEREUTER. I thank the gentleman. I wanted to make that clear.

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

Mr. BEREUTER. I would yield to the gentleman from Pennsylvania if he has anything to say on this matter.

Mr. COUGHLIN. I think the gentleman is entirely correct, that the reason we ask that we insure the development of a construction financing plan was so that we would have projects that would be usable and that would be completed and that projects which had that in place would obviously proceed first.

Mr. BEREUTER. And be useful to the traveling public.

Mr. COUGHLIN. The gentleman is correct.

Mr. BEREUTER. I thank the gentleman for his comments and I thank the chairman for his indulgence and I yield back the balance of my time.

Mr. LEHMAN of Florida. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MRAZEK).

Mr. MRAZEK. Mr. Chairman, it is my understanding that Congress intends that the section 305 language apply to section 5 of the urban mass transit formula grants, and not to non-urban grants. I would like to know if the chairman has the same understanding.

Mr. LEHMAN of Florida. Will the gentleman yield?

Mr. MRAZEK. I yield to the gentleman from Florida.

Mr. LEHMAN of Florida. The gentleman is absolutely correct.

Mr. MRAZEK. I thank the chairman and yield back the balance of my time.

Mr. COUGHLIN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding this time. I do so for the purpose of clarification.

On amendment No. 27 dealing with railroad highway crossing demonstration projects, when this bill left the House the report identified a number of projects throughout the country that should receive these funds as high priority items.

However, as has often happened on a number of occasions, the other body struck the identification and the recommendations by the House as far as identifying projects and also reduced the dollars from \$35,700,000 down to \$15 million.

□ 1540

In the report now coming out of the conference, the conferees note that the projects listed in the House report are, among other projects, "Worthy of meritorious consideration. The Department should note instructions contained in the House report regarding obligation of this program."

However, also the House report spoke about viable funding, that no construction funds should start until a new viable funding program.

My question is, obviously since we reduce the dollars, \$15 million is not going to fund all these projects; it would seem to be wise until viable funding has been worked out with the Department that the projects that would complete design or engineering should be high priority items.

Is there any consideration as far as the committee is concerned about the funding for the design and engineering to complete those before we go to construction? I yield to the chairman for clarification.

Mr. LEHMAN of Florida. Mr. Speaker, I understand the gentleman's concern. I can only reiterate the conference report language and I think you have already read most of that. I can only speak for the House conferees.

Mr. MYERS. Of course, conferees are the ones that really write this conference and the ones that will give the direction and I hope the Department through the conference report. It would seem that the priority should go, and that the Department should be encouraged to fund these design and engineering and complete them, rather than try to start something we do not know if we can finish or not.

Mr. LEHMAN of Florida. As the gentleman knows, the conferees were silent on this issue. I think I would be ill-advised to give the gentleman any false encouragement at this time, though I wish him good luck on this project.

Mr. MYERS. I am not sure what that means but I thank the gentleman for his comment.

Mr. LEHMAN of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. I thank the gentleman for yielding.

Mr. Speaker, I think we have a very good bill before us. I expect all of us can think of things we would like to do if we had more money available but I think the chairman of our subcommittee, BILL LEHMAN, and the ranking Republican, LARRY COUGHLIN, have done a remarkable job in dealing with the variety of demands that so many of us had and all the desires we had in arriving at, in my judgment, a very fair and good bill.

So, to Mr. LEHMAN and Mr. COUGHLIN I say "Thank you on behalf of all of us who serve with you on the committee and in the House for doing such an excellent job" and presenting to us today a bill that we can be proud to vote for.

I yield back the balance of my time.

Mr. COUGHLIN. Mr. Speaker, I yield so much of my remaining time as he may consume to the distinguished ranking member of the full committee, the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, I rise in support of this conference report on the transportation appropriations bill for fiscal year 1984. The conference agreement provides for new budget authority of \$10.9 billion, which is \$18.7 million above the budget request, \$367.7 million below the House-passed bill, and \$78.3 million above the Senate-passed bill. Frankly, I was disappointed by many of the cuts made from the House levels. But we were under strong pressure to bring back a bill that could be signed by the President, and this was the maximum that OMB would accept.

Mr. Speaker, I would like to briefly outline some of the key items in this bill. For the Coast Guard, we have provided \$8 million more than was in the Senate bill for operating expenses. The Coast Guard is going to have significant demands placed on it in 1984 by the summer Olympic games and by continued efforts against drug smuggling, and the amount in this bill is going to be the bare minimum for satisfactory levels of operations. If there should be any unforeseen conditions that arise, I would expect that there will be a need for a supplemental appropriation.

For the Federal Aviation Administration, the conferees provided \$750

million for facilities and equipment, instead of the \$985.5 million proposed by the House. This will necessarily slow down progress on the national airspace system plan implementation, but according to the FAA will not prevent the ultimate completion of the plan on schedule.

The conference agreement provides \$800 million for grants-in-aid to airports. This is \$50 million more than was provided in fiscal year 1983, and although it is lower than the authorized level this was the maximum amount that could be provided given our overall spending ceiling.

I know that a number of my colleagues have been concerned about funding for rail-highway crossing demonstration projects, for which the House had provided \$35.7 million. The conference agreement provides \$15 million for these projects, which should at least get most of them underway.

For our friends in Connecticut, and indeed for all of us who have occasional need to travel on Route 95 up and down the Atlantic coast, we have provided up to \$21 million for repairs and related expenses associated with the collapse of the Mianus Bridge.

In the area of rail service assistance, the conference agreement provides \$15 million for local rail service assistance, of which \$2.5 million is for discretionary grants. The House report provided that \$500,000 of this amount should be made available for a project in Massachusetts, and it is my hope that this money will be used for a rail yard improvement project in Deerfield, Mass.

The conferees have provided \$716.4 million for Amtrak, an amount that will permit the continued operation of all current routes.

For feeder line assistance, we have provided \$3 million for the so-called Bloomer Line in Illinois, which should permit the continued operation of that important line.

Mr. Speaker, there were a number of general provisions in the bill that had generated some controversy. With regard to National Airport, the conferees agreed to a provision that would require the proposed rulemaking to adjust the passenger ceiling at the airport to be held in abeyance for at least 60 days from the date of enactment of this measure. That will provide time for the Department of Transportation and the various interested parties to try to resolve their difference over this issue, while leaving open the opportunity for further congressional action should those negotiations not be successful.

The conferees took a similar approach to the construction differential subsidy (CDS) issue, by requiring that the enforcement of any rule with respect to the repayment of such subsidies be held in abeyance for 60 days following the enactment of this meas-

ure, and also be held in abeyance for 60 days following the promulgation of such a rule.

Mr. Speaker, this is a bill that provides funds for our critical transportation needs, consistent with the need to exercise fiscal restraint in light of our tremendous deficit problem. It is a bill that the administration can accept, and I urge its adoption.

I am pleased to say I was down at the White House this morning at the Republican leadership meeting and the President said he was going to sign the bill.

Mr. Speaker, I want to take this opportunity to commend Chairman BILL LEHMAN for his leadership. The conference was weighted with many controversial issues. He masterfully handled our deliberations and brought us to an amicable conclusion. I also want to commend LARRY COUGHLIN, our ranking member of our subcommittee, for his leadership and masterful work.

Mr. LEHMAN of Florida. I thank my good friend from Massachusetts, Mr. CONTE, for his most generous remarks. He played a masterful part, himself, in creating this bill. I also want to thank Mr. SABO for his remarks in my behalf and in behalf of the subcommittee. Without his position as ranking majority member, we would have had a much more difficult time.

Mr. Speaker, at this time I would yield 5 minutes to the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, this conference report contains a number of essential programs. It is important that they be allowed to proceed.

But I think the Members should also be fully aware of some of the serious concerns this conference report raises, especially in aviation. In aviation funding, this conference report is not a compromise, it is the Senate number in every program of any real size. The Senate took the House bill and cut nearly half a billion dollars out of the major aviation programs, and the conference report follows those Senate funding levels exactly. I fully recognize that our conferees were put in an impossible situation when the administration totally backed the Senate numbers, even where those numbers were in many instances lower than the administration request level and violated previous commitments made by this administration.

But these cuts are made only at very real cost, and the Members should know what some of these costs are.

This gentleman from California has the privilege of chairing the Aviation Subcommittee for the House Public Works and Transportation Committee. One of my concerns is the damage done to the aviation trust fund. Less than a year ago, this Congress raised aviation user taxes to fund higher authorization levels for badly needed

aviation programs. We did so at the urging of this administration. As part of that package, trust fund authorizations totaled \$3.9 billion for fiscal year 1984, and tax levels were set accordingly. However, this conference report adopts Senate numbers, cuts that \$3.9 billion in trust fund spending to only \$1.8 billion, and does so at the urging of the administration. We are cutting the spending we had planned on, and are taxing for, and by more than half, by \$2.1 billion, while leaving the tax levels unchanged.

What does that do to the trust fund surplus? By my calculations it will nearly double the trust fund surplus in only 1 year's time. The unobligated balance at the end of fiscal year 1983 will be slightly more than \$2.1 billion. As a result of the underspending for trust fund programs in this conference report, I calculate that the unobligated balance will hit \$3.6 billion by the end of fiscal year 1984. This is the same trust fund surplus that we were assured, when we passed the administration's taxes, would decline to about \$1.3 billion by the end of fiscal year 1984.

So you will not need to wonder where this trust fund surplus came from: it came from this conference report. When we cannot persuade the administration or the Senate to honor the commitments made to these programs when the taxes were raised, skyrocketing surpluses are the result. With these kinds of surpluses looming, I see no valid argument against cutting aviation user taxes across the board. We do not need the higher revenues: we are awash in the money we have already collected and are not spending. With this conference report, we have come to the point where aviation taxes should be reduced.

The second major area of concern is the effect of this conference report on FAA operations, which is cut \$140 million below the administration request level, but again at the urging of the administration. There are only two possible consequences of this funding level. One is that we will come back and restore much of the difference in a supplemental appropriation. The other is that it will be impossible to continue restoration of the air traffic control system; it will be impossible to bring on new controller work force as planned; and slot restrictions and GAR restrictions, which have been easing for months, will have to remain with us. If those restrictions return, you will not need to wonder where they came from: they came from this conference report.

We have to get past the idea that this is all just a numbers game and that the numbers have no consequences in the real world. In the real world of aviation, the cuts insisted on by the Senate and the administration

are going to have some serious consequences.

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

□ 1550

Mr. LEHMAN of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. AuCOIN).

Mr. AuCOIN. Mr. Speaker, as a former member of this subcommittee, I want to extend my appreciation to the chairman of the subcommittee, the gentleman from Florida (Mr. LEHMAN), who has handled this bill all the way through the House, through the Conference, and now on the floor again.

I think that the balanced bill he and the members of the committee bring before us warrants our support.

This is a good bill. This bill balances the transportation needs of every region of the country. It does so in the most thoughtful and fair way. I especially appreciate the committee's sensitive attention to the problems faced by the Portland metropolitan area in Oregon. And I would be remiss if I did not stand up and echo some of the remarks of the colleagues of mine who have taken the well before me in extending my compliments to the leadership of the new chairman of the subcommittee, the members on the Democratic side, and to the ranking Republican and the Republican members of the committee as well.

I think this is a very sound bill. It has been stated that the President will sign it. I think it warrants an overwhelming vote of confidence by the full membership of the House.

Mr. LEHMAN of Florida. Mr. Speaker, I thank the gentleman from Oregon (Mr. AuCOIN) for his kind remarks. I wish that he were still on our subcommittee, but I certainly understand his change to the Defense Committee where he is making such a valuable contribution.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. SIMON).

Mr. SIMON. Mr. Speaker, I thank the chairman of the subcommittee. And I would like to ask him to yield to engage in a brief colloquy about the railroad-highway crossing demonstration program.

The House bill provided \$9.7 million for the Carbondale project in my district in southern Illinois. This was the highest allocation among several receiving funds under the House bill.

The total allocation of the House bill for the program nationwide had been set at \$35.7 million out of the \$50 million authorized for the program.

Do the conferees have any instruction for the Department of Transportation in the allocation of funds to these projects?

Mr. LEHMAN of Florida. I would only reiterate to my friend from Illinois that the conference report states

that the conferees note that the projects listed in the House report, such as his, are among projects worthy of meritorious consideration. The Department should note instructions contained in the House report regarding obligations in this program.

I certainly hope the gentleman is successful with his project, but I would be remiss if I at this time gave him any false encouragement. I wish him the best of luck with the project because I know it is a worthwhile project.

Mr. SIMON. I thank the gentleman. And I know that the wish of good luck from the chairman of the subcommittee is significant to the Department.

And let me just add inasmuch as the House bill gives such high priority to the Carbondale project providing it with the largest allotment of any other project, and because of the strong community support and the strong record of good management of the Carbondale project, it seems clear that the Department has many compelling reasons to direct a share of program funds sufficient to continue the important work underway there.

I thank the gentleman.

Mr. LEHMAN of Florida. Mr. Speaker, I am happy to yield 1 minute to the gentlewoman from Louisiana (Mrs. BOGGS).

Mrs. BOGGS. Mr. Speaker, I rise in strong support of this conference report and I thank the chairman and the ranking member and all the members of the committee for their very hard and successful work in bringing forth such a balanced piece of legislation.

I would like to especially thank them for including within the conference report the continuance of the vessel traffic system in New Orleans and in San Francisco by an offset of the fuel savings of \$3 million. When all of us are so concerned about the transport of hazardous materials and hazardous goods, it is especially fitting that the committee of the House kept in place this, very, very necessary system, until it can be taken over by either local or State authorities, as the case may be.

I would like also, Mr. Speaker, if I may, to ask the chairman, as our colleague from Illinois did, if the railroad allocation for Metairie, La., was considered in the conference report.

Mr. LEHMAN of Florida. If the gentlewoman would yield to me, as the gentlewoman heard me state to other members here, including the gentleman from Illinois, the conferees note that the projects listed in the House report are among other projects worthy of meritorious consideration. And at this time I can only say that I would hope the gentlewoman's project does receive due consideration, but I

would be remiss if I offered any false encouragement at this time.

Mrs. BOGGS. I thank the gentleman.

Mr. LEHMAN of Florida. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FAZIO), the chairman of the Legislative Subcommittee of the Committee on Appropriations, and a former member of this subcommittee.

Mr. FAZIO. Mr. Speaker, I appreciate the gentleman yielding and I appreciate even more the kind consideration that he gave to the California projects that were before the subcommittee this year.

I see the gentleman from Minnesota (Mr. SABO), the gentleman from Connecticut (Mr. RATCHFORD), and the gentleman from Michigan (Mr. CARR) and other members of the subcommittee here and I would like to include all of them in my laudatory comments that I would like to direct to the committee.

California has been known as a freeway-oriented society for many years now, but we are seeing the emergence of a number of new modes of transportation, particularly light-rail systems in San Diego and San Jose and Sacramento and in the San Francisco Bay area, the augmentation of the MUNI and BART systems and, particularly important in Los Angeles, the beginning of a fixed rail transit system.

And this committee, although confronted with some very difficult fiscal realities brought about by growth in other areas of the Sunbelt, has been very helpful. California is coming late to the fiscal table in historic terms. But the committee has gone beyond the call of duty in coming to our aid. We sincerely appreciate the attention the committee has given us, the ability those of us on the committee have had to participate in the process.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. FAZIO. I am happy to yield to the gentleman from California.

Mr. LEWIS of California. I thank the gentleman for yielding.

It is not precisely a transportation matter, but may affect the movement of the gentleman. I thought the gentleman would like to know that the Sabastini election was just set aside in the courts.

Mr. FAZIO. I say to the gentleman from California (Mr. LEWIS), you could not have made my day with any greater finality than with that news. I probably have lost my train of thought as it relates to transportation.

So I simply will conclude by telling the chairman one more time how much we appreciate the way in which the chairman let us participate with him in allocating the funds that are available. And I thank the committee very much.

● Mr. FRENZEL. Mr. Speaker, the conference report on the Transporta-

tion appropriation is under the House-passed version by \$367.7 million or 3.3 percent, but it is still too expensive to win my approval.

According to the House Budget Committee factsheet for June 21, 1983, the conference report is \$23 million in budget authority and \$452 million in outlays over the President's most recent request. Funding levels above the request include \$352 million for mass transit, \$51 million for Amtrak, and a total \$100 million in Federal Railroad Administration funding.

Bills which are almost a half million above the amount requested by the administration ought not be ignored by the deficit conscious American public.

The conference report gives the appearance of responsibility since its \$10.9 billion appropriation falls within the 302(a) perimeters of the budget resolution for fiscal year 1984. The appropriation conferees would have to be commended for their restraint were it not that the budget resolution and its allocations are so high. The conference report is \$295 million below the spending allocations of the budget. That is a good start, but the reductions are not enough to warrant a vote in favor.

The Transportation conference report is not the worst spending bill that the Appropriation Committee has produced. In fact, this bill is an improvement over last year's bill which relied heavily on supplementals. Nevertheless, the bill is excessive.

Because I believe that difficult decisions must be made to bring down the looming deficits, I intend to vote against this bill.●

● Mr. SKEEN. Mr. Speaker, waste isolation pilot program (WIPP) is a research and development facility designed to demonstrate the safe disposal of radioactive wastes resulting from defense activities of the Department of Energy.

Construction of the WIPP is set to begin in mid-September—ahead of schedule and below budget. Last month the Department of the Interior ordered administrative land withdrawal, and on July 5, the Army Corps of Engineers awarded the actual construction contract.

As part of the original authorizing legislation (Public Law 96-164), the Secretary of Energy was directed to enter into a written agreement with the State of New Mexico as to how the DOE was to resolve the concerns of the State. That agreement is being overseen by the U.S. district court.

As part of that stipulated agreement, the DOE pledged to support the New Mexico congressional delegation in seeking appropriations for the purpose of upgrading certain highways which would typically be used for transporting wastes to the facility.

The stipulated agreement set a figure of \$57.9 million for the upgrade.

Obviously, a full \$58 million is not necessary at this time, however, a need of \$5.8 million was identified by the State of New Mexico.

On January 14, 1983, my colleague Senator PETE DOMENICI met with then Transportation Secretary Drew Lewis. Secretary Lewis noted at the meeting that under the terms of the stipulated agreement, the \$5.8 million could not be met through existing programs. Therefore he agreed that a special appropriation would have to be pursued.

Secretary Lewis assured Senator DOMENICI of the Department's full support for upgrading the roads associated with the WIPP. Since that time, we have also been assured verbally of newly appointed Transportation Secretary, Elizabeth Dole's support.

In lieu of the decision to begin construction of the site in mid-September, the action on the part of the Senate appropriating \$5.8 million for planning and design work must be accomplished. Congress should continue its strong support of the WIPP, and I do not believe anything should impede the drilling and excavation work for the project.●

● Mr. MITCHELL. Mr. Speaker, it has come to my attention that the FAA plans to lump together numerous support-type contracts, into a single contract. Such consolidation into an umbrella program known as "Systems Engineering Integration". RFP No. DFTA 0183 R 17144, will undoubtedly be damaging to small business firms and probably contrary to forthcoming revisions in OMB Circular A-76. It is clearly contrary to the House Small Business Committee's efforts over the past decade to enable small businesses to bid for Government procurement contracts.

Earlier this year, the Office of Federal Procurement Policy issued proposed revisions to OMB Circular No. A-76, which governs performance of commercial activities by the Government in-house versus through contract. In the draft—which shortly will be finalized—special efforts were made to preserve contracting activities for small and disadvantaged small businesses.

Over the past decade, the House Small Business Committee has worked with contracting officers to break out portions of work so that small businesses could bid for it. This policy has been accepted—it has provided the Government new sources of supply, saved the taxpayer many millions of dollars by increasing competition, and been of invaluable assistance to small entrepreneurs. It is beyond my understanding why the Department of Transportation would consider permitting FAA to reverse this policy. I trust it will not do so.●

● Ms. OAKAR. Mr. Speaker, I rise in support of the conference report on the Department of Transportation authorization bill. In particular, I rise in support of the provision contained therein which bans the implementation of the revised regulations issued by the Office of Personnel Management on July 14.

By the overwhelming vote of 75 to 18, the Senate has already voted to prohibit the implementation of these regulations, and I firmly believe the House should do likewise.

The July 14 regulations are certainly an improvement over the first set of OPM regulations issued on March 30 in that they are not as punitive. However, they still would make major changes in the pay, promotion and RIF procedures in the Federal work force. In my opinion, such significant changes require congressional review and oversight. Given that these new regulations have been out for less than a month, that review and oversight by this House has not been possible.

I would urge my colleagues, therefore, to support this provision of the bill. ●

Mr. LEHMAN of Florida. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

Senate amendment No. 1 reads as follows:

Senate amendment No. 1: Page 2, line 6, strike out "\$35,000" and insert "\$38,000".

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert "\$36,500".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that the Senate amendments numbered 10, 14, 47, 49, and 55 be considered en bloc and printed in the RECORD.

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

There was no objection.

The Senate amendments referred to are as follows:

Senate amendment No. 10: Page 5, line 25, strike out "\$1,000,000" and insert "such sums as may be necessary".

Senate amendments No. 14: Page 7, line 22, after "\$56,900,000" insert ": Provided, That the Secretary of Transportation is authorized to transfer appropriated funds between this appropriation and the Federal Aviation Administration appropriation for Operations: Provided further, That this appropriation shall be neither increased nor decreased by more than 7.5 per centum by any such transfers: Provided further, That any such transfers shall be reported to the Committees on Appropriations.

Senate amendment No. 47: Page 29, line 5, after "basic" insert ", including not to exceed \$3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation".

Senate amendment No. 49: Page 30, line 5, strike out "\$25,895,000" and insert "\$26,795,000, of which \$900,000 shall be available only for necessary expenses of the Office of the Inspector General to augment the bid rigging investigative efforts currently underway".

Senate amendment No. 55: Page 32, line 12, strike out all after "program" down to and including "entity" in line 15 and insert "unless the Commission is precluded from meeting this requirement because of circumstances beyond its control".

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN moves that the House recede from its disagreement to the amendments of the Senate numbered 10, 14, 47, 49, and 55 and concur therein.

The motion was agreed to.

□ 1600

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 21 reads as follows:

Senate amendment No. 21: Page 11, line 2, after "rescinded" insert ": Provided further,

That, notwithstanding any other provision of law, of the foregoing limitation at least \$80,000,000 shall first be made available to fund construction of all eligible portions of new air carrier runways, and related construction, at airports as to which joint Department of Transportation/Federal Aviation Administration Task Force Delay Studies have been prepared for issuance in 1983, or later, showing annual delay costs attributable to inadequate runway capacity that will exceed the cost of construction, and as to which the sponsor's preapplication shall specify a 1984 project start date, whereafter the balance of the \$80,000,000 shall revert to the discretionary funds".

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following: " Provided

further, That, notwithstanding any other provision of law, of the foregoing limitation at least \$25,000,000 shall first be made available to fund construction of all eligible portions of new air carrier runways, and related construction, at airports as to which joint Department of Transportation/Federal Aviation Administration Task Force Delay Studies have been prepared for issuance in 1983, or later, showing annual delay costs attributable to inadequate runway capacity that will exceed the cost of construction, and as to which the sponsor's preapplication shall specify a 1984 project start date, whereafter the balance of the \$25,000,000 shall revert to the discretionary funds".

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LEHMAN) is recognized for 30 minutes.

Mr. LEHMAN of Florida. Mr. Speaker, I yield to the gentleman from California (Mr. MINETA).

Mr. MINETA. Mr. Speaker, I rise in opposition to the gentleman's motion to recede to the Senate amendment with an amendment.

I do so because there are many airports in every single State of this Nation which are seeking discretionary grants from the airport program and their projects are valid and their needs are real. What the Senate did is it first reduced the amount of money available to all these airports by cutting the total airport grants program by \$100 million, to the point where the so-called pure discretionary funds for which most of these airports are competing total only \$100 million for the entire country.

Having cut back the amount of funds available to everybody, they then attempted to designate most of those limited funds for just one airport, leaving all the rest of the airports in the country to fight over the leftovers.

What is before us now is an amendment that would mark \$25 million for one airport—Houston—while leaving all the rest of airports in the country seeking discretionary grants to compete for the remaining \$75 million in pure discretionary money. This amendment has the effect of taking money away from airports in every State, including from other airports in Texas.

The effect of defeating this motion will be to insist on the House position and to continue to give all airports in the country an equal shot at discretionary airport grants.

Mr. Speaker, I want to emphasize that this is not in any way a vote

against Houston or against this project. I am familiar with the project and I think it is a valid and needed project and that in any fair competition it will get discretionary grant assistance. But it should not receive preferential treatment to all other airports in the country. It should not be able to avoid having the need for this project weighed against the need for all other projects.

I would have no objection to Houston getting \$25 million, or any other amount, in discretionary money, if that amount were found to accurately reflect the need for this project relative to applications from other airports all over the country.

In short, Mr. Speaker, I object not to funding for Houston's project, but to the way the other body has attempted to give preferential treatment to one airport at the expense of airports all over the country. Everybody should have to play by the same rules.

A vote against the pending motion will be a vote to insist on equal treatment of all airport grant applications. I urge a "no" vote.

Mr. LEHMAN of Florida. Mr. Speaker, I yield to the gentleman from Texas (Mr. LELAND).

Mr. LELAND. Mr. Speaker, I want to thank my friend, the gentleman from California (Mr. MINETA), the chairman of the Subcommittee on Aviation, for his remarks regarding the conference report on the transportation appropriations as they affect the much-needed improvements at Houston Intercontinental Airport.

I appreciate his concerns about the precedential impact of mandating the allocation of funds for Houston or any other airport. In fact, as Chairman MINETA points out, such a practice could in the future very well work to Houston's detriment.

I am grateful that in the expression of his reservations concerning the motion to accede to the Senate he noted the strong need Houston has demonstrated for improvement funding and that a vote against the motion to accede was not a vote against Houston.

Those of us who are vitally concerned about transportation improvements at Houston Intercontinental take comfort in the chairman's observation that he is confident that Houston will receive the funding it needs if given fair treatment in the review process.

I would take this opportunity, Mr. Speaker, to emphasize once again the need which has been demonstrated for the runway improvements at Houston Intercontinental. As the House conference report correctly notes, there are substantial costs associated with the delays resulting from the need for additional runway capacity in Houston. In addition, these delays affect our

Nation's air transportation system, of which Houston is a vital part.

The conference report is clear in its emphasis on Houston's pressing need and I very much appreciate the remarks of the gentleman from California, which serve to underscore that emphasis. I want to thank Chairman MINETA for his attention and assistance.

I would like too, to commend the gentleman from Florida (Mr. LEHMAN) for his leadership as chairman of the Transportation Subcommittee of the Appropriations Committee especially for his sensitivity to the very critical problems of Houston Intercontinental Airport during consideration of this most important issue. His leadership was simply invaluable.

Mr. LEHMAN of Florida. Mr. Speaker, I yield to the gentleman from Texas (Mr. FIELDS).

Mr. FIELDS. Mr. Speaker, I rise to clarify for my fellow colleagues that the Houston delegation does not seek to insist on Senate language earmarking funds for Houston, nor to demand a rollcall vote on this technical amendment in disagreement.

Rather, Mr. Speaker, I seek to explain the importance of this runway project at Houston Intercontinental Airport to the traveling public and the aviation community in Houston, the Southwest, and nationwide.

Mr. Speaker, although I have serious concerns regarding the direction of future proposed runways at intercontinental, I nonetheless, feel strongly that the Department of Transportation and the Federal Aviation Administration should not only give priority consideration for funding Intercontinental's aviation concerns, but should also, through the Secretary's discretionary funds, provide \$25 million for vitally needed runway construction funds at Houston Intercontinental Airport.

Mr. Speaker, Houston Intercontinental has three runways currently operating in excess of airfield design capacity. A recent FAA/industry task force study concluded that if a new runway is not constructed by 1985, the delay cost, expressed in 1980 dollars, to the aviation community using Intercontinental, will be \$116.1 million annually. Commercial air carriers will bear \$83.2 million of these delay costs directly attributable to lack of adequate runway capacity at Intercontinental. Further, the study estimates that there will be over 95,000 hours of aircraft delay annually if a new runway is not constructed by 1985. By 1990, the lack of a new runway will produce annual delay costs of \$276.9 million based on 1980 dollars.

Mr. Speaker, there are serious airfield capacity problems at Houston Intercontinental Airport. For this reason, I believe it is imperative that

the Department of Transportation and the FAA funds use \$25 million for the construction of a new runway at Houston Intercontinental.

Mr. Speaker, both Houses of Congress underscored the need for and importance of the Houston runway project and gave it No. 1 priority in their respective committee reports on the Department of Transportation appropriations for fiscal year 1984.

The economic justification of the runway construction project cannot be debated. The cost of construction represents a small fraction of the delay costs experienced by the airlines and consumers without the runway. The one-time cost of construction at \$87 million, of which \$65 million is eligible for funding under the AIP program, compares with projected annual cost of delay estimated in a DOT/FAA report to be in excess of \$116 million per year. By 1990, these delay costs will total almost \$300 million a year.

Moreover, the project is one that has national significance. Delays at Houston Intercontinental produce air traffic delays that ripple across the country. Houston is a leading air traffic hub for both domestic and international operations and yet does not have enough runway capacity to meet the needs of air commerce and the traveling public. As a result, the failure to fund this runway project will produce adverse consequences of enormous magnitude.

Houston travelers contribute over \$150 million annually into the aviation trust fund. The cost of the runway requiring \$25 million in fiscal year 1984 and the remainder in fiscal year 1985 represents a small return for this contribution and a small portion of the approximately \$330 million available in the total pool of discretionary funds for the fiscal year.

In short, this project is economically justified, has important national merits, and, therefore, must be accorded the highest priority by the FAA in its discretionary fund grants.

Mr. LEHMAN of Florida. Mr. Speaker, I yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise in strong support of the gentlemen from California's efforts to oppose Mr. LEHMAN's motion to recede and concur with the Senate amendment No. 21 concerning grants-in-aid for airports.

This amendment which was adopted by the Senate and House conferees is an unprecedented attempt to insert legislation in an appropriations bill.

Language was inserted in the conference report that would earmark a specific amount of money—\$25 million for Houston Intercontinental Airport. In both the House and Senate reports that accompany H.R. 3329, 48 airports

were listed to receive priority funding for airport improvement projects. No other airport received a specific earmarking in the legislation. I am sure all of these 48 plus airports are worthy of airport improvement funding. But I do not feel it is fair for one airport to be singled out to receive a specific amount that would total one quarter of the available funds.

I urge all of my colleagues to support the motion made by the chairman of the Aviation Subcommittee.

Mr. LEHMAN of Florida. Mr. Speaker, I yield to my colleague, the gentleman from Florida (Mr. SHAW).

Mr. SHAW. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the comments made by the gentleman from California (Mr. MINETA). In my home district of Broward County, Fla., we have under construction a large new airport the Fort Lauderdale-Hollywood Airport. In times of short funds it would be wrong to skim off the top large sums for one airport at the expense of the rest of the country.

Mr. LEHMAN of Florida. Mr. Speaker, I yield to the gentleman from Illinois (Mr. PORTER).

Mr. PORTER. I thank the gentleman for yielding.

Mr. Speaker, I think the points made by the gentleman from California are very important ones indeed. This priority earmarking for one airport project over all others would be, it seems to me, unprecedented. If we did it in this case, priority earmarking would be attempted again and again in the future. The Houston airports needs can stand on their own in competition with all others and without special treatment here. This proposal is simply not wise public policy, and I would support the gentleman from California and oppose the motion to concur by the gentleman from Florida.

● Mr. SNYDER. Mr. Speaker, I rise in opposition to the gentleman's motion and urge my colleagues to do the same.

As you have heard, if the gentleman's motion is adopted, \$25 million in airport improvement discretionary funds would be specifically earmarked for the Houston Intercontinental Airport in fiscal year 1984. This would be in addition to the nearly \$5 million in entitlement funds which the airport would receive in accordance with the provisions of the authorizing statute.

Mr. Speaker, I think it is very inappropriate to take a relatively small grant program, such as airport improvement program, and single out one airport for preferential treatment. Certainly, the airports in my district are not being guaranteed any of these discretionary funds and I do not see why Houston should be treated any differently.

In addition, I would like to emphasize to my colleagues that the entire

amount of discretionary funds available for fiscal year 1984 will only be about \$309 million, and two-thirds of this amount is required to be distributed to narrowly defined classes of airports and certain types of projects. Therefore, the total amount of pure discretionary funds which will be available for obligation will be about \$100 million, of which 425 million or 25 percent would be guaranteed to the city of Houston if the gentleman's motion is adopted.

Mr. Speaker, the runway construction project at Houston Intercontinental may be one of the highest priority projects in the Nation, but it should be judged in the same way as other projects—on the merits. Accordingly, I would urge my colleagues to oppose the gentleman's motion and then to support a further motion that the House insist on its disagreement with the Senate amendment.●

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was objection.

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

The motion was rejected.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate No. 21.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 23 reads as follows:

Senate amendment No. 23: Page 12, line 14, after "made" insert "": *Provided*, That notwithstanding any other provision of law, the Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to the guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note). The number of such obligations when combined with the aggregate of all such obligations made during fiscal year 1983 shall not exceed \$250,000,000 by September 30, 1984. Such obligations shall be redeemed by the Secretary from appropriations authorized by this section. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force. The purpose for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchase, redemptions,

and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States".

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "": *Provided*, That notwithstanding any other provision of law, the Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to the guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note). The amount of such obligations when combined with the aggregate of all such obligations made during fiscal year 1983 shall not exceed \$175,000,000 by September 30, 1984. Such obligations shall be redeemed by the Secretary from appropriations authorized by this section. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force. The purpose for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchase, redemptions, and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States".

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 28 reads as follows:

Senate amendment No. 28: Page 17 after line 13, insert: Notwithstanding sections 125, 129, and 301 of title 23, United States Code, \$21,000,000 from the Emergency Relief Fund authorized under section 125 of title 23, United States Code, shall be made available to repair or replace the Mianus Bridge on Interstate 95 in Greenwich, Connecticut, and for repair of local roads and for ancillary expenses incurred by the towns of Greenwich, Connecticut, and Port Chester,

New York as a result of the Mianus Bridge collapse. Of the funds made available under this section, not more than \$1,000,000 is to be equally divided to the towns of Greenwich, Connecticut, and Port Chester, New York.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

EMERGENCY RELIEF

Notwithstanding sections 125, 129, and 301 of title 23, United States Code, an additional \$20,000,000 shall be available from the Highway Trust Fund for the emergency fund authorized under section 125 of title 23, United States Code: *Provided*, That the Secretary shall give first priority to making funds available to repair or replace the Mianus Bridge on I-95 in Connecticut: *Provided further*, That the Federal funds provided herein shall not duplicate assistance provided by any other Federal emergency program, compensation received from Connecticut bridge insurance policies, or any other non-Federal source: *Provided further*, That regulations issued under section 125, title 23, United States Code, shall apply to the expenditure of such Federal funds: *Provided further*, That such funds shall not be available until the State of Connecticut enters into an agreement pursuant to section 105 of the Federal-Aid Highway Act of 1978 which covers the Mianus Bridge.

MIANUS BRIDGE EMERGENCY ASSISTANCE

For necessary expenses to help defray costs such as additional police and fire services and road repairs resulting from the Mianus Bridge collapse, \$1,000,000: *Provided*, That such sum shall be equally divided between and allocated to the towns of Greenwich, Connecticut, and Port Chester, New York.

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 30 reads as follows:

Senate amendment No. 30: Page 17, after line 18, insert:

WASTE ISOLATION PILOT PROJECT ROADS

For necessary expenses in connection with planning and design activities associated with the upgrading of certain highways for the transportation of nuclear waste generated during defense-related activities, not otherwise provided for, \$5,800,000 to remain available until expended: *Provided, however*, That these funds become available when

construction of the Waste Isolation Pilot Project commences.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 30, and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 36 reads as follows:

Senate amendment No. 36: Page 20, line 17, strike out all after "amended" down to and including "purposes" in line 25.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to change: "fiscal year 1981" to "fiscal year 1979".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 39 reads as follows:

Senate amendment No. 39: Page 25, line 11, after "1984" insert "": *Provided*, That the Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under section 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding".

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "": *Provided*, That the Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided further*, That the amount of such notes or other obligations, when combined with the aggregate of all such notes or obligations issued during fiscal year 1983, shall not exceed \$150,000,000 by September 30, 1984."

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 41 reads as follows:

Senate amendment No. 41: Page 26, strike out lines 1 to 7, inclusive.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

ILLINOIS FEEDER LINE ASSISTANCE

(TRANSFER OF FUNDS)

For a grant related to the acquisition and rehabilitation of the railroad feeder line as authorized by section 511 of the Rail Safety and Service Improvement Act of 1982, \$3,000,000, to be derived by transfer from the unobligated balances of "Redeemable preference shares": *Provided*, That such grant shall contain terms requiring (1) the repayment of the full amount of the grant to the United States in the event of the cessation of service on such line within five years after the first operation of such service after receipt of such grant, and (2) a liquidation priority for the United States in the event of bankruptcy within such five-year period.

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 53 reads as follows:

Senate amendment No. 53: Page 31, line 11, strike out all after "expenses," down to and including "carriers" in line 12 and insert "\$16,100,000, for the period October 1, 1983 through June 30, 1984".

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 53 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment insert the following: "\$18,400,000, for the period October 1, 1983 through August 1, 1984".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 60 reads as follows:

Senate amendment No. 60: Page 41, strike out lines 16 to 24, inclusive.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 60 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment amended to read as follows:

Sec. 314. The Congress intends and directs that the proposed rulemaking to adjust the annual passenger ceiling at Washington National Airport be held in abeyance for at least 60 days from the date of enactment of this Act.

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 61 reads as follows:

Senate amendment No. 61: Page 42, strike out lines 1 to 6, inclusive.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 61 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment amended to read as follows:

Sec. 315. None of the funds provided in this Act for the Department of Transportation shall be used for the enforcement of any rule with respect to the repayment of construction differential subsidy for the permanent release of vessels from the restrictions in section 506 of the Merchant Marine Act, 1936, until 60 days following the promulgation of any such rule.

Notwithstanding any other provision of law, the enforcement of any rule regarding the repayment of construction differential subsidy for the permanent release of vessels from the restrictions in section 506 of the

Merchant Marine Act, 1936, shall be held in abeyance for at least 60 days from the date of enactment of this act.

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 64 reads as follows:

Senate amendment No. 64: Page 42, after line 19, insert:

Sec. 315. No funds appropriated under this act shall be expended to pay for any travel by the Administrator of the Federal Aviation Administration as passenger or crew member aboard any Department of Transportation aircraft to any destination served by a regularly scheduled air carrier: *Provided*, That this limitation shall not apply if no regularly scheduled carriers' flight arrives at the destination of the Administrator within 6 hours local time of the desired time of arrival: *Provided further*, That this limitation shall not apply to costs incurred by any flight which is essentially for the purpose of inspecting, investigating, or testing the operations of any aspect of the Federal Aviation Administration system designed to aid and control air traffic, or to maintain or improve aviation safety: *Provided further*, That this limitation shall not apply to costs incurred by any flight in Department of Transportation aircraft which is necessary in times of emergency or disaster, or for security reasons, or to fulfill official diplomatic representation responsibilities in foreign countries: *Provided further*, That written certifications shall be issued quarterly on all flights initiated in the previous quarter subject to this limitation and shall be made readily available to Congress and the general public.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment insert "317".

The motion was agreed to.

□ 1610

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 65 reads as follows:

Senate amendment No. 65: Page 42, after line 19, insert:

Sec. 316. Section 120(j) of title 23, United States Code, is amended by inserting after the word "Representatives" the following: "and for funds allocated under the provisions

of section 155 of this title and obligated subsequent to January 6, 1983."

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered and concur therein with an amendment, as follows: In lieu of section No. "316" named in said amendment insert "318".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 66 reads as follows:

Senate amendment No. 66: Page 42, after line 19, insert:

Sec. 317. None of the funds in this or any other Act shall be used by the Federal Aviation Administration for any facilities closures or consolidations prior to December 1, 1983: *Provided*, That the Federal Aviation Administration shall, no later than October 1, 1983, submit to the appropriate committees of the Congress a detailed, site-specific, and time-phased plan, including cost-effectiveness and other relevant data, for all facilities closures or consolidations over the next three years: *Provided further*, That, in the instance of any proposed closure or consolidation questioned in writing by a committee of the Congress, no such proposed closure or consolidation shall be advanced prior to April 15, 1984, in order to allow for the timely conduct of any necessary congressional hearings.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreements to the amendment of the Senate numbered 66 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

Sec. 319. None of the funds in this or any other Act shall be used by the Federal Aviation Administration for any facility closures or consolidations prior to December 1, 1983: *Provided*, That the Federal Aviation Administration shall, no later than October 1, 1983, submit to the appropriate committees of the Congress a detailed, site-specific, and time-phased plan, including cost-effectiveness and other relevant data, for all facilities closures or consolidations over the next three years: *Provided further*, That, in the instance of any proposed closure or consolidation questioned in writing by a committee of the Congress, no such proposed closure or consolidation shall be advanced prior to April 15, 1984, in order to allow for the timely conduct of any necessary congressional hearings.

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Florida (Mr. LEHMAN).

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 67 reads as follows:

Senate amendment No. 67: Page 42, after line 19, insert:

SEC. 318. Section 145 of Public Law 97-377, approved December 21, 1982, is amended (1) by designating the existing text thereof as subsection (a), and (2) by adding at the end thereof the following new subsection:

"(b) The amendment made by subsection (a) of this section shall be effective as of 5 o'clock ante meridian eastern daylight time, August 3, 1981."

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 67 and concur therein with an amendment, as follows: In lieu of section No. "318" named in said amendment insert the following: "320".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Senate amendment No. 69 reads as follows:

Senate amendment No. 69: Page 42 after line 19, insert:

SEC. 320. (a) The Congress finds that—

(1) in this Nation there exist millions of handicapped people with severe physical impairments including partial paralysis, limb amputation, chronic heart condition, emphysema, arthritis, rheumatism, and other debilitating conditions which greatly limit their personal mobility;

(2) these people reside in each of the several States and have need and reason to travel from one State to another for business and recreational purposes;

(3) each State maintains the right to establish and enforce its own code of regulations regarding the appropriate use of motor vehicles operating within its jurisdiction;

(4) within a given State handicapped individuals are oftentimes granted special parking privileges to help offset the limitations imposed by their physical impairment;

(5) these special parking privileges vary from State to State as do the methods and means of identifying vehicles used by disabled individuals, all of which serve to impede both the enforcement of special parking privileges and the handicapped individual's freedom to properly utilize such privileges;

(6) there are many efforts currently underway to help alleviate these problems through public awareness and administrative change as encouraged by concerned individuals and national associations directly involved in matters relating to the issue of special parking privileges for disabled individuals; and

(7) despite these efforts the fact remains that many States may need to give the matter legislative consideration to ensure a proper resolution of this issue, especially as it relates to law enforcement and placard responsibility.

(b) The Congress encourages each of the several States working through the National Governors Conference to—

(1) adopt the International Symbol of Access as the only recognized and adopted symbol to be used to identify vehicles carrying those citizens with acknowledged physical impairment;

(2) grant to vehicles displaying this symbol the special parking privileges which a State may provide; and

(3) permit the International Symbol of Access to appear either on a specialized license plate, or on a specialized placard placed in the vehicles so as to be clearly visible through the front windshield, or on both such places.

(c) It is the sense of the Congress that agreements of reciprocity relating to the special parking privileges granted handicapped individuals should be developed and entered into by and between the several States so as to—

(1) facilitate the free and unencumbered use between the several States, of the special parking privileges afforded those people with acknowledged handicapped conditions, without regard to the State of residence of the handicapped person utilizing such privilege;

(2) improve the ease of law enforcement in each State of its special parking privileges and to facilitate the handling of violators; and

(3) ensure that motor vehicles carrying individuals with acknowledged handicapped conditions be given fair and predictable treatment throughout the Nation.

(d) As used in this section the term "State" means the several States and the District of Columbia.

(e) The Secretary of Transportation shall provide a copy of this section to the Governor of each State and the Mayor of the District of Columbia.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 69 and concur therein with an amendment, as follows: In lieu of the section number named in said amendment insert "321".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

Senate amendment No. 70 reads as follows:

Senate amendment No. 70: Page 42, after line 19, insert:

SEC. 321. The Senate intends that the Benjamin Franklin Bridge connecting Philadelphia, Pennsylvania and Camden, New Jersey, be given priority consideration by the Secretary of Transportation.

MOTION OFFERED BY MR. LEHMAN OF FLORIDA

Mr. LEHMAN of Florida. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LEHMAN of Florida moves that the House recede from its disagreement to the amendment of the Senate numbered 70 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

SEC. 322. Notwithstanding any other provision of law, the limitation on total obligations for Federal-aid highways and highway

safety construction programs for fiscal year 1984 contained in Title I of this Act shall be reduced by \$80,000,000.

Mr. LEHMAN of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE

Mr. LEHMAN of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report and amendments in disagreement on the bill, H.R. 3329, and that I may insert tabular material.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2780, STATE AND LOCAL FISCAL ASSISTANCE AMENDMENTS OF 1983

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 285 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 285

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2780) to extend and amend the provisions of title 31, United States Code, relating to the general revenue sharing program, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Government Operations now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and each section of said substitute shall be considered as having been read for amendment. 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 committee amendment in the nature of a substitute. 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.

The **SPEAKER**. The gentleman from Ohio (Mr. **HALL**) is recognized for 1 hour.

Mr. **HALL** of Ohio. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Missouri (Mr. **TAYLOR**) for purposes of debate only, and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 285 is an open rule providing for the consideration of H.R. 2780, the State and Local Fiscal Assistance Amendments of 1983.

The rule provides for 2 hours of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations.

It should be noted that the rule makes in order the Government Operations Committee amendment in the nature of a substitute as an original text for purposes of amendment. Each section of the substitute shall be considered as read.

House Resolution 285 further provides for one motion to recommit with or without instructions.

There are no waivers granted under this rule.

Mr. Speaker, H.R. 1780 extends the authorization for the general revenue sharing program for 5 years. This legislation is urgently needed because the authority for general revenue sharing will expire on September 30, 1983.

There is bipartisan support for extending revenue sharing, and I am not aware of any opposition to this open rule. I would urge my colleagues to adopt the rule.

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

Mr. Speaker, House Resolution 285 is an open rule under which the House will consider legislation authorizing a 5-year extension of the general revenue sharing program at a potential cost of as much as \$38 billion.

The rule makes in order the committee amendments now printed in the bill, H.R. 2780, as original text for amendment under the 5-minute rule. Because of the nature of the controversy surrounding this reauthorization, two hours of general debate is provided.

Lastly, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, this is a very simple rule, it does not contain any waivers and it was reported from the Committee on Rules by a voice vote.

The bill made in order by this rule, however, remains highly controversial. The administration strongly opposes the bill, unless it is amended to bring the funding levels in line with the President's request.

The distinguished chairman of the Committee on Government Operations, the gentleman from Texas (Mr. **BROOKS**) is also opposed to the bill. When he appeared before the Committee on Rules, he warned us that if the Members do not have the fiscal responsibility to limit this bill to the current levels—at a minimum—then we are not going to be able to cure our Federal deficit problems.

Mr. Speaker, I mention these two areas of opposition, from both the administration and the chairman of the Committee on Government Operations, so that our colleagues will be aware that amendments will be offered to reduce the funding levels.

Mr. Speaker, I have no other requests for time.

I think the rule is in order. It is an open rule and I support the adoption of the rule.

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

Mr. **HALL** of Ohio. Mr. Speaker, I have no requests for time, and I move the previous question on this resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER OF CONGRESSIONAL AWARD BOARD

The **SPEAKER**. Pursuant to section 4(a) of Public Law 96-114, as amended by Public Law 98-33, the Chair appoints as a member of the Congressional Award Board Mr. Joseph J. Gouthro, of Atlantic Highlands, N.J., in lieu of Mr. A. J. F. O'Reilly of Pittsburgh, Pa., without objection.

There was no objection.

STATE AND LOCAL FISCAL ASSISTANCE AMENDMENTS OF 1983

The **SPEAKER** pro tempore (Mr. **KILDEE**). Pursuant to House Resolution 285 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2780.

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. 2780) to extend and amend the provisions of title 31, United States Code, relating to the general revenue sharing program, with Mr. **SWIFT** in the chair.

The Clerk read the title of the bill.

The **CHAIRMAN**. Pursuant to the rule, the first reading of the bill is dispensed.

Under the rule, the gentleman from Texas (Mr. **BROOKS**) will be recognized for 1 hour, and the gentleman from New York (Mr. **HORTON**) will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas (Mr. **BROOKS**).

□ 1620

Mr. **BROOKS**. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, regardless of its merits, or lack thereof, H.R. 2780 is a relatively uncomplicated piece of legislation. The bill calls for a 5-year extension of general revenue sharing. Local governments would be funded at a level of \$5.3 billion per year on an entitlement basis. This figure represents a 16-percent increase from the current level of \$4.6 billion per year. It also exceeds the funding level provided for in the first budget resolution by \$280 million.

The bill includes an authorization of \$2.3 billion per year for State governments, subject to the appropriations process. This is the same approach that has been used for the States for the past 2 years, though in neither year has a State share been appropriated. However, H.R. 2780 eliminates the State share "turn-back" provision adopted in 1980. Under that provision, if a State share had been appropriated, Each State would have been required to forego or turn back an equal amount of Federal categorical assistance as a condition of receiving its revenue sharing allocation.

H.R. 2780 improves the revenue sharing audit provisions by requiring governments receiving over \$25,000 to obtain annual audits. However, an exception is provided for governments operating on a 2-year fiscal period. These governments may submit biennial audits so long as those audits cover both years. Under current law, an audit is required at least once every 3 years, though only 1 year of the 3-year period need be covered.

Finally, the bill discontinues the special allocation for sheriffs in Louisiana parishes and makes a number of technical amendments proposed by the administration.

Mr. Chairman, those Members who have been in the House for any length of time probably are aware of my views on the revenue sharing program. I opposed it in 1972, when the Nixon administration—in an election year—brought the program into existence. I opposed its reauthorization in 1976, another election year. I opposed it in the next Presidential election year, 1980, when it was reauthorized again, and I oppose it today. Revenue shar-

ing is a program that does not do what it purports to do and has serious and dangerous unintended side effects.

To understand why I have been opposed for so many years to this program, which has all the surface appeal of motherhood or cotton candy at the circus, it would be instructive to go back to the reasons that were originally advanced for revenue sharing to see whether it has done what its supporters originally said it would do. The Members will recall that revenue sharing was going to be a means of permitting State and local governments to share the benefits of the Federal taxing system. It was speculated that, in the post-Vietnam war years, the Federal Government would be faced with the problem of what to do with all the extra revenues rolling into its coffers. Turning these bothersome surpluses over to the State and local governments through revenue sharing was concocted as a means of solving the problem.

Well, of course the post-Vietnam war surpluses never materialized. Instead of a surplus, since 1972, we have been faced with an unbroken string of deficits. The stark truth is that the Federal Government has no revenue to share and it never had any revenue to share. From the outset, the program has been financed by piling billions of dollars on top of the basic deficit, requiring greater borrowing and greater cumulative interest payments on the national debt.

As I mentioned earlier, I opposed revenue sharing in 1972, 1976, and 1980. My opposition to the program is even stronger in 1983, because the defects of the program and its harmful effects are even more apparent in the current budget and economic situation we face. In 1972, the Federal Government ran a budget deficit of a mere \$23 billion. In 1976, the deficit was a paltry \$66 billion. In 1980, it was only \$59.6 billion. But let me remind my colleagues that the Reagan administration itself, using its rosiest predictions and its most far-out wishes, projects a budget deficit for the next fiscal year of \$180 billion. That is in 1 year, ladies and gentlemen. I want to remind you of the dangerous impact that a deficit of this size is going to have on the trade markets and on the Federal Government's borrowing requirements. The reality that we face is that deficits of this size pose the threat of strangling the economy just as it is beginning to recover from 3 years of recession, plunging us into even greater unemployment, stagnation, and misery.

The local governments cite the recession as a reason that they need revenue sharing reinstated. But if we do not attack the deficit for the coming year and the following years, and if the economy is plunged back into recession, local governments will be

harmed far more than they can now imagine. The way we can help them in the long run is by eliminating this deficit enhancer of a program.

Instead, we are here today considering a bill to extend the program for 5 more years at an increased funding level and as an entitlement. At the same time, we are telling our constituents that we are determined to get control of Federal spending, we are being asked to put this program beyond our reach in the budget process for 5 years and pile another \$26.5 billion on the national debt. Painful as it is for many of you, what we do here today may send the loudest signal yet as to our sincerity about fiscal responsibility.

Finally, Mr. Chairman, let me say that we are told we should renew revenue sharing because it is a success. Of course, it is a success to those who receive its funds. Christmas is a success, too, and birthday parties for 5-year-olds are a success, too, and for the same reason. Everybody likes getting gifts that they did not have to work for. But this success is a dangerous and costly expenditure that does not do what it was claimed it would do and that disburses Federal funds without any real accountability for their use at a time when the Federal Government can ill afford to disburse such funds.

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

The CHAIRMAN. The gentleman from Texas (Mr. Brooks) has consumed 8 minutes.

Mr. HORTON. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I rise in strong support of the extension of the general revenue sharing program. I am pleased that the House is moving expeditiously to renew this important legislation prior to the August district work period. Reauthorization of the program at this time is essential if local Governments are to be able to prudently plan their own budgets with a minimum of disruption.

General revenue sharing was created in 1972 and began a new era in American intergovernmental relations. For the first time, Congress and the President created a large-scale program of general purpose fiscal assistance to both State and local governments. This aid was provided with very few conditions, permitting State and local elected officials the opportunity to spend assistance dollars where they felt needs were greatest.

Unlike categorical grant programs, a State or locality does not have to apply for revenue sharing funds. Instead, it receives its program money automatically based on a formula founded on a number of important data elements, including population, personal income, and tax effort. Under the original legislation, State governments received one-third and local

governments two-thirds of all available funds. An important element of the program's funding was its entitlements status. This removed revenue sharing from the annual discretionary appropriations process and thereby encouraged better State and local long-term budgeting.

The program was renewed in 1976, with the States receiving \$2.3 billion per year and local governments \$4.6 billion a year. I should add at this point that the local share of the program has remained at this level of \$4.6 billion since that time.

The program was again extended in 1980 for 3 years, with the local share and allocation formula remaining unchanged. Yet, significant allocations were made in the State government portion of the program. The State share was totally revoked for 1981, and made subject to discretionary annual appropriation in 1982 and 1983. States would also be required to forgo \$1 of Federal categorical aid for each dollar of revenue sharing they received. Since that time, no appropriation has been either requested or approved for the State share.

Today, we are considering legislation that would continue the program, which is set to expire on September 30 of this year. By renewing this program, this House will reaffirm its faith not just in revenue sharing, but also in the American system of cooperative federalism. By renewing this program, we will also provide aid to local governments at a time when many of them are financially pressed by varied and difficult economic circumstances. This aid will, to the benefit of the Federal taxpayer, be fairly distributed in an extremely efficient manner, with less than one-tenth of 1 percent of the total program funds going to Federal administrative expenses.

As I have stated earlier, revenue sharing requires no lengthy application for receipt of aid. It does not force a locality to add huge numbers of people to campaign for Federal money. It also does not need huge numbers of Federal bureaucrats to operate it. What other multibillion-dollar Federal program can be run by less than 140 Federal employees and a computer?

As the former Chairman of the Federal Paperwork Commission, I am particularly sensitive to the administrative costs and the paperwork burdens implicit in Federal programs. Revenue sharing is a model program in that regard and is one of the most streamlined of all Federal programs. This fact has been borne out time and time again by various government reports and hearings held by the Intergovernmental Relations and Human Resources Subcommittee of the Government Operations Committee.

The bill we have before us today, H.R. 2780, is a product of a great deal of work by the Intergovernmental Relations and Human Resources Subcommittee under the leadership of its chairman, Mr. WEISS, and its ranking minority member, Mr. WALKER. This bill extends the program, something I strongly support. Yet there are two major changes I would like to see made in the bill.

First, the bill extends the program for a 5-year period. This would be longer than any period for which Congress has reauthorized the program. Such a long extension is, I believe, unwise. It effectively prevents the Congress from making any changes in the program for that entire 5-year period. We live in a fast-changing world. None of us knows now what the fiscal situation of State and local governments might be even 2 or 3 years from now. An extension for a lesser period of time would have the significant advantage of allowing the Congress the opportunity to review the program to make sure it is effectively achieving its goals. The administration has recommended the traditional 3-year reauthorization period. It is my intention at the appropriate time to offer an amendment to reduce H.R. 2780's reauthorization from 5 years to 3 years.

My second item of concern is that the bill before us is over the amount contained in the House budget resolution, as well as that requested by the administration. Presently, this bill increases the funding for the local government entitlement share by \$731 million for each of the 5 years of its reauthorization for a total increase of \$3.65 billion. This \$731 million annual increase not only exceeds the level of funding requested by the administration, but more importantly, it is well over the \$450 million increase permitted under the first concurrent resolution on the budget. This is because the committee reported the bill prior to the adoption of the first budget resolution in order to comply with the Budget Act deadline. At that time, the House-passed resolution allowed a \$731 million increase. It is my intention to offer an amendment to bring H.R. 2780 into conformity with the budget resolution.

Reducing the length of the authorization from 5 to 3 years, as I suggested earlier, and bringing the funding level in line with the budget resolution as I suggest now, is the best way to balance the demands of the President that we control spending and the needs of local officials that we provide some increase in aid to their governments. The result of my amendment is that the increase in the funding of the program is reduced from \$3.65 billion over 5 years to \$1.36 billion over 3 years. A funding increase of this size is much more appropriate in light of the defi-

cits we expect in the coming years and also appropriate in light of the fact that the program has not seen an increase since 1976.

In summary, the two amendments I intend to offer will make this a fiscally responsible bill and at the same time provide some important financial relief to local officials across the country. My amendments are important, for make no mistake about it, too much money is in this bill, and we are courting a possible Presidential veto.

The administration has said, in the strongest possible terms, that it prefers an extension at the present annual funding level of \$4.6 billion. The warnings of administration officials on this point have recently intensified. I would like to enter into the record a letter I received from the Director of the Office of Management and Budget, David Stockman, on June 20 on this matter and quote the relevant sentence:

Unless H.R. 2780 is amended to conform to a funding level of \$4.6 billion per year for 3 years, the President's other senior advisers and I will not be able to recommend approval of the bill, should it be presented for the President's action.

This letter, combined with telephone conversations I have had with administration officials, clearly indicates that if the President is presented with a bill that increases revenue sharing too greatly, a veto is a definite possibility.

Mr. Chairman, the letter which I received from Mr. Stockman is as follows:

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., June 20, 1983.

HON. FRANK HORTON,
House of Representatives
Washington, D.C.

DEAR FRANK: I am writing to apprise you of the Administration's serious objection to certain features of H.R. 2780, legislation that would reauthorize the General Revenue Sharing program.

As you know, H.R. 2780 would extend General Revenue Sharing for five years and would increase the entitlement portion of the program for the current level of \$4.6 billion annually to \$5.3 billion for each of these five years. The Administration's proposal, by contrast, would extend the program for three years at its current funding level. We believe that our recommended proposal is fair, prudent, and fiscally responsible.

H.R. 2780 in its current form is a budget buster. This bill would in a single year increase spending for General Revenue Sharing by sixteen percent. If enacted, it would result in fiscal year 1984-86 outlays that would exceed the Administration's request by over \$2.1 billion. Increases of this magnitude are totally inappropriate, especially in light of the serious financial problems facing the Federal Government.

The Administration also cannot support the five-year reauthorization of the program contained in H.R. 2780. This would financially commit the Federal Government for much too long a period of time. A three-year extension would permit the Congress and the Administration to review the fund-

ing level, allocation formula, and the program operation on a much more timely basis.

To be sure that there is no misunderstanding, one point should be clarified. The Administration does not oppose the extension of revenue sharing. On the contrary, the President is personally on the record as favoring the program's reauthorization. What the Administration does oppose is the unnecessarily long extension and the fiscally irresponsible funding increase contained in H.R. 2780.

Unless H.R. 2780 is amended to conform to a funding level of \$4.6 billion per year for three years, the President's other senior advisers and I will not be able to recommend approval of the bill, should it be presented for the President's action.

I have taken the liberty of sending an identical letter to the Chairman of the Committee on Government Operations.

Sincerely,

DAVID A. STOCKMAN,
Director.

Mr. Chairman, I must warn this House about another issue related to revenue sharing. As we take up this bill, amendments will be presented for your consideration that would alter the present formula for allocating revenue sharing funds. To do so would be a serious mistake. The present formula is strongly supported by a most important constituency, the program's recipients. Local elected officials have time and time again pleaded with the Government Operations Committee not to change the formula. I would like to place into the RECORD letters from the most important groups of local elected officials, including the National League of Cities and the National Association of Counties, which call for no formula changes. To quote from the letter from the league and NACo, the presidents of these two organizations state:

Most formula change proposals, even those with "hold harmless" provisions, would effectively disadvantage certain types of jurisdictions relative to other types in terms of the overall percentage increase received. We believe that the immediate and long-term impacts of such non-proportional distribution of an increase in funding should be studied in depth before implementing formula changes.

The letter goes on to say:

The National Association of Counties and the National League of Cities oppose changes to the current general revenue sharing formula on grounds of the general need of local governments for an increase in general revenue sharing funding and the danger of implementing formula changes without careful study and analysis of impacts.

Mr. Chairman, the full text of the letter to which I just referred is as follows:

JULY 26, 1983.

HON. FRANK HORTON,
Ranking Minority Member, House Committee on Government Operations, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN HORTON: As House floor action on H.R. 2780, the bill to reau-

thorize the general revenue sharing program, approaches, the National Association of Counties and the National League of Cities wish to make you aware of our position with regard to amendments pertaining to formula changes that may be offered on the floor. We support retention of the current revenue sharing formula as provided in H.R. 2780, and adamantly oppose any alterations. We take this position for several reasons:

First, we believe that if there is an increase in the level of funding for the program, as proposed in H.R. 2780, all local governments should share proportionately in that increase. Virtually all local governments are experiencing some degree of fiscal stress as a result of the recession and cutbacks in federal aid. They rely heavily on general revenue sharing to assist them in dealing with revenue shortfalls. Funding for the program has not been increased since 1976. During that period, NACo and NLC estimate that fifty percent of the buying power of revenue sharing dollars has been eroded by inflation. All local governments need some increase in their revenue sharing allocations to at least partially offset the effects of inflation and aid them in resolving their fiscal problems.

Second, most formula change proposals, even those with "hold harmless" provisions, would effectively disadvantage certain types of jurisdictions relative to other types in terms of the overall percentage increase received. We believe that the immediate and long-term impacts of such non-proportional distribution of an increase in funding should be studied in depth before implementing formula changes.

Finally, no formula is perfect and any type of formula change is bound to result in some anomalous allocations. Under the formula changes contained in S. 1426, for example, some of the neediest jurisdictions in certain states would receive no additional revenue sharing funds, even if the funding level for the program were increased by \$450 million. Such anomalous distributions also indicate the need for extensive study and deliberation prior to the implementation of formula changes.

To summarize, the National Association of Counties and the National League of Cities oppose changes to the current general revenue sharing formula on grounds of the general need of local governments for an increase in general revenue sharing funding and the danger of implementing formula changes without careful study and analysis of impacts. We support the efforts of Rep. Ted Weiss to institute such studies and await his findings with interest.

In the meantime, however, our organizations urge all House members to support H.R. 2780 in its retention of the current formula for general revenue sharing allocations and to oppose any amendments to alter the formula that may be offered on the House floor.

Sincerely yours,

CHARLES ROYER,

President, National League of Cities.

SANDRA R. SMOLEY,

President, National Association of Counties.

Mr. Chairman, altering the formula could, quite simply, endanger the fragile coalition that supports the program and spell its demise.

In conclusion, I must reiterate my very strong support for the continuance of revenue sharing. It is a "cornerstone"

of our Federal domestic aid system and helps assure the financial viability of our federal system of government. H.R. 2780, if amended along the lines I have suggested, is an effective vehicle for extension of this important program.

□ 1640

Mr. BROOKS. Mr. Chairman, I yield 7½ minutes to the gentleman from New York (Mr. WEISS).

Mr. WEISS. Mr. Chairman, I rise in support of H.R. 2780, the State and Local Fiscal Assistance Amendments of 1983. This bill, which was overwhelmingly approved—37 to 2—by the Government Operations Committee, amends and extends the present general revenue-sharing legislation that will expire on September 30 at the end of this fiscal year.

To summarize briefly, the committee bill makes the following changes in the existing program:

First, General revenue sharing for local governments is reauthorized as an entitlement program for 5 additional years. This increase over the current 3-year authorization was approved in order to enable local units of government to plan for the most efficient utilization of these funds. In the committee bill, the annual funding level is increased 16 percent—from \$4.57 billion to approximately \$5.3 billion—to adjust for the loss in purchasing power of revenue-sharing dollars only since the last reauthorization of the program in 1980.

It is important to bear in mind that, aside from a one-time increase of \$200 million voted in 1976, this program has not been adjusted for inflation since its inception in 1972. During this 11-year period, the purchasing power of the dollar has been reduced by 135 percent. In this context, a 16-percent increase in local payments is a very modest and long overdue adjustment. It is especially needed and justified today because of the sizable reductions that have been made in Federal categorical grants at the very time that State and local governments have experienced severe revenue losses due to recession. This additional funding was provided for in the first budget resolution initially passed by the House, but the budget conference report assumes an increase in general revenue sharing of \$450 million per year, to approximately \$5.01 billion per year. Although we would like to see a more generous increase in the program, the budget compromise is a realistic level, and I intend to support an amendment to this lower level to conform with the first budget resolution.

Second, revenue sharing for State governments is continued as an authorization, subject to annual appropriations, at the present level of \$2.3 billion. Also, the bill eliminates the so-called Levitas amendment, which

would negate the very purpose of revenue sharing by requiring the States to forfeit an equal amount of other Federal assistance.

Third, the requirement for an independent financial audit of governments receiving \$25,000 or more each year is changed from once in 3 years to an annual audit, which is the prevailing practice today. However, any government operating on a biennial fiscal period would be permitted to audit its financial statements once in 2 years covering both years. An annual audit requirement was recommended by the Comptroller General, and it was generally supported by the witnesses who appeared before the subcommittee.

Fourth, The special provision for allocations to Louisiana sheriffs is discontinued because this parish office is not a general purpose unit of government and other limited purpose governments are not eligible for revenue-sharing payments.

The bill also incorporates a number of technical amendments requested by the Treasury Department or by the Legislative Counsel's Office for the purpose of clarifying and perfecting certain language in the existing law. In addition, the committee approved a provision, affecting only local governments within Massachusetts, to permit the crediting of certain taxes for fiscal year 1982 that were not collected until 1983 due to a court ordered change in the method of valuating property.

Mr. Chairman, I believe the committee bill is a sound and realistic measure, given the present budget limitations confronting the Congress. Except for the committee amendments, which are primarily technical in nature, H.R. 2780 is essentially the clean bill approved as a compromise measure by the subcommittee that I am privileged to chair. H.R. 2780 was approved by the subcommittee after a thorough study of the general-revenue-sharing program, which included 3 days of public hearings in Washington and 4 days of field hearings held in various sections of the country.

H.R. 2780 was approved by the committee without any change in the method of allocating funds. However, there was interest, both in the subcommittee and the full committee, in a proposal to raise the present 145 percent upper limit on per capita allocations to local governments, and a proposal to use the representative tax system (RTS), together with or as a substitute for per capita income, in the measurement of each State's fiscal capacity. Also given serious consideration was a proposal to advance revenue-sharing payments to the beginning of each calendar quarter instead of after the end of the quarter. In the final analysis, these proposals were not included in the bill mainly because

they would have required additional money to prevent some jurisdictions from losing funds.

With respect to the representative tax system, the bill directs the Secretary of the Treasury, in consultation with the Secretary of Commerce, the Comptroller General, and the Advisory Commission on Intergovernmental Relations, to study and further develop the RTS for possible use in allocating revenue-sharing funds in the future.

Similarly, the current budget stringency made it impractical to resume entitlement payments to State governments, although I believe there is strong justification for doing so.

I am sure you are all aware of the radically changed financial circumstances of State governments since the last revenue-sharing reauthorization in 1980. In place of the budget surpluses many States enjoyed at that time, most States today are trying desperately to reduce expenditures, cut their work forces, and increase taxes in order to avoid budget deficits, which are legally prohibited in virtually all of the States.

It should be noted also that many States are in very poor financial condition as the result of three national recessions in the past decade. Even our most prosperous States are feeling the pinch of increasing unemployment and declining revenues. I believe it is clear that the States need and deserve continued revenue-sharing assistance, and I would urge this body to restore these payments at the earliest possible moment.

Mr. Chairman, while I would prefer to see this legislation provide more assistance to our local and State governments, I recognize that H.R. 2780 is probably the best we can do under present budget conditions. It is my hope that the Congress will act quickly to reauthorize this vital program so that local governments can plan for the most efficient and responsible use of these revenue-sharing funds.

Before yielding, I would be remiss if I failed to acknowledge several Members of the House who have been instrumental in bringing this legislation to the floor.

The chairman of the Government Operations Committee, the gentleman from Texas (Mr. Brooks), although personally opposed to this legislation, has been continually fair and forthright in his handling of H.R. 2780, and supportive of the subcommittee activities during the reauthorization process.

The ranking minority member of the Subcommittee on Intergovernmental Relations and Human Resources, the gentleman from Pennsylvania (Mr. WALKER), is likewise to be commended for his diligent efforts and support of the subcommittee's work; as should my distinguished colleague, the gentle-

man from New York (Mr. SOLARZ), who did such outstanding work in the operations of the Budget Committee in the consideration of this legislation.

Mr. Chairman, I thank the gentleman, for yielding this time, and I yield back the balance of my time.

Mr. HORTON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. WALKER). I also take this occasion to commend him for his work on the subcommittee in the role of the ranking minority member. He has done an outstanding job, and we thank him for it.

Mr. WALKER. I thank the gentleman for his comments and for yielding me the time.

Mr. Chairman, I strongly support the reauthorization of the revenue-sharing program. Symbolically, and in reality, revenue sharing epitomizes the best aspects of our federal system at work.

Revenue sharing is simple and effective. Money is returned to local governments by the Federal Government with minimum requirements and almost no administrative costs. Local governments benefit from the increased resources and the flexibility to make decisions and to be more responsive to their constituents.

In the decade since its inception, more than 465 billion in Federal revenue sharing funds have been returned to State and local governments. There can be no disputing the fact that this money has helped insure the financial integrity of recipient governments and help restore decisionmaking power to the local level.

Local governments must be responsive governments. Local officials are not somewhat isolated from their constituents like Members of Congress or State legislators. When programs or projects are demanded by constituents, local officials need the resources and flexibility to act promptly. Revenue sharing without so many of the burdens and restrictions that accompany other Federal programs, provides local officials with the steady support they need.

As local officials came before the Subcommittee on Intergovernmental Relations and Human Resources, chaired so ably by the gentleman from New York (Mr. WEISS), we continually heard how vital revenue sharing was to the fiscal integrity of our cities, counties, and townships.

□ 1650

We continually heard of police protection, fire equipment, recreational facilities, libraries, and other worthwhile projects purchased with revenue sharing funds. That is an aspect of this program that I think speaks to the concern legitimately raised by the gentleman from Texas, the distinguished chairman of the full committee.

He makes the point that we have no real revenue to share at the Federal level and that is true. But it is also true that the very kind of programs that the local governments are using revenue sharing funds to meet are programs that we would otherwise have to design categorical programs to meet. These categorical programs would be fantastically expensive for the Federal Government, they would cost far more than the revenue sharing program has cost or will cost in the future. It is that kind of concern that I bring to this discussion because I think that what we have got to have is this kind of program which allows local governments to act selectively, use Federal funds selectively and thereby save vast resources that otherwise might get spent at the Federal level.

It was those kinds of comments that we heard from local officials and they reflected the local decisions made by all levels of government which are closest to the taxpayers. I like the fact that the revenue sharing program makes a lot of that kind of thing possible. I must say, however, that I have some problems with the bill as it comes to the floor.

Certain aspects of it bother me and I will offer at least one amendment to make a change. The funding level, for example, is too high. I will vote to lower it. As a matter of fact, I think that it is extremely important that we adopt the amendment that will be offered by the gentleman from California (Mr. McCANDLESS) that brings the funding level back down to current funding levels.

The threat of the administration to veto this bill, if it is not brought into that kind of funding level compliance, I think is a real threat, indeed. It jeopardizes this worthwhile program for the future and I hope that the gentleman from California will see his amendment adopted.

Other changes also may be needed. But the concept of revenue sharing is sound. The program should be reauthorized.

I thank the gentleman for yielding me the time and I yield back the balance of my time.

Mr. HORTON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. LEWIS).

Mr. LEWIS of Florida. Mr. Chairman, I thank the distinguished minority member from New York for allowing me this time.

Mr. Chairman, when we talk about revenue sharing we are talking about a no-string revenue sharing for each individual community, county, and State.

When you are talking about New Federalism the best form of assistance is revenue-sharing. And I rise in support of the Federal revenue-sharing

program and more specifically, H.R. 2780.

I served for four terms as mayor/councilman of the village of North Palm Beach, Fla., before the revenue-sharing program existed. Problems that the community faced then, were not unlike those it faces today.

Without the additional sources of revenue to support important municipal projects and purchase necessary capital equipment—the overall budget for the village had to be stretched as far as possible—and difficult choices had to be made due to limited funds.

Small cities with populations of less than 10,000 in particular benefit from this program. My district includes a number of these small cities.

The city managers advise me that this money allows them to purchase expensive capital equipment such as police cars, fire trucks, garbage trucks, bulldozers, and dumptrucks.

Some municipalities apply these funds to improve their water and sewer systems. Other cities will use a portion of their funds to purchase lawnmowers for the city parks and to build shuffleboards for elderly residents.

Thus revenue-sharing money is an important supplement to these local communities' budgets. Furthermore, I have always believed that there is a need to return some of the taxpayers' hard-earned money to their local communities. With no Federal strings attached, these dollars make it possible for localities to improve community life for their residents.

Mr. Chairman, I serve as cochair of the Local Government Caucus with my distinguished colleague from California, Congresswoman BOXER. We both have local government experience and can attest to the strong support local governments have voiced to us for continuing the Federal revenue-sharing program.

The caucus was formed this year to bring together those Members of Congress with experience and interest in local government issues and to promote those interests. Just as the caucus membership is bipartisan, the issue of revenue sharing cuts across party lines.

Therefore, I urge my colleagues on both sides of the aisle to vote to continue this program and to provide local governments with an important source of supplemental funding to carry out their municipal responsibilities.

I thank the chairman. I yield back the balance of my time.

● Mr. DASCHLE. Mr. Chairman, I rise in strong support of the passage of HR 2870, the reauthorization of the general revenue-sharing program. There is little doubt in my mind that, of all the programs of assistance to people in this country, the general revenue-sharing program is one which

most effectively meets the criteria of what a good Federal program should be. I say that because of the particular strength of the revenue sharing program. This is one Federal program which delivers financial assistance to local governments throughout the country, and makes no pretense, as we do all too often here in Washington, that those local governments cannot be trusted to make a decision on how to best spend those funds. General revenue sharing makes the logical assumption that those closest to their own citizens can make the best determination as to how most effectively and efficiently make use of those funds, without Federal interference, guidelines, or onerous regulations.

There are several elements in the legislation today which make this reauthorization desirable. Although I would have preferred the extension of the authorization to a full 5 years instead of the 3 years which is now the case, it appears that the threat of an administration veto makes the 3-year extension the best possible that we can do at this time. This is regrettable, since the 5-year period would have enabled local units of government to better plan how to most effectively use these funds. It is, however, I suppose better to take the 3-year reauthorization than none at all. Frankly, I feel that this limitation is a foolish one, since there is no doubt that, whether it is in 3 years or 5 years, we certainly will reauthorize this program again. The administration's shortsightedness and false economies exhibited once again in this instance, continue to disturb me.

As amended to conform with the first budget resolution, this bill will also provide for a 9.9-percent increase in authorized funding for this program. While, frankly, I might have preferred the 16-percent increase reported out by the authorizing committee, budget concerns, as well as the threat of negative action from the President, have convinced me that this level of funding appears to be the best we can manage at this time, and I am in full support of it.

This 9.9-percent increase means that my State of South Dakota, whose local units of government were eligible for \$15.9 million in general revenue sharing in 1983, will be eligible for a total of \$17.5 million in 1984 and beyond. Given the depressed state of the farm economy, and the reduced tax base that this tends to cause in primarily agricultural States like South Dakota, this is an increase that is long overdue, and is certainly welcomed. The level of authorization for general revenue sharing has not been increased, with one small exception in 1976, since its inception in 1972. It has not even been adjusted for inflation, although the costs to local governments have certainly been drastically increased by

this same economic scourge. The result of this lack of adjustment has been that the amount of the dollars purchasing power since 1972 has been reduced by 135 percent. The modest 9.9 percent increase in funding now by no means recaptures this inflation-lost purchasing power, but at least it is a small step in the right direction.

I know of no responsible legislator who will deny that revenue sharing is one program which, because of the direct control it affords to local governments, is one of our most efficient, effective programs designed to give assistance to the local governments which are closest to the people they represent. I urge my colleagues to join me in strong support of this legislation. ●

● Mr. BIAGGI. Mr. Chairman, I rise in strong support of H.R. 2780 as reported by the Government Operations Committee. This legislation would give a new and vitally needed 5 year lease on life for the general revenue sharing program of such fundamental importance to local governments in this Nation.

My support of this bill is based on the fact that it seeks to remedy the effects which inflation has had on the revenue-sharing program since it received its last funding increase in 1980. While some would view with concern a 16-percent increase in funding, one should view it in the context of the timeframe since 1980.

What is the importance of general revenue sharing in this Nation. According to the National League of Cities—revenue sharing represents the only direct Federal assistance program in one-third of all cities. For cities with populations under 10,000, it is the only direct assistance for 62 percent. It is little wonder that the League writes, "Prompt reauthorization of revenue sharing is clearly the No. 1 priority of American cities this year."

When one looks at the particulars of this bill—the length of the reauthorization as well as the funding levels stand out as the most prominent issues for us to determine. With respect to the 5-year reauthorization, let us evaluate it from the context of the units of local government who receive these funds. For them it makes infinitely more sense to be able to plan for a 5-year time period than for a 3-year period. Most local governments have fiscal years commencing prior to October 1 so that budget and planning is disrupted each year reauthorization occurs after a city's fiscal year has already begun. A 5-year reauthorization would certainly relieve that problem.

A reauthorization of revenue sharing is especially vital in these times when States and localities are in the midst of their most severe fiscal crisis since the Great Depression. It is being felt in every conceivable way—from in-

creased hunger among people—to crumbling bridges and highways. These are growing problems which are being met with reduced resources especially at the Federal end. The American Federation of State-County and Municipal Employees estimates "The Reagan administration's spending reductions have come disproportionately out of State and local government aid—which will be down \$24 billion in 1984 as a result of the cumulation of Federal cuts."

All in all the case for H.R. 2780 seems both clear and compelling. Revenue sharing is a program which has worked and continues to work and should be rewarded by getting reauthorized. Revenue sharing represents the very best in our governmental system—Federal aid directly to local governments for their use to meet their most critical needs. It is a program which has been largely free from scandal and waste and has much good to show for itself. It deserves support. I know my home city of New York has been greatly aided by general revenue sharing and any reduction in funds would cause great strain on a city which is clearly on the fiscal rebound.

We must not allow ourselves to become victims of misguided economics. If we cut revenue sharing today or reduce its life span, we are only hurting ourselves somewhere else. These funds serve as seed moneys for certain projects—they help to secure private sector funding. Conversely, if the resources are reduced, the strains and competition for other dollars becomes that much more intense and it is people who suffer. Cities, towns, and villages will have to start choosing between which vital services they can fund—will it be fire instead of energy assistance and the like.

I for one believe that revenue sharing over the years has insulated itself from the political process and has produced results across this Nation. It is not the right time to inject either politics or misguided economics into the program. Therefore, a vote for H.R. 2780 as reported is the only way to proceed for the good of the Nation.●

● Mr. BOUCHER. Mr. Chairman, I rise in support of H.R. 2780, the reauthorization of the general revenue-sharing program.

H.R. 2780 authorizes annual general revenue-sharing payments to local governments of \$5.3 billion through fiscal year 1988, an increase of 16 percent over the program's last reauthorization in 1980. This increase is appropriate in view of the rate of inflation since 1980 and the hardships incurred by localities arising from the current recession.

In my district of southwest Virginia, funds obtained through the general revenue-sharing program have been applied toward the construction of schools, parks, sewage systems, and a

whole host of other projects which have advanced economic development. The administrators of local governments in southwest Virginia believe that without general revenue sharing, they would have to compete with larger, wealthier units of government for limited Federal resources. The complex application requirements of the categorical grant programs force local governments to employ personnel who are highly specialized and technically proficient in limited policy areas. Revenue sharing addresses this problem by disbursing Federal funds in an equitable manner to all local governments, regardless of their size, grant seeking expertise, or economic resources.

I congratulate my colleagues on the Government Operations Committee for resisting administration attempts to limit the size of this reauthorization, and I hope that the House will defeat any weakening amendments to H.R. 2780. Annual payments to local governments through the general revenue-sharing program have not been increased since fiscal year 1978, and in view of the devastating effect which the recession has had upon local governments, I believe that the funding increase contained in this legislation is warranted.●

● Mr. UDALL. Mr. Chairman, I rise today in support of H.R. 2780, the reauthorization of the general revenue-sharing program. Revenue sharing is one aspect of federalism that has clearly worked. It is a flexible and efficient program. For one-third of all cities it is the only direct form of Federal assistance.

I support an increase in the funding of the general revenue sharing program. There has been no change in the funding level since 1976. Nearly half of the program has been lost to inflation since that last increase. An increase is clearly needed. All across the country, costs are increasing faster than revenues, forcing many communities to increase taxes, lay off workers, and cut vital services. Recent cutbacks in other Federal aid programs, combined with the effects of recession and high interest rates, have increased the need for this legislation.

Revenue-sharing moneys are providing critically needed support for such things as emergency shelter, food banks, and police and fire protection. Revenue sharing affords communities the flexibility they need in dealing with such problems.

Finally, let me say that I hope we move swiftly in approving this reauthorization. Time, in a matter such as this, is of the essence. The program's authority expires on September 30 of this year; let us act well in advance of that deadline.●

● Mr. ALBOSTA. Mr. Chairman, I rise in strong support of H.R. 2780, the State and local fiscal assistance

amendments of 1983. This legislation reauthorizes the Federal revenue sharing program for 5 years and increases the amount of funds to \$5.3 billion per year. This represents a 16-percent increase from the current appropriations level and will compensate for the effects of inflation since the program was last authorized in 1980. The bill will continue the current allocation formula and all units of general local government will continue to be eligible for revenue sharing payments.

As a former county commissioner, I have always supported the revenue sharing program. I strongly believe revenue sharing is effective because the program allows the local units of government to decide which programs and projects to fund in their community. Instead of bureaucrats sometimes located thousands of miles away deciding what a community needs, local officials make these decisions under the revenue-sharing program. As a result, funds are spent on a more cost-effective basis.

Too often people alienated from their Government because decisions are made without local input. The revenue sharing program has been unique in returning decisionmaking to the local level. As a former local official, I feel we must continue this program and make sure it is adequately funded. Numerous projects in my district have been funded with revenue-sharing moneys including parks, firehouses, community centers, roads, bridges, and police protection. I urge my colleagues to support H.R. 2780 so that this legislation can move forward quickly and the Federal revenue-sharing program can continue to benefit this country.●

● Mr. PATMAN. Mr. Chairman, I rise in strong support of H.R. 2780.

Over the past 11 years, revenue sharing has put tax dollars back into cities and counties in Texas. Officials of cities and counties throughout my district have emphasized to me the great help that this program has been to their communities. It has been a reliable and consistent source of funds to financially distressed areas, with no strings attached. These local units of government have been able to set their own priorities and fund the programs of greatest need to the people whose needs they are in the best position to know. These funds have paved streets in some communities; in others, they have helped to pay police or firefighters. In short, the program has provided flexibility in a broad range of community improvements.

Now, more than ever, this program is needed and it deserves our support. Cuts in other Federal grant programs have forced many communities to raise local taxes, to lay off workers, and to reduce important public services. Costs are going up faster than the revenues can be raised to pay

them. To deny these communities an increase in their Federal revenue shares under these circumstances would be dangerously shortsighted and counterproductive. I urge my colleagues to reauthorize this valuable assistance program, to increase its payment levels as proposed, and to do so promptly enough that there will be no danger of a lapse when September 30 arrives.●

● Mr. ROEMER. Mr. Chairman, I support revenue sharing. Unfortunately, this bill exceeds the freeze budget that is so essential if we are to limit Federal spending, reduce the deficit, lower interest rates, and put people back to work again.

Revenue sharing has been of great benefit to local governments in Louisiana and is a relative efficient use of tax dollars. We should continue the program at current levels—no cuts, no increases.

Because of the increased funding in this bill I will vote no. That vote should not be construed as opposition to the concept of our level funding for revenue sharing.●

● Mr. WEISS. Mr. Chairman, I include the following information pertinent to this debate for the benefit of my colleagues.

U.S. CONFERENCE OF MAYORS,
Washington, D.C., July 18, 1983.

DEAR MEMBER OF CONGRESS: The House will soon consider H.R. 2780, legislation reauthorizing the general revenue sharing program for five years. The U.S. Conference of Mayors strongly urges you to support the bill as reported by the Government Operations Committee, and to oppose any weakening floor amendments.

The revenue sharing program is of vital importance to cities around the country, the vast majority of which have been forced to raise taxes, cut services, lay off employees, and defer important infrastructure investments. Cities have suffered through two years of crippling cuts in federal and state aid, extremely high urban unemployment, a declining property tax base in many areas, high interest rates, and unprecedented problems in the municipal bond market. The revenue sharing program is one of the few sources of federal assistance remaining to many of these jurisdictions. Without it, there would be massive property tax increases at the local level.

Moreover, timing is important. It is urgent that the Congress take quick action on revenue sharing, so as to allow local governments to plan their fiscal 1984 budgets. Many local governments cannot include revenue sharing funds in their budgets until the program is enacted, a fact which has unduly complicated their budget formulations so far.

H.R. 2780, reported overwhelmingly by the Government Operations Committee, would reauthorize the revenue sharing program for five years, with a one-time increase of 16 percent or \$732 million. The Conference of Mayors supports this increase as reasonable and just. The revenue sharing program has not been increased since 1976, and has declined over 50 percent in purchasing power since that time. Thus, the 15 percent increase does not fully adjust for the inflation of the last eight years, but, it does

show that Congress accepts revenue sharing for the valuable program that it is.

The Conference of Mayors hopes you will vote to support H.R. 2780, and will oppose any amendments to cut the level of funding or weaken the bill. The five-year extension and modest increase in funding proposed by the bill are vitally important for cities and other local governments across the country.

Sincerely,

RICHARD H. FULTON,
Mayor of Nashville, President.

NATIONAL ASSOCIATION OF
COUNTIES

Washington, D.C., July 27, 1983.

DEAR REPRESENTATIVE: House floor action on H.R. 2780, the general revenue sharing reauthorization bill, is fast approaching. Reauthorization of the general revenue sharing program is the top legislative priority of the National Association of Counties. NACO wholeheartedly supports H.R. 2780 and urges you to vote in favor of it.

We believe that it is a good bill for local governments nationwide because:

It provides for a five-year reauthorization period for general revenue sharing;

It increases funding for the program by \$733 million;

It makes no changes to the current allocation formula; and

It provides for state participation in the program on an authorized basis, subject to annual appropriations.

The bill's five-year reauthorization period will permit local governments to plan their budgets with greater confidence. The funding increase will partially compensate for the erosion of the buying power of revenue sharing dollars due to inflation that has occurred since the funding level for the program was last increased in 1976. Retention of the current formula will ensure that revenue sharing funds will continue to be distributed to local jurisdictions on an equitable basis. Inclusion of the states in the program will provide a potential for assisting the later in solving pressing fiscal problems.

We urge you to support this bill vigorously. Please vote against any amendments to reduce the reauthorization period, eliminate the increase, change the allocation formula, or exclude the states from the program.

We thank you for your consideration of our views.

Sincerely yours,

SANDRA R. SMOLEY,
President.

NACO RESOLUTION ON REAUTHORIZATION OF
GENERAL REVENUE SHARING

Whereas, General Revenue Sharing is a vital program for county governments because it distributes funds to be spent on local priorities, according to the discretion of county officials; and

Whereas, General Revenue Sharing is among the most efficient of federal grant programs, with administrative costs of approximately one percent; and

Whereas, the current general revenue sharing program is scheduled to expire on September 30, 1983; and

Whereas, the National Association of Counties has designated renewal of revenue sharing as its first legislative priority in 1983; and

Whereas, Section 11.1.1 of the American County Platform states those principles according to which the general revenue sharing program should be structured;

Therefore, be it resolved, that the National Association of Counties support legisla-

tion for the renewal of revenue sharing that reflects these Platform principles and two additional principles, namely that (1) general revenue sharing allocations be increased to reflect needed increases in local program costs due to inflation, and (2) the state share of general revenue sharing be restored to the program without a reduction in the local share; and

Be it further resolved, that the National Association of Counties urge that general revenue sharing be dealt with on its own program merits in an expeditious manner and not be delayed by the consideration of other proposals.

RESOLUTION ON LEGISLATION TO ACCELERATE
GENERAL REVENUE SHARING PAYMENTS

Whereas, General Revenue Sharing is a vital program for county governments because it distributes funds to be spent on local priorities, according to the discretion of county officials; and

Whereas, many county governments are providing services under severe fiscal constraints because of the recession and cutbacks in intergovernmental aid; and

Whereas, all county governments allocate revenue sharing dollars to programs and services which can abate the impact of the recession; and

Whereas, county governments currently receive general revenue sharing payments five days after the end of quarter for which the funds have been allocated; and

Whereas, receipt of revenue sharing funds earlier in the quarter would facilitate more rapid deployment of these funds to assist the needy and for other urgent purposes; and

Whereas, legislation has been introduced in both the Senate and the House to accelerate revenue sharing payments to the fifth day after the beginning of a quarter;

Therefore, be it resolved, that the National Association of Counties support the immediate passage of such legislation, but only if such acceleration of payment will not be used as a reason for Congress to fall to approve an inflationary adjustment in general revenue sharing in the future.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
Washington, D.C., July 27, 1983.

DEAR REPRESENTATIVE: On behalf of the more than one million public employees who are represented by the American Federation of State, County and Municipal Employees, I urge you to support H.R. 2780, the bill which reauthorizes general revenue sharing and increases the funding level for the local share of the program.

Local revenue sharing has not been increased since 1976, even though the cost of living has risen by over sixty percent since then. To partially compensate for the erosion of the value of revenue sharing and to address the most severe fiscal crisis confronted by cities, counties and townships, the Government Operations Committee, consistent with the House Budget Resolution, included an increase of \$732 million in the bill it reported in May. Since then, the House and Senate have agreed on a Budget Resolution which includes a \$450 million increase in local revenue sharing. It is my understanding that an amendment will be offered to bring H.R. 2780 in line with the Budget Resolution. We support that amendment and vigorously oppose any other amendments to further reduce the increase in the program.

AFSCME has supported revenue sharing since its inception and we have made its reauthorization and an increase in the local share of our major priorities for the 98th Congress.

We have supported revenue sharing because we believe it is critical to the effective functioning of our Federal system. Under our form of Federalism the responsibility for providing the most crucial and vital services, ranging from water supply, to sewers, to sanitation, to police and fire protection, to education, has been rightfully assigned to state and local governments so that individual communities can best decide for themselves how to administer these functions.

However, under our structure of government, it is the Federal government with its broad and relatively progressive tax system that is best able to finance a decent level of public service. Revenue sharing is needed because it is the program which most efficiently facilitates the use of the Federal government's tax base to fund the critical services performed by state and local governments.

Without revenue sharing, many communities would not have the capacity to provide essential services, while others would have to fund these services through increased regressive taxes on user fees.

The modest increase in revenue sharing is especially needed now. As the fact sheet I am enclosing with this letter documents, state and local governments are experiencing the worst fiscal crisis since the Great Depression. The deep and prolonged recession has greatly diminished their revenue raising capacity, while the Administration budget cuts have reduced Federal grant-in-aid programs by forty percent in real terms. The result has been massive cuts in services, tax increases and continuing budget crisis.

While some expect the recovery will help solve this crisis, the fact is that the economic upturn has yet to be felt in the state and local sector. Furthermore, Data Resources Inc., the most respected economic forecasting firm, predicts that without additional Federal aid the local government sector will grow far less than the private economy and, as a result, will remain anemic. It is, therefore, likely that the recovery will be retarded, or aborted, by a crumbling and decaying infrastructure of state and municipal services on which business must inevitably rely. An increase in revenue sharing would help avoid such a crisis and promote a sustained and balanced recovery.

I believe the case for a \$450 million increase in revenue sharing is overwhelming given the history of this valuable program and given the economic need. I, therefore, urge you to support H.R. 2780, with the one amendment to bring it in conformance with the Budget Resolution, and to oppose all other amendments.

Sincerely,

GERALD W. MCENTEE,
International President.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
Washington, D.C., July 22, 1983.

THE NEED FOR GENERAL REVENUE SHARING
SUMMARY

After having been among the hardest hit victims of the recent recession, state and local governments are now projected to lag behind other sectors of the economy in recovery. To promote economic growth and relieve the great fiscal pressure now weighing on America's cities and counties, Congress should reauthorize General Revenue

Sharing at the \$5.05 billion level agreed on in the Budget Resolution. That level represents a \$450 million, or less than ten percent, increase in the program which has not been increased since 1976.

State and local government fiscal crisis

States and localities are in the midst of their most severe fiscal crisis since the Great Depression. A recession-induced fall in tax collections combined with steep reductions in federal aid has forced most states, counties and municipalities to implement major service cutbacks and tax increases.

Evidence of the fiscal crisis and its effects is widespread:

1. Human services:

A recent Conference of Mayors survey showed that Health, Employment and Senior Citizen Services are the human services most widely cutback because of reductions in federal aid. From fiscal year 1981 to fiscal year 1983 city expenditures for these programs fell by 52 percent, 68 percent and 12 percent respectively.

The Conference of Mayors also reports that its membership could only meet 43 percent of the demand for emergency services in fiscal year 1982.

2. Infrastructure:

Cities and counties have had to sharply reduce spending for construction and maintenance of infrastructure. This has accelerated an already serious deterioration of roads, schools, water systems and other public facilities. Each passing day of continued underinvestment increases the risk of another disaster like the recent collapse of I-95 in Connecticut.

Construction spending by state and local governments fell 9.4 percent in 1981 and 7.0 percent in 1982. A further decline is projected for this year.

A study by the Joint Economic Committee found that cities realized only 60 percent of the spending they had budgeted for capital purposes in 1981.

The needs for infrastructure investment are tremendous. Just to maintain their water systems, cities will have to spend up to \$100 billion over the next two decades.

3. Employment:

At a time when demands for services are at record levels, states and localities are being forced to cut their workforces. Over 400,000 state and local government jobs have been lost in three years, according to the Bureau of Labor Statistics.

Previous economic downturns were usually moderated by increased state and local spending and employment. This time, however, the state and local public sector was hit even harder than the private sector. In large part, this accounts for why the current recession is so severe.

In 1982 state and local employment fell by 1.5 percent, while national employment was down by only 0.9 percent.

4. Losses of Federal and State aid:

The Reagan Administration's spending reductions have come disproportionately out of state and local government aid—which will be down \$24 billion in 1984 as a result of the cumulation of federal cuts.

State aid to local governments is also being cutback as states attempt to balance their budgets. Eighty-eight percent of the cities contacted in a JEC survey expected decreases in state aid.

5. Tax increases:

A recent National League of Cities survey showed that 71 percent of the cities covered raised user fees. Thirty-two percent proper-

ty tax rates (and many more would have but for tax limitation laws like Proposition 13).

Most state governments are also finding it necessary to sharply boost taxes while reducing services.

The Outlook for State and local governments

As evidenced by sharp employment and service cutbacks and record tax increases, state and local governments are trying hard to cope with their financial problems. Unfortunately they just do not have the resources necessary to meet the increased responsibilities that they face in these times of high unemployment. Moreover, the economic recovery will not by itself provide the needed fiscal relief. In fact, state and local governments will be lagging even further behind the national economy in recovery than they did in recession.

Data Resources, Incorporated forecast that state and local employment will continue to decline this year and will show only very small gains from current depressed levels in 1984 and 1985:

	[In percent]				
	1982	1983	1984	1985	1981-85
Total U.S. employment.....	-0.9	+0.8	+3.3	+2.7	+6.0
State and local government employment.....	-1.5	-0.4	+0.6	+1.1	-0.2

Ten percent increase in both prudent and needed

Inflation has ended the benefits of GRS. Local revenue sharing has not been increased since FY 1977, even though the cost of living has increased by over sixty percent since then. In addition, H.R. 2780, which was reported by the Government Operations Committee, reauthorizes the program for five years, while S. 1426, which was reported by the Senate Finance Committee, extends the program for three years. In either case, the rise in the cost of living will surely increase by more than ten percent, causing a further decline in the real value of the program, despite the ten percent increase.

CONCLUSION

State and local budgets will continue to be under great strain over the next several years. Consequently, reauthorization of General Revenue Sharing, with the 10 percent increase in funding recommended by the House-Senate Conference Committee, is essential to prevent further cutbacks in state and local human services and infrastructure investment. In addition, the stimulus which GRS provides to state and local economies throughout the country will help ensure that the national recovery is balanced and sustained.

NATIONAL LEAGUE OF CITIES,
Washington, D.C., July 29, 1983.

DEAR REPRESENTATIVE: We are writing on behalf of the 15,000 nation's cities our organization represents to urge your support for the re-enactment of General Revenue Sharing as provided in H.R. 2780, the State and Local Fiscal Assistance Amendments of 1983.

Our organization strongly supports passage of the bill as reported, and we urge you to oppose any amendments.

Prompt reauthorization of revenue sharing is clearly the number one priority of

American cities this year. It is the most comprehensive of all federal aid programs to cities. Not only is it the most flexible and efficient of all federal aid programs, but for a third of all cities, it is their only direct federal assistance. For cities of under 10,000, it is the only direct assistance for 62 percent.

We urge you to support the modest increase in the bill—the first since 1976. Since that time, we estimate that at least half the value of the program has been lost to inflation. Our survey of fiscal conditions indicates that costs are increasing faster than revenues, forcing almost all cities to increase fees, lay off employees, and cut services. With the impact of the recession, high interest rates, and reductions in federal aid to cities since 1981 in programs such as community development block grants and wastewater treatment grants, revenue sharing has become a more and more critical tool to meet life support services such as emergency shelter, food banks, fuel assistance, health, police and fire protection. Revenue sharing gives cities the opportunity to respond quickly to such problems in a manner suited to the circumstances of each situation.

The Government Operations Committee, after careful deliberation, rejected all efforts to amend the distribution formula. We urge you to support the committee's position and oppose any formula amendments. All local governments should receive an increase because of the fiscal stress they are experiencing. While the existing formula is not perfect, there is much to say for it.

The important role of the tax effort factor in relation to a community's wealth assures assistance on the basis of need and a community's efforts to help itself. Although any formula could be changed, the current GRS formula is widely considered to be fair and effective. We do not believe it ought to be changed without major and convincing reasons.

Finally, we urge you to support the 5 year reauthorization provided in the bill. Most local governments have fiscal years commencing prior to October 1, so that budget and planning is disrupted each year reauthorization occurs after a city's fiscal year has already begun. A longer reauthorization period would assist municipal officials in their budget processes by removing another uncertainty as we grapple with our efforts to raise revenue and cut services.

Thank you for your consideration of our views. We are grateful for the expeditious scheduling on the part of the House.

Sincerely,

CHARLES ROYER,
President, NLC,
Mayor of Seattle.

WILLIAM H. HUDNUT,
Co-Chair, Revenue
Sharing Task
Force, Mayor of Indianapolis.

FERD L. HARRISON,
Immediate Past
President, Mayor
of Scotland Neck,
NC.

DANIEL WHITEHURST,
Co-Chair, Revenue
Sharing Task
Force, Mayor of
Fresno, Calif.

AMERICAN SOCIETY FOR PUBLIC
ADMINISTRATION,
Washington, D.C., July 22, 1983.

HON. TED S. WEISS,
Chairman, Subcommittee on Intergovernmental
Relations and Human Resources,
Washington, D.C.

DEAR CONGRESSMAN WEISS: The National Council of the American Society for Public Administration (ASPA) had adopted a resolution supporting the reauthorization of the general revenue sharing program. This resolution was adopted July 10, 1983 and a copy is enclosed for your consideration.

ASPA is a national professional organization dedicated to better government and improved public service. Organized in 1939, we are a broadly representative body of public administrators from the local, state, and federal levels of government and the academic community.

Our Society is concerned about the fiscal viability of state and local government as well as the condition of intergovernmental relations. We, therefore, request that you seek and support the reauthorization of the general revenue sharing program, essentially following the format of the program as initially established, with funding for both state and local governments. ASPA stands ready to assist you in any way it can to achieve this objective.

Sincerely,

PATRICIA S. FLORESTANO,
ASPA President.

Enclosure.

RESOLUTION

Whereas, the general revenue sharing program expires on September 30, 1983; and

Whereas, the general revenue sharing program distributes federal funds to state and local governments to be allocated according to their perceived needs; and

Whereas, state and local governments have had their revenues seriously depleted by the recent recession; and

Whereas, the American Society for Public Administration is the national professional organization dedicated to better government and excellence in the public service; and

Whereas, the American Society for Public Administration is concerned about the fiscal viability of state and local governments as well as the condition of intergovernmental fiscal relations;

Now therefore be it resolved, That, the American Society for Public Administration supports the reauthorization of the general revenue sharing program, essentially following the format of the program as initially established, with funding for both state and local governments.

CENTRAL NEW YORK REGIONAL
PLANNING AND DEVELOPMENT BOARD,
Syracuse, N.Y., April 12, 1983.

HON. TED WEISS,
Chairman, Subcommittee on Intergovernmental
Relations and Human Resources,
House Government Operations Committee,
Washington, D.C.

DEAR CONGRESSMAN WEISS: On behalf of the Central New York Regional Planning and Development Board, representing the 130 communities of the Central Region in Upstate New York, I enclose for your attention the attached correspondence which was sent to each of our Congressional representatives, expressing our full support for the continuation of the General Revenue Sharing Program.

In your position as Chairman of the Subcommittee on Intergovernmental Relations, you have great responsibility in leading

Congressional support for continuation of this program, which is vital to local communities in our Region. Given this leadership role, we ask that you work with your colleagues in the House to reauthorize the General Revenue Sharing program.

Sincerely,

NATALIE W. GUSTAFSON,
Chairwoman.

NEW YORK COMMISSION ON
STATE-LOCAL RELATIONS,
Albany, New York, April 14, 1983.

HON. TED WEISS,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WEISS: As Chairman and Vice Chairman of New York's bi-partisan Legislative Commission on State-Local Relations, we want to strongly urge reauthorization of the federal General Revenue Sharing (GRS) Program. It is a topic of prime importance to State and local government officials in New York. The reasons are simple.

The program is conceptually correct. It is consistent with the doctrine of home rule, and recognizes the federal government's fiscal responsibilities as a partner in the intergovernmental system.

The program is fiscally important. Local governments in New York rely heavily on these monies, and even more so now with the retrenchments inherent in shifting to block grant funding.

The program can be an effective policy tool. Revenue sharing distribution formulas have attempted to target aid based on measures of fiscal need. This is but one of several laudable goals that are most easily addressed by such a general purpose program.

Several bills have been introduced in this session of Congress which would reauthorize the General Revenue Sharing (GRS) Program. They focus debate on three major issues: (1) the number of years the program should be reauthorized for, (2) the total level of funding authorized and whether the states should once again receive a share, and (3) whether any changes should be made in the way monies are allocated to the states and sub-state regions.

During the past year, our Commission has extensively analyzed New York State's Per Capita Revenue Sharing Program and we believe that our work can contribute to the debate. For example, our June 1982 survey of local government officials showed strong support for:

Providing a greater percentage of total aid in the form of "no strings attached" general purpose aid (especially revenue sharing);

Reviewing questions of equity, both interclass and intraclass, within the distribution formulas;

Adjusting the distribution formulas to reflect differing levels of poverty, aged population, services provided, and levels of tax effort; and

Providing a "permanence" to the distribution so local officials know how much they are going to receive and can budget that amount with confidence.

Based on these results, and after reviewing the major bills before the Congress and analyzing the issues they raise, we feel that inclusion of the following three components will encourage rational fiscal development in New York and should be included in any reauthorization bill eventually approved by the Congress.

1. LENGTHEN THE GRS AUTHORIZATION PERIOD

As in other states, New York's state and local governments are moving towards a more rational approach to capital budgeting, one that emphasizes planning capital expenditures five years in advance.

This becomes very important in light of the need to finance billions of dollars worth of infrastructure replacement at the State and local level. The New York State Legislature, for example, is presently considering a bill which would require the State to assemble a five-year plan for financing and scheduling capital construction projects. Consequently, the longer the authorization period of the revenue sharing program, the more local and state governments will be able to tie federal funds into their own investment plans and use those funds to leverage money from other sources.

Secondly, lengthening the authorization period will institutionalize a program which has served New York municipalities and, until 1980, the State well. Since the program grants general purpose aid, it allows governments the flexibility to spend monies where they see the most urgent need.

New York local government officials have welcomed the revenue sharing program because it has proven helpful in two major ways. The New York State Department of Audit and Control has found that federal GRS funds have alleviated, somewhat, local reliance on regressive real property and sales taxes. After the program was first initiated, local governments experienced a downward trend in their tax rates. For those municipalities that are "up against" their constitutional property tax limits, the additional revenue sharing funds forestall local cutbacks in services and other more expensive forms of financing local improvements.

This is particularly true for New York's cities. Over the last five years, New York's five largest cities (New York City, Buffalo, Rochester, Syracuse and Yonkers) have experienced problems with their tax limits. For the local fiscal years ending in 1982, all were above 90 percent of their property taxing power, except for Syracuse. New York City, in fact, was at 100 percent of its tax limit in 1982.

There is one more reason to lengthen the authorization period. New York State's own program of general purpose aid to its localities operates under a permanent authorization, as do most state categorical aid programs. A permanent or lengthier authorization period for federal revenue sharing would parallel the structure already established in New York State, and greatly facilitate the annual budget process.

2. INCREASE FISCAL RESOURCES DISTRIBUTED TO LOCAL GOVERNMENTS THROUGH GRS AND REINSTITUTE STATE PARTICIPATION IN THE PROGRAM

There are many arguments for once again allowing the states to participate in the revenue sharing program. First, the reason states were excluded in 1980 is no longer valid. At that time states were in a better fiscal condition relative to the federal government. This argued for increasing state financing of their own services and public improvements. Today, however, states find themselves in much worse financial shape than they were a few years ago. This is a result of not only a fall-off in total federal aid to the states, but also by decreases in anticipated own source revenues due to the current recession.

These forces caused New York State to experience a \$579 million revenue shortfall in

1982-83, and to face a possible \$1.8 billion deficit in the 1983-84 State fiscal year. Measures taken by the New York State Legislature to close this deficit included the authorization of \$985 million in new State taxes, decreases in appropriations for State operations, State capital projects, certain local aid programs, and the elimination of about 3,400 state jobs.

Secondly, states are being called upon by the present administration to take a more active role in the intergovernmental system. The aggregating of over sixty categorical programs into nine block grants in 1981 placed new administrative burdens on the states. Although a streamlining of federal regulations, accompanying the passage of the block grants, has resulted in some savings to State administrators, New York officials felt that these savings were not significant enough to compensate for cuts in funding. The President's New Federalism Initiative envisions turning even more administrative and financial responsibilities over to states. If states were to again become full partners in the federal GRS program, they would be more amenable to accepting these additional responsibilities.

Thirdly, expenditures in areas of both State and local concern would increase. When New York's State government received funds under the GRS Program, approximately 30 percent of the entitlement went towards education expenditures and approximately 30 percent for health programs. Ten percent of the federal revenue sharing funds were used for the functions of highways and corrections each. Remaining funds were spent in numerous other functional areas.

Increasing GRS entitlements to local governments would compensate for losses and purchasing power New York's local governments have experienced due to inflation. The last time funding for general revenue sharing was increased was as part of the 1976 reauthorization. In 1978, the first full year that the increase took effect, New York municipalities received \$515 million in revenue sharing dollars. This year, only \$447 million will be distributed. Although this represents an actual decrease of \$68 million, due primarily to a decrease in the state's population relative to other states, it represents a whopping "real" dollar decrease of \$127 million, or 25 percent, over the 1978 level.

In addition to a decrease in GRS dollars flowing to local governments in New York State, total real federal aid to New York State has decreased over the past decade. Dr. Seymour Sacks of Syracuse University pointed out in a recent paper on the patterns of local government revenue, while federal aid to New York State increased at a rate greater than inflation between 1970 and 1975 (22.3 percent in actual terms and 15.6 percent in real dollars) between 1975 and 1980 actual federal aid to New York State increased at only 3.25 percent—a real decrease of 4.5 percent. And this figure does not account for decreases in aid due to federal cuts since 1980. Proposals designed to offset these real dollar decreases in revenue sharing and other federal aid would serve to help compensate local governments for some of the losses they have experienced in the last decade.

Basing future growth in program revenues to a federal revenue source tied to economic growth, such as the income tax, would additionally assure local governments that their revenue sharing payments would at least remain constant in real dollars.

Our Commission recently sent a survey to all local officials requesting their opinions on the effectiveness and mix of State aid they are presently receiving. One question asked was how they might use each additional revenue sharing dollar. Although the question was specific to New York's revenue sharing program, we believe the responses would be similar for the federal revenue sharing program. New York's local officials indicated about 19 cents would go for current expenditures, 25 cents for capital expenditures, 38 cents to reduce property taxes, 13 cents to reduce outstanding debt, and the remaining five cents would be used for "other" purposes.

Data compiled by the U.S. Treasury Department indicates, present revenue sharing funds have been targeted towards financing essential local functions in New York State. In our counties, approximately 20 percent of revenue sharing dollars are directed towards health and highway purposes each. New York's cities have used more than 50 percent of their funds for police expenses and around 25 percent for fire expenses. Towns use a large portion of their funds, around 25 percent, in the functional area of highways.

3. REEXAMINE THE GOALS OF THE GRS PROGRAM IN LIGHT OF THE PAST DECADE OF EXPERIENCE

When first authorized by Congress in 1972, the program's primary purpose was to allow local governments flexibility in how they spent federal dollars. Since then numerous studies and audits on the expenditure of revenue sharing dollars have been completed. Analysis of these data with other supporting data would indicate whether the GRS Program has met its goal, and determine what its role has been in the intergovernmental system. For example, low tax capacity governments may now depend on revenue sharing dollars to keep their local tax burdens in line with other localities.

Once the program's "mission" and role is reassessed, additional study and consideration should be given to distributing funds along more equitable lines, in which local governments' needs are taken into consideration. Such comprehensive analysis and subsequent debate would span several years and, thus, would not conflict with a call for extending the length of the authorization period of the program.

Components which we feel should be considered, when trying to improve the targeting of GRS aid to those states and localities with the most fiscal need, include the following: eliminating the tiering of revenue sharing funds at the county level so that municipalities of similar need receive similar grants; and, revising the estimates of fiscal resources on which aid is distributed among the states. For example, an income estimate which takes into account a state's capacity to tax different revenue sources as well as the effort the State is already making to finance its services would assist a State which is up against its fiscal limits. For example, according to existing work ACIR has already done in this area, New York State already taxes its corporate income, total property, and personal income bases approximately twice as much as the average state. Its total tax effort, given its resources, is 72 percent higher than the average state (the highest of all states) and 173 percent above the state showing the least tax effort given its resources, Alaska.

As this letter emphasizes, New York State would benefit from a number of short-term

and longer term changes presently being considered by the Congress. Revenue sharing funds have served useful purposes in the intergovernmental system. Its continuation is essential to the fiscal health of our State's local governments. Its revision along the lines we've mentioned can only serve to increase its usefulness as a tool to meet the service needs of New York State's citizens.

Your consideration of these views is greatly appreciated.

Sincerely,

JAMES W. McCABE, Sr.,
Chairman.
JAMES H. DONOVAN,
Vice Chairman.

THE INTERNATIONAL INSTITUTE
OF MUNICIPAL CLERKS,
Pasadena, Calif., June 13, 1983.

HON. TED WEISS,
House of Representatives,
Washington, D.C.

DEAR MR. WEISS: The Membership of the International Institute of Municipal Clerks, on May 26, 1983, unanimously adopted a resolution urging Congress to extend the General Revenue Sharing Program.

Our membership, which consists of 6,500 city, village, town and borough clerks located in every state, feels that General Revenue Sharing is a crucial source of funding for thousands of small communities that use monies for a wide range of vital local projects.

I should add that 40 percent of our members are from communities below 5,000 population. They know that their cities and towns will suffer severe financial consequences if the General Revenue Sharing Program is allowed to expire on September 30, 1983.

IIMC, as an organization of concerned public officials, has gone on record in support of General Revenue Sharing in 1976 and 1980.

It respectfully urges that every effort be made to re-enact this program.

Sincerely,

JOHN J. HUNNEWELL,
Executive Director.

A RESOLUTION URGING THE MEMBERS OF CONGRESS OF THE UNITED STATES TO MAKE EVERY EFFORT TO REENACT THE GENERAL REVENUE SHARING PROGRAM

Whereas, General Revenue Sharing is a crucial source of funding for thousands of small communities that use monies for a wide range of vital local projects; and

Whereas, testimonies and studies by local government officials have shown that severe consequences to the nation's cities and towns will result if General Revenue Sharing is allowed to expire on September 30, 1983; and

Whereas, the International Institute of Municipal Clerks has gone on record in 1976 and in 1980 favoring this program when it was before Congress for renewal; and

Whereas, the IIMC Federal Legislation Committee, and the IIMC Board of Directors, have in October of 1982, supported the continuation of the General Revenue Sharing Program:

Now, therefore, be it resolved by the Members of the International Institute of Municipal Clerks at the 37th Annual Conference, held in Minneapolis, Minnesota, May 22-26, 1983; That the Congress of the United States be urged to make every effort to re-enact the General Revenue Sharing Program.

Be it further resolved, That a fully executed copy of this resolution be sent to key legislative leaders of Congress involved in the re-enactment of the General Revenue Sharing Program.

Unanimously adopted this 26th Day of May 1983, by the International Institute of Municipal Clerks.

AFL-CIO,

Washington, D.C., August 1, 1983.

DEAR REPRESENTATIVE: The AFL-CIO urges your support for H.R. 2780, the bill which reauthorizes general revenue sharing and increases the funding level for the local share of the program.

The need for revenue sharing has greatly increased in the past few years as costs of local services have increased with inflation, federal grants for services and other expenditures have substantially decreased, and state and local revenues have drastically diminished as a result of a poor economy and federally-tied state tax laws. The funding level for local revenue sharing has not been increased since 1976, even though the cost of living has risen by over sixty percent since then.

While the \$732 million increase for revenue sharing reported by the Government Operations Committee was consistent with the House Budget Resolution, the budget resolution conference agreement reduced that increase to \$450 million. The AFL-CIO would not oppose an amendment to bring the increase to \$450 million but we do oppose any further reductions or any other amendments to the bill.

It is expected that Congressman Walker will offer to this bill the same amendment which he offered last month to the Public Works and Economic Development Act which would allow the Secretary of Labor to waive certain labor standards, including Davis-Bacon wage standards, in local areas. Congressman Walker's earlier attempt was defeated 148 to 270; we urge you to again vote against this spurious amendment.

We urge your support for H.R. 2780 with a funding increase of at least \$450 million for local revenue sharing and rejection of all other amendments.

Sincerely,

RAY DENISON,
Director, Department of Legislation. ●

● Mr. GEJDENSON, Mr. Chairman, I rise today to express my strong support for H.R. 2780, which reauthorizes the general revenue sharing program.

This bill reauthorizes the program for an additional 5 years—an increase over the current 3-year authorization that will enable local governments to plan for the most effective efficient utilization of these funds. Furthermore, this bill contains the first increase the general revenue sharing program has received since 1976.

State and Local governments have been among the hardest hit victims of the recent recession, and are now projected to lag behind other sectors of the economy in recovery. These fiscal problems have taken place at a time of drastic Federal aid reductions, and have forced most States, counties, and municipalities to implement major service cutbacks and tax increases.

State and local budgets will continue to be under great strain over the next several years. I believe that reauthori-

zation of general revenue sharing for a 5-year period is essential to prevent further cutbacks in State and local services and to provide State and local economies with a needed stimulus. I urge my colleagues to support this important legislation. ●

Mr. DYSON. Mr. Chairman, today we must decide whether or not to reauthorize the 1972 State and Local Fiscal Assistance Act, widely known as general revenue sharing. During the past 5 years this program has provided nearly 40,000 local governments with \$23 billion. The legislation we are now considering proposes to increase this by 9.9 percent, so that over the next 5 years local governments will receive \$25.1 billion. This is a significant sum, and I appreciate the grave reservations many of my colleagues have expressed as they consider their vote. I am therefore thankful for this opportunity to address my colleagues' concerns and to rise in support of H.R. 2780.

Perhaps the most common criticism of the bill focuses on the proposed funding increase. This objection points out that the Federal Treasury is currently borrowing to meet its yearly obligations. We do not have, in short, any spare revenue to "share" with localities. While opponents do not suggest that we let revenue sharing lapse altogether, they insist that increasing the program's authority, even by the proposed one-time boost of \$450 million, will merely increase the Federal deficit. This in turn, it is suggested, will increase interest rates and stifle the Nation's fragile economic recovery. This objection assumes that since the fiscal health of local governments rightly depends on increasing the activity and prosperity of the private sector, and not on the largess of the Federal Government, the funding increase would be "fiscally irresponsible."

Against this objection I point out that economic growth occurs precisely in the counties, municipalities, suburbs, and cities which are this country's marketplaces. It is here that we are recovering from the worst recession in 40 years. Economic growth brings increases in personal income, property values, and ultimately, local tax revenues. But it also brings additional and immediate demands for local public services. Without these services, growth is impossible. And though the recovery is indeed fragile, protecting it is best done by making the immediate investment in bridge and road repair, sewer extensions, mass transit systems, schools and other public services necessary to accommodate increased economic activity.

Without the contribution of Federal revenues, localities will either have to forgo these critical improvements or

increase property taxes. These taxes are not only regressive and inefficient mechanisms for raising revenue, they are not conducive to stimulating the economic growth for which we all hope. In short, local governments will be forced to discourage the very growth which will bring them lasting fiscal security.

The current funding level for revenue sharing was established in 1978. Since that time inflation has worn thin the budgets of most, if not all, local jurisdictions. The recession has diverted resources to increase humanitarian aid and relief, and delayed many long needed capital improvements. The funding increase proposed in H.R. 2780 will not replace the purchasing power lost to localities by the ravages of inflation. But it will help restore the fiscal security necessary to local government for budgetary planning. Where the recession is still acute, localities can better provide for the human needs of their citizens. Where the recovery is burgeoning, localities can plan their public services and capital improvements in such a way as to insure the market's vibrant growth.

Our public transportation network of bridges, highways, and mass transit systems—our public infrastructure in general—is in no condition to meet the demands of a prolonged recovery. The simplest, most efficient mechanism for providing the resources necessary to upgrade public capital is through the locally controlled budgets of local government. All they need is the active support of the Federal Government. This was the rationale behind the original passage of the 1972 act, and it is as true today as it was 11 years ago.

In Maryland's First Congressional District, for example, general revenue sharing has contributed an average of 3.8 percent of local government revenues. A survey of the uses to which the counties have put their allocations illustrates the local control and flexibility of the program. Caroline County put its \$450,000 mostly to its "general fund." Cecil County spent its \$838,700 for transportation improvement. Harford and Wicomico Counties accelerated their debt retirement. Kent County spent \$369,300 for improving its health and education facilities.

Opponents who object to reauthorization on the grounds of budgetary restraint and responsibility invoke an argument which I take very seriously. I am by nature a fiscal conservative, and have adamantly supported recent efforts to contain the Federal deficit. But though well intentioned, the argument, as I have tried to point out, is economically misapplied in this instance. Regarding the political question of budgetary responsibility, I can point to the remarks of several State and local officeholders to substantiate my claim that revenue sharing is the

surest mechanism for promoting local fiscal responsibility.

Mayor Elmer E. Horsey, of Chestertown, Md., for instance, has written requesting my continued support for keeping community development bloc grants separate from revenue-sharing funds. Both programs are vitally important to Chestertown, and Mayor Horsey is convinced the merger of these programs is not in his city's interest. The city of Cecilton, Mayor Harold Miller informs me, has found general-revenue-sharing funds indispensable for its water system improvements. Fully 8 percent of Cecilton's budget comes from GRS funds, and without these moneys, its water tower and other improvements could not have been financed. Mr. Allen L. Dennis, council president of the city of Cambridge, has informed me that GRS funds equal 22 cents per \$100 of assessed valuation on the local property tax rate. The program is vital to Cambridge, and, as Mr. Dennis has pointed out, it would be "fiscally irresponsible" of us to reduce Federal personal income taxes and simultaneously force local governments to increase their local property tax rates.

With these considerations in mind, it seems shortsighted to view this bill as simply an ill-conceived increase in the Federal deficit. The program emphasizes local control and flexibility. By preserving the active partnership between local and Federal Government, it helps stabilize the conditions for economic recovery while avoiding the redtape of an intrusive Federal bureaucracy. It is a sound, perhaps the soundest, public investment we can make in our cities and counties.

I sincerely hope my colleagues will, after considering these comments, vote to support the bill.

I would also invite my colleagues to read some of the many letters I have received from elected officials throughout Maryland.

The letters follow:

COUNTY COMMISSIONERS,
La Plata, Md., July 5, 1983.

Hon. Roy P. Dyson,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DYSON: Thank you for your letter of June 14, 1983, with regard to General Revenue Sharing.

As you well know, General Revenue Sharing funds are critical to this county. We use the funds to support our Sheriff's Department operations. Obviously, since we can't function without our Sheriff's Department, the property taxpayer would realize the burden of the loss of General Revenue Sharing.

I greatly appreciate your constant efforts to secure these funds for our residents, without your support we would be in a most difficult situation.

Sincerely,

ELEANOR F. CARRICO.

SHERIFF'S DEPARTMENT,
Cecil County, Md., June 27, 1983.

Hon. Roy P. Dyson,
Longworth House Office Building,
Washington, D.C.

DEAR MR. DYSON: The General Revenue Sharing Program which is due to expire this September 30 is of great concern to those of us in local government. Here in Cecil County, the Sheriff's Department is engaged in starting up not only a new, modern correctional facility but also a model program which we hope will be an example for state and county governments nationwide. In order for us to continue such a standard of excellence, it is necessary for bills such as HR 2780 to be passed by our federal government. This bill would not only correct the fact that funding has not kept up with inflation but also allow states to receive categorical grants which are so badly needed by some segments of our population.

Our "New Federalism" administration will probably continue to approve restricted revenue sharing programs, but those of us who have seen the benefits of legislation such as that proposed by HR 2780 must continue to support it whenever we can.

Yours very truly,

JOHN F. DEWITT,
Sheriff.

CITY OF HAVRE DE GRACE,
Havre de Grace, Md., June 28, 1983.

Hon. Roy P. Dyson,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR ROY: Thank you for your very informative letter of June 14, 1983 concerning the General Revenue Sharing Program.

Small municipalities, such as Havre de Grace, Maryland, would be hard-pressed to balance annual budgets were it not for revenue sharing and Community Block Grant funds. We could not tax the citizens sufficiently to pay for the needed improvements to maintain a certain quality of life for our citizens.

Ten years or so ago I was appointed Co-Chairman of our initial Community Block Grant Committee. I worked with many interested citizens for years in securing needed funds for many projects in Havre de Grace. So, I'm very familiar with the benefits of this particular program.

As an elected City official, it is my duty to improve the conditions of my City that ultimately leads to a better way of life for its citizens. Sharing in the above funds is matter of factly a necessity and I would not want to see this potential funding for worthwhile community projects be lessened or combined. Therefore, please express my concern to this threat to the citizens of Havre de Grace and convey my support of H.R. 2780 to your colleagues in the House of Representatives.

Best personal regards.

Very truly yours,

PHILIP J. BARKER,
City Councilman.

HOUSE OF DELEGATES,
Annapolis, Md., June 28, 1983.

Hon. Roy Dyson,
Congress of the United States,
Washington, D.C.

DEAR ROY: Thank you for your letter concerning the General Revenue Sharing program which is scheduled to expire this September 30.

As you know, the General Revenue Sharing program is important to the St. Mary's County government in that it provides

monies to fund many of its vital programs such as health, education, police and social services. To eliminate such funding would have an adverse effect on St. Mary's County and would necessitate the County's having to increase the real estate tax rate in order to obtain the necessary funds to maintain the present level of services. In my opinion, an over-all study of government funding and financing policies is needed at this time particularly in view of all of the proposed program changes.

I strongly support your efforts on H.R. 2780. Kindly keep me advised as to the progress of this matter.

Wishing you much success and happiness, I am

Sincerely,

JOHN F. SLADE III.

THE COMMISSIONERS OF ABERDEEN,
Aberdeen, Md., June 17, 1983.

Hon. ROY DYSON,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DYSON: The Commissioners of Aberdeen appreciate the posting on the status of Revenue Sharing. From all reports we have received, every one from the President to Congress, agrees that Revenue Sharing should be continued. We hasten to add our support to the continuation of this program.

It is no secret that most municipalities are working with very tight budgets so revenue sharing becomes more important than ever in keeping Cities and Towns in a fiscally responsible position. We urge you and your fellow representatives to work toward a five year reauthorization of revenue sharing and to work toward an increased amount. If there is anything further we can do to assist in finalizing this program favorably, please advise. In the meantime, our thanks for your efforts on our behalf.

Very truly yours,

RONALD KUPFERMAN,
President.

Mr. HORTON. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The CHAIRMAN. Pursuant to the rule, the substitute committee amendment recommended by the Committee on Government Operations shall be considered as an original bill for the purpose of amendment under the 5-minute rule, and each section shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SHORT TITLE

SECTION 1. This Act may be cited as the "State and Local Fiscal Assistance Amendments of 1983".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

EXTENSION OF PROGRAM

SEC. 2. (a) Section 6701(a)(1) of title 31, United States Code, is amended to read as follows:

"(1) 'entitlement period' means each one-year period beginning on October 1 of 1981, 1982, 1983, 1984, 1985, 1986, and 1987."

(b) Section 6711(a)(3) of such title is amended by striking out "1983" and inserting in lieu thereof "1988".

AMENDMENT OFFERED BY MR. HORTON

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

The Clerk read as follows:

Amendment offered by Mr. HORTON. Page 2, beginning on line 6, strike out all of section 2 through line 13 and insert in lieu thereof the following:

EXTENSION OF PROGRAM

SEC. 2. (a) Section 6701(a)(1) of title 31, United States Code, is amended to read as follows:

"(1) 'entitlement period' means each one-year period beginning on October 1 of 1981, 1982, 1983, 1984, and 1985."

(b) Section 6711(a)(3) of such title is amended by striking out "1983" and inserting in lieu thereof "1986".

Mr. HORTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

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

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

The CHAIRMAN. Evidently a quorum is not present.

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

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1710

The CHAIRMAN. A quorum of the Committee of the Whole has not appeared.

The Chair announces that a regular quorum call will now commence.

Members who have not already responded under the noticed quorum call will have a minimum of 15 minutes to record their presence. The call will be taken by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 305]

ANSWERED "PRESENT"—376

Ackerman	AuCoin	Berman
Addabbo	Badham	Bethune
Akaka	Barnard	Bevill
Albosta	Bartlett	Biaggi
Anderson	Bateman	Bilirakis
Andrews (TX)	Bedell	Billey
Annunzio	Bennett	Boehlert
Anthony	Bereuter	Boggs

Boland	Gradison	McCollum
Bonior	Gramm	McCurdy
Bonker	Gray	McEwen
Borski	Green	McKernan
Bosco	Gregg	McKinney
Boucher	Guarini	McNulty
Boxer	Gunderson	Mica
Breaux	Hall (IN)	Michel
Britt	Hall (OH)	Miller (CA)
Brooks	Hall, Ralph	Miller (OH)
Broomfield	Hall, Sam	Mineta
Brown (CA)	Hamilton	Minish
Brown (CO)	Hammerschmidt	Moakley
Broyhill	Hance	Mollohan
Bryant	Hansen (UT)	Montgomery
Burton (CA)	Harkin	Moody
Burton (IN)	Harrison	Moore
Byron	Hartnett	Moorhead
Campbell	Hatcher	Morrison (CT)
Carney	Hawkins	Morrison (WA)
Carper	Hefner	Mrazek
Carr	Hertel	Murtha
Chandler	Hightower	Myers
Chappell	Hiler	Natcher
Chapple	Hillis	Neal
Cheney	Holt	Nelson
Clarke	Hopkins	Nichols
Clinger	Horton	Nielson
Coats	Howard	Nowak
Coelho	Hoyer	O'Brien
Coleman (MO)	Hubbard	Oakar
Coleman (TX)	Huckaby	Oberstar
Conable	Hughes	Obey
Conte	Hunter	Olin
Cooper	Hutto	Ortiz
Corcoran	Hyde	Oxley
Courter	Ireland	Packard
Craig	Jacobs	Panetta
Crane, Philip	Jeffords	Parris
Daniel	Johnson	Pashayan
Dannemeyer	Jones (OK)	Patman
Daschle	Jones (TN)	Patterson
Daub	Kaptur	Paul
de la Garza	Kasich	Pease
Dellums	Kastenmeier	Penny
Derrick	Kazen	Perkins
DeWine	Kemp	Petri
Dicks	Kennelly	Pickle
Dixon	Kildee	Porter
Donnelly	Kindness	Price
Dorgan	Kogovsek	Pritchard
Dowdy	Kolter	Pursell
Dreier	Kostmayer	Quillen
Duncan	Kramer	Rahall
Durbin	LaFalce	Rangel
Dwyer	Lagomarsino	Ratchford
Dymally	Lantos	Ray
Dyson	Latta	Regula
Early	Leach	Reid
Eckart	Leath	Richardson
Edgar	Lehman (CA)	Ridge
Edwards (AL)	Lehman (FL)	Rinaldo
Edwards (OK)	Leland	Ritter
Emerson	Lent	Roberts
English	Levin	Robinson
Erdreich	Levine	Rodino
Erlenborn	Levitas	Roe
Evans (IA)	Lewis (CA)	Roemer
Evans (IL)	Lewis (FL)	Rogers
Fascell	Lipinski	Rose
Fazio	Livingston	Rostenkowski
Feighan	Lloyd	Roth
Ferraro	Loeffler	Roukema
Fiedler	Long (LA)	Rowland
Fields	Lott	Rudd
Fish	Lowery (CA)	Savage
Flippo	Lowry (WA)	Sawyer
Foglietta	Lujan	Schaefer
Ford (TN)	Luken	Schneider
Forsythe	Lundine	Schroeder
Fowler	Lungren	Schulze
Franklin	Mack	Seiberling
Frenzel	MacKay	Sensenbrenner
Fuqua	Madigan	Shannon
Garcia	Marlenee	Sharp
Gaydos	Marriott	Shaw
Gejdenson	Martin (IL)	Shelby
Gekas	Martin (NC)	Sikorski
Gephardt	Martin (NY)	Siljander
Gibbons	Martinez	Simon
Gilman	Matsui	Sisisky
Gingrich	Mavroules	Skeen
Glickman	Mazzoli	Skelton
Gonzalez	McCain	Slattery
Goodling	McCandless	Smith (FL)
Gore	McCloskey	Smith (IA)

Smith (NE)	Tauzin	Whitley
Smith (NJ)	Taylor	Whittaker
Smith, Denny	Thomas (CA)	Whitten
Smith, Robert	Thomas (GA)	Williams (OH)
Snowe	Torres	Wilson
Snyder	Torricelli	Winn
Solomon	Towns	Wirth
Spence	Traxler	Wise
Spratt	Udall	Wolf
St Germain	Valentine	Wolpe
Staggers	Vander Jagt	Wortley
Stangeland	Vandergriff	Wright
Stenholm	Vento	Wyden
Stokes	Volkmer	Wylie
Stratton	Vucanovich	Yates
Studds	Walgren	Yatron
Stump	Walker	Young (FL)
Sundquist	Watkins	Young (MO)
Swift	Weber	Zablocki
Synar	Weiss	Zschau
Tallon	Wheat	
Tauke	Whitehurst	

□ 1730

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

(By unanimous consent, Mr. HORTON was allowed to proceed for an additional 5 minutes.)

The CHAIRMAN. The gentleman from New York (Mr. HORTON) is recognized for 10 minutes.

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

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

Mr. KOSTMAYER. Mr. Chairman, I rise in support of H.R. 2780, the State and Local Fiscal Assistance Amendments Act of 1983. I want to commend my distinguished colleague from New York (Mr. WEISS) and the members of the Government Operations Committee for the fine work they did in bringing this important bill to the floor.

I have always been and continue to be a strong supporter of the Federal general revenue sharing program. As a former member of the Government Operations Committee, I know that revenue sharing is probably the single most direct Federal program to help our States and 39,000 local governments nationwide. In my State of Pennsylvania alone, over 2,600 local governments benefit from this important program.

Since the beginning of this year, local government officials from my district, which includes all of Bucks County and eastern Montgomery County, have voiced their strong support for the prompt reauthorization of general revenue sharing at adequate funding levels in order to avoid undue complications with the preparation of their municipal and township budgets.

Mr. Chairman, I would like to share with my colleagues excerpts from a recent letter that I received from the Pennsylvania Local Government Conference regarding the importance of revenue sharing. I am sure that the opinions of the Pennsylvania Conference are not unique and I urge my colleagues to reaffirm today our support

of this program by voting for H.R. 2780.

PENNSYLVANIA LOCAL
GOVERNMENT CONFERENCE,
Camp Hill, Pa., June 8, 1983.

HON. PETER H. KOSTMAYER,
Pennsylvania Congressional Delegation,
Cannon House Office Building, Wash-
ington, D.C.

DEAR CONGRESSMAN KOSTMAYER: In recent months the Pennsylvania Local Government Conference, consisting of the Pennsylvania State Association of Boroughs, the Pennsylvania League of Cities, the Pennsylvania State Association of County Commissioners, the Pennsylvania State Association of Township Commissioners, and the Pennsylvania State Association of Township Supervisors conducted a study of Revenue Sharing in Pennsylvania municipalities. The intent of the study was to assess the effects of the program in its current form and to determine what effect the termination or curtailment of the program would have on local taxes and services in the years ahead.

The booklet, "Revenue Sharing—Its Impact on Pennsylvania Local Government," documents the results of this study. The results indicate that General Revenue Sharing accounts for 16.7 percent of the average local budget; the average General Revenue Sharing payment to municipalities in Pennsylvania Congressional districts is \$59,931, ranging from a low of \$216 to a high of \$14,011,523; if General Revenue Sharing funds were to be replaced by property taxes, these taxes would rise an average of 61.2 percent, and for 93.8 percent of the responding municipalities, Revenue Sharing funds are the only direct source of federal funds received.

The Pennsylvania Local Government Conference supports and endorses the renewal of the Revenue Sharing program, and would encourage that the results of this survey be used in the debate on renewal.

Sincerely,

JAY HIMES,

Chairman, Local Government Conference.

Mr. HORTON. Mr. Chairman, the amendment I am offering reduces the entitlement period from 5 to 3 years. While being quite straightforward, it is important to the financial integrity of this bill and to the ability of the Congress to effectively oversee the program. The committee bill reauthorizes the revenue-sharing program as an entitlement through September 1988, a period of 5 years. This is longer than any other previous reauthorization period adopted by the Congress and signed by the President.

My concern over this lengthy extension period is twofold. First, the intergovernmental system is ever changing, with its future well-being almost impossible to predict. None of us know now what the fiscal situation of State and local government might be even 2 or 3 years from now. This alone is reason enough not to go with a 5-year extension.

A case example of this occurred just 3 years ago, during the last reauthorization of this very program. At that time, State governments as a whole were running budget surpluses and in generally good financial condition. Because of this, the Congress removed

their entitlement status, with the result that they have not been funded since. Yet, many State governments are now in extreme financial straits. The financial situation for State governments has, in 3 years, changed dramatically in ways that no one at that time could foresee. While the committee has chosen not to reactivate the States share as an entitlement, or on a countercyclical basis because of the severe budget constraints at the Federal level, the committee at least had the opportunity to consider doing so.

To lock up the formula and the funding level for 5 years effectively prevents Congress from using the vehicle of revenue sharing reauthorization to meet new problems and opportunities within the federal system. A 3-year reauthorization, on the other hand, would provide ample opportunity to review the program to be certain it is achieving its goals.

I am even more deeply concerned about another aspect of a 5-year entitlement. If it is allowed to stand, the Congress will be committing the Federal Treasury to the payment of some \$26.5 billion. There would be nothing we could do about it. We would have to pay the money whether we wanted to or not. Now we all know why it is important for revenue sharing to be an entitlement, and I support its entitlement status. The least we should do is entitle these funds for as short a period of time as is reasonable. A 3-year extension is such a reasonable period and would commit the Federal Government to \$10 billion less in entitlement spending than does a 5-year bill.

The recent mid-session budget review projects Federal deficits in the \$150 billion range for each of the upcoming 5 fiscal years. A large part of this problem is entitlement spending, to commit this and future Congresses to an additional \$10 billion more in entitlement spending than is necessary would tie our hands in dealing with the problem of Federal spending which is a mistake.

The argument may well be made that a 5-year extension is needed to insure local governments of a certain level of revenue for a longer period of time. Unexpected interruptions in the level and flow of revenue-sharing dollars would, I agree, cause tremendous difficulty for local budgeting. Yet, that is why revenue sharing is an entitlement. The purpose of my amendment is to balance the need of local governments for an assured source of funds to the need of the Federal Government to balance its own budget. Limiting the entitlement status of revenue sharing to a 3-year period is an excellent way to do this.

Mr. Chairman, moving this program's reauthorization period back to the traditional 3-year period is fiscally

prudent, fair to future Congresses, and in no way wreaks havoc on local budgeting. I would add finally, that my amendment enjoys the whole-hearted support of the administration. I urge my colleagues to support the amendment.

□ 1740

I would like to point out that I received a letter from the Director of the Office of Management and Budget dated June 20 of this year in which he says "I am writing to advise you of the administration's serious objections to certain features."

Then he goes on to say that—

Under the extension of 5 years it would increase the entitlement portion from the current level of \$4.6 billion annually to \$5.3 billion for 5 years. The administration's proposal would extend it for 3 years.

In its present form it is a budget buster, says Mr. Stockman.

The bill would, in a single year, increase spending for general revenue sharing by 16 percent. It would result in fiscal years 1984-86 outlays that would exceed the administration's request by over \$2.1 billion. Increases of this magnitude are totally inappropriate, especially in light of serious financial problems facing the Federal Government.

Then it goes on to point out that the Budget Director and other officials would recommend to the President a veto if it does have this 5-year period in it.

So I would urge that we reduce the period from 5 years to 3 years.

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

Mr. HORTON. I will be happy to yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, as we continually reassess the various ways in which our taxpayers' money is spent, eliminating waste wherever we can, we must not forget to reward the programs and projects that are worthwhile and have a positive impact on our Nation's cities and counties. Without question, the revenue-sharing program deserves to be reauthorized.

I recently conducted a survey, talking with city and county clerks and mayors and county judges throughout my district, and discovered the pattern is that there is no pattern, except that everyone strongly favors the revenue-sharing program. Responses such as "Essential," and "We're all for it!" were typical answers when the clerks were questioned about revenue sharing.

What makes revenue sharing an attractive program for local communities is that local officials decide where and how the money is spent. What makes revenue sharing attractive for us in Washington is that vital community repairs and improvements are completed, while at the same time local services continue to expand. A sample of the projects funded through revenue sharing in Missouri's Fourth

Congressional District include: street maintenance, bridge construction, park improvements, library upkeep, and new computer systems. Improvements and investments such as these are truly important to the health and well-being of our cities and towns. This influx of funds provides a necessary economic stimulus. It is unfortunate, but, these improvements are the ones that no one notices until the potholes form or the paint peels. We must continue to work to keep these programs alive.

Who knows better than community leaders what specific projects a community needs? In 1982, Lafayette County exemplified how effective the revenue-sharing program can be. Of the \$131,588 received, county officials apportioned this money into a wide variety of areas, specifically: repairs to county buildings, the Extension Council of the University of Missouri, the Western Medical Health Center, and the local 4-H clubs. These funds, and the ways in which they are spent, offer substantial evidence of the benefits of this type of local control to the community.

For these reasons, I strongly support the revenue-sharing program. Such a no-strings-attached revenue source allows us to look out for the economic health of the cities and counties throughout our nation. The revenue-sharing program has earned our support, and I urge the Congress to reauthorize these vital funds.

Mr. JONES of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. HORTON. I am happy to yield to the gentleman from Oklahoma.

Mr. JONES of Oklahoma. Mr. Chairman, I want to commend the gentleman for this amendment and rise in support of the amendment.

I recognize that the gentleman offers this amendment not as an enemy of revenue sharing but as a friend and supporter of revenue sharing. Around this body and back home in our speeches we rail against uncontrolled Federal spending and we rail against entitlement programs that are growing and creating a situation in which we cannot control the Federal budget.

The general revenue-sharing program is a capped entitlement program and we ought to show our willingness today to put some limitations on this entitlement program.

What we would be doing if we reject the gentleman's amendment is committing, by our vote today, to spend without any review over the next 5 years, to spend in excess of \$26 billion. It makes sense to limit this commitment to a 3-year period.

General revenue sharing in each of its reauthorizations up to this point have been for periods of 3 years. Comparable programs such as the community development block grant, the

UDAG program, the EDA program, are all authorized for 3-year periods. That gives the local communities the opportunity to plan ahead and yet it gives the Congress and the Federal fiscal policymakers an opportunity to review in a timely fashion how these programs are fitting into our overall economy.

Other programs, defense, education, food stamps, programs such as that, do not have this kind of 5-year authorization with a firm commitment to spend, and I do not believe we ought to be giving it to general revenue sharing.

We can talk about \$200 billion deficits and we can rail against them but we have an opportunity today to put some controls on those so-called uncontrolled spendings.

I hope that the House will support the gentleman's amendment. I think it is a good amendment that improves the program.

Mr. HORTON. I thank the gentleman for his comments and I certainly appreciate his support for this amendment.

I would add to what the gentleman already said that I am a very strong supporter and have been a strong supporter for revenue sharing. I know that many of the public interest groups and many of the municipalities would like to have a 5-year program. But as the gentleman pointed out, and as I pointed out, for us to do that I think would be foolhardy.

It is an entitlement program and we are all familiar with what entitlement programs are. For us to put on the books 5-year entitlement programs now, at this level, I think would not be very prudent especially in light of the fiscal restraint that we should be maintaining as far as this body is concerned.

I would also point out that the various municipalities have been able to live in the past under this 3-year authorization or entitlement program. So they are not unused to having the entitlement for a 3-year period of time.

So I think with all factors involved that it is more prudent for us to reduce the period from 5 years to 3 years.

I might say also, parenthetically, I will offer an amendment to bring the funding in line with the budget recommendations and the budget resolution that was adopted, which is approximately \$450 million more than the \$4.6 billion.

But it is important I think that we adopt this amendment and I urge my colleagues to adopt it.

The CHAIRMAN. The time of the gentleman from New York (Mr. HORTON) has expired.

(On request of Mr. LEVITAS and by unanimous consent Mr. HORTON was

allowed to proceed for 2 additional minutes.)

Mr. LEVITAS. Will the gentleman yield?

Mr. HORTON. I will be glad to yield to the gentleman from Georgia.

Mr. LEVITAS. I commend the gentleman on his amendment and on his statement.

I have been a very strong advocate of general revenue sharing. One of the most unpleasant experiences I have had in Congress was differing with my distinguished chairman on this subject by supporting revenue sharing in my first term as a Member here. But I do believe in it.

However, we have got to make the program sensible and reasonable and not just a greed bucket for local governments. I think for us to do anything other than adopt the gentleman's amendment would take this program from a reasonable, low-cost administration program into an uncontrollable giveaway program which would not be accountable to the Congress.

So I urge my colleagues, those of us who support revenue sharing, as well as those who do not support revenue sharing, to support the gentleman's amendment, and I would also hope that the gentleman will feel inclined to support my amendment which I will offer later on on the tit-for-tat provision with respect to State funding, if that should be authorized.

Mr. HORTON. I thank the gentleman.

Mr. BROOKS. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong support of the amendment offered by my friend from New York, the distinguished ranking minority member of the Government Operations Committee, Mr. HORTON, which provides for a 3-year reauthorization of general revenue sharing rather than the 5-year extension included in the bill reported by the committee.

The committee's bill would reauthorize revenue sharing through fiscal year 1988. The Congressional Budget Office's baseline estimate of the aggregate Federal budget deficit over that 5-year period is \$1.2 trillion, which is roughly equal to the current national debt that has taken nearly 200 years to accumulate. In light of these projections, it would be an act of fiscal irresponsibility for Congress to irrevocably commit the Federal Government to the expenditure of more than \$26 billion for general revenue sharing over the next 5 years.

Just last week I received a "dear colleague" letter from the chairman, ranking minority member, and seven other members of the House Budget Committee asking my support for an amendment to the rehabilitation act amendments of 1983. While supporting this program, which provides reha-

bilitation assistance to handicapped individuals, the Budget Committee members were seriously concerned about expanding it as an entitlement program for the next 3 years. The letter said:

To put our concern in perspective, approximately three-quarters of Federal spending is uncontrollable by an annual budget and appropriations process. Entitlement and other mandatory programs constitute the bulk of that amount. The remaining one-quarter of Federal spending is the only portion which Congress controls through its annual appropriations process, and half of that amount is devoted to defense. As presently drafted, H.R. 3520 would increase the so-called uncontrollable portion of the budget by expanding an entitlement in the out-years.

Should we not be equally concerned about extending the entitlement in general revenue sharing for an additional 5 years? Do we not owe it to ourselves and our constituents to take another look at this \$5.3 billion per year expenditure before fiscal 1989?

Furthermore, if mayors and county commissioners are going to enjoy the luxury of spending revenue sharing funds, while Congress bears the responsibility for raising the money, local officials should be required to justify the continuation of this program more often than once every 5 years.

In conclusion, Mr. Chairman, Members should be aware that the administration adamantly opposes a 5-year extension of revenue sharing. Budget Director Stockman has advised the committee that he will recommend that the President veto any reauthorization of longer than 3 years.

I strongly urge my colleagues to support the gentleman's amendment.

□ 1750

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Three years, in my judgment, is too short an authorization for a program like revenue sharing which is intended to help local governments provide important public services. In the course of hearings, which the subcommittee held both here in Washington and across the country, the one concern expressed by the witnesses representing local governments was the need for stability and predictability in the revenue-sharing program.

Many State and local governments are moving toward a more rational approach to capital budgeting, one that emphasizes planning capital expenditures 5 years in advance.

This becomes very important in light of the need to finance billions of dollars worth of infrastructure replacement at the State and local level.

The New York State Legislature, for example, is presently considering a bill which would require the State to assemble a 5-year plan for financing and scheduling capital construction projects. Consequently, the longer the authorization period of the revenue-sharing program, the more local and State governments will be able to tie Federal funds into their own investment plans and use those funds to leverage money from other sources.

Lengthening the authorization period will institutionalize a program which has served municipalities and, until 1981, the State as well. Since the program grants general purpose aid, it allows governments the flexibility to spend moneys where they see the most urgent need.

In fact, it is noteworthy that in submitting its New Federalism initiative to Congress, proposing that the entitlement portion of the community development block grant program be combined with revenue sharing, the administration itself recommended a 5-year extension of that program.

It seems to me that the 5-year reauthorization of revenue sharing is a practical and sensible timeframe, and I therefore urge defeat of the amendment offered by the gentleman from New York.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. HORTON and by unanimous consent, Mr. WEISS was allowed to proceed for 2 additional minutes.)

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

Mr. WEISS. I would be pleased to yield to the gentleman from New York.

Mr. HORTON. I thank the gentleman for yielding.

The letter the gentleman was referring to as to the administration position for extending the program for 5 years including merging revenue sharing and community development. It did not talk just to the question of just revenue sharing.

Mr. WEISS. Of course. And if the gentleman will allow me, the point that I am making is that simply because it is raised from 3 years to 5 years does not automatically make it wrong. As a matter of fact there is an advantage to having a 5-year program so that the communities can better plan ahead as to how they are going to be spending that money.

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

Mr. Chairman, the gentleman from New York has just made the case that was made before our subcommittee by many of the local communities that came before us.

Let me talk for a moment why I think that the fiscally responsible vote is for us to vote against this amendment and for a 5-year extension. We heard the distinguished chairman of the Budget Committee mention a few moments ago the problem of uncontrolled Federal spending. I think we all recognize that that is in fact a major problem that we face.

What the advantage of the entitlement program that we have before us here is that we do cap that entitlement. We do make some decisions about holding a steady level.

The longer you can hold that cap in place, the better chance we have of managing the budget in those out-years. Now, I think you have to decide what perspective you are coming at here.

If you believe that after the 3-year period that we are going to come back and lower the spending levels of the program, then you might agree with the gentlemen from Oklahoma and some of the other gentleman who have spoken on this amendment. The tendency, however, is to come back and raise the spending levels of the program. For example, in 1980, these exact arguments were made. Here we are 3 years later coming back and the bill that we have before us substantially raises the entitlement level. Would we not have been better off in 1980 to have capped the program at the present \$4.6 billion level and at least have the next 2 years being at a lower spending level than is likely to happen in this particular program?

I would also say that if we really want to do something about addressing the issues the gentleman from New York, the gentleman from Texas, and the gentleman from Oklahoma raise, let us support the McCandless amendment when it comes up and cap the program at its present spending. He will offer an amendment to cap the program at \$4.6 billion in spending. You combine that with a 5-year authorization and you can substantially lower the cost of this program over a period of time.

So, it seems to me that if we really want to do something about controlling one of the uncontrollables, let us do it for a 5-year period, cap it at \$4.6 billion and save some real money. If you go for the 3-year extension, I fear what we will be doing is simply giving us an opportunity to come back in 3 more years and raise the spending level again.

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

Mr. WALKER. I yield to the gentleman.

Mr. LEVITAS. I thank my colleague.

Mr. Chairman, as the gentleman knows, I disagree with him on this particular amendment. I was the author of the amendment that made revenue sharing an entitlement program and I

did it in order to provide for predictability and certainty, so that the communities could use the money wisely and would not have to wonder from year-to-year how much would be made available.

On the other hand, a 3-year period is a reasonable period that we utilize for budget purposes.

Why 5 years? Why not 10 years or 7 or 15 or 13? Or why not make it like social security or medicare, indefinite? I think that if we are going to limit this program so we can reevaluate it from time to time the 3-year period, which is a standard period, within a budgetary cycle, and would cover at least 2 fiscal years of each local government, would be a more sensible place to draw the line.

Mr. WALKER. The gentleman will admit, having provided distinguished leadership on this program, that the 3-year period is not sacrosanct. In the early days we did in fact authorize the program for longer than 3-year periods.

□ 1800

And in fact during those periods of time, the program did not rise in cost as fast as it has under the 3-year authorization.

So it seems to me that we can make a good case, that one way of keeping costs down in the program is to have the period of time go a little bit longer. And that is all that the gentleman from New York is suggesting. And that is all the gentleman from Pennsylvania is suggesting.

Mr. JONES of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Oklahoma.

Mr. JONES of Oklahoma. I thank the gentleman for yielding.

I also disagree with the gentleman's argument and I do not see why general revenue sharing should be treated differently than community development block grant or UDAG or EDA, which have 3-year authorizations.

Just so that I understand the argument correctly, the gentleman from Pennsylvania is saying that he opposes the amendment so that you can do less for the cities if you support the Weiss position, is that it?

Mr. WALKER. The gentleman understands, I think, that the gentleman from New York has made the argument that the local governments have made, and, of course, they are interested in extending this out further. And I had said to the gentleman earlier that I thought that there was a conservative argument for it, too.

The gentleman from Pennsylvania is raising that more conservative argument which I thought spoke to the point raised by the gentleman earlier about uncontrolled Federal spending. I think this is a good way of controlling Federal spending a little bit. And if

that happens to gel with the gentleman from New York's argument, well, that may be a happy coincidence.

Mr. JONES of Oklahoma. I just think this is an historic event here today.

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

Mr. Chairman, I have been attempting to follow the argument of the gentleman from Pennsylvania. And I find it very difficult to do so. He seems to be arguing it is cheaper to fund this program for 5 years than it is 3 years. I cannot quite follow that.

I can recall when this program started. I recall the then Secretary of the Treasury, John Connally, who supported the program, coming up to the Hill and lobbying me as a member of the Rules Committee on three separate occasions before he finally convinced me to vote for this program. And it came out by one vote. It was not an overwhelming vote in the Rules Committee. As a matter of fact, it was not overwhelming in the beginning in the committee chaired by the gentleman from Texas (Mr. Brooks).

They sold me on this program by saying they were going to cut out some of these categorical grant programs and in lieu thereof come up with a program of revenue sharing without any strings attached for local government and our cities to spend as they wish.

What happened? They kept all of the categorical grant programs and now had revenue sharing as well.

So I was sold on this program in the first place by an argument which never came to pass. But I have supported it because they do spend the money more wisely at the local level than they do here at the Federal level.

But it just seems to me to commit ourselves for 5 years on this program, rather than 3, is a little bit ridiculous, when every time you go out there and read the wire service you find where somebody is saying something about, "the fear of high interest rates." And these high interest rates will come because the Federal Government is being forced to be out there borrowing and borrowing and borrowing more every single day and every single week. This cannot go on.

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

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

Mr. BROOKS. I thank the gentleman for yielding.

To my distinguished friend even the Members who are for this bill, most of them realize that 3 years is enough. How greedy can you get?

Mr. LATTA. Mr. Chairman, if I may reclaim my time, the gentleman said that, I did not.

Let me say that we have not had a 5-year period for revenue sharing at any time yet. We have had 3 years. And I think that we ought to continue it on a 3-year basis, rather than a 5-year basis.

Mr. BEVILL. Mr. Chairman, I rise in support of H.R. 2780, State and Local Fiscal Assistance Amendments of 1983, which would extend general revenue-sharing payments by the Federal Government for 5 more years.

I have seen first hand the benefits which general revenue sharing has brought to communities across our country. In the Fourth District of Alabama, which I represent, countless projects, which would have been impossible even to envision because of a lack of local funding, are today in place, benefiting residents because revenue-sharing funds were made available.

Improved fire protection, street repairs, water system extensions, additional police protection, and many other municipal services have received assistance through this program.

The concept behind revenue sharing is a valid one. The local government officials have more direct knowledge of the needs of their communities than do Washington agencies. These funds can be put to immediate use to solve pressing local problems without the nightmare of bureaucratic red-tape.

I continue to trust that America's local government officials have the ability and the desire to see that their communities receive every possible benefit from the tax dollars they receive and revenue sharing is an important source of funds to them.

I have been a consistent supporter of this fine program to return Federal revenue to county, city, and town governments, as well as States, under certain conditions, since the program was established in 1972.

I favored the reauthorization of this program in 1976 and again in 1980. And I am strongly supporting this year's amendments, which would continue it through 1988.

Included in the provisions of this new extension is a 16-percent increase over the 1983 level. This would compensate for the effects of inflation since the program was last reauthorized in 1980.

Unlike revenue sharing for county, city, and town governments, the State allocation would not be an entitlement, but would be an authorization, subject to the annual appropriations process here in the Congress. I am confident that if the national debt is sizably reduced, we can see fit to make these payments, totaling \$2.3 billion for fiscal years 1984 to 1988, available to the various State governments.

An improvement has been made in current law that requires State governments to forgo an equal amount of

Federal categorical assistance, should the Congress decide to appropriate the \$2.3 billion annually to the various States.

Although the current bill continues the existing allocation formulas, provision is made for a general study of this aspect of the general revenue-sharing program.

The Treasury Department is also directed to study alternatives to personal income tax, which is currently being used to calculate the taxing capacity and taxing efforts of the States and local governments.

While the other body has a bill which would only extend this program for 3 years, and not provide a sufficient increase to compensate for the inflationary effect on payments, I am confident this House measure is far superior and will pass.

At this time I would also like to encourage my colleagues in the House to pass this measure by a sufficient margin which will indicate to the other body the strong support here in the House for the provisions of H.R. 2780.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 202, not voting 5, as follows:

[Roll No. 306]

AYES—226

Akaka
Albosta
Andrews (NC)
Andrews (TX)
Anthony
Applegate
Archer
Badham
Bateman
Bates
Bedell
Bennett
Bethune
Billrakis
Billie
Boehlert
Boland
Boner
Brooks
Broomfield
Brown (CO)
Broyhill
Burton (IN)
Byron
Campbell
Carper
Chandler
Chappell
Chappie
Cheney
Clarke
Coats
Coleman (MO)
Conable
Conte
Cooper
Corcoran

Coughlin
Courter
Craig
Crane, Daniel
Crane, Philip
Crockett
D'Amours
Daniel
Dannemeyer
Daub
DeWine
Dickinson
Dingell
Donnelly
Dreier
Dwyer
Edwards (AL)
Edwards (OK)
Emerson
English
Erlenborn
Fascell
Fiedler
Fields
Fish
Ford (MI)
Forsythe
Franklin
Frenzel
Frost
Fuqua
Gekas
Gibbons
Gingrich
Glickman
Goodling
Gradison

Gramm
Gregg
Hall, Sam
Hammerschmidt
Hansen (UT)
Hartnett
Hatcher
Daniel
Hertel
Hightower
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jones (NC)
Jones (OK)
Jones (TN)
Kasich
Kemp
Kindness
Kramer
LaFalce
Lagomarsino
Latta
Leath
Lehman (FL)
Levitas
Lewis (CA)

Lewis (FL)
Livingston
Loeffler
Long (MD)
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Marriott
Martin (IL)
Martin (NY)
Mazzoli
McCain
McCandless
McCollum
McCurdy
McDade
McDonald
McEwen
McKernan
McKinney
McNulty
Mica
Michel
Miller (OH)
Minish
Montgomery
Moody
Moorhead
Morrison (WA)
Murphy
Murtha
Neal
Nelson
Nielsen
O'Brien
Obey
Olin

Ortiz
Oxley
Packard
Panetta
Parris
Paul
Pease
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Ray
Regula
Ridge
Ritter
Roberts
Robinson
Roemer
Roth
Roukema
Rudd
Sabo
Schaefer
Schneider
Schulze
Seiberling
Sensenbrenner
Shaw
Shumway
Shuster
Siljander
Neal
Sisisky
Skeen
Skelton
Slattery
Smith (NE)

Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
St Germain
Stangeland
Stenholm
Stratton
Stump
Synar
Tallon
Taylor
Thomas (CA)
Udall
Valentine
Vander Jagt
Vento
Vucanovich
Watkins
Weber
Whitehurst
Whitley
Whittaker
Williams (OH)
Wilson
Winn
Wirth
Wolf
Wortley
Wright
Wylie
Young (AK)
Young (FL)
Zschau

NOES—202

Ackerman
Addabbo
Alexander
Anderson
Annunzio
Aspin
AuCoin
Barnard
Barnes
Bartlett
Beilenson
Bereuter
Berman
Bevill
Biaggi
Boggs
Bonior
Bonker
Borski
Bosco
Boucher
Boxer
Breaux
Britt
Brown (CA)
Bryant
Burton (CA)
Carney
Carr
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conyers
Coyne
Daschle
Davis
de la Garza
Dellums
Derrick
Dicks
Dixon
Dorgan
Dowdy
Downey
Duncan
Durbin
Dymally
Dyson
Early
Eckart
Edgar
Edwards (CA)

Erdreich
Evans (IA)
Evans (IL)
Fazio
Feighan
Ferraro
Flippo
Florio
Foglietta
Foley
Ford (TN)
Fowler
Frank
Garcia
Gaydos
Gedensson
Gephardt
Gilman
Gonzalez
Gore
Gray
Green
Guarini
Gunderson
Hall (IN)
Hall (OH)
Hall, Ralph
Hamilton
Hance
Harkin
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Hawkins
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Hubbard
Jeffords
Jenkins
Johnson
Kaptur
Kastenmeier
Kazen
Kennelly
Kildee
Kogovsek
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Levin
Levine
Lipinski
Lloyd

Long (LA)
Lowry (WA)
Luken
Lundine
MacKay
Markey
Marlenee
Martin (NC)
Martinez
Matsui
Mavroules
McCloskey
McGrath
McHugh
Mikulski
Mineta
Mitchell
Moakley
Molinaro
Mollohan
Moore
Morrison (CT)
Mrzek
Myers
Natcher
Nichols
Nowak
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Oberstar
Ottinger
Owens
Pashayan
Patman
Patterson
Penny
Pepper
Perkins
Rahall
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Ratchford
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Richardson
Rinaldo
Rodino
Roe
Rogers
Rose
Rostenkowski
Rowland
Roybal
Russo
Savage
Sawyer
Scheuer

Schroeder	Studds	Waxman
Schumer	Sundquist	Weiss
Shannon	Swift	Wheat
Sharp	Tauke	Whitten
Shelby	Tauzin	Williams (MT)
Sikorski	Thomas (GA)	Wise
Simon	Torres	Wolpe
Smith (FL)	Torricelli	Wyden
Smith (IA)	Towns	Yates
Solarz	Traxler	Yatron
Spratt	Vandergriff	Young (MO)
Staggers	Volkmer	Zablocki
Stark	Walgren	
Stokes	Walker	

NOT VOTING—5

Hansen (ID)	Lott	Weaver
Hefel	Miller (CA)	

□ 1820

Messrs. DORGAN, WALGREN, ROGERS, PENNY, SWIFT, MARTIN of North Carolina, and SAWYER changed their votes from "aye" to "no."

Mr. HERTEL of Michigan changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any additional amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

AUTHORIZATION OF APPROPRIATIONS FOR ENTITLEMENTS

SEC. 3. Section 6703(b)(2) of title 31, United States Code, is amended by striking out "\$4,566,700,000" and inserting in lieu thereof "\$5,297,333,000."

AMENDMENT OFFERED BY MR. HORTON

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

The Clerk read as follows:

Amendment offered by Mr. HORTON: Page 2, beginning on line 14, strike out all of section 3 through line 17 and insert in lieu thereof the following:

AUTHORIZATION OF APPROPRIATIONS FOR ENTITLEMENTS

SEC. 3. Section 6703(b)(2) of title 31, United States Code, is amended by striking out "\$4,566,700,000" and inserting in lieu thereof "\$5,016,700,000".

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

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

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

Mr. SOLARZ. Mr. Chairman, during the budget debate this spring, I made, as one of my highest priorities, the adoption of an increase in funding for the revenue-sharing program, in my capacity both as a member of the House Budget Committee and as a member of the House-Senate conference on the fiscal year 1984 budget. As far as I am concerned, there are several compelling reasons for the continuation of this program which provides "no strings attached" dollars for the localities and, indirectly for State governments, as well.

Localities get money from three sources—local taxes, State aid, and Federal aid. Just as the recession and the Reagan tax cut have caused Federal revenues to decline, so have they adversely affected the fiscal condition of States and localities. Revenue sharing, in my judgment, represents the most effective and expedient approach by which we can provide a quick fiscal infusion for States and localities.

Periodically, groups such as the National Governor's Association or the National Conference of State Legislators provide Congress with a fiscal snapshot of State and city budgets. State budget balances, according to the National Governors Association, will reach an all-time low at the end of fiscal 1983. In fiscal 1983, the State balances are expected to total \$345 million and, if Texas is excluded, the remaining 49 States would be in deficit. Almost every State in the Union has a constitutional requirement for a balanced budget; thus, unless States receive additional Federal aid, tax increases and further service cutbacks will be the order of the day. Already, NCSL reports, 24 States have enacted tax increases this year; 27 States have cut spending; 18 States have engaged in massive layoffs of State employees; and, many others have placed limits on personnel hiring.

In essence, State budgets are beyond the point of being snare tight—they are broken; cutbacks are occurring; services are being reduced, and the quality of our constituent's lives are being threatened. In my judgment, revenue sharing represents one of the most potent and appropriate forms of recession relief this Congress can produce.

There are enormous unmet needs in the land.

A recent Conference of Mayor's survey showed that health, employment, and senior citizen services are the human services most widely cut because of reductions in Federal aid. From fiscal year 1981 to fiscal year 1983, city expenditures for these programs fell by 52 percent, 68 percent, and 12 percent respectively. And the conference reports that its membership could only meet 43 percent of the demand for emergency services in fiscal year 1982. Cities and counties have had to reduce sharply spending for construction and maintenance of infrastructure, the economic life support systems of our Nation. In fact, construction spending by State and local governments fell 9.4 percent in 1981 and 7 percent in 1982. A further decline is projected this year. We cannot delay making the kinds of needed investments in our Nation's economic future which infrastructure spending represents. Once again, we find that general revenue sharing is one of the most efficacious means by

which we can fund these kinds of projects.

Mr. Chairman, I congratulate again the chairman of the Government Operations Subcommittee on Intergovernmental Relations, the gentleman from New York (Mr. WEISS), who has proven himself to be a great friend of the urban areas of our Nation. This is an outstanding bill and I would urge my colleagues to give it their full support.

Mr. HORTON. Mr. Chairman, this is a very important amendment.

Mr. Chairman, the amendment I am offering is needed to bring this bill in line with the first concurrent resolution on the budget adopted by this Congress. I am offering this amendment on behalf of myself and Mr. JONES, chairman of the House Budget Committee. The Government Operations Committee reported out H.R. 2780 on May 11 of this year, in order to meet the Budget Act deadline on spending bills. At that time, only the House had completed action on the first budget resolution. In that House-passed budget resolution, there was with the proper budget function an allowance for an annual increase of \$800 million. On this basis, the committee reported a bill under this budget ceiling and increased the program by \$731 million per year for 5 years.

Since that time, action of the first budget resolution has been completed, and it allows for only a \$450 million increase in the program. My amendment would reduce the increase in H.R. 2780 to that level in order to bring it in line with the budget resolution. In other words, my amendment would reduce the increase from \$731 to \$450 million, so there is an increase, but it is only the amount that is included in the budget resolution that was adopted.

The administration has stated in the strongest possible terms its opposition to any funding increase.

Following my amendment, the gentleman from California (Mr. McCANDLESS) is going to offer an amendment to reduce my amendment to the present level of \$4.6 billion.

A letter to myself from OMB Director Stockman, which I earlier entered into the RECORD, unequivocally stated that he and the President's other senior advisers would recommend the President not sign the bill with the funding increase.

Yet, local officials across the country are faced with a very difficult fiscal situation brought on by the combined effects of recession and inflation. They correctly note that the funding level for the local share of revenue sharing has remained at \$4.6 billion since 1976. Since that time, the real value of that 1976 dollar has declined nearly 50 percent.

The funding increase permitted in the first concurrent resolution on the

budget of \$450 million per year in my judgment strikes a balance between these two positions. While not granting the increase that would be needed to fully compensate for the effects of inflation, it does provide for a very modest level of program growth.

I believe that my amendment meets, as best as possible, the competing interests of all interested parties and I urge Members to support my amendment.

Mr. JONES of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. HORTON. I will be glad to yield to the gentleman from Oklahoma (Mr. JONES), the coauthor of the amendment.

□ 1830

Mr. JONES of Oklahoma. Mr. Chairman, I thank the gentleman for yielding.

I strongly urge that this amendment be adopted.

Mr. Chairman, on some other amendments that will be offered to this legislation, I may be speaking on them, but it will be from a personal perspective or as a Representative of the First District of Oklahoma.

On this particular amendment, I speak from an institutional perspective as chairman of the House Budget Committee.

The general revenue-sharing program that is brought to the floor is over the limits set in the budget resolution which the House and the Senate adopted just a few weeks ago. It is over by nearly \$300 million.

This amendment, offered by the gentleman from New York and myself and others, will conform this legislation to the limits of the budget resolution.

This bill is a test of our willingness not just to make budget plans, but to implement them.

The CHAIRMAN. The time of the gentleman from New York (Mr. HORTON) has expired.

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

Mr. HORTON. Mr. Chairman, I yield further to the gentleman from Oklahoma.

Mr. JONES of Oklahoma. But to implement them in concrete individual spending decisions. I think the House can be proud of the record we have established so far this year in that every attempt to breach the budget ceilings has been defeated. We held the line on the amendment to eliminate the reform in Federal pension programs. That was defeated.

The excesses in the supplemental appropriations bill were defeated.

The housing authorization, which was over the limit, was brought back under the budget ceilings.

This is another opportunity for us to show not just rhetoric, but concrete

action that we are willing to live by a budget plan, live within the restrictions of those budget ceilings.

Mr. Chairman, I strongly urge that this amendment be adopted.

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

Mr. HORTON. I am glad to yield to the gentleman from New York.

Mr. WEISS. Mr. Chairman, I thank the gentleman for yielding to me.

I want to commend the gentleman and express my support of his amendment. Of course, there was no attempt to breach any budget ceilings. What the subcommittee and the committee did was to adopt the legislation initially within the framework and parameters of the first budget resolution as adopted by the House.

Since then, the budget resolution that was reported out of conference and adopted by the House was reduced to a \$450 million increase, where as originally it was \$800 million.

The amendment of the gentleman seeks to conform the bill to that existing figure and I support the gentleman in that effort.

Mr. HORTON. Mr. Chairman, I thank the gentleman for his support.

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

Mr. HORTON. I yield to the gentleman from Massachusetts.

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

I would like to associate myself with the gentleman's remarks, the remarks of the chairman of the Budget Committee and the remarks of my good friend, the gentleman from New York, the chairman of the subcommittee.

I chair the Task Force on Entitlements, Indexing, and Uncontrollables on the House Budget Committee. In the 3 years that I have served on that committee, it does not take a lot of investigation to understand the enormity of the problem in the entitlement area.

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

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

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

Mr. HORTON. I yield to the gentleman from Massachusetts.

Mr. DONNELLY. You need not serve on that committee very long to understand the enormity of the problem that we have in the entitlement area. In the decades of the seventies, from 1970 to 1980, entitlements have grown at a rate of over 450 percent.

From 1970 to 1982, the entitlement programs as a percentage of our total outlays have grown from about 30 to 50 percent.

Sooner or later this institution is going to have to deal with the enormi-

ty of that problem, the political reality of that problem.

Now, I understand very well the political reality of revenue sharing, but I think this is a test. It is a test of our willingness after all the speeches we give that it is so necessary for us to restrain Federal spending. This is one of the first tests that we have had since the passage of the budget resolution, whether this Congress has the will.

I congratulate my friend, the gentleman from New York, for presenting this amendment, and I congratulate my friend for supporting this amendment. I hope it is unanimously adopted.

AMENDMENT OFFERED BY MR. McCANDLESS TO THE AMENDMENT OFFERED BY MR. HORTON

Mr. McCANDLESS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. McCANDLESS to the amendment offered by Mr. HORTON: On line 4 of the matter proposed to be inserted by the amendment of the gentleman from New York, strike out "\$5,016,700,000" and insert in lieu thereof "\$4,566,700,001".

Mr. McCANDLESS. Mr. Chairman, the amendment I am offering would basically eliminate the increase in the entitlement portion of revenue sharing contained in the bill before us. H.R. 2780 increases local revenue sharing by \$731 million per year for each of the 3 years of its authorization. My amendment provides for only a \$1 annual increase in the program. This \$1 increase is to satisfy some technical, parliamentary requirements of the House.

I must oppose this increase, or for that matter, any increase for two basic reasons. First, all of us are keenly aware of the enormous deficits we are now facing. The recent midseason budget review, conducted by the Office of Management and Budget, showed projected annual budget deficits in excess of \$150 billion for the foreseeable future. For this Congress to add to that deficit by increasing the entitlement spending in this bill by over \$3.6 billion is financially irresponsible. If we cannot hold the line on spending and vote down this increase, we will be giving a dark signal to the financial markets that we are unwilling to take the tough actions to bring down the deficit. In this way, we will be voting to guarantee higher interest rates and possibly retard the economic recovery now underway.

There is another consideration to vote down this large spending increase. The President's senior advisers have said in the sternest possible terms that if this bill is presented for the President's signature and it contains any funding increase, they will recommend to veto it. If that happens, we will have turmoil on our hands,

with local governments unable to act on their own budgets. In the end, we may see the demise of revenue sharing.

The best thing this House can do, both in terms of fiscal prudence and to insure the continuance of this important program, is to support my amendment and pass a bill with the present \$4.6 billion funding level.

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

Mr. HORTON. I yield to the gentleman from Florida.

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

I rise in support of the amendment of the gentleman from California. I do so full well realizing that a number of my mayors and city councilmen and county commissioners have called. The argument that I present to them is that the bill before us presents a 16-percent increase for general revenue sharing. Since the inception of this program over the last decade, we have seen a level of funding of \$4.6 billion nationwide for this program.

I understand that local governments have less flexibility in raising revenue locally—the property taxes are relatively inelastic as a source of revenue. They have come to rely on revenue sharing as a source of revenue that is built into their budgets.

As a matter of fact, local governments are planning their budgets for next year and have counted on general revenue sharing of \$4.6 billion, or the same amount that they received last year.

Now, it seems to me that we are at a question of setting financial priorities. We must draw the line. In the face of \$200 billion deficits, and when the Federal budget is awash in red ink, we ought to draw that line.

In the alternative, were the amendment of the gentleman from California not to succeed, I would certainly support the amendment of the gentleman from New York and my chairman of the Budget Committee, the gentleman from Oklahoma, to keep it at the level of the budget resolution.

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

Mr. Chairman, I think we really ought to think a little bit about the basic concept of general revenue sharing as a program. It is not as if we in all of our largess as the Federal Government are giving people something that was the Federal Government's to begin with.

□ 1840

What we are doing is giving people back something which was theirs to begin with.

Need I remind this body that the revenues which we spend and expend come from people back in the localities? Since this program was adopted

in 1972 and the localities were authorized to receive these entitlements there has been one single \$200 million increase in 1976. The value of the program has eroded to the point where that \$4.6 billion is in fact worth \$1.9 billion in 1972 dollars.

There has been a 135-percent erosion in the value of that money.

What we attempted to do originally in the subcommittee and the committee was to provide for an increase to cover inflation since 1980 only, an amount of 16 percent, or \$733 million.

The gentleman from New York (Mr. HORTON) in order to come within the framework of the budget resolution, is now moving to cut that back to \$450 million, a 10-percent increase, almost reduced to half of the inflationary increase since 1980.

Since 1980 local governments have had their entitlements and their categorical programs cut back by estimates ranging from \$13 to \$40 billion. Half of the cities in the United States had to cut their job forces in 1982. Nearly three-quarters of them had to raise taxes in 1982.

It is not as if you are talking about giving money to those who are living in luxury. What we are doing in this situation is not even keeping pace with inflation since 1980.

To adopt the amendment of the gentleman from California (Mr. McCANDLESS) is in fact to demonstrate our total disregard of our people and our communities back home who are struggling to be able to provide basic services to their constituencies which are also our constituencies.

I would urge a defeat of the amendment offered by the gentleman from California.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words and rise in favor of the McCandless amendment.

Mr. Chairman, we heard a lot of good arguments here a few minutes ago about why we need to do something about capping uncontrolled Federal spending. Here is a good place to place the cap.

We can place the cap right at the current funding level at \$4.6 billion by adopting the McCandless amendment. It is the responsible route to go.

There is no doubt that the local governments that came in and appeared before our subcommittee made it quite clear that they would like the additional money. Sure they would. No doubt about it.

However, they also made it rather clear in most instances that they could survive on the present funding levels, that what they really wanted was reauthorization of this program and to continue the funding flow at something approximating present levels.

That is what we can do with the McCandless amendment. We can assure that we do not add on to the

deficit, that we can assure that we continue this very worthwhile program, but we do it at a responsible funding level.

So I would hope that the Members would support the gentleman from California, Mr. McCANDLESS, in his effort to limit the spending in the upcoming 3 fiscal years to \$4.6 billion.

I yield back the balance of my time.

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

Mr. Chairman, I understood the need for the amendment offered by the gentleman from New York, the ranking minority member of the committee, Mr. HORTON. I think it was a useful move and I hope the House will proceed to act on it.

But I think the additional amendment offered by the gentleman from California (Mr. McCANDLESS) is a mistake. As the chairman of the subcommittee (Mr. WEISS) pointed out, the figure that we would be at, if the gentleman from New York's amendment were adopted unchanged, would be the budget figure. So it is a figure which we have been using in our estimates of the deficit.

The question then, it seems to me, is of the various and competing claims for Federal expenditure, how much do we think of those that are made by the people who live in our urban and rural government areas, because these are not funds which in my judgment go as gifts solely to the Government. They go I think to purchase services.

My own sense is, as I look at how money is spent by the various levels of government, that the local governments, the counties, the recipients of these revenue-sharing funds, spend them at least as well as we spend ours.

I know one is supposed to believe in the inherent superiority of whatever level of government one happens to be serving in at the moment, but I do not think objectively a case can be made that we spend the money so much more sensibly at the Federal Government level that it is somehow irresponsible to make this available to local government.

Indeed, at times like this I think local governments have done an important job, for instance, in trying to provide employment for a wide range of people and they provide a level of services. Local governments do not do the more interesting and controversial and exotic things. They do police service, they do fire service. They do sanitation. They do things about which there is a broad consensus.

Obviously we do not want to see money spent unnecessarily. But I think sometimes analogies are helpful.

Let us not think of this just as revenue-sharing programs. Let us think of it as something we would call the TIK program, or taxation in kind, in which

we would send back to local governments some revenues so that they would not engage in taxation at the local level.

Then I would simply propose that we let the TIK program grow at the same rate as the PIK program, or even that we let it grow at one-quarter of the rate of the PIK program.

My point is those who have been voting enormous amounts of money in a very short period of time to give people cotton so that they would not grow cotton, so that we can give them back the cotton that they did not grow in the first place, it seems a little bit hard on the cities and the people who are living in the cities, and the counties, and the people who live there to say that we are going to begrudge them the figure that was voted in the budget for police services, fire services, and other services.

I would agree with the gentleman from New York that we ought not to be exceeding the budget figure. But to say that there should be no increase at all in the amount of money that we provide out of the Federal taxation pot to help with the services that are provided locally seems to me unjustified.

The level of taxation is only one question. The other is the type of taxation.

As you look at the kind of taxes that are leveled in this society, I think the Federal income tax, with all of its problems, is still preferable from the standpoint of equity, efficiency, impact on the economy, to the kind of taxes that many local governments have to raise.

The question is: Are we prepared to be cooperative to the extent that the budget resolution proposed?

It is a relatively small increase that we are offering in the bill as voted out by the committee to the local governments. The amendment offered by the gentleman from California would say that the local governments do not get an extra penny, that other areas of the Federal Government will increase and increase and increase and increase, but we would not vote an extra penny of Federal taxes to help local communities with police services, fire services, education.

I will close with this. With all of the talk we have about helping education, and obviously money alone is not the answer, but neither is its absence, general revenue sharing, adequately funded with the minimal increase over the past years that this bill has, will in fact I think provide more money to help educate children than anything else that we are talking about doing this year.

So I hope the amendment of the gentleman from California will be defeated and the underlying amendment offered by the gentleman from New York will be before us.

Mr. SOLOMON. Mr. Chairman, I move to strike the requisite number of words and to speak for the amendment offered by the gentleman from California (Mr. McCANDLESS).

The first thing I want to do is commend the gentleman from New York (Mr. HORRAN) for the excellent job that he has done in bringing this bill to the floor, because the truth of the matter is revenue sharing is one of the finest Federal programs that we have ever had. It is truly a New Federalism program that President Reagan has been selling right from the very beginning of his administration when we talk about block grants with no strings attached. That is what it is.

I speak as a former town supervisor, as a former county legislator, a former State legislator, and the program is a good, working program.

Second, I want to commend the gentleman for offering his amendment to cut back on the increases to the level of the budget which passed this House.

But with all due respect to the gentleman from New York, we still are increasing spending by more than half a billion dollars over last year's level. Ladies and gentlemen, we just do not have that money.

When I was just a young boy I could recall reading about Everett Dirksen, the leader in the other body, saying that, "You know, we talk about a million here, a million there, and pretty soon we are talking about a lot of money." You know that we do not talk about millions here on this floor anymore. We talk in billions and billions and half billions, and this is another half billion increase.

I can recall back in 1980 when we debated at great length whether or not to continue State revenue sharing. At that time, I think there was one State that had a deficit and all of the rest of them, including New York State, where I come from, had surpluses of one kind or another.

At that time we decided because of the deficits that the Federal Government was running and because of the accrued deficit that we had built up over the years that we did not have any surplus to give to the States at that time, and we did away with it.

I do not think we ought to do away with local revenue sharing at the local levels because I think it is a valuable program. But the truth of the matter is we cannot afford to increase this by a half a billion dollars.

□ 1850

I hear people come in this well and they say well, you know you can blame these huge deficits on Ronald Reagan. Well, you know if it were up to Ronald Reagan we would cut spending and that would be the third leg of Reaganomics that we have not been able to cope with. Let us look at Reaganomics

for a minute, because we do not hear about it anymore. We used to hear tirades on this side of the aisle every day until it started to work. Because all Reaganomics was just three things; it was cutting taxes and pumping money back into the private sector and into the pockets of the people so they could either spend it or save it and either way it was good, because if they spend it, it created demand for goods, which created jobs; if they saved it, it made investment capital available so that small businesses could thrive in this country and create jobs. You know cutting those taxes worked. Then cutting spending. We did, we did not cut back on any Federal programs; of all the 300 Federal programs all we did, back in 1981, was stem the growth of those programs and that worked. And the third leg of the Reaganomics was regulatory reform and we have lived up to that too, because whereas American business and industry used to be saddled with more than \$100 billion in administrative redtape, we managed to reduce that Federal Register from a foot thick to about half of that and that means we have relieved business and industry of \$25 billion of regulations that were unnecessary, duplicative, or that we just could not afford. So, the truth of the matter is if we want to see this recovery continue, we have to continue controlling the growth of spending. I represent a rural district in America, the district is 220 miles long, approximately 11,000 square miles, with hundreds of towns and villages and a lot of counties.

And I am willing to go back home and tell them, listen, I know you have a need for money but we cannot reduce the deficits as long as we keep adding a half billion dollars here and a billion dollars there to the uncontrollable deficits we already have and, ladies and gentlemen, that is what we have done with every single authorization and appropriation bill that has come before this House and will come before this House between now and September 30 regardless of that budget resolution which already calls for increases throughout the entire budget.

So, I appeal to you, stand up, you can talk to your people back home. Let us be fiscally responsible and let us make the third leg of Reaganomics work, controlling the growth of spending, then everybody in this country will prosper.

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

Mr. Speaker, I was not going to speak on this amendment but in response to some of the other comments I would like to say a few words. I am a former city councilwoman and I know in my area and other areas around the

country the kinds of issues that people really relate to, issues that my friend from Massachusetts mentioned; that is the issue of safety. People were always asking for more police protection, for more fire protection in those areas.

These are the kinds of programs that relate to general revenue sharing. Our areas do not have enough of the resources to provide the necessities that our people need.

So no other program really provides as intimately and as specifically as the kinds of programs that evolve from revenue sharing.

And I think the American people want our tax dollars to be spent in those kinds of methods.

And I heard my friend, the previous speaker, just talk about where are we going to get half a billion dollars? Well, I can tell you where. Why do we not just go after some of the cost overruns in the Defense Department? I never hear too much about the cost overruns. One project that I recall mentioning on the floor last year was the helicopter project that had a cost overrun of \$4.6 billion. Nine times more than the amendment of the gentleman from New York.

There are moneys available and there are areas where we can get the half billion dollars if we are reasonable. I honestly think, that the American people would rather have more police protection, more fire protection, than giving some lucrative defense contract to a large corporation or, indeed, a foreign country which is where 10 percent of the contracts for defense go to. This is something that relates to the average American. We ought to increase these funds. We ought to say, "Here are some funds that you can actually, visually, and specifically take advantage of" and this is why revenue sharing is so important to our local communities.

It seems to me, when one is here in Washington one loses sight of the immediate needs of the people back home. I hope we do not lose sight of what our American people's needs are. There is really a cry for more safety, more of the programs that our cities and our rural areas can give to their people. So, let us not cut them off, let us really try to give our people what they specifically want and that is what revenue sharing is all about.

And let us cut the budget, let us really get into balancing the budget. Let us cut down on the defense contracts that have cost overruns, let us say "you cannot spend more for weapons than they should cost" and let us cut down on giving all the tax breaks to the rich. That would really relieve our budgetary and deficit difficulties. We all know that.

So, let us not pretend that this revenue-sharing amendment, the original amendment is really responsible for the deficit that we have. The amend-

ment by the gentleman from New York does not add to the budget resolution which we passed. It conforms to it.

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

Mr. Chairman, when revenue sharing was first initiated in this House there were proposals for both general revenue sharing and special revenue sharing. I supported the concept. I made the comment at the time, however, that we were building into the whole system an automatic lobbying effort from around the country, from State governments all the way down to the lowest level of government, on behalf of a perpetuation of the program. That is well and good. Now we are at the juncture, however, where we have to make a decision as to whether or not all these different levels of government are in better financial shape as a block than the Federal Government. And I submit today that the Federal Government is in a lot worse shape than every other level of government out there. And when township officials came to me earlier in the year asking whether or not revenue sharing would be extended, my judgment call was "Yes, it will be, but do not get too greedy and ask for too much because we have much more of a financial problem than you all do and we do not need to subject ourselves to a Presidential veto," or some other impediment to the program.

So, I urge support for the McCandless amendment, which would in essence continue the current level funding for the next 3 years.

We all know that many localities are having difficulties making ends meet. So are many States. But the one level of government having the most difficulty, by far in this regard is the Federal Government.

We are thus certainly in no position to be bailing out other levels of government. When we are facing deficits of upward of \$200 billion ourselves. We are already seeing interest rates edging up again as a result of these deficits. If we continue to spend as if there is no end in sight, we will virtually guarantee continued high interest rates and an early end to economy recovery.

The States and localities are in the straits they are in today because of the recent recession. The best way to improve their financial condition is through continued economic recovery and lower interest rates.

We do the localities far more good by insuring continued economic recovery rather than by parceling out a few more goodies from the Federal gravy train.

The committee revenue sharing bill will increase Federal expenditures by \$2.1 billion over the next 3 years. The

congressional budget resolution level will result in increases of nearly \$1.4 billion over that timeframe. Both increases are far too much.

When States and localities face a financial crunch, they find ways to cut spending, often to the bone. Why is it that we cannot do the same thing? We cannot even seem to limit spending to current levels.

It is time to get our house in order, just as the States and localities are getting their houses in order. The McCandless amendment would help us do that, and should be adopted. Failure to effectively restrain Federal spending and reduce these horrendous deficits will only lead to a repetition of our recent experience.

I trust that no one wants to go down that path again.

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

Mr. Chairman, since coming to this body several months ago, I have become convinced, that the No. 1 threat to the future of our country is the size of our national deficits. I would just point out that it seems as we progress in our deliberations that little is done to really approach the problem on the spending side. I know and I think the majority of the Members of this body know that if we are going to be serious in dealing with the deficit problem, at some point we are going to have to deal with not only the spending side but we are also going to have to deal with the revenue side. Tonight I think we have the opportunity to put about \$450 million in the bank in our effort to deal with the spending side. I would also point out that as I traveled around my district the common comment that I received from locally elected officials was that they were not expecting more money, they were just asking how much less money they were going to receive.

□ 1900

I would submit to my colleagues that if we in fact are able to provide them with the same level of funding they received last year, they will be satisfied and understand that we all must contribute to the solution to our budget crisis.

Beyond that, I would say that the choices we have to make, if we are going to deal with the deficit problem, are not easy choices. They are indeed hard choices. And the choice this evening, I would submit, is not the choice between whether we increase revenue sharing, but rather, whether we are going to be able to take this \$450 million and fund some of the desperately needed programs that we are going to have to deal with later on. Perhaps health insurance benefits for the unemployed. These are the kind of

tough choices we have to make. Where else can we cut to fund those programs we have to fund in this time of deep recession.

So, Mr. Chairman, I would strongly urge that my colleagues exercise this opportunity to put \$450 million in the bank, so that it is available to meet our needs later on and at the same time reduce the desperate deficit situation that our country is facing.

Mr. BARTLETT. Mr. Chairman, I rise in support of the McCandless amendment.

Mr. LOWERY of California. Mr. Chairman, will the gentleman yield?

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

Mr. LOWERY of California. I thank my colleague from Texas for yielding.

I thank the gentleman from California for his amendment.

As a member of the committee and a former county supervisor from Riverside, California, I have just a couple of questions of clarification.

I understand that under current law local governments may spend funds for any purpose which is a permissible use of the government's own funds when its laws and the laws of its State as long as it corresponds to those requirements; is that correct?

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

Mr. LOWERY of California. I yield to the gentleman from California.

Mr. McCANDLESS. I thank the gentleman for yielding.

In my 12 years in county government, that is correct.

Mr. LOWERY of California. So the funds are not required by law to be earmarked for any specific purpose.

Mr. McCANDLESS. That is correct.

Mr. LOWERY of California. Nor is there any predescribed or prescribed set percentage of funds received required to go for any specific purpose?

Mr. McCANDLESS. That is correct.

Mr. LOWERY of California. I thank the gentleman for this colloquy.

Mr. McCANDLESS. I thank the gentleman.

Mr. BARTLETT. Mr. Chairman, I rise in support of the McCandless amendment. I am not a member of the committee, but I am a former member of a city council. And I understand, as many do in this country, the effectiveness of general revenue sharing at the city and county levels. But I also understand the devastation of negative revenue sharing: The negative revenue sharing of double-digit inflation and interest rates that are so high that cities cannot sell their bonds in order to build their infrastructures.

I rise in support of the McCandless amendment, Mr. Chairman, because that would continue general revenue sharing at a level funding, at predictable funding. The fact is that the most generous revenue sharing this House could pass would be a stable Federal

budget, and a Federal budget under control to eliminate the erosion that another Member spoke of, that erosion in spending power that is caused by inflation, and by interest rates, that during the late 1970's and early 1980's, were so high that cities could not operate and could not rebuild their infrastructures.

The point is, the most effective general revenue sharing we could pass is a balanced Federal budget. The further point, as the gentleman from California stated so eloquently, and I commend the gentleman, is that in fact an increase in revenue sharing is not likely to become law. And so for this House, for those of us who are for revenue sharing, we should vote for the McCandless amendment. And if we are against negative revenue sharing of inflation and interest rates that cripple cities far more than we can help them, we should vote for the McCandless amendment.

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

Mr. Chairman, I think what we are really talking about here is not funding at the same level. Let us be honest. If we are talking about giving the same amount of money that they received in 1980, we are talking about a cut. We know that inflation has taken place. This committee had hearings across this country, the various county execs were saying that they were having a very difficult time. In 1980 the States did not have the problem that they have now. Almost every State in the United States has a deficit.

So it points out that they are struggling.

The money is being used to bring about more police, more firemen. We are talking about safety. And to sit here in this room and act like we are not talking about people, we are talking about money that is going to be used to help people, I find that our priorities are upside down.

I am also concerned about budget cuts. I am also concerned about saving money. But I do not think this is the route to go. There are other things that we can do to cut the deficit.

As my colleague from Ohio mentioned earlier, talk about the Defense budget. That is an area you can go and get some of that money back. But we are not talking about that. We are talking about saving lives and helping people, then for some reason or another we talk very loosely about it. I would hope that you would give revenue sharing the same support that the Defense budget received.

I am hoping that we do not make the same mistake that we have made so many times in this House. We made a mistake early on and now we have a chance to correct it now, we have a chance to support the Horton amend-

ment and I suggest that this is the route to go to make certain that municipal governments will be able to continue to function and the lives of people will not be put in jeopardy.

So I hope the Members in this House and everybody of good will will come forward and support the Horton amendment and not the McCandless amendment.

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

Mr. TOWNS. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. I thank the gentleman for yielding.

I want to congratulate the gentleman on the statement he just made. I respect very much what the gentleman had to say on the other side of the aisle when one gentleman mentioned he had served in county government, the other member said he was a city counsellor. And I have the greatest respect for those who serve at that level of government. I also served as a mayor for six terms in a city of 50,000 people. And a known fact is that out of the 50 States, 42 States presently are now contemplating raising taxes to meet some of their problems on that level.

So I want to align myself with the gentleman's statements that he has made and in support of the gentleman's statement.

Mr. TOWNS. I thank the gentleman.

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

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

Mr. WEISS. I thank the gentleman for yielding.

Mr. Chairman, I, too, want to commend the gentleman for an excellent statement. And in regard to his comments about the Department of Defense and its funding, it is fascinating to note that here we are trying to get only a portion of the inflationary increase since 1980 and the argument is made that that is increasing the funding for revenue sharing.

When we hear of increases in the Department of Defense funding, however, it is not keyed to keeping pace with inflation. Instead we are told "This is only a 6 or 8 percent increase above inflation."

It seems to me that we ought to have some concern about how we deal with the lives of the people in our communities back home. If my colleagues have not noticed lately, things are getting tough back here.

I thank the gentleman.

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

Mr. Chairman, I support the amendment of my friend, the gentleman from California [Mr. McCANDLESS]. The amendment would return funding

for local governments from general revenue sharing to its current level of \$4.567 billion per year. Not just a penny or two, that is a pretty good sum. I certainly would prefer a funding level for revenue sharing a little bit lower than \$4.567 billion. About \$4.567 billion lower would just suit me fine.

But if we are going to reauthorize this program, it does not seem too much to ask the local governments to get by on the same amount of windfall that they have been receiving for the past 7 fat years.

Sacrifices are being demanded of all segments of our society as the Federal Government attempts to put its budgetary house in order. We are asking our elderly to forgo cost-of-living increases. We are cutting back on social and health programs for the neediest of our citizens.

In the light of these fiscal realities, it does seem to me that our local governments could do their part by receiving only the \$4.567 billion that they currently receive instead of a larger, even more unjustified amount.

I urge my colleagues to support this amendment.

Mr. LEVIN of Michigan. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, some serious points have been raised here and I would like to address them briefly.

First of all, there has been reference to the budget and to the budget deficit. As has been emphasized here, this increase is included within the budget resolution passed by this House.

□ 1910

And I think that should be taken into account by everyone who votes on this matter, whether they were for or against the budget resolution.

The budget resolution provided for a deficit lower than that presented through the administration's budget.

Second, I would ask: Why renew it at its present level? Why not, if you want to cut the budget, have the courage of your convictions, if you want to cut it this way, and move to reduce it to \$3.6 or to \$2.6 billion.

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

Mr. LEVIN of Michigan. I yield to the gentleman from California.

Mr. McCANDLESS. Mr. Chairman, let me share with the gentleman a couple of thoughts, as a fellow who worked very hard in county government full time for 12 years.

All of the budgets have been put to bed in California currently, to the best of my knowledge—at least in my district they have—based upon the assumption that the Federal Government will fund the current program at the current level and that there would

be no further cutbacks on that particular program.

There is no illusion of grandeur on the part of anyone in local government in the State of California that the big brother on the Potomac is going to come up with another bag of gold over and above that that he already has.

So I leave that with you for whatever thought value it may have.

Mr. LEVIN of Michigan. Mr. Chairman, I appreciate the comment of the gentleman from California. As someone who was in county government for a few years, I understand that the budget process works that way. But then cut it not for this fiscal year, but the next, if this is not an important item. Say \$4.6 billion this year and \$3.6 next year.

I think the truth of the matter is that this is an important program. And all that this increased amount provides for is some reflection of inflation. All we will be doing is supporting local government in the next 3 years at the same level, in terms of real dollars, as in previous years—actually less, when you take into account inflation over the years.

The last point—and I think all of these have been raised seriously and deserve consideration—relates to the so-called negative revenue-sharing argument.

My colleague, the gentleman from Texas, has mentioned that, and I very much believe in his dedication to the importance of local government. But if you are going to compare deficits, it seems to me that it is only fair to take into account what has happened to State and local governments these last few years. We are not renewing revenue sharing in 1983 in the same circumstances as it was renewed several years ago. And that factor has been mentioned by several people earlier.

And let me just elaborate a bit: Of the 50 States, 47 are experiencing revenue shortfalls totaling \$7.9 billion below their budget estimates. During 1982, 14 States raised the personal income taxes; 14 raised their sales taxes; 6 increased their corporate income taxes; 12 increased their motor fuel taxes, et cetera, et cetera.

So I would urge that we defeat this amendment. If we believe in the vibrancy and the importance of local government, we should put them at least next year and the 2 years thereafter in the same position, in terms of real dollars, as they have been the last few years, or at least something close to it. This is not a profligate sum we are suggesting, and I heartily urge all of my colleagues to vote in favor of this modest increase and in opposition to the amendment of the gentleman from California.

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

words, and I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to this reduction of funding revenue sharing payments to local governments to the current level.

In West Virginia we are facing unemployment at more than 17 percent, so the local governments can ill afford the reduction at this time.

Also, I would like to point out that what revenue sharing does—at least in West Virginia—is to help to supplement existing programs. It does not go just for Federal programs, but it does help to supplement these programs. Also, it does allow for discretion at the local level, which I think is an important function.

Mr. Chairman, there can be no doubt that over the past 11 years revenue sharing has provided the local governments with critically needed funding. But still, over the same period—I know it has been pointed out here earlier—the purchasing power of the grants has decreased by 135 percent as a result of inflation. The increase that we are now considering will help to restore the purchasing power which has been lost since 1980, and I think that is also important at the local level.

Across West Virginia's Second Congressional District, with which I am most familiar, revenue sharing has continued to provide local governments with the means of insuring essential community services. For instance, Mr. Chairman, the law enforcement agencies funded with revenue sharing insure that my citizens are safer, the local health services made a reality by revenue sharing insure health care for those who would be otherwise unable to care for themselves. Also, Mr. Chairman, revenue sharing grants invested in human resources insure the well-being of the elderly of West Virginia, who, in the wake of the worst recession, will be able to take care of themselves.

So, Mr. Chairman, I do speak in opposition. I think that we do need to cooperate with the local governments. As a former State official, I know that that cooperation from Washington is very important.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

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

Ms. OAKAR. Mr. Chairman, I want to commend the gentleman for his remarks. I feel the gentleman has poignantly related the problems in West Virginia, which really mirror the problems in so many areas of the country. I would like to just reiterate one point that the gentleman from Michigan just made, which I think bears repeating, that the amendment offered by the gentleman from New York [Mr. HORTON] does not exceed the budget

resolution. It is within the budget that we passed. So all the rhetoric about this exceeding funds, and so forth, is really not quite true. The gentleman's amendment does not exceed the budget resolution. What it does specifically is come up to the budget resolution. That is the spirit of why we passed the budget resolution.

Mr. STAGGERS. I thank the gentleman for her comments. I do think that is an important point, because it does go back to the budget resolution. I think that the importance of revenue sharing to the local communities, the rural communities, is a very important element.

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

Mr. Chairman, I realize we are getting to the end of the debate on this amendment, and probably all that needs to be said has been said. But I would like to reiterate at least a couple of points.

First of all, as to myself, I was a reluctant supporter, in the beginning of revenue sharing. I was not sure it would work out. I thought there was some credibility to the argument that we did not have revenue to share from the Federal Government, and I just did not know how it would work when it got to the State and local level. But I have to confess that it has worked better than I thought it would. It is a good program, and I support it. I certainly like the idea that it is one of the few programs where whatever money we do send back home, it goes, basically, without strings, and the local people can have hearings and decide where this money is to go without direct instructions from the Federal Government.

However, I have heard a lot of gasps in this city, in the media and on both sides of the aisle about the deficit, the need to do something about it, but the only suggestion I hear in trying to really deal with the deficit is to cut it all out of defense. We cannot get it all out of defense. Nobody wants to cut any program. We do not want to cut education, we do not want to cut transportation, we do not want to cut water programs, we do not want to cut anything—we want to increase them.

In this instance, all this amendment says is: Let us just hold it at the level that it was funded last year.

As the gentleman from Texas, the chairman of the committee, so eloquently stated, we are talking about \$4.567 billion here. It is not chicken-feed.

And I, too, have spoken to my elected officials, and they say, "Do not cut out revenue sharing." I respond, "It is not going to happen. But you may have it level funded." They say, "That is OK, we can live with that."

So here is an instance where the officials already recognize they may not get an increase. It is a minimal saving in a program that fundamentally is one we support. And I remind the Members that it was a Republican initiative that started this program. It is the type of program we like, but we cannot stand here and say we have got to cut other programs, we have got to deal with the deficits in these other areas and not be willing to do it minimally, just level funding, in a program that we like.

□ 1920

I urge my colleagues for a variety of reasons, not only because it is meritorious, but to avoid problems down the road, to support this level-funding amendment.

Mr. WALKER. Mr. Chairman, will the gentleman yield briefly?

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

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, I just want to make the point that the Horton amendment, while it does come very close to being at the budget level, is slightly above the budget level. It is, in fact, \$4 million more than the specific budget level, so the statement that was made that it is within the budget level, it is about \$4 million more.

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

Harking back to the remarks of the previous speaker from West Virginia, who I think eloquently stated the problems both in our State and in the third district, I would just like to add something.

I have heard some remarks about fat years for the States. I have heard something about no tax effort, something about how the States and local governments and country governments have not really been doing the work themselves and are not cutting the mustard.

I would just like to continue a little bit with what has been happening in West Virginia. For instance, we now stand as one of the States with the highest personal income taxes per thousand dollars of income of any State in the Nation. We are at least up to and usually excelling any of the taxes that people traditionally pay. Our State legislature in the last session enacted \$155 million worth of new taxes.

The public employees in our State, and teachers, have not gotten a pay raise in 2 years. It is questionable whether they will get one next year. We now have public employees' salaries for teachers 48th in the country, for public employees 50th in the Nation.

So I say to you that we have a high tax effort and diminishing resources. Somebody said, "Well, you are not making enough of an effort." Well, it has been a hard time. Oh, and I forgot also the highest unemployment in the Nation, and while it is running 17 or 18 percent statewide, in 7 of my 14 counties that I represent it is now over 30 percent.

So I say revenue sharing and the very modest increase that this amendment would strip us of is desperately needed. A 135-percent increase in cost-of-living expenses in the past few years, and yet no increase in revenue sharing. Therefore, I would urge rejection of the gentleman's amendment.

Mr. WILLIAMS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WISE. I certainly yield to the gentleman from Ohio.

Mr. WILLIAMS of Ohio. I thank the gentleman for yielding.

Mr. Chairman, if the gentleman liked the proposed increase in revenue sharing, he is going to love the Williams amendment.

Mr. WISE. I really like that Williams amendment and am looking forward to speaking on that.

I would just like to finish one other part. I heard a while back someone say, "You do not hear much about Reaganomics on the other side of the aisle." I think I have just given you a nice recitation on Reaganomics. But I would just like to say I do not hear much about that balanced budget from the other side of the aisle.

So while we are talking about not hearing much about Reaganomics, I would like to hear why the budget is not balanced since you have gotten the spending cuts you needed, you have gotten the tax decreases that you desperately wanted, you held onto the third year of the tax cut. How come it ain't gravy, fellows?

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

Mr. WISE. I will be happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, I asked the gentleman to yield so a correction could be made here.

The figure that I cited earlier, evidently one figure was rounded off and the other figure was not. The Horton amendment does, in fact, come in right at the budget figure, and I did not want my previous statement to stand on the record.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. McCANDLESS) to the amendment offered by the gentleman from New York (Mr. HORTON).

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

RECORDED VOTE

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

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 176, noes 248, not voting 9, as follows:

[Roll No. 307]

AYES—176

Andrews (TX)	Gramm	O'Brien
Anthony	Gregg	Obey
Archer	Gunderson	Olin
Badham	Hall, Sam	Oxley
Bartlett	Hansen (UT)	Packard
Bellenson	Hartnett	Panetta
Bennett	Hightower	Parris
Bereuter	Hiler	Patman
Bethune	Hillis	Paul
Billrakis	Holt	Pepper
Billey	Huckaby	Petri
Brooks	Hughes	Pickle
Broomfield	Hunter	Porter
Brown (CO)	Hutto	Pritchard
Broyhill	Hyde	Quillen
Burton (IN)	Ireland	Ray
Campbell	Jacobs	Regula
Chappell	Jenkins	Ritter
Chapple	Jones (OK)	Roberts
Cheney	Kasich	Robinson
Clarke	Kemp	Roemer
Coats	Kindness	Rostenkowski
Coleman (MO)	Kramer	Roth
Coleman (TX)	Lagomarsino	Rudd
Conable	Latta	Sawyer
Conte	Leach	Schaefer
Corcoran	Leath	Schroeder
Courter	Lehman (FL)	Schulze
Craig	Levitas	Sensenbrenner
Crane, Daniel	Lewis (CA)	Sharp
Crane, Philip	Lewis (FL)	Shaw
D'Amours	Livingston	Shumway
Daniel	Loeffler	Shuster
Dannemeyer	Long (MD)	Siljander
Daub	Lott	Skeen
DeWine	Lowery (CA)	Slattery
Dickinson	Lujan	Smith (NE)
Dingell	Lungren	Smith, Denny
Dreier	Mack	Smith, Robert
Duncan	Madigan	Snyder
Edwards (AL)	Marriott	Solomon
Edwards (OK)	Martin (IL)	Spence
Emerson	Martin (NC)	Stenholm
English	McCain	Stump
Evans (IA)	McCandless	Taylor
Fascell	McCollum	Thomas (CA)
Feighan	McCurdy	Valentine
Fields	McDade	Vander Jagt
Ford (MI)	McDonald	Vucanovich
Forsythe	McEwen	Walker
Franklin	Mica	Watkins
Frenzel	Michel	Weber
Fuqua	Molinaro	Whitehurst
Gekas	Montgomery	Whittaker
Gibbons	Moorhead	Winn
Gingrich	Myers	Wirth
Glickman	Neal	Wolf
Goodling	Nelson	Young (FL)
Gradison	Nielson	

NOES—248

Ackerman	Boner	Coughlin
Addabbo	Bonior	Coyne
Akaka	Bonker	Crockett
Albosta	Borski	Daschle
Alexander	Boucher	Davis
Anderson	Boxer	de la Garza
Andrews (NC)	Breaux	Dellums
Annunzio	Britt	Derrick
Applegate	Brown (CA)	Dicks
Aspin	Bryant	Dixon
AuCoin	Burton (CA)	Donnelly
Barnard	Byron	Dorgan
Barnes	Carney	Downey
Bateman	Carper	Downey
Bates	Carr	Durbin
Bedell	Chandler	Dwyer
Berman	Clay	Dymally
Bevill	Clinger	Dyson
Biaggi	Coelho	Early
Boehlert	Collins	Eckart
Boggs	Conyers	Edgar
Boland	Cooper	Edwards (CA)

Erdreich	Lowry (WA)	Russo
Evans (IL)	Luken	Sabo
Fazio	Lundine	Savage
Ferraro	MacKay	Scheuer
Fiedler	Markey	Schneider
Fish	Marlenee	Schumer
Flippo	Martin (NY)	Seiberling
Florio	Martinez	Shannon
Foglietta	Matsui	Shelby
Foley	Mavroules	Sikorski
Ford (TN)	Mazzoli	Simon
Fowler	McCloskey	Sisisky
Frank	McGrath	Skelton
Frost	McHugh	Smith (FL)
Gaydos	McKernan	Smith (IA)
Gejdenson	McKinney	Smith (NJ)
Gephardt	McNulty	Snowe
Gilman	Mikulski	Solarz
Gonzalez	Miller (CA)	Spratt
Gore	Miller (OH)	St Germain
Gray	Mineta	Staggers
Green	Minish	Stangeland
Guarini	Mitchell	Stark
Hall (IN)	Moakley	Stokes
Hall (OH)	Mollohan	Stratton
Hall, Ralph	Moody	Studds
Hamilton	Moore	Sundquist
Hammerschmidt	Morrison (CT)	Swift
Hance	Morrison (WA)	Synar
Harkin	Mrazek	Tallon
Ritter	Murphy	Tauke
Harrison	Murtha	Tauzin
Hatcher	Natcher	Thomas (GA)
Hawkins	Nichols	Torres
Hefner	Nowak	Toricelli
Hertel	Oakar	Towns
Hopkins	Oakar	Traxler
Horton	Oberstar	Traxler
Howard	Ortiz	Udall
Hoyer	Ottinger	Vandergriff
Hubbard	Owens	Vento
Johnson	Pashayan	Volkmer
Jones (NC)	Patterson	Walgren
Jones (TN)	Pease	Waxman
Kaptur	Penny	Weiss
Kastenmeier	Perkins	Wheat
Kazen	Price	Whitley
Kennelly	Pursell	Whitten
Kildee	Rahall	Williams (MT)
Kogovsek	Rangel	Williams (OH)
Kolter	Ratchford	Wise
Kostmayer	Reid	Wolpe
LaFalce	Richardson	Wortley
Lantos	Ridge	Wyden
Lehman (CA)	Rinaldo	Wylie
Leland	Rodino	Yates
Lent	Roe	Yatron
Levin	Rogers	Young (AK)
Levine	Rose	Young (MO)
Lipinski	Roukema	Zablocki
Lloyd	Rowland	Zschau
Long (LA)	Roybal	

NOT VOTING—9

Bosco	Hansen (ID)	Weaver
Erlenborn	Heftel	Wilson
Garcia	Jeffords	Wright

□ 1940

Messrs. SKELTON, BATEMAN, ROWLAND, WORTLEY, FOLEY, PRICE and HANCE changed their votes from "aye" to "no."

Mr. DANIEL, Mr. JENKINS, Mrs. SCHROEDER, Mr. WIRTH, and Mr. BEILENSEN changed their votes from "no" to "aye."

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. BROOKS. Mr. Chairman, I rise in support of the amendment to lower the funding level for revenue sharing to the figure contained in the first concurrent resolution on the budget. It goes without saying that a funding level of \$5.017 billion, in my opinion, is still too high. It is still a substantial, unwarranted, and indefensible in-

crease over the current funding level. Any increase is just more deficit spending. But, the funding level in the Horton amendment will at least show some degree of restraint on our part and will also show that we are attempting to stay within the guidelines that we as a Congress set for ourselves in adopting the budget resolution.

I urge support for this amendment.

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

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

RECORDED VOTE

Mr. DE LA GARZA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 381, noes 43, not voting 9, as follows:

[Roll No. 308]

AYES—381

Ackerman	Coughlin	Gradison
Addabbo	Courter	Gramm
Akaka	Craig	Gregg
Albosta	Crane, Daniel	Guarini
Alexander	Crane, Philip	Gunderson
Andrews (NC)	Crockett	Hall (IN)
Andrews (TX)	D'Amours	Hall (OH)
Annunzio	Daniel	Hall, Ralph
Anthony	Dannemeyer	Hall, Sam
Archer	Daschle	Hamilton
Aspin	Daub	Hammerschmidt
AuCoin	de la Garza	Hance
Badham	Derrick	Hansen (UT)
Barnard	DeWine	Harkin
Barnes	Dickinson	Harrison
Bartlett	Dicks	Hartnett
Bateman	Dingell	Hatcher
Bates	Dixon	Hawkins
Bedell	Donnelly	Hefner
Beilenson	Dorgan	Hertel
Bennett	Dowdy	Hightower
Bereuter	Downey	Hiler
Bethune	Dreier	Hillis
Bevill	Duncan	Holt
Bilirakis	Durbin	Hopkins
Billey	Dwyer	Horton
Boehlert	Dyson	Hoyer
Boggs	Eckart	Hubbard
Boland	Edwards (AL)	Huckaby
Boner	Edwards (OK)	Hughes
Bonior	Emerson	Hunter
Bonker	English	Hutto
Borski	Erdreich	Hyde
Boucher	Evans (IA)	Ireland
Breaux	Evans (IL)	Jacobs
Britt	Fascell	Jenkins
Brooks	Fazio	Jones (NC)
Broomfield	Feighan	Jones (OK)
Brown (CO)	Ferraro	Jones (TN)
Broyhill	Fiedler	Kaptur
Bryant	Fields	Kasich
Burton (IN)	Fish	Kastenmeier
Byron	Flippo	Kemp
Campbell	Foley	Kennelly
Carney	Ford (MI)	Kildee
Carper	Forsythe	Kindness
Carr	Fowler	Kogovsek
Chandler	Franklin	Kolter
Chappell	Frenzel	Kramer
Chappie	Frost	LaFalce
Cheney	Fuqua	Lagomarsino
Clarke	Garcia	Lantos
Clinger	Gaydos	Latta
Coats	Gekas	Leach
Coelho	Gephardt	Leath
Coleman (MO)	Gibbons	Lehman (CA)
Coleman (TX)	Gilman	Lehman (FL)
Conable	Gingrich	Lent
Conte	Glickman	Levin
Cooper	Gonzalez	Levine
Corcoran	Goodling	Levitas
	Gore	Lewis (CA)

Lewis (FL)	Obey	Smith (IA)
Lipinski	Olin	Smith (NE)
Livingston	Ortiz	Smith (NJ)
Lloyd	Ottinger	Smith, Denny
Loeffler	Owens	Smith, Robert
Long (LA)	Oxley	Snowe
Long (MD)	Packard	Snyder
Lott	Fanetta	Solarz
Lowery (CA)	Parris	Solomon
Lowry (WA)	Pashayan	Spence
Lujan	Patman	Spratt
Luken	Patterson	St Germain
Lundine	Paul	Staggers
Lungren	Pease	Stangeland
Mack	Penny	Stark
MacKay	Pepper	Stenholm
Madigan	Petri	Stokes
Marriott	Pickle	Stratton
Martin (IL)	Porter	Stump
Martin (NC)	Price	Sundquist
Martin (NY)	Pritchard	Swift
Martinez	Pursell	Synar
Matsui	Quillen	Tallon
Mavroules	Rangel	Tauke
Mazzoli	Ratchford	Tauzin
McCain	Ray	Taylor
McCandless	Regula	Thomas (CA)
McCloskey	Reid	Thomas (GA)
McCollum	Richardson	Torres
McCurdy	Ridge	Torricelli
McDade	Rinaldo	Towns
McDonald	Ritter	Traxler
McEwen	Roberts	Udall
McGrath	Robinson	Valentine
McHugh	Roemer	Vander Jagt
McKernan	Rogers	Vandergriff
McKinney	Rose	Vento
McNulty	Rostenkowski	Volkmer
Mica	Roth	Vucanovich
Michel	Roukema	Walgren
Mikulski	Rowland	Walker
Miller (CA)	Roybal	Watkins
Miller (OH)	Rudd	Waxman
Mineta	Sabo	Weber
Minish	Sawyer	Weiss
Moakley	Schaefer	Whitehurst
Molinari	Scheuer	Whitley
Montgomery	Schneider	Whittaker
Moody	Schroeder	Whitten
Moore	Schulze	Williams (MT)
Moorhead	Seiberling	Williams (OH)
Morrison (CT)	Sensenbrenner	Winn
Morrison (WA)	Sharp	Wirth
Mrazek	Shaw	Wise
Murphy	Shelby	Wolf
Murtha	Shumway	Wolpe
Myers	Shuster	Wortley
Natcher	Sikorski	Wyden
Neal	Siljander	Wylie
Nelson	Simon	Yates
Nichols	Sisisky	Yatron
Nielson	Skeen	Young (FL)
O'Brien	Skelton	Young (MO)
Oakar	Slatery	Zablocki
Oberstar	Smith (FL)	Zschau

NOES—43

Anderson	Edwards (CA)	Mitchell
Applegate	Florio	Mollohan
Berman	Foglietta	Nowak
Biaggi	Ford (TN)	Perkins
Boxer	Frank	Rahall
Brown (CA)	Gejdenson	Rodino
Burton (CA)	Gray	Roe
Collins	Green	Russo
Conyers	Howard	Savage
Coyne	Johnson	Schumer
Davis	Kazen	Shannon
Dellums	Kostmayer	Studds
Dymally	Leland	Wheat
Early	Markey	
Edgar	Marlenee	

NOT VOTING—9

Bosco	Hefftel	Wilson
Erlenborn	Jeffords	Wright
Hansen (ID)	Weaver	Young (AK)

□ 2000

Messrs. GRAY, COYNE, DYMALLY, and DAVIS and Mrs. COLLINS changed their votes from "aye" to "no."

Messrs. TORRICELLI, RALPH M. HALL, GUARINI, and LEVINE of California changed their votes from "no" to "aye."

The amendment was agreed to. So the result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WILLIAMS OF OHIO

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

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Ohio: Page 2, after line 17 insert the following new section (and redesignate the succeeding sections and references thereto accordingly):

ALLOCATION OF ADDITIONAL FUNDS

SEC. 4. (a) Section 6703(b) of such title is further amended by adding at the end thereof the following: "Any amount appropriated pursuant to paragraph (2) for any entitlement period in excess of \$4,566,700,000 shall be available to pay entitlement amounts allocated to units of general local government for that period under section 6709(d)."

(b) Section 6709 of such title is amended by adding at the end thereof the following new subsection:

"(d)(1) In addition to the amount allocated to each unit of general local government under subsections (a), (b), and (c) of this section for an entitlement period, the Secretary shall allocate to each unit of general local government which is located in a county area which meets the requirements of paragraph (2) an amount which bears the same ratio to the amount made available for this subsection (under the last sentence of section 6703(b)) as—

(A) the product of (i) the unemployment rate of such county area, divided by the national average rate of unemployment for the most recent 12-month period preceding the allocation for which satisfactory data are available, multiplied by (ii) the amount allocated under subsections (a), (b), and (c) to such unit for that entitlement period, bears to

(B) the sum of the products determined under subparagraph (A) for all the units of general local government located in county areas which meet the requirements of paragraph (2).

"(2) For purposes of paragraph (1), a county area meets the requirements of this paragraph for an entitlement period if, for the most recent 12 months preceding the allocation for which satisfactory data are available, such county area had an average rate of unemployment equal to or in excess of the national average rate of unemployment for such 12 months, as determined in accordance with criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

"(3)(A) Notwithstanding paragraph (1)—

"(i) no unit of general local government shall receive an allocation under this subsection which exceeds the amount allocated to such unit under subsections (a), (b), and (c) of this section;

"(ii) no unit of general local government shall receive an allocation of more than 10 percent of the amount allocated under this subsection; and

"(iii) no unit of general local government shall receive an allocation under this subsection if the per capita income of the geo-

graphic area of such unit exceeds the per capita income of the State within which such unit is located by more than 25 percent;

but the allocations under this subsection shall not be subject to the other constraints on allocations contained in section 6712.

"(B) Any amounts which remain unallocated by reason of the requirements of this paragraph shall be allocated among the units of general local government which do not receive an allocation under this subsection by ratably increasing the amount of their allocations under subsections (a), (b), and (c)."

Mr. WILLIAMS of Ohio (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WILLIAMS of Ohio. Mr. Chairman, we all know that many areas of our country are suffering from terribly high levels of unemployment. We are all concerned about the human suffering going on in these locations and I feel sure all are interested in doing something to help them.

Today with this amendment that I am offering, we have a chance to help. We can help our ailing cities and our Johnny Lunch Buckets, the average guy who cannot find work, we can do this by targeting some extra funds to areas of high unemployment.

Before I go any further, I want to make it clear that I plan to leave alone the revenue-sharing formula. I know how precious it is to many Members. Also I will propose nothing that would reduce any community's revenue-sharing payment.

My amendment would simply take the increase in the revenue-sharing entitlement fund, an increase that we have just seen set at \$450 million a year, and allocate that money to those communities suffering from high unemployment. The greater the unemployment, the larger the share of funds the community would receive.

The \$4.6 billion that has been the annual revenue-sharing level for each of the last 5 years would remain the same.

So my amendment would not reduce revenue-sharing payments to any jurisdiction. My amendment deals only with the new money, the \$450 million that we have just added to the bill.

Under the amendment communities eligible to receive part of that \$450 million are those communities located in counties which over the past year have had unemployment rates, equal to, or higher than, the national unemployment rate for the same period.

The amendment I propose is straightforward and simple. It would not reduce revenue-sharing payments to any jurisdiction.

It would, however, direct money to where it is needed most. And please note, that many of the communities that would be eligible for funds under my amendment will have probably lost population because of plant closings and unemployment, and therefore, will receive smaller shares from the normal revenue-sharing pie.

My amendment may just keep them where they were this year with regard to revenue-sharing payments.

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

Mr. WILLIAMS of Ohio. I yield to the gentleman from Maryland.

Mr. MITCHELL. I thank the gentleman for yielding.

I think the amendment has a great deal of appeal, but I had a chance to read it. The gentleman stated again on the floor, it would be targeted to those counties that have the highest rates of unemployment.

There are one or two cities around this Nation that are independent cities. My city of Baltimore is not a part of any county. How would we fare under this?

Mr. WILLIAMS of Ohio. The reason the county data is being used is because that is what is most available. Where there is city data available, I am sure the Treasury Department would use that.

Mr. MITCHELL. I certainly think the gentleman's amendment is fair. It is not touching any of the old money. It is only touching new money, that amount of money that is obviously not sufficient to make any great dent in the unemployment problem areas, but at least it signifies to me a willingness to continue to attack the problem of unemployment where it is concentrated.

And quite frankly, with the gentleman's explanation on cities, I would urge support of the amendment.

Mr. WILLIAMS of Ohio. I thank the gentleman for his support.

Mr. Chairman, I would conclude my statement by simply saying, I have heard many of my colleagues say what the gentleman from Maryland has just said on several occasions here in the well, decrying the lack of compassion in the bureaucracy for the folks downtown.

Here is an opportunity to show some compassion for those out of work, for the communities devastated by plant closings and high unemployment rates, unable to provide the services that they deserve—the folks who live in those communities deserve, because in most cases their revenue-sharing payments are cut. Because people are leaving their communities, based upon the formulas that we currently have set forth, their revenue-sharing moneys would be cut.

I ask my colleagues not to turn their backs on our Nation's unemployed. I am sure none of the Members want to

do that. I urge the Members to remember their plight. I urge the Members to keep in mind the needs of Johnny Lunch Bucket, the guy out there looking for a job, who in many cases is having his local taxes raised because revenue-sharing moneys are cut from his hard-hit community.

I urge the Members' support for this amendment, which is designed to send Federal assistance where it is most needed. It makes no sense to me to pass domestic aid legislation without directing at least some of it to the part of the country where it is so badly needed.

□ 2010

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

Mr. Chairman, I rise in opposition to the amendment. While I have the highest regard for the gentleman from Ohio (Mr. WILLIAMS) in his interest in trying to assist those communities that are suffering the painful effects of high unemployment, I must oppose his amendment to allocate a portion of the revenue-sharing funds on the basis of unemployment rates.

The problem with this proposal is that unemployment data for units of government below the State level are notoriously unreliable. In fact, experts on unemployment statistics have characterized the data for smaller counties and local governments as simply "random numbers."

Mr. Chairman, allocating scarce Federal resources on the basis of random numbers would completely erode the already rather limited integrity of this ill-conceived program.

I would therefore urge my colleagues to oppose this amendment.

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

Mr. Chairman, I certainly agree with the statements made by the chairman of the committee and agree with him that the gentleman from Ohio is trying to accomplish something to take care of a situation that exists in his State and in other States where there is high unemployment. This is also the case in my area. But the basic formula for revenue sharing is not designed to target funds toward a few areas where there are high economic and social needs. I would like to point out to the Members who just voted to provide for an additional \$450 million over the \$4.6 billion that that is the money that is being talked about here to be specifically targeted. So you would really have two programs—\$450 million would be targeted toward the high unemployment areas, and those of you who voted expecting that your areas are going to be increased proportionately with the additional \$450 million can just go back home and forget

about it, because that money would be targeted for a purpose which is not designed to be in the revenue-sharing program.

Revenue sharing now is distributed on a formula basis. To do it with a special purpose would be different from what we have been doing, and you would be taking the new money that is allocated for revenue sharing and provide it for special targeted areas.

I might also say that there are other programs where this can now be done in community development block grants, UDAG, job assistance program. If there is a need for that, it ought to be done and especially targeted on that basis and not done through this particular bill.

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

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

Mr. WEISS. I thank the gentleman for yielding to me, and I want to associate myself with his remarks.

Mr. Chairman, I think that there is a need for a specific program countercyclical in nature which is targeted exactly to the kinds of areas that the gentleman from Ohio speaks about. But to incorporate it into this revenue sharing legislation I think runs the risk of endangering this program while doing nothing at all for the countercyclical areas that need it.

When we were discussing this matter in committee, I told the gentleman and all my colleagues that we were in fact seeking to get information from the Commerce Department and the Treasury Department so that we could prepare a piece of countercyclical legislation. We are still in the process of doing that. We still have not gotten all of the data that we requested from Commerce. When we do, we will in fact introduce a specific piece of countercyclical legislation.

Mr. HORTON. I thank the gentleman. Mr. Chairman, the gentleman did inform me earlier, before we took up the bill in committee, that the subcommittee was going to look at countercyclical bills, and that they would handle them on a separate basis. But I think it would be a mistake on our part to adopt this amendment, and I urge that the Members oppose it.

Mr. WILLIAMS of Ohio. Mr. Chairman, will the gentleman yield?

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

Mr. WILLIAMS of Ohio. I think it is important to note once again that you are dealing with areas under the normal sharing factors that are used now. Those areas that have suffered plant closings are not going to get the money they got last year because of the exodus of people from those communities.

I, too, believe that everyone should get their fair share. I would love to

wait for countercyclical, and I will support the gentleman's bill; however, that will not correct the problems that are occurring with the loss of revenue sharing money. And that is what we are dealing with today.

All I want to do is keep them even. If they do not qualify with the high unemployment rates, then they will not get additional money. If they do, maybe we can keep them even.

Mr. HORTON. Just one point. There is now \$450 million in the bill. If it is targeted differently, you are not going to get an increase for your communities.

I urge that the Members oppose the amendment.

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

Mr. Chairman, I take the well to ask my distinguished colleague, the gentleman from Texas, a couple of questions.

This money, as I understand it, is distributed by formula. Is part of that formula the amount of taxes that are raised by any community or any State?

Mr. BROOKS. Tax effort is considered as one of the factors. That is correct.

Mr. KAZEN. Tax effort. Is unemployment one of those factors?

Mr. BROOKS. No.

Mr. KAZEN. You see, Mr. Chairman, I am caught in this dilemma, as was debated during the IMF bill: Those of us who represent areas along the Mexican border, from Brownsville to San Diego, are caught in a bind. Our tax collections have gone down tremendously; our unemployment has gone way up. The statistics that we offer you are compiled by the Commerce Department. The Laredo metropolitan area in our State of Texas is one of the highest areas of unemployment in the United States, and we are one of the lowest tax-gathering portions of the Nation, simply because we have lost most of our income and so many people are unemployed, we do not have any income with which to pay taxes.

Now, our share of revenue sharing is going to go way down this year unless we can come up with some type of help. As far as I have been able to see, the gentleman from Ohio has been the only one to come forward with a partial solution. I am not in a position to change the formula, since I am not on the Committee; I do not have the personal expertise to be able to devise a certain formula for these sections of the country for which I am speaking without doing damage to the entire bill. I do not want to do damage to the entire bill, but I certainly, Mr. Chairman, would recommend to you that some thought be given to these areas of which I am speaking.

I just do not know at this stage of the game what else I can do except to support the gentleman from Ohio, in his amendment because it at least gives my district a little bit more than I would get under the provisions of this bill.

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

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

Mr. LATTA. Mr. Chairman, I want to commend the gentleman for the statement he has been making because he hits the nail right on the head.

As the gentleman from Ohio pointed out in offering this amendment, the formula itself works against areas like yours because they consider tax effort. And when you lose your tax base in certain of these communities, you suffer through revenue sharing.

Now, what the gentleman from Ohio is proposing is not to touch the money that you have been getting. It is only the extra money that is being put in this bill that is going to be touched and targeted to these high unemployment areas.

So it seems to me that if we wanted to do something about these areas of high unemployment, we should support the gentleman's amendment. I think the formula itself for general revenue sharing, the part that he is not touching, other to be looked at, in view of the experience where you have people moving out because there is no employment in those areas and not penalize those people living in those areas because of the formula itself.

So I commend the gentleman for his statement, and I also want to commend the gentleman from Ohio for offering the amendment because I know of no one who works any harder to put people back to work in his district than does the gentleman from Youngstown.

Mr. KAZEN. I appreciate the gentleman's contribution.

In connection with what the gentleman has said, the formula seems to help those people who do not need the help.

Mr. LATTA. That is right.

Mr. KAZEN. And it penalizes those sections of the country that cannot help themselves.

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

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

Mr. KASICH. It has come to my attention that in Youngstown alone we had a loss of 30,000 people from the city of Youngstown. And I would be willing to bet that if we were to examine that population that left that city, we would find that those people who were more mobile, who could afford to travel to other areas of the country to seek employment, are the ones who left, and those who were left in those communities were those people who

were the least mobile, and that means those people who really need the services that are provided for with tax collections. But if you have people there who are older, who have no income, you are depleting the city's revenues and resources. And all we do here is simply to say \$450 million in new dollars, not touching the \$4.6 billion, but taking the \$450 million new dollars, let us do something for those areas where we have experienced severe structural unemployment, where those jobs may never come back. We need to do something for those areas, and this is only one effort to do it.

The CHAIRMAN. The time of the gentleman from Texas (Mr. KAZEN) has expired.

(On request of Mr. BROOKS and by unanimous consent, Mr. KAZEN was allowed to proceed for 2 additional minutes.)

□ 2020

Mr. KASICH. Mr. Chairman, will the gentleman yield so I can finish this?

Mr. KAZEN. I yield to the gentleman from Ohio to finish his statement.

Mr. KASICH. I appreciate the gentleman yielding.

Mr. Chairman, let me say that during the discussion on New Federalism there was discussion in many circles about the need to pinpoint Federal money in areas where you are having severe structural unemployment problems. This simply is another effort, just like the jobs bill, where we tried to target money to areas of high unemployment. This is right along that line. We are not talking about changing the basic structure of revenue sharing, just the \$450 million extra, and I commend the gentleman from Youngstown for offering the amendment.

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

Mr. KAZEN. I will be delighted to yield to my colleague, the gentleman from Texas.

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

Mr. BROOKS. I thank the gentleman for yielding.

Mr. Chairman, to my beloved friend from Laredo, the tax effort is the total tax revenue divided by the personal income. If, as you say, the personal income in your district is down substantially, and the tax revenues are down substantially, the answer, when you divide it, might be the same, and your tax effort might not be cut. That is the factor that is applied in the formula. That is why this formula that they now have is probably the best that we have for giving away money

and for making Christmas come here in August rather than in December.

Mr. KAZEN. I will tell the gentleman that I agree with him. My per capita income, and I represent 3 of the lowest 10 counties in per capita income in the country, and I represent 4 of the highest unemployment counties in the country, and those that do not have the tax effort and income, because they just do not have the income, these are the people, and this is the type of district that I represent and that I am arguing for standing here in the well.

I am not trying to destroy your formula, I will say to my colleague from Texas. But I do want to find some way to help people who cannot help themselves.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. KAZEN. Yes; I would be delighted to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Chairman, the argument we heard over here is one of the best arguments against the amendment. One of the reasons some communities have slightly less than the national average is because they had some mobile people who moved out. They abandoned the community. And now you are going to hold them to the same dollar level they got last year and not give them a cost-of-living increase.

That is an argument against this amendment. I want to tell you this, too: The statistics, as the gentleman from Texas said, that are being used are very inaccurate. Cities of large hard-core areas are not properly represented.

The CHAIRMAN. The time of the gentleman from Texas (Mr. PICKLE) has again expired.

(On request of Mr. SMITH of Iowa and by unanimous consent, Mr. KAZEN was allowed to proceed for 2 additional minutes.)

Mr. SMITH of Iowa. If the gentleman will yield further, cities that have large hardcore areas do not show up on the unemployment statistics as having high unemployment because there are so many people there who have never had a job. Largely, these statistics measure those who were lucky enough to have had jobs long enough to have accomplished getting on unemployment compensation when they were out of work. It discriminates against cities of large hardcore unemployment areas, and also against rural areas where we have so many people who have never had a job.

This would make this bill so discriminatory that it removes any excuse for a good many of us to support it from now on. It is no longer a national bill when you get into this kind of thing.

Mr. KAZEN. Let me just tell my colleague that I am speaking for my district. I have not had an outmigration from our cities. My people are not mobile, as they are in other parts of the country. They are still there. Their plight comes from the devaluation of the Mexican peso because close to 90 percent of our commerce was with Mexico.

Since IMF placed all those conditions on Mexico, and since the Mexican people cannot cross over to buy anything because of the devaluation of their money, we have had the largest number of bankruptcies that we have ever experienced in the history of south Texas. These are the people who are still living there. These are the people who must continue to have the services that every city must offer. We just do not have the tax base, we do not have the revenue. We have the high unemployment. We do not know how in the world to help ourselves, and I am here in the well pleading with my colleagues to please, give us just a little slice of this pie that we are slicing here today.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Chairman, I just want to point out to the gentleman that it is for that reason that we put \$315 million in EDA, even though the administration asked nothing. That comes out of the subcommittee I happen to chair. That is the reason we put money into SBA. You do not have to bollix up every other program. We have programs that are specially designed to reach that kind of purpose, and I am supporting them.

The CHAIRMAN. The time of the gentleman from Texas (Mr. KAZEN) has again expired.

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

Mr. KAZEN. I appreciate what the gentleman has done in his committee, but who in my district, what small business, is going to borrow money when they are no longer in business?

Mr. SMITH of Iowa. EDA is not that kind of a program. EDA goes to the city. You have development program, you have all kinds of programs in EDA. That is not the kind of a program we are talking about at all. It will go where it will help, where this will do very little to help, as a matter of fact.

Mr. KAZEN. If it were so, I do not know why I have been getting calls all day from my cities asking me to please do something to help them direct came at the money in this bill to them.

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

and I rise in support of the amendment.

Mr. Chairman, I rise in favor of the amendment offered by the gentleman from Ohio. I think it is an important amendment. As he has well pointed out, it does not reduce the amount that is presently going to any area. We are talking about approximately \$450 million.

What can it mean? It can mean the difference in one of my counties, for instance, of whether or not there is a policeman out on the county roads at night. That is right. We have six deputies in one of my counties, and one of the hard-hit counties, with 30 percent unemployment; six deputies. The difference is whether or not there is coverage on a night shift. It makes a difference as to whether the town of Clendenin, which has an antiquated jail and is the only holding facility for 25 miles in any direction, actually is able to hold prisoners anymore. It makes a difference as to whether there are some basic services being offered.

I think it is important to recognize what this does. It does not reduce the money that you are presently getting. Second, it deals with the basic problem that the gentleman from Texas discussed and which many of us face in our counties.

We have diminishing resources. We have a declining tax base. At a time in the communities when they need help the most, we have the least ability to respond.

This amendment by the gentleman from Ohio addresses that and says we will give you a little more help. That is what unemployment is all about. It makes you weak. It is a debilitating affliction. This simply says we will give those areas a special recognition; not much recognition, but we will give them enough and perhaps that will help some of them.

I know in the 14 counties I represent, spread over 200-some miles, it could help a lot. I urge adoption of the gentleman's amendment.

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

Mr. WISE. Certainly. I would be glad to yield to the gentleman from Missouri.

Mr. VOLKMER. I thank the gentleman for yielding.

If you cannot answer my problem, perhaps the gentleman who sponsored the amendment can.

Mr. Chairman, looking over the amendment, I am just curious as to how you allocate the funds, the \$450 million, between those areas of local government who do qualify because of high unemployment.

Mr. WISE. I will yield to the gentleman from Ohio (Mr. WILLIAMS) for a response.

□ 2030

Mr. WILLIAMS of Ohio. It would be based upon unemployment data, county by county across the country, using county figures.

Mr. VOLKMER. On the percentage of unemployment?

Mr. WILLIAMS of Ohio. Yes, anybody equal to the national average or above. The factor that would be used would be a weighted factor. For example, if you are suffering a 15-percent unemployment, you would divide the national average, which is 10, into that and come up with a weighted factor of 1.5. If you are 17 percent, you would have a factor of 1.7.

You would take every county that is eligible that is equal or over the national average and determine who they are and set them aside to divide up the \$450 million. Then you would use the weighted factor, which in essence says that if you are suffering large unemployment, you are going to get a larger portion of the \$450 million.

Mr. VOLKMER. Well, I still do not understand one factor in it, and that factor is, where does the population factor come in?

Mr. WILLIAMS of Ohio. That formula is the original formula for the \$4.6 billion population tax base.

Mr. VOLKMER. I know, but where does that come in the gentleman's formula?

Mr. WILLIAMS of Ohio. It does not.

Mr. VOLKMER. It is only allocated, then, on percentage of unemployment over and above the weighted national average?

Mr. WILLIAMS of Ohio. That is correct. But we are taking only the \$450 million.

Mr. VOLKMER. If I have a unit of local government, one that has 15-percent unemployment and has a 10,000 population, and then I have another unit of local government that has 500,000 population with 15 percent, then I get the same amount of money for the 10,000 as I do for the 500,000?

Mr. WILLIAMS of Ohio. It is multiplied by the amount of revenue sharing that they are currently getting. They cannot get more than that.

I am sorry; I did not understand the gentleman, so that the population factor does figure.

Mr. VOLKMER. It is multiplied by the amount that you get under the existing formula?

Mr. WILLIAMS of Ohio. That is right, computed against the current share they are getting under the \$4.6 billion.

Mr. VOLKMER. I still question then whether the gentleman's formula will actually work when we get down to the \$450 million.

Mr. WILLIAMS of Ohio. It will work, because we are dealing strictly with unemployment and the other factor. I misunderstood the gentle-

man's question. I did not answer properly.

The population factor does apply in the current share that an eligible entity is receiving and it does apply.

Mr. VOLKMER. But if you multiply it against what they are presently receiving to add to, that does not necessarily arrive at \$450 million. It could be more or less.

Mr. WILLIAMS of Ohio. If the gentleman wants, I will try to answer that with this statement.

You multiply the qualifying community's normal revenue sharing payment by the weighted factor of the county in which they are located, if you are talking about a city of 10,000 or 50,000. You total those products.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

(At the request of Mr. WILLIAMS of Ohio, and by unanimous consent, Mr. WISE was allowed to proceed for 1 additional minute.)

Mr. WILLIAMS of Ohio. Mr. Chairman, will the gentleman yield further?

Mr. WISE. I yield.

Mr. WILLIAMS of Ohio. You total those two products, compute each eligible community's percentage share of that total; then you give each qualifying community the same percentage share of the \$450 million that they would get when you total those products.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the Williams amendment.

Mr. Chairman, I do so to bring out a couple of factors.

First, one with which I am concerned and makes me feel that maybe the House would need to remind itself of the conception of this legislation. I did not support the first revenue sharing legislation for the same reason that now my distinguished colleague, the gentleman from Texas, the chairman, and the distinguished ranking minority member are opposing the amendment.

I said then that it was inequitable, that we were only going to help those that already had and did not need.

I remember the chairman then answering that question that, yes, it was geared to those that were efficient, to those that were productive, to those that got more taxes from their populace.

I think now the gentleman from Ohio is bringing some degree of equity and justice. Call it another program, OK. This is the vehicle we have before us and more studies or arguing that you are not going to get accurate figures, I think that argument we should not even discuss.

Let me tell you what the accurate figures could be. The members of the committee are concerned with what is going to happen to the \$450 million. I

will tell you what is going to happen if we do not adopt this amendment. It will be split between Montgomery County, Md., and Fairfax County, Va. That is where all the \$450 million could go, because those are the two highest per capita income counties in the country. Those are the two highest tax collection counties in the country and that is where your \$450 million is going, to the two highest income counties in the country.

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

Mr. DE LA GARZA. I yield very briefly.

Mr. WOLF. We will accept the money tonight. I thank the gentleman.

Mr. DE LA GARZA. The gentleman agrees with me.

The two highest areas of unemployment that need to be targeted are the inner cities, the large cities, and the rural areas, this is where you have the high unemployment.

I see nothing wrong with adding a little degree of equity to this legislation, to quote the chairman of the committee. I see nothing wrong to add legitimacy to this legislation and bring a little equity and a little justice.

Unless you want to split it with a very few rich counties, I think the best thing we could do at this point is to support the amendment of the gentleman from Ohio, because this added money could just go to two or three counties, really. Otherwise, we will not be helping those who need it at this time.

Ms. OAKAR. Mr. Chairman, I move to strike the requisite number of words. I support the amendment of the gentleman from Ohio.

I just want to point out two quick things. One is that I agree with the chairman of the committee, my good friend and one of the great leaders of this House, when he says that unemployment figures are often wrong. That is very true. They are often wrong and they are usually higher in high unemployment areas than the Department of Labor statistics.

Another point I would like to make is that a lot of times we hear from our colleagues who say, "You know, my State does not statistically show that we have high unemployment, but my specific area has high unemployment, and yet unemployment compensation and programs of that nature do not really trigger properly for my specific county."

The great thing about this amendment is that it is targeted very specifically and it does not use the kind of formulas, for example, that we use for unemployment compensation.

So for those of you who really feel strongly that while your State might not have the national unemployment

figures that your area does, this is the perfect amendment for you to support.

I want to commend my colleague, the gentleman from Ohio, and one of our minority leaders, the gentleman from Ohio (Mr. LATTI) for his statement and others. Their statements were excellent.

For those of you who may not be affected by this amendment, my appeal would be to think of the national interest and to think in terms of those people who are suffering and are in great pain. I hope we can get beyond the provincial as well. I urge support of this amendment.

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

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

RECORDED VOTE

Mr. WILLIAMS of Ohio. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 259, not voting 20, as follows:

[Roll No. 309]

AYES—154

Albosta	Gradison	Oberstar
Annunzio	Gray	Obey
Applegate	Guarini	Ortiz
AuCoin	Hall (IN)	Owens
Bates	Hall (OH)	Oxley
Berman	Hance	Paul
Bevill	Harrison	Pease
Bonior	Hawkins	Perkins
Bonker	Hertel	Petri
Borski	Hillis	Price
Boucher	Howard	Pursell
Broomfield	Hughes	Rahall
Brown (CA)	Jacobs	Rangel
Burton (IN)	Kaptur	Regula
Carr	Kasich	Reid
Clay	Kastenmeier	Richardson
Clinger	Kazen	Ridge
Coats	Kemp	Ritter
Coelho	Kildee	Rodino
Collins	Kindness	Roe
Conte	Kogovsek	Rogers
Conyers	Kolter	Rostenkowski
Corcoran	Kostmayer	Russo
Coughlin	LaFalce	Savage
Courter	Latta	Sawyer
Coyne	Lehman (CA)	Schroeder
Crane, Daniel	Leland	Schulze
Crockett	Levin	Selberling
Davis	Livingston	Sensenbrenner
de la Garza	Long (LA)	Sharp
Dellums	Lowry (WA)	Shelby
DeWine	Luken	Shuster
Dicks	Madigan	Siljander
Dingell	Martin (IL)	Staggers
Dixon	Matsui	Stokes
Duncan	McDade	Sundquist
Durbin	McEwen	Swift
Dymally	McKinney	Tauke
Eckart	Michel	Torres
Erdreich	Mikulski	Towns
Evans (IL)	Miller (CA)	Traxler
Feighan	Miller (OH)	Vander Jagt
Fields	Minish	Williams (MT)
Florio	Mitchell	Williams (OH)
Foglietta	Mollohan	Wise
Foley	Moody	Wolpe
Ford (MI)	Murphy	Wyden
Ford (TN)	Murtha	Wylie
Gaydos	Nichols	Yatron
Gekas	Nowak	Zablocki
Gonzalez	O'Brien	
Goodling	Oakar	

NOES—259

Ackerman	Gilman	Packard
Addabbo	Gingrich	Panetta
Akaka	Glickman	Pashayan
Alexander	Gore	Patman
Anderson	Gramm	Patterson
Andrews (NC)	Green	Penny
Andrews (TX)	Gregg	Pepper
Anthony	Gunderson	Pickle
Archer	Hall, Ralph	Porter
Aspin	Hall, Sam	Quillen
Badham	Hamilton	Ratchford
Barnard	Hammerschmidt	Ray
Barnes	Hansen (UT)	Rinaldo
Bartlett	Harkin	Roberts
Bateman	Hartnett	Robinson
Bedell	Hatcher	Roemer
Bellenson	Hefner	Roth
Bennett	Hightower	Roukema
Bereuter	Hiler	Rowland
Bethune	Holt	Roybal
Bilirakis	Hopkins	Rudd
Bliley	Horton	Sabo
Boehrlert	Hoyer	Schaefer
Boggs	Hubbard	Scheuer
Boland	Huckaby	Schneider
Boner	Hunter	Schumer
Boxer	Hutto	Shannon
Breaux	Hyde	Shaw
Britt	Ireland	Shumway
Brooks	Jenkins	Sikorski
Brown (CO)	Johnson	Sisisky
Broyhill	Jones (NC)	Skeen
Bryant	Jones (OK)	Skelton
Burton (CA)	Jones (TN)	Slattery
Byron	Kennelly	Smith (FL)
Campbell	Kramer	Smith (IA)
Carney	Lagomarsino	Smith (NE)
Carper	Lantos	Smith (NJ)
Chandler	Leach	Smith, Denny
Chappell	Leath	Smith, Robert
Chappie	Lehman (FL)	Snowe
Cheney	Lent	Snyder
Clarke	Levine	Solarz
Coleman (MO)	Levitas	Solomon
Coleman (TX)	Lewis (FL)	Spence
Conable	Lipinski	Spratt
Cooper	Lloyd	St Germain
Craig	Loeffler	Stangeland
Crane, Phillip	Lott	Stenholm
D'Amours	Lowery (CA)	Stratton
Daniel	Lujan	Studds
Dannemeyer	Lungren	Stump
Daschle	Mack	Synar
Daub	MacKay	Tallon
Derrick	Markey	Tauzin
Dickinson	Mariennee	Taylor
Donnelly	Marriott	Thomas (CA)
Dorgan	Martin (NC)	Thomas (GA)
Dowdy	Martin (NY)	Torricelli
Downey	Martinez	Udall
Dreier	Mavroules	Valentine
Dwyer	Mazzoli	Vandergriff
Dyson	McCain	Vento
Early	McCandless	Volkmer
Edgar	McCloskey	Vucanovich
Edwards (AL)	McCollum	Walgren
Edwards (CA)	McCurdy	Walker
Edwards (OK)	McDonald	Watkins
Emerson	McGrath	Waxman
English	McHugh	Weber
Evans (IA)	McKernan	Weiss
Fascell	McNulty	Wheat
Fazio	Mica	Whitehurst
Ferraro	Moakley	Whitley
Fiedler	Molinari	Whittaker
Fish	Montgomery	Whitten
Flippo	Moore	Winn
Fowler	Morrison (CT)	Wirth
Frank	Morrison (WA)	Wolf
Franklin	Mrazek	Wortley
Frenzel	Myers	Yates
Frost	Natcher	Young (AK)
Fuqua	Neal	Young (FL)
Garcia	Nelson	Young (MO)
Gedensson	Nielson	Zschau
Gephardt	Olin	
Gibbons	Ottinger	

NOT VOTING—20

Biaggi	Lewis (CA)	Rose
Bosco	Long (MD)	Simon
Erlenborn	Lundine	Stark
Forsythe	Mineta	Weaver
Hansen (ID)	Moorhead	Wilson
Heftel	Parris	Wright
Jeffords	Pritchard	

□ 2050

Messrs. NICHOLS, PERKINS, BEVILL, and AUCCOIN changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any additional amendments to section 3?

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 2, after line 17, insert the following new section (and redesignate the succeeding sections and references thereto accordingly):

WAIVER OF WAGE RATE RESTRICTIONS TO INCREASE EMPLOYMENT

SEC. 4. Section 6704(a) of title 31, United States Code, is amended by adding at the end thereof the following: "The Secretary may waive the requirements of paragraph (4) or (5), or both, if a State government or unit of general local government demonstrates that such waiver will enable it to substantially increase the level of employment which it can support with funds made available under this chapter."

PARLIAMENTARY INQUIRY

Mr. LEVITAS (during the reading). Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LEVITAS. Would the Chairman explain whether the Clerk is reporting an amendment or is reading for amendment? I cannot hear.

The CHAIRMAN. The Clerk is reporting the amendment offered by the gentleman from Pennsylvania (Mr. WALKER).

The Clerk will read.

The Clerk continued the reading of the amendment.

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WALKER. Mr. Chairman, the amendment I am offering will provide an opportunity for the revenue-sharing program to help put some people to work.

My amendment will accomplish this by establishing a waiver procedure for the Davis-Bacon provisions contained in the revenue-sharing statute. I am not trying to break any new legislative ground. I am not mounting any kind of an all-out attack on the Davis-Bacon provisions. I am trying to put people to work and I am trying to reduce the unemployment lines.

Briefly I want to explain my amendment and urge that it be passed. Under my proposal recipients of revenue-sharing funds could apply for a waiver of Davis-Bacon requirements

and related prevailing wage provisions of the revenue-sharing statute if the recipients can show that a waiver will substantially increase the level of employment generated by projects in which the funds are used. I want to stress that last part of my amendment first: A waiver of Davis-Bacon provisions could only be granted if the applicant effectively proves that doing so will result in substantially more people at work on a particular project.

In our subcommittee hearings we heard rather incredible testimony where the federally determined Davis-Bacon prevailing wage was \$14 an hour for a skilled construction worker while the actual wage paid on a non-Federal project was half of that or \$7 an hour.

□ 2100

We also heard testimony to the effect that local officials avoid using revenue-sharing funds for construction projects so that they will not have to deal with the expense of complying with Davis-Bacon.

The conclusion is obvious. Fewer workers are being hired as a result of those Davis-Bacon provisions that are contained in the Revenue Sharing Act. Frankly, in some communities, no construction workers are being hired because of those requirements and that disturbs me greatly.

In 1979, the GAO made the following recommendations to Congress. First:

The Congress should repeal the Davis-Bacon Act.

And Second:

Congress should repeal the provisions in 77 related statutes which involve federally assisted construction projects and which require that wages paid to contractor employees be not lower than those determined by the Secretary of Labor to prevail in the locality, in accordance with the Davis-Bacon Act.

I must emphasize that my amendment does not seek in any way, shape, or form, to repeal the Davis-Bacon provisions in the Revenue Sharing Act, despite the GAO's recommendation. I only want to provide for a waiver of the requirement. And the waiver would be optional and it would be approved only if significantly more jobs were available as a result of that waiver. Numerous local officials who came before our subcommittee testified that they thought this amendment was a good idea, that it would in fact bring about more use of revenue-sharing funds for construction related projects.

Recently, the Advisory Commission on Intergovernmental Relations circulated the final chapter of their study on regulatory federalism. ACIR recommends modification or elimination of crosscutting Federal requirements, including Davis-Bacon.

In conclusion, I want to reiterate the emphasis of my amendment.

The focus is on jobs. A Davis-Bacon waiver would only be sought and granted if it put more people to work.

I urge the House to adopt this amendment and go on record in favor of jobs instead of special interest power. We know that special interests are perfectly willing to deny Americans jobs in order to protect their own perks.

This committee should not be a party to that kind of callous, indefensible wielding of power. We should be willing to support more employment for the people of this country even in the face of the demands of the power brokers.

My amendment means more jobs, and more jobs should be our highest priority as we consider this legislation.

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

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

Mr. GEKAS. I thank the gentleman for yielding.

One thing that the gentleman spoke about piques my interest and I would like to ask the gentleman. Suppose a community or a county commissioner's group decided, as a result of the gentleman's amendment, if it should pass, that it was going to enter into a construction type of project, rather than the kind that they had been considering in the past. Would that in itself alone be able to allow them to certify that more jobs would be created under the gentleman's criteria?

Mr. WALKER. They would have to demonstrate that by waiving Davis-Bacon in the course of that construction that they could in fact provide more work. And in making that kind of a statement to the Secretary, he could then grant them the waiver if they could show that substantially more jobs would be created. But just the idea of instituting a construction project would not be something that in and of itself would result in a grant of a waiver.

Mr. GEKAS. I thank the gentleman.

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

Mr. Chairman, I oppose this amendment. The Davis-Bacon Act and similar provisions of other laws represent a statement of Federal policy which is applicable across the board to the expenditure of Federal funds. As long as that policy stands, it is appropriate that it should be applicable to revenue sharing just as it is to other programs. If that policy is to be changed, it should be done on a comprehensive basis rather than piecemeal in legislation dealing with individual programs such as general revenue sharing. A similar amendment was offered in the committee markup where it was

soundly rejected. I urge my colleagues to reject it now as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. WALKER).

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

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

A recorded vote was refused.

So the amendment was rejected.

Mr. BROOKS. Mr. Chairman, it is getting late and we have been working on this wonderful, wonderful bill since 4:20. And the Speaker wants us to finish it tonight. I think we should finish it tonight. To implement and encourage that culmination of this great effort to bring Christmas early, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill is as follows:

ELIMINATION OF CATEGORICAL GRANT REFUND REQUIREMENT

SEC. 4. Section 6705 of title 31, United States Code, is amended by striking out everything after the first sentence thereof.

ELIMINATION OF SPECIAL PROVISIONS RELATING TO LOUISIANA SHERIFFS

SEC. 5. (a) Chapter 67 of title 31, United States Code, is amended by striking out section 6710.

(b)(1) The chapter analysis of chapter 67 of such title is amended by striking out the item pertaining to section 6710.

(2) Section 6701(a)(5) of such title is amended—

(A) by inserting "and" at the end of subparagraph (A);

(B) by striking out "and" at the end of subparagraph (B) and inserting in lieu thereof a period; and

(C) by striking out subparagraph (C).

(3) Section 6703(b)(2) of such title is amended by striking out "6708-6710" and inserting in lieu thereof "6708 and 6709".

(4) Section 6707(a)(2) of such title is amended by striking out "6708-6710" and inserting in lieu thereof "6708 and 6709".

(5) Section 6712(b) of such title is amended by striking out paragraph (4) thereof.

ADJUSTING DEFINITION OF MASSACHUSETTS TAX EFFORT

SEC. 6. Section 6713 of title 31, United States Code, is amended by adding at the end thereof the following new subsection:

"(d)(1) For the purposes of allocating amounts under sections 6708 and 6709 among units of general local government within the Commonwealth of Massachusetts for the entitlement period beginning October 1, 1983, the adjusted taxes of those governments shall include property taxes levied for the Commonwealth's 1982 fiscal year and recognized as fiscal year 1982 receipts pursuant to Massachusetts General Laws, chapter 59, sections 21 and 23, and chapter 44, sections 35 through 46.

"(2) No tax collections credited to any unit of general local government under this

subsection for fiscal year 1982 shall be credited to that unit of general local government for any other fiscal year."

REQUIREMENT FOR AUDITS FOR EACH FISCAL PERIOD

SEC. 7. (a) Section 6723(a) of title 31, United States Code, is amended—

(1) by striking out "expecting to receive" in the first sentence of paragraph (1) and inserting in lieu thereof "which receives";

(2) by striking out "at least once every 3 years in such sentence;

(3) by inserting after such sentence the following: "Such audit shall be made annually except that, if the government operates on a biennial fiscal period, such audit shall be made biennially but shall cover the financial statement or statements for, and compliance with the requirements of this chapter during, both years within such period.";

(4) by striking out "auditing standards" in the last sentence of such paragraph and inserting in lieu thereof "government auditing standards issued by the Comptroller General of the United States"; and

(5) by striking out the second sentence of paragraph (2).

(b) Section 6723(b) of such title is amended to read as follows:

"(b) Not later than thirty days following completion of the audit, the government shall submit a copy of the audit report to the Secretary and the audit report shall be made available for public inspection. This availability shall be publicized in such a manner as to encourage and facilitate such inspection."

(c) Section 6723(c) of such title is amended to read as follows:

"(c) Under regulations of the Secretary of the Treasury, the Secretary may waive the requirement of subsection (a)(1) of this section for a State government or unit of general local government for a fiscal year if the Secretary decides that the financial statements of that government for such year cannot be audited, and the government shows substantial progress in making the statements auditable."

(d)(1) Section 6723 of such title is further amended by striking out subsection (d) and by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

(2) Section 6724(a)(2)(B) of such title is amended by striking out "6723 (a)-(e) and (g)"; and inserting in lieu thereof "6723 (a)-(d) and (f)".

TECHNICAL AMENDMENTS

SEC. 8. (a)(1) Section 6701(c) of title 31, United States Code, is amended by striking out the last sentence and inserting in lieu thereof the following: "Except as provided in regulations prescribed by the Secretary of the Treasury, the Secretary shall make data computations based on the ratio of the estimated population of the part to the population of the entire unit of general local government."

(2) Section 6701(d) is amended by inserting "annexation," after "constitutional change,".

(3) Section 6701(e)(2) is amended by striking out "having one unit of general local government" and inserting in lieu thereof "and the sole unit of general local government in the area."

(b) Section 6704(a) of such title is amended—

(1) by inserting "under this chapter" before the semicolon at the end of paragraph (1);

(2) by striking out "received under" in paragraph (3) and inserting in lieu thereof "so received in accordance with";

(3) by striking out "consistent" in paragraph (5) and inserting in lieu thereof "in accordance";

(4) by striking out "section 6723(b)" in paragraph (7) and inserting in lieu thereof "section 6723(f)";

(5) by striking out "and" at the end of such paragraph (7);

(6) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon; and

(7) by inserting after such paragraph the following new paragraphs:

"(9) the government will comply with section 6714 of this title; and

"(10) the government will comply with section 6723 of this title."

(c) Section 6707 of such title is amended—

(1) by striking out the second sentence of subsection (c)(5); and

(2) by adding at the end of such section the following new subsection:

"(e) For purposes of this section, 'urbanized population' shall be determined on the basis used by the Bureau of the Census for general statistical purposes."

"(d)(1) Section 6708(a)(2)(A) is amended by inserting "(as determined under section 6709(a)(2)(A))" after "adjusted taxes".

(2) Section 6712(a)(2)(A) is amended by inserting "(as determined under section 6709(a)(2)(A))" after "adjusted taxes".

"(e) Section 6713(a) of such title is amended by inserting "before the beginning of the entitlement period" immediately after "Secretary of Commerce".

"(f) Section 6716 is amended by striking out "when" in subsections (a) and (b) and inserting in lieu thereof "if".

"(g) Section 6716(c)(1) is amended by inserting before the period at the end the following: "with respect to which the allegation of discrimination is made".

"(h) Section 6717 is amended—

"(1) by striking out "a part" in subsection (b)(3) and inserting in lieu thereof "any part";

"(2) by striking out "except when" in subsection (c) and inserting in lieu thereof "unless";

"(3) by striking out "When" in such subsection and inserting in lieu thereof "If"; and

"(4) by inserting "of discrimination" after "The holding" in subsection (e).

(i) Section 6718(b) is amended by striking out "about" and inserting in lieu thereof "based on".

STUDY OF REPRESENTATIVE TAX SYSTEM

SEC. 9. (a) The Secretary of the Treasury, in consultation with the Secretary of Commerce, the Comptroller General of the United States, and the Advisory Commission on Intergovernmental Relations, shall—

(1) study and develop the use of the representative tax system for purposes of allocation under chapter 67 of title 31, United States Code;

(2) conduct a study of alternatives to the use of personal income as a measure of the fiscal capacity of State governments and units of general local government, for purpose of allocation under chapter 67 of title 31, United States Code; and

(3) conduct a study of existing formulas used to allocate Federal funds or to determine eligibility for receipt of Federal funds.

(b) The Secretary of Commerce shall determine, specify, and collect whatever data and statistical estimates are necessary to de-

velop the system described in subsection (a)(1).

(c) The Secretary of the Treasury shall also consult with the Secretary of Labor with respect to the study required by subsection (a)(3) and such study shall include an analysis of the mathematical form of the formulas, the data and statistics used to implement the formulas, and the management of the formulas by Federal agencies.

(d)(1) The Secretary of the Treasury shall submit to Congress a report on the findings of the studies required under subsections (a)(1) and (2), including any recommendations for legislation, not later than two years after the date of enactment of this Act.

(2) Not later than two years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the findings of the study required by subsection (a)(3), together with his recommendations for the improvement of the structure and the management of those formulas.

EFFECTIVE DATE

SEC. 10. (a) Except as provided in subsection (b), the amendments made by this Act shall apply to entitlement periods (as such term is defined in section 6701(a)(1) of title 31, United States Code) beginning on or after October 1, 1983.

(b) The amendments made by section 7 shall apply with respect to any fiscal year (or period) of any State government or unit of general local government beginning on or after October 1, 1983.

Mr. BROOKS. Mr. Chairman, we have about four major amendments. I have one that is not very major.

Mr. Chairman, I ask unanimous consent that consideration of the bill and all amendments thereto be concluded at 10 o'clock.

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

There was no objection.

The CHAIRMAN. Are there amendments to section 3?

The Chair will inform the Committee that due to the unanimous-consent request just made by the gentleman from Texas (Mr. Brooks), the bill is now open to amendment at any point, section 3 through the remainder of the bill.

AMENDMENT OFFERED BY MR. McCANDLESS

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

The Clerk read as follows:

Amendment offered by Mr. McCANDLESS: Page 2, beginning on line 18, strike out section 4 through line 22 and insert in lieu thereof the following:

ELIMINATION OF STATE SHARE

SEC. 4. Section 6703(b)(1) of title 31, United States Code, is amended by inserting after "each entitlement period" the following: "beginning before October 1, 1983".

□ 2110

Mr. McCANDLESS. Mr. Chairman, my amendment eliminates authorization in the bill for the States' share of revenue sharing. As written, H.R. 2780 continues States eligibility subject to appropriation.

Frankly, I see no need to continue the charade. Revenue-sharing funds for the States have not been appropriated since 1980, and I honestly doubt that our budget will allow appropriation in the next 3 years. Let us be honest with the Governors and State legislators and tell them there will be no State share by entitlement or through the appropriations process. It has been the will of Congress; let us recognize it by passing this amendment.

I would be remiss if I did not argue that my proposal is a "budget-sensitive" amendment. H.R. 2780 authorizes \$2.3 billion for the States subject to appropriation. Suppose our colleagues call our bluff and the money is appropriated. Are we ready to share the responsibility?

It is our responsibility to establish priorities. We simply cannot afford to give money to everyone. If we are serious about reducing the deficit and containing inflation, we can ill afford spending money we do not have.

I suggest it is prudent to provide funding directly to local governments where it can be used most efficiently and with maximum participation by taxpayers. I urge my colleagues to reject State participation in any form.

Mr. BROOKS. Mr. Chairman, I rise in support of the gentleman's amendment.

Mr. Chairman, I rise in support of this amendment to eliminate the authorization for revenue sharing payments to State governments.

In reauthorizing general revenue sharing in 1980, Congress eliminated the state share entirely for fiscal year 1981, and made payments to State governments subject to the appropriations process for fiscal years 1982 and 1983. This judicious act of budgetary restraint was taken with the knowledge that while the Federal Government was facing a fiscal year 1981 budget deficit of nearly \$60 billion, most States enjoyed the luxury of budget surpluses.

Supporters of retaining the State share authorization argue that while the States may have been in good fiscal shape in 1980, many have since fallen on hard times and are, therefore, desperately in need of revenue sharing funds. But we cannot ignore the even more serious deterioration of the Federal Government's financial condition.

Restricting State government participation in the General revenue-sharing program made good economic sense when the Federal budget deficit stood at \$60 billion per year, and eliminating the State share authorization entirely makes even better sense as annual deficits spiral up to the \$200 billion level.

Finally, in recent years the States have continually insisted that the Fed-

eral Government put its fiscal house in order. In fact, 35 State legislatures have adopted resolutions calling for a constitutional amendment to require a balanced Federal budget. Eliminating the State share of general revenue sharing represents a relatively small, but important, step toward achieving the goal of a balanced budget, and I urge an affirmative vote on this amendment.

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

Mr. Chairman, the reason that there were no moneys appropriated was because the amendment that was adopted in 1980, in addition to authorizing the State's portion of an authorized basis rather than entitlement, also included the provision of the gentleman from Georgia (Mr. LEVITAS), which said that even if money were appropriated by the Congress, the States, in order to take that money down, had to turn in dollar for dollar money from their categorical grant programs. Of course, no State, at a time when their programs were being cut to smithereens, would apply for revenue-sharing money under those conditions.

I should also point out that since the last new authorization in 1980, when you could say that the States were flush, at least they were running a mild surplus, have almost all of them reached crisis proportions. Twenty-one of them now are running a budget deficit. Eight States raised their individual income taxes during the last 2 years. Thirteen States raised their sales taxes. And other taxes have been adopted by 27 other States. We are not giving money to the States by this provision. All that we are saying is that there should be an authorization so that if the Appropriations Committee at the appropriate time decides that there are good and valid reasons to provide funding, in fact it would be permissible to do so.

I think that the amendment ought to be defeated so that the States could have a shot at getting those moneys that the Appropriations Committee felt it was appropriate and Congress then voted for the funding.

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

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

Mr. HORTON. I would like to associate myself with the gentleman's views, and I rise also in opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. McCANDLESS).

The question was taken; and on a division (demanded by Mr. McCANDLESS) there were—ayes 42, noes 43.

RECORDED VOTE

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

The CHAIRMAN. Was the gentleman seeking recognition at the time of the announcement of the vote?

Mr. McCANDLESS. Yes, Mr. Chairman.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 193, not voting 22 as follows:

[Roll No. 310]

AYES—218

Albosta	Gingrich	Murphy
Alexander	Glickman	Murtha
Anderson	Goodling	Myers
Andrews (NC)	Gore	Neal
Andrews (TX)	Gradison	Nelson
Annunzio	Gramm	Nielson
Applegate	Gregg	Olin
Archer	Hall, Ralph	Oxley
AuCoin	Hall, Sam	Packard
Badham	Hance	Patman
Barnard	Hansen (UT)	Paul
Bartlett	Harkin	Pease
Bateman	Hartnett	Penny
Bates	Hefner	Pickle
Bedell	Hightower	Porter
Bennett	Hiler	Price
Bethune	Hillis	Ray
Bevill	Holt	Regula
Billirakis	Hopkins	Roberts
Bliley	Hubbard	Robinson
Boggs	Huckaby	Roemer
Boner	Hunter	Rogers
Bonker	Hutto	Roth
Breaux	Hyde	Rowland
Brooks	Ireland	Rudd
Broomfield	Jacobs	Schaefer
Brown (CA)	Jenkins	Schroeder
Brown (CO)	Jones (NC)	Sensenbrenner
Broyhill	Jones (OK)	Sharp
Bryant	Jones (TN)	Shaw
Burton (IN)	Kasich	Shumway
Byron	Kemp	Shuster
Campbell	Kindness	Sikorski
Carper	Kramer	Siljander
Chandler	Lagomarsino	Simon
Chappell	Lantos	Skeen
Chappie	Latta	Skellon
Cheney	Leach	Slattery
Clarke	Leath	Smith (IA)
Coats	Lehman (FL)	Smith, Denny
Coelho	Levitas	Smith, Robert
Coleman (MO)	Lewis (CA)	Snyder
Conable	Lewis (FL)	Solomon
Cooper	Livingston	Spence
Corcoran	Lloyd	Spratt
Coughlin	Loeffler	Stangeland
Craig	Long (LA)	Stenholm
Crane, Daniel	Long (MD)	Stratton
Crane, Philip	Lott	Stump
D'Amours	Lowery (CA)	Synar
Daniel	Lujan	Tauzin
Dannemeyer	Lundine	Taylor
de la Garza	Lungren	Udall
Derrick	Mack	Valentine
DeWine	Madigan	Vander Jagt
Dicks	Marriott	Vandergriff
Donnelly	Martin (IL)	Vento
Dowdy	McCain	Volkmer
Dreier	McCandless	Vucanovich
Edwards (OK)	McCollum	Walker
Emerson	McCurdy	Watkins
English	McDade	Whitehurst
Erdreich	McDonald	Whitley
Evans (IA)	McEwen	Whittaker
Fascell	McNulty	Whitten
Fiedler	Mica	Winn
Fields	Michel	Wirth
Flippo	Miller (CA)	Wolf
Franklin	Miller (OH)	Wylie
Frenzel	Montgomery	Young (AK)
Frost	Moore	Young (FL)
Fuqua	Moorhead	Zschau
Gibbons	Morrison (WA)	

NOES—193

Ackerman	Green	Pashayan
Addabbo	Guarini	Patterson
Akaka	Gunderson	Perkins
Anthony	Hall (IN)	Petri
Aspin	Hall (OH)	Pursell
Barnes	Hamilton	Quillen
Bellenson	Hammerschmidt	Rahall
Bereuter	Harrison	Rangel
Berman	Hatcher	Ratchford
Boehliert	Hawkins	Reid
Boland	Hertel	Richardson
Bonior	Horton	Ridge
Borski	Howard	Rinaldo
Boucher	Hoyer	Ritter
Boxer	Hughes	Rodino
Britt	Johnson	Roe
Burton (CA)	Kastner	Rostenkowski
Carney	Kaptein	Roukema
Carr	Kazen	Roybal
Clay	Kennelly	Russo
Clinger	Kildee	Sabo
Coleman (TX)	Kogovsek	Savage
Collins	Kolter	Sawyer
Conte	Kostmayer	Scheuer
Conyers	LaFalce	Schneider
Courter	Lehman (CA)	Schulze
Coyne	Leland	Schumer
Crockett	Lent	Seiberling
Daschle	Levin	Shannon
Daub	Levine	Shelby
Davis	Lowry (WA)	Sisisky
Dellums	Luken	Smith (FL)
Dickinson	MacKay	Smith (NE)
Dingell	Markey	Smith (NJ)
Dorgan	Marlenee	Snowe
Downey	Martin (NC)	Solarz
Duncan	Martin (NY)	Staggers
Durbin	Martinez	Stokes
Dwyer	Matsui	Studds
Dymally	Mavroules	Sundquist
Dyson	Mazzoli	Swift
Early	McCloskey	Tallon
Eckart	McGrath	Tauke
Edgar	McHugh	Thomas (CA)
Edwards (AL)	McKernan	Thomas (GA)
Edwards (CA)	McKinney	Torres
Evans (IL)	Mikulski	Torricelli
Fazio	Minish	Towns
Feighan	Mitchell	Traxler
Ferraro	Moakley	Walgren
Fish	Molinari	Waxman
Florio	Mollohan	Weiss
Foglietta	Moody	Wheat
Foley	Morrison (CT)	Williams (MT)
Ford (MI)	Mrazek	Williams (OH)
Ford (TN)	Natcher	Wise
Fowler	Nichols	Wolpe
Garcia	Nowak	Wortley
Gaydos	Oakar	Wyden
Gejdenson	Oberstar	Yates
Gekas	Obey	Yatron
Gephardt	Ortiz	Young (MO)
Gilman	Ottinger	Zablocki
Gonzalez	Owens	
Gray	Panetta	

NOT VOTING—22

Biaggi	Jeffords	St Germain
Bosco	Lipinski	Stark
Dixon	Mineta	Weaver
Erlenborn	O'Brien	Weber
Forsythe	Parris	Wilson
Frank	Pepper	Wright
Hansen (ID)	Pritchard	
Heftel	Rose	

□ 2130

Mr. GEJDENSON and Mr. MARKEY changed their votes from "aye" to "no."

Mr. CLARKE and Mr. COLEMAN of Missouri changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROOKS

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

The Clerk read as follows:

Amendment offered by Mr. BROOKS: Page 3, beginning on line 1, strike out all of section 5 through line 20 and redesignate the succeeding sections and references thereto accordingly.

Mr. BROOKS. Mr. Chairman, the amendment I am offering would restore the special allocation of general revenue-sharing funds for Louisiana sheriffs. Our friends from the Pelican State, the State of my birth, make the argument that sheriffs in Louisiana have special duties and functions that make them a special case in terms of revenue-sharing fund allocations. Our friends from Louisiana make this argument very effectively, because every time funding for the sheriffs is taken out, it manages to reappear in the revenue sharing authorization by the time the bill is enacted. I predict that no matter what happens with this amendment, this will be the case if revenue sharing is reenacted this year. Therefore, I think we in the House ought to spare ourselves the futile exercise of deleting Louisiana sheriffs since the end result will be their inclusion. I urge support for the amendment.

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

Mr. BROOKS. I yield to my distinguished friend, the gentleman from Georgia.

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

Mr. Chairman, I was simply going to seek recognition to say that the amendment which I had printed in the RECORD relating to the States' share under the tit-for-tat amendment will not be offered in light of the vote on the last amendment, which I voted for; however, I say this in order to get the attention of the chairman of the subcommittee and the full committee that in the event the other body should retain the States' share of revenue sharing for purposes of conference, I would expect that the tit-for-tat grant tradeoff would be considered as a compromise position between the House position and the other body's position in the event this gets to conference on that issue. In other words I will oppose any conference position that simply retains the State share of the program without a grant trading position as exists in the present law.

I thank the gentleman from Texas for yielding in connection with his amendment, with the pistol of the Senator from Louisiana held closely to our heads.

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

Mr. Chairman, I oppose this amendment, not because I have anything personal against the sheriffs of Louisiana. From what I am told about them, they really are exceedingly fine public servants.

The difficulty is that as distinguished from the other recipients of

revenue-sharing funds, who are general purpose governments, the Louisiana sheriffs are special purpose units of governments. They are not alone in performing some functions that municipalities or counties or localities in other places perform. There is no reason for them to be included in this legislation at all and, indeed, this House has never on its own voted to include them in. What has happened invariably is that when we have gotten to conference and the senior Senator from Louisiana, who used to be chairman of the Finance Committee, would get us in that conference, the basis for adoption of revenue sharing was inclusion of the Louisiana sheriffs. That may once again confront us, although the situation is different this year; however, it seems to me that it ought not to be this body which undercuts the legitimacy of the revenue-sharing program.

I know that my distinguished chairman has only the best interests of this House and of the revenue-sharing bill at heart; but I would urge nonetheless that we defeat his proposed amendment.

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

Mr. WEISS. I am pleased to yield to my friend, the gentleman from Louisiana.

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

I would just say for the Members who are wondering about why we are so confused in this situation in Louisiana, the amendment does not give the State of Louisiana a nickel more than it would normally get. It just allows the State to divide their shares and name the sheriffs in Louisiana as one of the direct recipients. The sheriffs in Louisiana are different in the way they are elected and they are different in the way they get their funding to run their offices. The only thing the amendment does is to allow them to be named as a recipient. It does not give the State any more money at all.

□ 2140

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BROOKS).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. LEVIN OF MICHIGAN

Mr. LEVIN of Michigan. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. LEVIN of Michigan: Page 2, after line 22, insert the

following new section (and redesignate the succeeding sections and references thereto accordingly):

COMPUTATIONS OF ENTITLEMENT USING
REPRESENTATIVE TAX SYSTEM

SEC. 5. Section 6707 of title 31, United States Code, is amended—

(1) by striking out subparagraph (B) of subsection (b)(2) and inserting in lieu thereof the following:

“(B) the fiscal capacity of the State and of all units of general local government located in such State, as determined by the Secretary by means of the representative tax system developed pursuant to subsection (f).”;

(2) by striking out subparagraphs (A) and (B) of subsection (b)(3) and inserting in lieu thereof the following:

“(A) the numerator is the per capita fiscal capacity of the United States, as determined by the Secretary by means of the representative tax system developed pursuant to subsection (f); and

“(B) the denominator is the per capita fiscal capacity of the State, as determined by the Secretary by such means.”;

(3) by striking out clauses (i) and (ii) of subsection (c)(2)(A) and inserting in lieu thereof the following:

“(i) the numerator is the per capita fiscal capacity of the United States, as determined by the Secretary by means of the representative tax system developed pursuant to subsection (f); and

“(ii) the denominator is the per capita fiscal capacity of the State, as determined by the Secretary by such means, bears to”; and

(4) by adding at the end thereof the following new subsections:

“(e) The amount allocated to any State under this subsection (b) or (c) of this section as a consequence of the amendments made by section 5 of the State and Local Fiscal Assistance Amendments of 1983 shall not exceed by more than 10 percent the amount which would be allocated to such State if such amendments had not been enacted.

“(f)(1) The term ‘representative tax system’ means a method of determining the fiscal capacity of a government by estimating the amount of revenue that such government would raise if it applied a national uniform set of tax rates to a specified set of tax bases.

“(2) The Secretary, in consultation with the Secretary of Commerce, the Secretary of the Interior, the Comptroller General of the United States, and the Advisory Commission on Intergovernmental Relations, shall develop a representative tax system similar to the representative tax system described in the March 1982 report of such Commission entitled ‘Tax Capacity of the Fifty States: Methodology and Estimates’. The Secretary of Commerce shall collect whatever data and statistical estimates are necessary to develop and implement such a system.

“(3) When the Secretary has developed a representative tax system under subparagraph (2), or proposes to amend such system, the Secretary shall, in accordance with the provision of section 553 of title 5, United States Code, provide public notice of such system or amendment and an opportunity to interested persons to comment on such system or amendment. A report on such system or amendment shall be submitted to the Committee on Finance of the Senate and the Committee on Government Operations of the House of Representatives

as soon as practicable after the period for receiving comments from interested persons has ended.

“(4) After compliance with the requirements of subparagraph (3), a representative tax system developed under subparagraph (2), and any amendment made to such system, shall take effect not sooner than 45 days after publication in final form in the Federal Register and concurrent transmittal to each House of Congress.

“(5) Until the Secretary has developed a representative tax system under subparagraph (2), the Secretary shall use the representative tax system and data provided in the most recently revised version of the March 1982 report described in subparagraph (2).”.

Page 8, beginning on line 5, strike out all of section 9 through line 14 on page 10 and redesignate the succeeding section accordingly.

Page 9, strike out lines 10 through 12, and on lines 13 and 18, redesignate paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

Page 9, strike out lines 21 through 23, and on line 24, redesignate subsection (c) as subsection (b).

Page 10, line 1, strike out “subsection (a)(3)” and insert in lieu thereof “subsection (a)(1)”; on line 7, strike out “subsections (a) (1) and (2)” and insert in lieu thereof “subsection (a)(1)”; and on line 12, strike out “subsection (a)(3)” and insert in lieu thereof “subsection (a)(2)”.

Mr. LEVIN of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. LEVIN of Michigan. Mr. Chairman, I have tried to circulate this amendment broadly. It has been printed in the RECORD and we have circularized information regarding it.

There presently is an inequity in the revenue-sharing system. It relates to how tax effort and tax capacity are calculated.

As we know, there is a three-part and there is a five-part formula. Both of them contain reference to tax effort and to tax capacity.

The problem is that while in determining tax effort all of the resources of a State are considered in calculating what revenues are raised from those resources, when it comes to tax capacity the only thing considered is personal income.

Several years ago this Congress, this Congress asked the GAO to take a look at the personal income bases in these formulas. Let me read briefly what they said. “We have already studied this matter.”

The GAO said “Residents’ personal income, however, is an incomplete measure of tax capacity. It only measures income at the point it is received in the form of wages, salaries, et cetera. Income is also taxed through severance, commercial industrial prop-

erty or sales tax where it is produced or used for consumption.”

This is a complex amendment. It involves a simple and important principle but it has effect.

Let me, if I might, continue to discuss it in terms of the GAO report.

It continued “Another drawback of personal income is its inability to reflect the diversity of revenue sources within a State.”

So what is proposed instead of the use of personal income alone as a determination of tax capacity, what is proposed in this amendment is to use the RTS, representative tax system, that has been worked on for 20 years.

What is would do would be to use 26 different bases to determine how a State taxes itself, determine national average, and then apply that national average to the bases within the State.

In a word, what is included in tax efforts, members of the committee, should also be included in determining tax effort. It is really that simple.

Let me say a word about a few other aspects of this.

Is this a regional proposal? The answer is “No.”

The major gainers under this approach would include Alabama, Arizona, Georgia, Michigan, New York, Tennessee, North Carolina, Pennsylvania, Rhode Island, and Wisconsin.

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

Mr. LEVIN of Michigan. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. I would like to commend the gentleman in the well for his amendment and indicate that the gentleman in the well has shared with the gentleman from Pennsylvania some specific analyses of the States that he has outlined that in fact are gainers under the formula the gentleman is offering.

I think those who are supportive of an earlier amendment on targeting to areas of economic distress by unemployment should also be interested in targeting the revenue sharing funds to those areas of need.

I think the gentleman’s amendment provides that targeting mechanism and I urge my colleagues to support the gentleman’s amendment and I urge them also to listen carefully to what the formula does.

It is a late hour. It is a late time to be bringing this amendment up. But I think the gentleman from Michigan offers an amendment that should be supported across the House floor, and I commend the gentleman for his efforts.

Mr. Chairman, I rise in strong support of the Levin amendment to H.R. 2780, the general revenue sharing reauthorization bill. I think the gentleman from Michigan has shown real leadership in putting together an amendment which would insure a

fairer and more equitable allocation of revenue sharing funds among the States.

There can be little doubt that general revenue sharing has become the most important Federal program of direct aid to localities. Since 1972, the GRS program has distributed billions of dollars to 39,000 State and local governments, for almost every reasonable government purpose. To a good portion of these governments, this means that GRS moneys are used for education and capital infrastructure improvements, while social services for the elderly, the sick and the indigent rank high on the list of prominent uses by other areas.

And even though the rate of inflation has eroded the value of revenue sharing dollars, decreasing by about 50 percent since 1976, these payments play a vital role to the localities which are charged with providing these services. Indeed, it can be argued that many local governments find revenue sharing moneys more essential than ever before.

There is simply no doubt that should we in Congress fail to renew the program, there would be immediate and severe layoffs and hiring freezes, cutbacks in services, escalating taxes and delayed capital projects.

The general revenue sharing program that we have before us today also includes 2 very important targeting principles. The first is that the Federal Government—especially, in time of tight budgets—ought to assist those governments with low relative fiscal capacity to meet the needs of their citizens. Taking tax capacity into account gives recognition to the fact that fiscally poor States would have to impose a much heavier tax burden on their citizens than would fiscally rich States providing similar benefits to their needy population. The second principle is that the Federal Government ought to provide more revenue sharing aid to those States which provide their citizens public services from their own revenue sources.

But these principles have been "biased", in recent years, by the measures of tax capacity and tax effort used in the general revenue sharing interstate formulas. The tax capacity factor used personal income as a proxy for evaluating a State's ability to raise revenues. The theory behind using personal income is that taxes are eventually paid out of personal income, so the higher the personal income level of a State, the more revenue that State can raise. However, this is only part of the picture. There are several State taxes which are not paid out of the personal income of residents of that State.

For example, some States apply a severance tax to natural resources extracted from the State. This tax is usually passed on the consumers, but

those consumers do not necessarily reside in the State which imposed the severance tax. Other examples of taxes which do not necessarily fall on the personal income of the residents of a State include sales and entertainment taxes paid by tourists, value-added taxes paid by consumers of goods manufactured in other States, and corporate income taxes.

The current system, which uses only personal income as a measure of tax capacity, understates the ability of some States to raise revenue. These States can and do raise money in ways not measured by the current system.

In addition, the current tax effort measure used in the general revenue sharing program—defined as the total taxes collected in State divided by the State's capacity—also has drawn increasing criticism in past years because it uses income as a measure of a State's tax capacity. Distortions are particularly great for the energy producing and tourism—rich States.

To overcome these deficiencies, the Advisory Commission on Intergovernmental relations developed another measure for tax capacity—and, thereby, tax effort—by estimating the amount of revenue the state-local system would have generated had it made use of all its taxable resources. According to the General Accounting Office (GAO), this representative tax system (RTS) approach is superior to personal income as an indicator of tax capacity because it reflects the major revenue sources available to State and local governments."

The primary advantage of the representative tax system is that it addresses all regional comparative advantages, such as corporate, mineral, sales, or farm wealth, as well as residential property values. Indeed, the Levin amendment would help States in all regions of the country—East, Midwest, South, and West.

In conclusion, I would like to commend the gentleman from Michigan for offering this important amendment and hope you join me in supporting his amendment to H.R. 2780.

Mr. LEVIN of Michigan. I thank the gentleman.

Let me conclude because others want to speak.

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

(On request of Mr. EDGAR and by unanimous consent Mr. LEVIN of Michigan was allowed to proceed for 3 additional minutes.)

Mr. LEVIN of Michigan. There is the argument that all right, it is unjust. There is the argument that all right, it is used in Canada and we know how it works there. But let us wait until next year.

We would have to wait until 3 years from now. This is an unjust system. It has been studied.

The time for this body and the 350 or so Members whose States would gain by equity, it is the time for all of us to join together and once and for all end an unjust formula and insert a well-studied proposal, the RTS, in lieu of it.

I urge support of all of us in favor of this amendment.

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

Mr. LEVIN of Michigan. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I want to rise in strong support of the gentleman's amendment. It makes good sense. It is a balanced approach, a far better approach, than the system included in the bill now which deals only with personal or per capita income as a basis for one of the factors in revenue sharing; whereas the representative tax system would include all potential sources of tax revenue for a State. That would mean including corporate taxes, sales taxes, property tax, energy severance taxes. That is important because that is one of those taxes that energy rich States export to consumer States.

By including all of these factors into the tax aspect of the revenue-sharing formula we would be developing a fair and a representative basis for distributing the revenue-sharing funds.

I urge the support of the Members for the Levin amendment.

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

Mr. LEVIN of Michigan. I yield to the gentleman from Michigan.

Mr. WOLPE. I thank the gentleman for yielding.

I want to join in commending the gentleman in the well for introducing this amendment. I urge my colleagues to take a very close look at it.

I urge my colleagues to take a very close look at the State-by-State analysis of the impact of the Levin amendment on the distribution of revenue sharing dollars.

The revenue sharing formula takes as a given the notion that States should be rewarded on the basis of their tax effort. The present problem with the present formula is that its measure of tax effort and its measure of tax capacity is an unfair one. It does not really measure the total resources available to a given State in the taxation that is imposed by that State.

What this measurement does is to build in all of the available resources available to a State so that it will offer a more fair distribution of the Federal revenue sharing dollars.

It should be noted that when we decontrolled the price of oil in this country certain States that had the energy resources experienced a huge increase in revenues and, as a consequence of that increase in revenue, those States

ended up with a higher percentage rather than a lower percentage of Federal revenue sharing dollars at the expense of energy consuming States throughout the country.

□ 2150

At the expense of energy consuming States throughout the country.

Ms. OAKAR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan be given 2 additional minutes.

Mr. GRAMM. Reserving the right to object.

Ms. OAKAR. One additional minute.

Mr. GRAMM. Mr. Chairman, we have now under the unanimous-consent request only 10 minutes.

I would like to inquire as to how the Chair proposes that we divide that 10 minutes up to be assured that those who oppose the amendment have similar time to those who have spoken on its behalf.

The CHAIRMAN. The next Member to be recognized will be one who rises in opposition to the amendment.

Ms. OAKAR. I ask unanimous consent that the gentleman be allowed to proceed.

The CHAIRMAN. For how many additional minutes?

Ms. OAKAR. For 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. LEVIN of Michigan. I yield to the gentlewoman from Ohio.

Ms. OAKAR. I thank the gentleman for yielding.

Mr. Chairman, I feel this is one of the most thoughtful amendments ever offered concerning this bill.

It is very unfortunate that it is so late because somehow I do not get the feeling that all of us are willing to really absorb the impact of what the gentleman's formula is all about, which is really a corrective formula.

I just urge my colleagues to really try to analyze what the gentleman from Michigan is trying to do, which is eminently fair. I hope we pass the gentleman's amendment. I am only sorry that is offered at this hour, that he was not able to offer it sooner, because I think if we had a chance to study it, there is no question that it should pass.

I am hoping we will be in a position to pass it even at this late hour.

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

Mr. LEVIN of Michigan. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. I thank the gentleman for yielding.

Mr. Chairman, I would like to associate myself with this amendment, I think it is an excellent amendment be-

cause it does represent a move toward fairness in changing the basis on which we decide what the share should be.

Mr. Chairman, I rise in support of the amendment to H.R. 2780 offered by the gentleman from Michigan (Mr. LEVIN). This amendment seeks to include a fairer, more equitable definition of the tax capacity and tax effort of States in the formulas for distribution of general revenue-sharing funds. Under the formulas used during the previous authorization periods, distribution of revenue-sharing dollars has been linked to the tax capacity, or ability to generate revenue, of the States. The capacity, or tax base, has then been compared to the revenues actually raised in the particular State. The ratio of capacity to revenue is used to measure the tax effort of the State, or how heavy the State tax burden is on the residents of that State. These formulas were designed to provide for a fair distribution of Federal dollars to needy States and localities across the Nation. They have worked well, providing much needed funds to communities with far less ability to raise revenues than the Federal Government.

The formulas for distribution of funds are complex and this amendment does not seek to change them. What this amendment does is to provide for a clearer picture of tax capacity so that the formulas can work better in directing revenue-sharing funds to governmental units who are meeting their own revenue raising responsibilities. Currently, tax capacity of a State is measured by the total personal income of that State on the theory that taxes will be paid out of personal income and therefore State revenues are intrinsically linked to them. This measure, however, presents only a portion of the revenue picture. Many States rely on severance taxes on natural resources as a major revenue raising tool. Others rely heavily on sales taxes, value-added taxes, entertainment taxes and corporate income taxes, all not necessarily linked to personal income. The representative tax system, offered in this amendment, would take into account all of the possible revenue raising tools used by a State in computing tax capacity and in turn, tax effort. By doing so the data base of revenue sharing formulas is expanded and a more accurate reading of States' revenue raising initiatives is possible. This adjustment will correct the problem of underestimating a State's tax capacity which is the natural result from looking only at personal income in determining that capacity.

Mr. Chairman, there has been some criticism of this method of computing tax capacity and effort focusing on the possibility that some States may receive a smaller share of revenue shar-

ing moneys should this system be adopted. In point of fact, the Commonwealth of Pennsylvania will increase its share of funds by 0.42 percent under the representative tax system and 40 other States will receive more funds or a larger share under H.R. 2780 if this amendment is adopted. It is true that nine States will receive less funding if this amendment is adopted, but the States gaining the most from implementation of the representative tax system are those whose tax capacity has been most severely overstated in the past or whose tax effort has been most severely understated. On balance, Mr. Chairman, this amendment would benefit most States in the Nation by presenting a truer indicator of their fiscal health and thus allowing for a more responsible, more equitable distribution of Federal revenue sharing funds.

In enacting this legislation before us today, we in Congress bear a great responsibility. If general revenue sharing is to be available to all States in the Union, we must do our best to insure a fair distribution of funds. This amendment makes an adjustment in definitions relating to the distribution of revenue sharing funds which provides for a more accurate and equitable allocation of Federal money. It is an opportunity for Congress to meet its responsibility to safeguard taxpayer dollars and I urge my colleagues to take the opportunity and adopt the amendment.

Mr. BROOKS. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendments.

Mr. Chairman, although the proposal by the gentleman from Michigan is interesting, I must oppose including this approach in the revenue-sharing program at this time. Those of us who have lived with revenue sharing over the past decade know that when you change just one element of the complex allocation formulas, you may end up with rather surprising—and unintended—results.

Mr. Chairman, during its consideration of H.R. 2780, the committee carefully examined the representative tax system approach proposed in this amendment. The committee concluded that since the proposed change would represent a rather dramatic revision of the current allocation formulas, further analysis of this method is necessary.

H.R. 2780 therefore directs that the Secretary of the Treasury, in consultation with the Secretary of Commerce, the Comptroller General, and the Advisory Commission on Intergovernmental Relations, to study and develop the representative tax system for possible use in the revenue-sharing allocation formulas. The Secretary is required to submit a report to Congress on his findings and recommendations

within 2 years. The information would thus be available for considering formula changes at a later date.

Mr. Chairman, I believe that the committee has proposed a thoughtful and prudent approach to an extremely complex issue. I would also point out that the National League of Cities and the National Association of Counties—two organizations representing thousands of local governments that would be affected by this amendment—have advised the committee that they adamantly oppose any formula changes at this time. Both endorse the committee's proposal for further analysis of this issue.

I therefore urge my colleagues to oppose the gentleman's amendment.

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

Mr. BROOKS. I yield to my friend, the gentleman from New Mexico.

Mr. RICHARDSON. I thank the gentleman for yielding.

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

The Western Governors' Policy Office (Westpo) is strongly opposed to the representative tax system (RTS). Congressman LEVIN's amendment to H.R. 2780 would incorporate the RTS into the general revenue sharing allocation formula. Opposition to the Levin amendment is based on the following points:

During its deliberations on H.R. 2780, the House Government Operations Committee rejected a similar proposal. The committee realized that many complex fiscal interrelationships are at stake and directed further study of the possible use of an RTS measure in the general revenue sharing formula.

Although the staff of the Advisory Commission on Intergovernmental Relations has undertaken extensive studies of the RTS, the Commission itself has not formally endorsed the concept as an alternative to the current general revenue sharing formula. The National Governors Association (NGA) has likewise declined to endorse the RTS concept.

Under the current \$4.6 billion authorization level the Levin amendment would reduce the amount of general revenue sharing funds received by 11 of the 13 Westpo States. These reductions will create hardships for States which have already planned budgets for the coming fiscal year based on current formula allocations.

EFFECTS OF LEVIN AMENDMENT ON WESTPO STATES

(In millions of dollars)

	Current general revenue sharing formula	Levin amendment
Alaska.....	37.0	21.0
Arizona.....	55.1	61.2
Colorado.....	51.8	51.6
Idaho.....	18.6	17.3

EFFECTS OF LEVIN AMENDMENT ON WESTPO STATES—

Continued

(In millions of dollars)

	Current general revenue sharing formula	Levin amendment
Montana.....	18.7	13.1
Nebraska.....	28.5	27.7
Nevada.....	13.9	12.7
New Mexico.....	36.8	21.9
North Dakota.....	13.9	9.4
South Dakota.....	15.8	12.0
Utah.....	34.6	32.7
Washington.....	66.9	70.6
Wyoming.....	11.6	6.4
Total.....	403.2	357.6

Note: Assumes current authorization level of \$4.566 billion.

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

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

Mr. WEISS. I thank my chairman for yielding.

I simply want to state that I would be sorely tempted to support this amendment because my State would benefit to a greater extent than any other State if this amendment were adopted.

The difficulty is—and I hope it has not escaped my colleagues—the revenue sharing program is not that universally loved. We lost a couple of significant amendments today. I think that the adoption of this amendment could in fact endanger the continuation of the revenue sharing program. I would much rather build toward adoption of it than just precipitously throw it on the floor at this point and drop it.

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

Mr. BROOKS. I yield to the gentleman from West Virginia.

Mr. WISE. I thank the gentleman for yielding.

Mr. Chairman, I also rise in opposition. I point out this formula they propose to change is based heavily on energy taxes. They say somehow we are exporting, because we produce coal, taxes.

I come from the State with the highest unemployment in the Nation. If you think we are exporting those taxes what about the shoes from the Northeast, the lumber from the Northwest—those costs get passed on.

I ask you to look at our depleted reserves, the damage, the reclamation that must be done, and realize this formula is quite radical and dangerous and greatly changes the allocation, and at this late hour of the night we ought not to change something so significant.

Mr. WILLIAMS of Montana. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Montana.

Mr. WILLIAMS of Montana. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to the gentleman's amendment. The amendment is not a simple manipulation of Federal revenue sharing formulas. Rather, it is a dramatic re-fashioning, a transformation of the Federal consideration of equitable distribution of revenue sharing dollars.

The amendment embodies a notion referred to as the "representative tax system". That system is one attempt, a flawed effort to develop an equitable allocation system by determining a State's fiscal capacity. Perhaps such capacity needs to be both understood and measured. This amendment, on this bill, is not the proper vehicle for such a broad and sweeping change in Federal policy.

The Members of this House would be making a major mistake in accepting this metamorphosis in public policy.

Mr. Chairman, although I do not support this amendment, I am in strong support of the legislation.

After having been among the hardest-hit victims of the recent recession, State and local governments are now projected to lag behind other sectors of the economy in recovery. To promote economic growth and relieve the great fiscal pressure not weighing on America's cities and counties, Congress should reauthorize general revenue sharing at the \$5.02 billion level agreed on in the budget resolution. That level represents a \$450 million—or less than 10 percent—increase in the program, which has not been increased since 1976.

States and localities are in the midst of their most severe fiscal crisis since the Great Depression. A recession-induced fall in tax collections combined with steep reductions in Federal aid has forced most States, counties, and municipalities to implement major service cutbacks and tax increases.

Evidence of the fiscal crisis and its effects is seen in the reduction of State and local government expenditure for human services and infrastructure repair.

At a time when demands for services are at record levels, States and localities are being forced to cut their work forces. Over 400,000 State and local government jobs have been lost in 3 years, according to the Bureau of Labor Statistics. Previous economic downturns were usually moderated by increased State and local spending and employment. This time, however, the State and local public sector was hit even harder than the private sector. In large part, this accounts for why the current recession is so severe. In 1982, State and local employment fell by 1.5 percent, while national employment was down by only 0.9 percent.

The Reagan administration's spending reductions have come disproportionately out of State and local gov-

ernment aid, which will be down \$24 billion in 1984 as a result of the cumulation of Federal cuts. State aid to local governments is also being cut back as States attempt to balance their budgets. Eighty-eight percent of the cities contacted in a Joint Economic Committee survey expected decreases in State aid.

At the same time, cities and counties have had to raise property taxes and user fees, a choice viewed with extreme disfavor by local citizens, who in return for the increase receive fewer services.

Inflation has reduced the benefits of GRS. Local revenue sharing has not been increased since fiscal year 1977, even though the cost of living has increased by over 60 percent since then. The rise in the cost of living will surely increase by more than 10 percent over the 5-year authorization of this bill, causing a further decline in the real value of the program, despite the less than 10-percent increase.

State and local budgets will continue to be under great strain over the next several years. Consequently, reauthorization of general revenue sharing, with less than a 10-percent increase in funding, is essential to prevent further cutbacks in State and local human services and infrastructure investment. In addition, the stimulus which GRS provides to State and local economies throughout the country will help insure that the national recovery is balanced and sustained.

I urge my colleagues to pass this bill and defeat all amendments except one, which will conform the authorization to the level of the first budget resolution.

Mr. HORTON. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment. I will be very short.

I want to make some points. The first point is that there is a need for changing the formula. But it ought to be studied. It has not been studied.

This bill does provide for a study to be made by the subcommittee.

Second—and I think this is a very important point—whenever you change the piece of pie, because that is what you are doing, you are dividing up \$4.6 billion plus \$450 million into approximately 39,000 pieces. When you divide it somebody is going to lose if somebody picks up.

The other point is that this amendment permits many of the changes in the formula to be made by the executive branch so they can design the changes. And I think for that reason alone we ought not to adopt this amendment.

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

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

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Chairman, I would ask the gentleman if he is aware in addition to the two organizations the chairman from Texas cited in opposition to this, the National League of Cities and National Association of Counties, that in addition the American Federation of State, County, & Municipal Employees, the public employee divisions of the AFL-CIO and National Association of Towns & Townships are also opposed to this formula change.

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

Mr. HORTON. I thank the gentleman for his contribution.

I yield to the gentleman from Idaho (Mr. CRAIG).

Mr. CRAIG. I thank the gentleman from New York.

Mr. Chairman, I wish to associate myself with his remarks and warn all of the Members in the House at this late hour to be attempting to address a major, and I repeat, a major formula change at this time without looking at the provisions of this legislation which, in itself, requests a thorough examination of that formula, is, at best, very complicated, recognizing that our national associations that are the beneficiaries of this type of legislation have asked that we examine it under the full light of a thorough investigation.

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

Mr. HORTON. I yield to the gentleman from Florida.

Mr. MacKAY. I thank the gentleman.

I would like to make the point that there are other issues besides the representative tax system.

The fact of the matter is there have been other changes in the revenue sharing since the original formula was adopted. TRS does not take into account user fees. There are major States like California which would be penalized because they do not show up as making a tax effort when in fact they are relying on user fees because of proposition 13. That is another reason.

□ 2200

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

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

Ms. KAPTUR. I thank the gentleman for yielding.

I would just like to point out to the gentleman about this child that was brought up from the committee that, in fact, this issue has been studied to death. The Advisory Commission on Intergovernmental Relations has studied this for the last 20 years and recommends the change to the RTS formula, the Levin amendment. In addition to that, the General Accounting Office recommends the change.

Mr. HORTON. I thank the gentleman.

Mr. Chairman, I oppose the amendment and urge my colleagues to defeat it.

● Mr. LaFALCE. Mr. Chairman, I rise in support of the amendment to H.R. 2780 being offered by our colleague from Michigan (Mr. LEVIN).

The amendment would correct a glaring inequity in the general revenue sharing, GRS, allocation formulas by substituting the representative tax system, RTS, measure of tax effort for the current system which simply divides a State's total personal income by the total revenue raised by the State to derive a surrogate measure for State tax effort.

I would like to address one problem that will be resolved by the amendment: the inclusion of severance tax revenues in the measure of State tax effort.

Mr. Chairman, every consumer of oil and natural gas contributes to the severance tax collections of the energy producing States. For the purposes of this debate, I will assume that the energy producing States have a legitimate claim to such tax revenues. After all, their supplies of oil and natural gas are being depleted, and the energy producing States need—much like the oil companies need the depletion allowance—another assumption for debate purposes only—severance taxes as a buffer for when the wells run dry.

Assuming this point, Mr. Chairman, nonetheless, I would suggest that what the energy producing States neither need nor deserve is to fully count their severance tax collections—taxes that are paid by consumers throughout the country—as part of their State tax effort.

Under the present system, consumers throughout the country are contributing directly to the coffers of the energy producing States, through severance taxes that are passed through to consumers, and indirectly, as these severance tax payments contribute to the energy producing States' tax efforts thereby increasing their GRA entitlements.

Mr. Chairman, State tax effort was included in the GRS formulas to insure that GRS dollars would flow more freely to States as their ability to raise revenues on their own decreased. Congress recognized that States with poor populations and States that taxed their residents heavily in order to provide needed services should be treated more favorably in the distribution of revenue sharing dollars. Accordingly, the 5-factor GRS formula allocates 17 percent of total revenue sharing dollars on the basis of State tax effort, while the 3-factor GRS formula weighs State tax effort equally with population and relative

income to determine the distribution of GRS dollars among the States.

Congress noble goal of providing additional revenues to poor and needy States has been distorted by our failure to devise a measurement of State tax effort that reflects our substantive concerns. The out-of-State revenues raised through severance taxes distort the allocation of revenue sharing dollars. The Treasury Department had estimated that \$36 million in GRS dollars will be transferred to the energy producing States from the energy consuming States from fiscal year 1980 to fiscal year 1985 due to increased severance tax collections.

I should point out to my colleagues that natural gas deregulation legislation reported by the Senate Energy Committee, which decontrols all natural gas including old gas, will certainly exacerbate the problem. The administration's earlier decision to decontrol domestic oil prices and the action taken by the Senate Energy Committee, if supported by the full Congress, will add billions of dollars to the budgets of the energy producing States through increased severance tax collections, and millions more through transfers within the GRS program.

The amendment being offered by the gentleman from Michigan, Mr. LEVIN, which I urge all my colleagues from the energy consuming States to support, will correct this imbalance as it regards GRS funds by substituting a measure of State tax effort that more equitably takes into account all potential sources of State revenue rather than only one, that being personal income.

The RTS measure has been devised by the Advisory Commission on Intergovernmental Relations, a bipartisan commission with representatives from all regions of the country. I believe that it is fair, and, more importantly, its incorporation into the GRS program will restore congressional intent as regards the measurement of tax effort.

The bill before us requires a 2-year study of the RTS system and other alternative measures. This is indeed commendable, but I do not believe that we need another 2-year study. If we need one, let us put the RTS system in place and mandate a study of its operation.

I for one am tired of waiting for a resolution to this problem. Remember that the 2-year study required by the bill will, in all likelihood, not be implemented until the GRS program is up for renewal—5 years from now—if it is implemented at all.

I urge my colleagues to support this amendment. ●

Mr. GLICKMAN. Mr. Chairman, it strikes me that with a Federal deficit of nearly \$200 billion this year, there is very little revenue indeed to share with the States or anyone else. Ac-

cordingly, I will vote against final passage of the revenue sharing bill before us, in the symbolic effort to try to reduce the deficit.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from Michigan (Mr. LEVIN).

The question was taken; and a division (demanded by Mr. LEVIN of Michigan) there were—ayes 54, noes 98.

RECORDED VOTE

Mr. LEVIN of Michigan. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 220, not voting 21, as follows:

[Roll No. 311]

AYES—192

Akaka	Forsythe	Morrison (WA)
Albosta	Frank	Mrazek
Anderson	Gaydos	Murphy
Annunzio	Gedjenson	Murtha
Applegate	Gekas	Nowak
Aspin	Gephardt	Oakar
Barnard	Gilman	Oberstar
Barnes	Goodling	Obey
Bates	Gore	Parris
Bedell	Gradison	Pease
Bellenson	Gray	Penny
Bennett	Green	Petri
Berman	Guarini	Porter
Boehliert	Gunderson	Price
Boland	Hall (IN)	Ratchford
Boner	Hall (OH)	Ridge
Bonior	Hamilton	Rinaldo
Bonker	Harrison	Ritter
Borski	Hawkins	Rodino
Bosco	Hertel	Roe
Broomfield	Holt	Rostenkowski
Brown (CA)	Howard	Roth
Byron	Hoyer	Roukema
Carney	Hughes	Rudd
Carr	Hyde	Russo
Chandler	Jacobs	Sabo
Clay	Jones (TN)	Savage
Clinger	Kaptur	Sawyer
Coelho	Kastenmeier	Scheuer
Collins	Kennelly	Schneider
Conable	Kildee	Schulze
Conte	Kindness	Seiberling
Conyers	Kolter	Sensenbrenner
Cooper	Kostmayer	Shannon
Coughlin	LaFalce	Sharp
Courter	Latta	Shelby
Coyne	Lent	Shuster
Crane, Daniel	Levin	Sikorski
Crockett	Levitae	Siljander
Davis	Lloyd	Simon
Dellums	Long (MD)	Sisisky
Derrick	Luken	Smith (NJ)
Dicks	Lundine	Snowe
Dingell	Madigan	Solarz
Dixon	Markey	Spratt
Donnelly	Martin (IL)	Stark
Downey	Martin (NY)	Stokes
Durbin	Matsui	Studds
Dwyer	Mavroules	Stump
Dymally	McCloskey	Tallon
Dyson	McDade	Torricelli
Early	McEwen	Traxler
Eckart	McGrath	Udall
Edgar	McHugh	Vander Jagt
Edwards (CA)	McKernan	Vento
Evans (IL)	McKinney	Walgren
Fazio	McNulty	Waxman
Feighan	Mikulski	Wheat
Fish	Miller (OH)	Williams (OH)
Florio	Minish	Wolpe
Foglietta	Mitchell	Wortley
Foley	Moakley	Wyden
Ford (MI)	Moody	Yates
Ford (TN)	Morrison (CT)	Yatron

NOES—220

Ackerman	Hartnett	Patterson
Addabbo	Hatcher	Paul
Alexander	Hefner	Pepper
Andrews (NC)	Hightower	Perkins
Andrews (TX)	Hiler	Pickle
Anthony	Hillis	Pursell
Archer	Hopkins	Quillen
AuCoin	Horton	Rahall
Badham	Hubbard	Rangel
Bartlett	Huckaby	Ray
Bateman	Hunter	Regula
Bereuter	Hutto	Reid
Bethune	Ireland	Richardson
Bevill	Jenkins	Roberts
Billirakis	Johnson	Robinson
Billey	Jones (NC)	Roemer
Boggs	Jones (OK)	Rogers
Boxer	Kasich	Rowland
Breaux	Kazen	Royal
Britt	Kogovsek	Schaefer
Brooks	Kramer	Schroeder
Brown (CO)	Lagomarsino	Schumer
Broyhill	Lantos	Shaw
Bryant	Leach	Shumway
Burton (CA)	Leath	Skeen
Burton (IN)	Lehman (CA)	Skelton
Carper	Lehman (FL)	Slattery
Chappell	Leland	Smith (FL)
Chapple	Levine	Smith (IA)
Cheney	Lewis (CA)	Smith (NE)
Clarke	Lewis (FL)	Smith, Dennis
Coats	Livingston	Smith, Robert
Coleman (MO)	Loeffler	Snyder
Craig	Long (LA)	Solomon
Crane, Philip	Lott	Spence
D'Amours	Lowry (WA)	Staggers
Daniel	Lujan	Stangeland
Dannemeyer	Lungren	Stenholm
Daschle	Mack	Stratton
Daub	MacKay	Sundquist
de la Garza	Marlenee	Swift
DeWine	Marriott	Synar
Dickinson	Martin (NC)	Tauke
Dorgan	Martinez	Tauzin
Dowdy	Mazzoli	Taylor
Dreier	McCain	Thomas (CA)
Duncan	McCandless	Thomas (GA)
Edwards (AL)	McCollum	Torres
Emerson	McCurdy	Towns
English	McDonald	Valentine
Erdreich	Mica	Vandergriff
Evans (IA)	Michel	Volkmer
Fascell	Miller (CA)	Vucanovich
Ferraro	Mineta	Walker
Fiedler	Molinari	Watkins
Fields	Mollohan	Weiss
Flippo	Montgomery	Whitehurst
Fowler	Moore	Whitley
Franklin	Moorhead	Whittaker
Frenzel	Myers	Whitten
Frost	Natcher	Williams (MT)
Fuqua	Neal	Winn
Garcia	Nelson	Wirth
Gibbons	Nichols	Wise
Glickman	Nielson	Wolf
Gonzalez	Olin	Wright
Gramm	Ortiz	Wylie
Gregg	Ottinger	Young (AK)
Hall, Ralph	Owens	Young (FL)
Hall, Sam	Oxley	Young (MO)
Hammerschmidt	Packard	Zablocki
Hance	Panetta	Zschau
Hansen (UT)	Pashayan	
Harkin	Patman	

NOT VOTING—21

Biaggi	Gingrich	O'Brien
Boucher	Hansen (ID)	Pritchard
Campbell	Hefel	Rose
Coleman (TX)	Jeffords	St. Germain
Corcoran	Kemp	Weaver
Edwards (OK)	Lipinski	Weber
Erlenborn	Lowery (CA)	Wilson

□ 2210

Mr. MINETA and Mr. GARCIA changed their votes from "aye" to "no."

Messrs. STOKES, PORTER, DANIEL B. CRANE, RUDD, and

KASTENMEIER changed their votes from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

□ 2220

The CHAIRMAN. Are there any other amendments?

The question, then, 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 the Speaker having resumed the chair, Mr. SWIFT, 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. 2780) to extend and amend the provisions of title 31, United States Code, relating to the general revenue sharing program, pursuant to House Resolution 285, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

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

MOTION TO RECOMMIT OFFERED BY MR. DANNEMEYER

Mr. DANNEMEYER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DANNEMEYER. I am opposed to this bill, Mr. Speaker, for a very simple reason. We do not have any revenue to share, only a deficit. If it were not so serious, it would be funny.

Mr. SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DANNEMEYER moves to recommit the bill, H.R. 2780, to the Committee on Government Operations.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

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

Mr. HORTON. 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 381, nays 35, answered "present" 1, not voting 16, as follows:

[Roll No. 312]

YEAS—381

Ackerman	Dicks	Ireland
Addabbo	Dingell	Jenkins
Akaka	Dixon	Johnson
Albosta	Donnelly	Jones (NC)
Alexander	Dorgan	Jones (TN)
Anderson	Dowdy	Kaptur
Andrews (NC)	Downey	Kasich
Andrews (TX)	Duncan	Kastenmeier
Annunzio	Durbin	Kazen
Anthonny	Dwyer	Kennelly
Applegate	Dymally	Kildee
Aspin	Dyson	Kindness
AuCoin	Early	Kogovsek
Barnard	Eckart	Kolter
Barnes	Edgar	Kostmayer
Bartlett	Edwards (AL)	Kramer
Bateman	Edwards (CA)	LaFalce
Bates	Emerson	Lagomarsino
Bedell	Erdreich	Lantos
Beilenson	Evans (IA)	Latta
Bereuter	Evans (IL)	Leach
Berman	Fascell	Leath
Bethune	Fazio	Lehman (CA)
Bevill	Feighan	Lehman (FL)
Billirakis	Ferraro	Leland
Billie	Fiedler	Lent
Boehlert	Fish	Levin
Boggs	Flippo	Levine
Boland	Florio	Levitas
Boner	Foglietta	Lewis (CA)
Bonior	Foley	Lewis (FL)
Bonker	Ford (MI)	Livingston
Borski	Ford (TN)	Lloyd
Bosco	Forsythe	Long (LA)
Boucher	Fowler	Long (MD)
Boxer	Frank	Lott
Breaux	Franklin	Lowry (WA)
Britt	Frenzel	Lujan
Broomfield	Frost	Luken
Brown (CA)	Fuqua	Lundine
Broyhill	Garcia	McCain
Bryant	Gaydos	Madigan
Burton (CA)	Gejdenson	Markey
Burton (IN)	Gekas	Marlenee
Byron	Gephardt	Marriott
Carney	Gibbons	Martin (IL)
Carper	Gilman	Martin (NC)
Carr	Gonzalez	Martin (NY)
Chandler	Gore	Martinez
Chappell	Gradison	Matsui
Chappie	Gray	Mavroules
Clarke	Green	Mazzoli
Clay	Guarini	McCain
Clinger	Gunderson	McCandless
Coats	Hall (IN)	McCloskey
Coelho	Hall (OH)	McCollum
Coleman (MO)	Hall, Ralph	McDade
Coleman (TX)	Hall, Sam	McEwen
Collins	Hamilton	McGrath
Conable	Hammerschmidt	McHugh
Conte	Hance	McKernan
Conyers	Harkin	McKinney
Cooper	Harrison	McNulty
Corcoran	Hatcher	Mica
Coughlin	Hawkins	Michel
Courter	Hefner	Mikulski
Coyne	Hertel	Miller (CA)
Craig	Hightower	Miller (OH)
Crockett	Hiler	Mineta
Daniel	Hillis	Minish
Daschle	Hopkins	Mitchell
Daub	Horton	Moakley
Davis	Howard	Molinari
de la Garza	Hoyer	Mollohan
Dellums	Hubbard	Montgomery
Derrick	Huckaby	Moody
DeWine	Hunter	Moore
Dickinson	Hutto	Moorhead
	Hyde	Morrison (CT)

Morrison (WA)	Roe	Sundquist
Mrazek	Rogers	Swift
Murphy	Rostenkowski	Synar
Murtha	Roth	Tallon
Myers	Roukema	Tauke
Natcher	Rowland	Tauzin
Neal	Roybal	Taylor
Nelson	Rudd	Thomas (CA)
Nichols	Russo	Thomas (GA)
Nielson	Sabo	Torres
Nowak	Savage	Torricelli
O'Brien	Sawyer	Towns
Oakar	Scheuer	Traxler
Oberstar	Schneider	Udall
Obey	Schroeder	Valentine
Olin	Schulze	Vander Jagt
Ortiz	Schumer	Vandergriff
Ottlinger	Seiberling	Vento
Owens	Sensenbrenner	Volkmer
Oxley	Shannon	Vucanovich
Packard	Sharp	Walgren
Panetta	Shaw	Walker
Parris	Shelby	Watkins
Pashayan	Shumway	Waxman
Patman	Sikorski	Weiss
Patterson	Siljander	Wheat
Pease	Simon	Whitehurst
Penny	Sisisky	Whitley
Pepper	Skeen	Whittaker
Perkins	Skelton	Whitten
Petri	Slattery	Williams (MT)
Porter	Smith (FL)	Williams (OH)
Price	Smith (IA)	Winn
Pritchard	Smith (NE)	Wirth
Pursell	Smith (NJ)	Wise
Quillen	Smith, Robert	Wolf
Rahall	Snowe	Wolpe
Rangel	Snyder	Wortley
Ratchford	Solarz	Wright
Ray	Solomon	Wyden
Regula	Spence	Wylie
Reid	Spratt	Yates
Richardson	Stagers	Yatron
Ridge	Stangeland	Young (AK)
Rinaldo	Stark	Young (FL)
Ritter	Stokes	Young (MO)
Robinson	Stratton	Zablocki
Rodino	Studds	Zschau

NAYS—35

Archer	Glickman	Mack
Badham	Goodling	McCurdy
Bennett	Gramm	McDonald
Brooks	Gregg	Paul
Brown (CO)	Hansen (UT)	Pickle
Cheney	Hartnett	Roberts
Crane, Daniel	Holt	Roemer
Crane, Philip	Hughes	Schaefer
Dannemeyer	Jacobs	Shuster
Dreier	Jones (OK)	Smith, Denny
English	Loeffler	Stump
Fields	Lungren	

ANSWERED "PRESENT"—1

Stenholm

NOT VOTING—16

Biaggi	Hefelt	St Germain
Campbell	Jeffords	Weaver
Edwards (OK)	Kemp	Weber
Erlenborn	Lipinski	Wilson
Gingrich	Lowery (CA)	
Hansen (ID)	Rose	

□ 2230

The Clerk announced the following pair:

On this vote:

Mr. Rose for, with Mr. Stenholm against.

Mr. STENHOLM. Mr. Speaker, I have a live pair with the gentleman from North Carolina (Mr. ROSE). If he had been present, he would have voted "yea." I voted "present."

The SPEAKER pro tempore. How would the gentleman have voted?

Mr. STENHOLM. I would have voted "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.

□ 2240

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENROLLMENT OF H.R. 2780, STATE AND LOCAL FISCAL ASSISTANCE AMENDMENTS OF 1983

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, the Clerk be authorized to correct section numbers, punctuation, and cross references, and to make such other technical and conforming changes as it may be necessary to reflect the actions of the House in amending the bill, H.R. 2780.

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

There was no objection.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2780, the bill just passed.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 1

Mr. KOLTER. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of House Joint Resolution 1.

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

There was no objection.

COMMUNICATION FROM THE CHIEF OF POLICE OF THE U.S. CAPITOL POLICE

The SPEAKER pro tempore laid before the House the following communication from the Chief of Police of the U.S. Capitol Police:

U.S. CAPITOL POLICE,
OFFICE OF THE CHIEF,

Washington, D.C., August 2, 1983.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: This is to inform you, pursuant to the provision of House Rule L (50), that Allen P. Bowers, Inspector, U.S. Capitol Police, has received a subpoena from the Circuit Court for Montgomery County, Maryland. In the matter of *State of Maryland vs. Louis Stokes*, Case Number 31329 Criminal.

After consulting with counsel, I have determined that compliance with the subpoena

is consistent with the privileges and rights of the House.

Sincerely,

JAMES M. POWELL,
Chief of Police.

THE POLITICAL TAX CREDIT REFORM ACT OF 1983

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

Mr. McHUGH. Mr. Speaker, on behalf of myself and Representatives CONABLE, UDALL, JENKINS, TAUKE, and PURSELL, I am today introducing the Political Tax Credit Reform Act of 1983.

The Political Tax Credit Reform Act is designed to lessen the dependence of congressional candidates on special interest PAC money by making it easier to raise a larger share of campaign funds in the form of small contributions from individuals in the candidate's home State.

The proposal would also strengthen political parties.

The law currently provides for a 50-percent credit on virtually any type of political contribution up to a maximum of \$50 for an individual and \$100 for a joint return.

Our bill would convert the current credit into two separate and more focused credits, as follows:

First. A credit for contributions to House and Senate candidates under which contributors would receive full credit up to a maximum of \$50 for an individual and \$100 for a joint return; and

Second. A credit for contributions to political party committees under which contributors would receive half credit, also to a maximum of \$50 for an individual and \$100 for a joint return.

The full credit for contributions to congressional candidates would only apply to contributions for the candidate's home State.

In order to control the revenue loss, the credit would be eliminated entirely for all other entities—specifically, political action committees (PAC's), newsletter funds, and Presidential, State, and local candidates. The credit for contributions to these entities accounts for better than 40 percent of the revenue loss attributable to the current tax credit.

There are specific reasons for eliminating the credit with respect to the above entities which are addressed in the fact sheet I will attach at the end of my statement. However, with respect to eliminating the credit with respect to PAC's, I would like to note that providing a tax credit for contributions to PAC's is tantamount to providing them with a Government subsidy. We believe there is no justification for the Government to be subsidizing

groups whose main purpose is to lobby Members of Congress and Government officials in behalf of their particular interest.

In addition to eliminating the above entities, the bill also contains provisions to insure that the revenue loss in future years does not exceed the current revenue loss from the tax credit. This is accomplished by providing that if the combined revenue loss from the two credits in any 2-year period exceeds the revenue loss from the current credit for the years 1981 and 1982, both credits shall be suspended until Congress passes legislation making whatever adjustments are necessary to ensure that the revenue loss in the subsequent 2-year period does not exceed the amount specified in the law.

Thus, our proposal will be entirely revenue neutral. In other words, it will not cost a penny more than the current tax credit.

Mr. Speaker, the current tax credit has not worked effectively as a stimulus to small giver contributions for two reasons: First, competition—the current credit applies to all political contributions at every level of government; and second, insufficient benefit to the contributors. Fundraising experts assert that a 50-percent credit is not a sufficient inducement to attract contributions. However, all those who make a contribution take advantage of the tax credit when they file their tax returns. Thus, the 50-percent credit costs millions, but it is not doing the job it was intended to do.

A full 100-percent credit, on the other hand, would have major impact, increasing both the amount and the number of small contributions because people could get back the full amount of their contribution. This would make it cost efficient for candidates to place more emphasis on raising small contributions from the grassroots and less on raising contributions from out-of-State special interests.

This dependence has significant ramifications for the legislative process because, as we all know, incumbents are far more dependent on PAC money than are nonincumbent candidates. For example, the 750 general election candidates who filed reports with the FEC for 1982 election activity reported that 32 percent of their funds came from political action committees. However, nonincumbent candidates received only 24 percent of their funds from PAC's, while incumbents received 38 percent of their money from PAC's.

Moreover, incumbents received twice as much PAC money as did nonincumbent candidates—\$107,000 to \$51,000. It should be emphasized that these are the average amounts for all candidates. The average amounts for candidates in so-called marginal races are

nearly double the averages for all candidates.

Our proposal will allow Members to reduce this dependency on PAC money by making it easier for them to raise campaign funds from an alternative source of funding—the residents of their own States and districts. This will not only enable candidates to raise larger amounts from current small-contribution givers, it will also increase the number of people participating in the political process by contributing to the candidate of their choice.

It should be emphasized that the current 50-percent tax credit is not working effectively as a stimulus to small-giver contributions and that only a full 100-percent credit can provide the kind of incentive that is needed to enable congressional candidates to lessen their dependency on PAC money.

Mr. Speaker, as Congressman CONABLE noted when he and I testified before the House Administration Task Force on Elections, our bill is not a comprehensive proposal—nor was it intended to be. It addresses only one of the major problems that need to be dealt with in the area of election law reform: dependence on PAC money and the lack of alternative funding.

Basically, our proposal is an effort to make some modest progress at a time when most observers believe it is unlikely we can pass any kind of bill dealing with the problems of campaign finance this Congress. We disagree. We believe the Political Tax Credit Act of 1983 is enactable for the following reasons:

It is nonpartisan in that neither party would benefit over the other. The main beneficiaries would be the institution of the Congress and the American people;

It is a reasonable approach that simply modifies a law that is already in existence;

It involves no bureaucracy or regulatory complexities;

It will not cost any more than the current tax credit;

It is responsive to widespread public concern regarding the role of special interest PAC money in our elections;

It will reduce candidate dependence on PAC money by providing an alternative source of funding;

It will eliminate what is, in effect, an unwarranted Government subsidy to groups whose main function is to lobby in behalf of their special interest;

It will strengthen political parties by eliminating competition from candidate fundraising and by giving parties an advantage over PAC fundraising; and,

It will increase citizen participation in the political process by making it easier for the average person to make a contribution.

Following is a factsheet on the Political Tax Credit Reform Act of 1983:

FACTSHEET—THE POLITICAL TAX CREDIT REFORM ACT OF 1983

SUMMARY

(1) Converts the current tax credit into two separate credits as follows:

A credit for contributions to House and Senate candidates under which contributors from the candidate's home state would receive full credit up to a maximum of \$50 for an individual (\$100 for a joint return), and

A credit for contributions to political party committees under which contributors would receive half credit, also up to a maximum of \$50 for an individual (\$100 for a joint return).

(2) Eliminates the tax credit entirely for contributions to state and local candidates, presidential candidates, newsletter funds and political action committees (PACs). These entities account for more than 40% of the total revenue loss attributable to the current tax credit.

(3) Controls revenue loss by providing that if the combined revenue loss from the two credits in any two-year period exceeds the revenue loss from the current credit for the years 1981 and 1982, both credits shall be suspended until Congress passes legislation making whatever adjustments are necessary to insure that the revenue loss in the subsequent two-year period does not exceed the limit specified in the law. To assure more accurate data regarding the amount of revenue loss each year, candidates and committees would be required to report the aggregate amount of all contributions of \$50 or less and the first \$50 of all large contributions.

Revenue loss is also controlled by requiring candidates to remit to the Treasury after each election all unobligated funds in excess of \$50,000, but not more than they raised in credit-eligible contributions. Thus a candidate who currently has a big fund reserve would not be required to turn it over to the Treasury. The provision would simply prevent such a candidate from using the credit to increase his campaign fund reserve. Similarly, it would prevent safe seat candidates from using the credit to build up a big campaign fund surplus.

ANNUAL REVENUE LOSS

Following is the year by year revenue loss attributable to the tax credit and deduction on political contributions as estimated by the Internal Revenue Service and the Joint Tax Committee. The deduction was abolished in 1978.

	(in millions)	
1973	\$29
1974	38
1975	57
1976	82
1977	96
1978	139
1979	194
1980	269
1981	263
1982	294

¹ Preliminary estimate.

HOME STATE CONTRIBUTOR RESTRICTION

The restriction that the 100 percent credit applies only to contributions from the candidate's home state serves two purposes: (1) It places emphasis on the concept that the new credit is a grassroots alternative to special interest PAC money from Washington and other parts of the country, and (2) it prevents direct mailers and high visibility

candidates from exploiting the new credit with national mass mail appeals.

IMPACT OF 100 PERCENT TAX CREDIT

The current tax credit has not worked effectively as a stimulus to small-giver contributions for two reasons: (1) Competition; the current credit applies to all political contributions at every level of government, and (2) Insufficient benefit to contributors; most fundraisers assert that the 50 percent credit is not a sufficient inducement to attract contributions. Nonetheless, everyone who makes a contribution takes advantage of the tax credit when they are making out their tax returns. Thus, the 50 percent credit costs millions, but it is not doing the job it was intended to do.

A full (100 percent) credit, on the other hand, would have major impact increasing both the amount and the number of small contributions because people could get back the full amount of their contribution. This, in turn, would make it cost-efficient for candidates to place more emphasis on raising small contributions from the grassroots and less on raising PAC contributions from out-of-state special interests.

ELIMINATION OF TAX CREDIT FOR CONTRIBUTIONS TO PAC'S, NEWSLETTER FUNDS, AND PRESIDENTIAL, STATE AND LOCAL CANDIDATES

PAC's—Most PACs represent a particular special interest. Thus a tax credit for contributions to the PAC is in effect, a government subsidy to that special interest. There is no justification for the government to subsidize groups whose main purpose is to lobby Members of Congress and government officials to influence legislation and government decisions in behalf of their particular interest.

Newsletter Funds—Newsletter accounts are no longer permitted for Members of Congress, thus it is assumed that the only ones which exist today are maintained by state legislators. There is no reason to allow a federal tax credit for contributions to such accounts.

Presidential Candidates—The tax credit is least useful with respect to Presidential candidates since people pay attention to presidential politics, tend to develop a definite preference for a particular candidate, and therefore need no special inducement to help the candidate of their choice. In addition, Presidential candidates receive federal support in the primaries via matching of contributions up to \$250 and are totally financed with public funds in the general election.

State and Local Candidates—At least 18 states provide a tax credit or a tax deduction for contributions to state and local candidates while 9 states provide direct public financing assistance to state and local candidates. It is reasonable to expect that additional states would begin providing such assistance if the federal tax credit were limited solely to congressional candidates and political party committees. It should also be noted that unlike candidates for federal office, state and local candidates may legally accept corporate funds in 30 states and union funds in 43 states.

EL PASO HERALD-POST "SPECIAL REPORT: THE BORDER"

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

Mr. COLEMAN of Texas. Mr. Speaker, today I am submitting for the CONGRESSIONAL RECORD the first of a remarkable series of articles by the El Paso Herald-Post, one of the finest newspapers in the country. The Herald-Post has begun this series called "Special Report: The Border/Reporte Especial: La Frontera" to examine the unique way of life on the United States-Mexico border, and to underscore the special problems that our unique geographical situation presents.

This first report that I am submitting concerns an issue that we in Congress will soon face: The immigration issue and the upcoming consideration of the Simpson-Mazzoli bill. Joe Olvera, a reporter for the Herald-Post, recently traveled deep into Mexico and posed as an illegal alien, paying to have himself smuggled across the border. The reason? To tell a side of the illegal aliens story that seldom gets told—to tell what life is like for the aliens and for the families they leave behind.

Since having an accurate view of the unique way of life on the border is essential to understanding the forces behind the immigration issue, I will continue to make my colleagues aware of this unique way of life on the border through efforts such as that of the El Paso Herald-Post.

The article is as follows:

[From the El Paso Herald Post]

A REPORTERS ODYSSEY: "I WANTED TO FIND OUT WHAT ALIENS GO THROUGH"
(By Joe Olvera)

FROM MEXICO CITY TO LOS ANGELES.—The Mexican soldier's rifle was slung low, held in his hand as he walked onto the bus.

He had a look of pure power.

He stared at me. I was wearing my Mazatlan baseball cap. My size stopped him for a moment. I looked into his eyes—unflinching.

For a full minute we stared into each other's eyes. Suddenly, a slight movement by another passenger caused him to look away—both of us saved face. He turned to me one more time, as if to say, "Perhaps we will meet again."

He walked off the bus, his stride one of pride, of confidence. I heaved a sigh of relief.

Fellow passengers turned to look at me, wondering why the soldier chose me for the confrontation. I wondered, too.

This was not to be my last anxious moment on my trip from Mexico City to America.

My plan was to be smuggled into the United States, posing as one of the millions of Mexicans and other Central Americans who make the same journey.

Although there is no way I can compare what I did—an investigative trip—to the life-and-death experiences of the others, I wanted to find our firsthand what illegal aliens go through.

What I found out is that there are dangers, but it is easy to make it across the border.

It is easy because a person determined to enter the country does not surrender to failure.

If he or she is caught on the first try, another attempt is made, and another, until the attempt is successful.

However the road starts out for an Hispanic, it is not an easy one.

I started out in Mexico City after learning that most people make it on their own to Tijuana, Ciudad Juarez or some other border city.

Once they arrive at their destination, they make contact with a smuggler who will take them across.

Many of them, however, already have an established pattern for crossing—one that does not include smugglers.

Armed with this information, I decided to take my chances on the road.

From the time I boarded my Tres Estrellas de Oro Express Bus, in Mexico City at noon on June 21, until I met a friend in California some 60 hours later, my true identity was known only to me.

I settled down into my smallish seat, excited and nervous at the prospect of being on the dangerous, two lane, Mexican highways for a two-day journey.

I was headed for Tijuana, more than 2,000 miles away.

The small bus seat bent my tall 6-foot-2-inch frame in a most uncomfortable manner.

We traversed through mountainous country, with hairpin curves taken at high speed by our fearless Mexican driver.

After eight hours, we finally pulled into the open air madness that is the Guadalajara Bus Depot.

After Guadalajara, the villages passed like a blur—Pachuca, Queretaro, Irapuato, Tepic, San Ignacio, Guamuchil, Navojoa. I was already exhausted, and we still had countless hours to go before reaching Tijuana.

As it was, riding on that bus brought me a streak of luck that made my crossing into the United States an easy affair.

Traveling on a crowded bus with 25 people (17 of them intending to get into the U.S. illegally) can be a heady experience.

During those moments when I was awake and my head not nodding off into sweet slumber, I overheard people making plans with one another on what they would do once they were in the states. There was no fear among them that they would be overheard since it was assumed that all, or most, of us were Mexicans.

I learned also that Mexico has its own problems with immigration. At three locations along the way, the bus was pulled over by Mexican immigration authorities.

We were all advised by the driver to prepare our identification papers. On one of these stops, an officious-looking man got on board and demanded an I.D. from all of us.

I didn't want the others to know that I was a U.S. citizen, so before the bus stopped, I moved to the rear where there were some empty seats.

I pulled out my Texas driver's license. Other people pulled out what forms of I.D. they had.

"Americano?" the immigration officer asked me quietly. I nodded and he walked away.

Some of those with no I.D.'s were asked—not politely—to get off the bus.

Suspecting that they were not Mexicans but were, rather, from South America, the authorities intended to question these people.

People of El Salvador, that battle-torn nation, are persona-non-grata in Mexico.

They create as many problems for Mexican authorities and social services as, some

people claim, Mexicans create in the United States.

Those without I.D. are asked questions about Mexican life and customs.

Two women who looked for all the world like Indians from Oaxaca (which they were), were asked if they knew how to make tortillas.

They were laughing about it later on the bus, because they said their anxiety made them forget the recipe they had used all their lives.

The man who was seated beside me, hereafter known as el Guero, told me he was positive one of the men asked to disembark was Salvadoreno.

Later, after the Salvadoreno had been allowed back on the bus, I discovered that he did not have a Mexican accent. He said that he was going to the United States, but he never told me his nationality.

He also told me he had bribed the official with 500 pesos. But, "500 pesos is nothing," said el Guero. However, I could tell that 500 pesos was more than the man could afford.

Two more check points, each with greedy immigration officers, awaited him.

After one day of traveling with el Guero, I told him that I too wanted to go into the United States. I told him that I did not know how I was going to do it, that I hoped to pick up a smuggler, or vice-versa, but that I just did not know how the system worked.

As luck would have it, Guero offered to help me get across.

Guero explained to me that his brother would be picking him up in Tijuana. He said that he was sure his brother would be glad to smuggle me into the United States, because that was the way Guero, and other family members came to America.

Actually, Guero said, he had been smuggled into the United States via Tijuana many times in the past five years and he had never been caught.

His brother, he said, had a specially equipped car with hydraulic lifts in the rear that would escape the suspicion caused by a too-low trunk.

His brother always had big cars, Guero said, and I could, no doubt, fit well in the car trunk with him. Would I be willing to take the risk?

"Yes!" I answered reluctantly, and nervously. I thanked Guero for his offer.

Guero said that his brother was a resident alien in the United States, and that he could go back and forth to Mexico without any problem.

Guero assured me that aside from my getting cramps in my legs the trip across would be a smooth one, as it had always been for him.

Guero was right.

I finally met Guero's brother after waiting at the Tijuana Bus Terminal for a nervously long time. His only remark was about how tall I was. He said my legs would be very sore from being locked up in the trunk for possibly more than one hour.

I spoke as little as possible, since I did not want Guero's brother to detect my U.S. Chicano accent.

When Guero and I climbed into the car trunk, I had an ominous feeling we would be discovered.

But, there was no way out of it by then.

Guero had told his brother that I was from San Nicolas in the state of Jalisco. There was no time to engage in a long discussion with Guero's brother, so he accepted me at face value.

As the car's trunk slammed down on us, my heart was beating very rapidly. I had

caught a cold on the bus trip from Mexico City.

I was tired, smelly, and my legs were already numb from the long bus trip.

Guero told me to hold a handkerchief to my nose and to blow into it periodically to avoid my sneezing or coughing at the checkpoint.

Guero and I talked softly as the car made its way smoothly to the border. I was scared and nervous to be lying there, not knowing what was happening outside.

We tried to be as quiet as possible. I could sense that Guero was nervous too.

I was a pollo, literally in Spanish, a baby chick. So was Guero. Though he made the trip several times, each crossing is like the first one.

After being on the road for what seemed like an eternity, we felt the car moving and stopping at shorter intervals.

"Ya estamos en el puente (we're at the bridge)," whispered Guero to me.

I knew we had arrived at the point-of-entry, and my apprehension increased. My legs were bent and cramped so that I longed to stretch them.

Guero was a small man, so he was more comfortable than me, but I could see that his frame also was bent in the cramped quarters. A small light had given some solace, but at the approach to the bridge, Guero had flicked it off.

We could breathe easy enough, but my nervousness made me gasp for air. We heard muffled sounds outside the car; someone was opening a door, and then, closing it.

I sensed that it was our turn at the checkpoint.

I held my breath. The car's trunk was carpeted and clean; Guero shook, and I did too.

Even though I am a U.S. citizen, I was breaking the law. By not entering through a checkpoint and declaring my citizenship, I was entering the country illegally.

Our car began moving again. This time I could sense that it was picking up speed, and soon we were flowing smoothly at a good rate of speed.

Guero shouted out in glee, and pumped my hand.

"Ya la hicimos," he said, telling me that we had made it. I breathed a sigh of relief. I was glad I didn't have to do this frequently.

After driving for a while longer, Guero's brother opened the trunk. Guero jumped out and pumped his brother's hand. I got up slowly, disentangled my legs and tried to climb out of the car trunk.

Guero came over to help me. It took me a while to get the blood circulating.

I was still nervous and shaking from the experience. Guero and I climbed into the back seat. We both had huge grins on our faces.

The Anglo woman, who had driven the car past the checkpoint, was telling Guero's brother, in English, that she wished he would find a better way to bring his family to the United States.

"This sort of thing is getting on my nerves," the woman said. "You know we're breaking the law."

"Nah," said Guero's brother. "Don't worry, they'll never catch us. Besides, if you won't help me, I'll find someone who will."

"Never mind," she said. A tone of resignation crept into her voice.

I just kept quiet, not letting on that I knew any English. For all they knew, I was from San Nicolas.

Guero didn't speak any English, so he just gazed out the window while his brother and his friend talked, argued, and made up.

I, of course, understood every word, amused by the fact that they were speaking about me. She complained about the fact that by crossing me to the United States, that they were officially smugglers.

She said that they had crossed that thin barrier, which separates smugglers from ordinary people who only bring their relatives to the United States.

She was complaining too about the fact that some smugglers charge as much as \$350 and that he had never mentioned any price to me.

He answered that if he had quoted me a price, that meant they really were smugglers. He didn't want to cross that line at all, he said to her.

"He's my brother's friend, and that's all that matters to me," he said.

I silently thanked him for what he had said and later paid him \$100. I liked Guero's brother, for his courage and daring.

When Guero's brother asked me where I wanted to go, I told him the Greyhound station in Los Angeles, in as Mexican an accent as I could muster (rolling my r's in the English pronunciation).

After I nodded off and dozed for brief, but welcome, periods of time, Guero's brother pulled into the station.

I thanked Guero's brother, gave Guero a Mexican abrazo, waved goodbye to the Anglo woman, and walked into the Greyhound station. My mission was complete.

All that remained was for me to go to Chicago, where my assignment would take me on the final leg.

I settled back to take in the American scenery, and prepared myself for working in Chicago.

This time, there would be no soldiers at any checkpoints. No officers of any kind interrupted our trip to the city at the foot of Lake Michigan.

DREAM FIZZLES—ILLEGALS DISCOVER ABUSE, LOW WAGES IN CHICAGO

(By Joe Olvera)

CHICAGO.—"All arbol callido todos le quieren sacar lena," (Everyone wants wood from a fallen tree) says Daniel Vargas.

Vargas, of El Salvador, is but one of a quarter million "fallen trees" in Chicago.

They are illegal Hispanics—from El Salvador, Nicaragua, Guatemala, Colombia and Peru. Most, of course, are from Mexico. They flee political violence and economic ruin in search of fortune and a better life. But what they find is not much better than what they leave behind.

Most of their "wood" is taken by American employers who pay them less than minimum wage; by landlords who charge them high rents in substandard housing; by bribe-hungry Mexican immigration officials, and by smugglers who take every thing they have to deliver them to their final destination.

Donato R. works at a restaurant. He said that he is paid only \$2 an hour, but that the owner keeps telling him he is earning the minimum wage.

"I know better," said Donato, "There have been times when I've put in many hours of overtime, and yet, my paycheck continues being small.

"But what can I do? I need to work. If I complain, I get fired. If I get fired, my family in Mexico will not eat. I have to swallow my pride and accept their abuse, and their dishonesty."

Donato is an illegal Mexican who has lived in the Chicago area for two years. He lives

in the outskirts of Chicago in a room which he shares with five other men.

The room rents for \$205 per month, and has nothing in the form of luxuries. The floors are hard, and the room is in a state of perpetual bachelor's disarray.

Dirty mattresses, dirty sheets and dirty bedspreads decorate a variety of sleeping accommodations. The building is old, and decrepit, and their slumlord doesn't care.

The room is a grimy green with walls decorated by the pinup posters of sexy women found in the pages of *Alarma* and other Mexican girlie magazines.

A small-framed portrait of La Virgen de Guadalupe also decorates one side of the room.

Their social life consists of having a few beers in lounges where violence and anger predominate. Not much is left from their paycheck once they send money home to families in Mexico.

Not much is left from their dreams either. The American dream for Donato and his roommates has fizzled out. Donato hopes to return to Mexico in November. His roommates, however, are determined to stay here and to survive.

Donato came to this country in April 1981. Basically, he and his five roommates all have the same story.

Donato first came across the border in Tijuana illegally, with 12 men in a large, late model Dodge. He said that he got caught his first time around, and was sent back to Tijuana.

"The next day the coyote smuggled us in again," he said. "This time, there were only seven of us in a station wagon. Once I got to Los Angeles, I took the train, the LA Express to Chicago."

Donato said that it cost him \$550 to be delivered from Tijuana to Chicago by the smuggler.

"I paid him when I got to Chicago, three days after we had left Tijuana," he said. "I did not feel any great thrill at seeing Chicago, but I was happy to see my wife who was already here to meet me."

Donato and his wife worked together at a plastics manufacturing plant, but eventually, she returned to Mexico, because she missed their five children. Now, Donato longs for the day when he can rejoin his family, he said.

Donato, like many illegal Hispanics in Chicago, works a variety of jobs, at a variety of locations. He presently works in a Chicago suburb known as Morton Grove, a small community of some 23,000 people.

Vargas came to the United States illegally from El Salvador by himself. His wife followed him six months later.

He left, not because he had any political problems in the war-torn country, but because he worried for the future of his children.

"I've always been a hard worker, always tried to support my family," said Vargas. "I was worried about my sons, they were starting to form alliances with the rebels. I didn't want my sons murdered like so many others.

"Getting through Mexico to the United States was extremely difficult, because Mexican authorities abuse us even worse than U.S. authorities. I had to pay so many bribes that I arrived in the United States penniless."

After working his way through Tucson, he found a church group that helped him to Chicago.

"We are very thankful to all the churches which helped us along the way. God's hand was guiding us."

Nearly all of the illegal Hispanics arrive in Chicago with their pockets empty, but their heads full of stories about the riches of America.

Now they are in America.

Cesarina Dominguez, a social worker with Chicago's Department of Human Services, said the situation with illegals is "sad," because they are taken advantage of.

"The exploitation level is incredible. Men and women are often stripped of their dignity, the only thing that can keep them going," she said.

Arnulfo M. came to Chicago from Puebla, Mexico, five years ago, and he said he plans to return to Mexico in November and "never return" to the United States.

"There are many problems between blacks and Hispanics," said Arnulfo M. "Two Hispanics were recently beaten to death by blacks in this area (Pilsen-Little Village). Since Harold Washington was elected mayor, it has been rougher on us Hispanics."

The Hispanic new to the United States goes through a tremendous emotional shock. They must jump rapidly and adjust rapidly from one set of values to another.

Julio Montoya is a *Salvadoreño* who first came to this country illegally in 1970. He is now a naturalized citizen, working as a journalist for *La Raza* and other Spanish language weeklies in Chicago.

He said there is an underground network that helps illegal Mexicans adjust to living in Chicago, but people from El Salvador don't get "as much help" as Mexicans.

"Before I got my legal papers, I lived the fear and the uncertainty that an illegal lives here," said Montoya.

"There is the pressure of not speaking or reading English, there is the pressure of not understanding the cultural traditions.

"Some things are changing; for instance, the image that Mexicans are the only illegals in Chicago is wrong.

"Mexicans do constitute the majority of illegals, at some 60 percent of that population." He added that Salvadorans are now coming to the United States in greater numbers.

He estimated there are more than 250,000 illegals in Chicago. Of these, 60 percent are Mexican, 10 percent are *Salvadoreños*, and the rest consist of *Guatemaltecos*, *Colombianos*, *Peruvianos*, and *Nicaraguenses*.

"In my country, we live between life and death; life is worthless; the risk in coming to the United States is minimal compared to the risk of remaining in El Salvador," he said.

"Still," Montoya said, "You know what? If I were given the chance to return to a peaceful El Salvador, I wouldn't hesitate for a minute. I'm an unwanted stranger in the United States, even though I'm already a citizen.

"But, I love El Salvador. I love my country. I would not hesitate to choose El Salvador over the United States."

MIGRANTS LOOK TO U.S. FOR SALVATION (By Joe Olivera)

SAN NICOLAS, JALISCO, MEXICO. At times, during the American growing season, the cattle outnumber the people walking on these cobblestone streets.

This village of about 1,000 people is like many others in the Mexican interior. Nearly every man and woman migrates to the United States illegally to work the fields of

American farms. The streets are empty in the summer, full in the winter.

Those who have worked as migrant farm workers "are readily identifiable," said Guillermo Llamas, who used to live in San Nicolas but now lives in Guadalajara, some 25 miles away.

"They leave wearing *guaraches* (sandals) and they return wearing wing-tips. There is not one man in San Nicolas who has not illegally entered the United States to work," Llamas said.

Many Mexicans still view the United States as the land of opportunity, where dollars can be swept up off the streets by hard-working field hands who can then return to Mexico with riches to spend.

But as often as not, the streets of San Nicolas greet a man returning from the United States with broken dreams and a broken family.

Mexican farm workers are fleeing the interior because of a severe drought that is crushing more than 8 out of every 10 acres of farmland. In their trips to the vineyards of California or farms of New Mexico, Arizona and Texas, they encounter many difficulties, such as immigration officers and competition for work.

The problems when they return home might be even worse. The long-term family separations often lead to divorce.

Antonia Amezcua, a San Nicolas housewife who hasn't seen her husband in five years, said the burden of illegal aliens falls heaviest on those who remain in Mexico.

"Many times, too many times, families are left broken, without a father to offer a strong hand and discipline the children who tend to go astray once the father is missing," Mrs. Amezcua said.

"When and if the father returns, maintaining or re-establishing a firm hand is difficult because by then the children, especially the boys, have established survival life patterns of their own."

Alienated because he has lost control of his family's destiny, the father has two choices, Mrs. Amezcua said.

He can stay home and re-establish his dominant role as the head of the family, although this means he must find work in Mexico and struggle for a living at very poor wages.

Or he can "save face" by returning to the states, working hard and sending money home, which is what has happened in her case.

"This is what the children want him to do anyway," said Mrs. Amezcua. "They like the living which their father's U.S. dollars provide in Mexico.

"The surprising thing is that there is a general acceptance of this new pattern," she said.

"Mexican families used to stay together through very tough times. Now, it just seems easier to break up.

"The main thing now is for the husband to be able to provide for the family—whatever that takes, and however far that takes him."

Llamas, who runs a Guadalajara business, said his father used to work the U.S. fields, illegally at first, but then legally. Llamas was once a migrant farm worker, but no more. He's made enough American money and chooses to live in Mexico.

Even though his father was missed during his trips to the United States, he used the money wisely. Llamas said his father insisted on a full education for all his children, so that they would not have the difficult life he had.

"My father has always been a mule when it comes to working hard," said Llamas, 34. "Fortunately, he instilled that love to work in all of us."

Llamas has had enough of working for low pay in U.S. fields and is trying to make it in his own country. He recently opened, with two partners, a firm that sells electronics equipment to construction companies in Guadalajara.

He earned a degree in electrical engineering from the University of Guadalajara. Even though he has a permit to live legally in the United States, Llamas said he has no desire to move.

"The situation is very difficult for Mexicans in the United States. I tried to find employment as an electrician, but nobody would hire me. All the better jobs go to U.S. citizens.

"I had grown tired of working the fields, so I quit the United States and returned to Mexico. I'm determined to make it here. I want to make it here. This is my country."

Llamas said that most of the people who migrate to the United States are those without any resources or with very low employment skills.

"Most of the people who go to the United States are people who are not even prepared to work in Mexico, let alone the United States," he said.

"These people have such a hard time in Mexico that they look to the United States as their salvation. If they do manage to find work in Mexico it usually means performing the most menial of jobs."

Gerardo Buenrostro, 19, is one such man. He was in San Nicolas, having recently arrived from the states where he worked "the grapes."

He said that this had been his second trip to the United States, and that it certainly would not be his last.

"The first time I went into the United States illegally, I was caught by *la migra* (the Border Patrol)," Buenrostro said. "I had paid \$350 to a *pollero* (smuggler) to take me across the border in Tijuana."

Buenrostro said usually he would not have lost that money, but since the *pollero* had already done his job—getting him to Los Angeles—he paid the money.

After getting caught the first time, he succeeded on his second attempt, and made it to the Napa Valley grape vineyards in California.

"I was only in Napa for four months, when the *migra* pulled a raid at the farm I was working in in Santa Rosa," he said.

"They came in with two vans, and went from row to row picking us out from the legal ones. They caught 15 of us men. It was early, around 9 a.m., they took us to Tijuana."

On his second successful trip, Buenrostro walked for five hours through the hills near San Diego. The coyote (smuggler) "brought us food and water, and generally was very helpful. We finally went from San Clemente to Los Angeles in a large van. Once we arrived in Los Angeles, it was every man to himself. The coyote had already done his job."

Another attempt, Buenrostro went across in the trunk of a car with four other men.

Buenrostro said that he loved the United States. The first time he was in the United States, he managed to send \$2,500 to his family in Mexico.

This time he earned less, \$1,000, but the dollar is worth more in Mexico now.

He also said that since he had been caught in the raid, he had not been paid by his em-

ployer, but that his two brothers, one of whom is a legal resident, in Napa would see to it that he received his pay.

Buenrostro said that he truly likes the United States, but that he still prefers to live in Mexico.

"Maybe some day I will make enough money to buy myself some land, or a business," he said. "Until that day comes, I will still go to the United States to work. It's great over there."

But while some Mexicans see the United States as a land of opportunity, others see it as a land of opportunists.

Miguel Acosta, an official with the Department of Agriculture in Mexico City, said that the United States is like a "cancer," which preys on the innocents in Mexico.

"Don't sit there and tell me that the United States does not benefit from the labor of Mexicans," said Acosta.

"The United States has grown rich and is a great country because of Mexicans who built that nation."

Patricia Mendiola, a communications specialist in the Mexican Department of Agriculture, said the idea U.S. streets are paved with gold leads to grief for many Mexicans.

"People don't realize that the cost of living is so much higher in the states, and that those few dollars they will earn will barely provide a subsistence," Miss Mendiola said.

Julia Palacios, a sociologist who teaches at the *Universidad Ibero-Americana* in Mexico City, has made a study of the problems faced by illegal immigrants.

"There are so many different types of immigrants," she said. "Some of them don't have any financial problems. They just go to the United States for the adventure and the excitement."

Mrs. Palacios said more than 80 percent of illegal farm workers return to Mexico when there is no more work.

RESULTS OF TEXAS 10TH DISTRICT QUESTIONNAIRE

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

Mr. PICKLE. Mr. Speaker, I am releasing the results of a questionnaire put out by my office soliciting the opinions of the residents of the 10th Congressional District on a wide array of national issues.

The questionnaire was mailed to postal patrons (households) in the 10th Congressional District in early June. So far, I have received approximately 16,000 responses from constituents.

While the results are probably not as reliable as a more scientific survey, the sample is large enough to give me some feel for how the folks in the 10th District are thinking.

On defense spending, I think it is significant that 68.6 percent of the people responding think that an increase in defense spending is needed. Although people are divided on how much it should be increased, there appears to be general consensus that we must do something to counter Soviet advances. Along this line, I think it is

noteworthy that only 12.2 percent of those responding think the United States has any advantage over the Soviets, while 44.1 percent think the Soviets have the advantage and 43.6 percent believe both powers are roughly equivalent. On specific weapons systems, respondents support development of the MX missile by a narrow margin of 48.4 to 42.7 percent. However, they favor construction of a new long-range bomber by a wider margin of 58.5 to 31.4 percent.

On Central America, people responding to the survey believe—by a margin of 67.8 to 25.8—that the presence of a Marxist government in Central America poses a security threat to the region. But, interestingly, they appear to be less certain how to respond to the threat. By a margin of 50.7 to 42.8 those responding oppose continuation of military aid to El Salvador. Yet, by a margin of 47.3 to 44.9 they favor the use of covert activities to destabilize unfriendly governments, that is, like Nicaragua.

On domestic issues, respondents are divided fairly evenly in their assessment of cuts to Federal assistance programs in the past 2 years; 39.7 percent said they were too much; 23 percent said they were too little; and 37.3 percent thought they were about right. Still, when asked whether spending for specific Federal assistance programs should be reduced or increased, there was much more sentiment for reducing spending. Of the Federal assistance programs that respondents thought should be reduced, the food stamp program was mentioned most, followed by legal services for the poor.

This seems to reflect a common perception that the Government spends too much on social welfare programs. Still, when asked how they would balance the budget most people said, in an apparent contradiction, they would cut defense spending. Ironically, the option picked by the fewest respondents was to reduce assistance to the poor, elderly, and disabled. The second most frequently mentioned solution was to delay or cap the third-year tax cut.

On an issue of particular interest to me, 69 percent of the respondents favored the change in the retirement age for full social security benefits to 67 by the year 2027. This change is the result of an amendment I offered during consideration of the social security bailout bill earlier this year.

On other issues, respondents favored passage of the equal rights amendment, which has been reintroduced in Congress, by a narrow 47.7 to 45.1 percent margin. Those answering the questionnaire favored a ceiling on campaign spending by political action committees in congressional campaigns by an overwhelming margin of 82.3 to 11.5 percent. Respondents oppose tuition tax credits by a margin

60.3 to 36.5 percent. Respondents favored a constitutional amendment to permit prayer in public schools by a margin of 54.9 to 39.1 percent. They oppose a constitutional amendment to prohibit all abortions by 79.7 to 16.6 percent. Levying fines against employers who knowingly hire illegal aliens is favored by 75 to 20.3 percent. However, granting permanent residency to illegal aliens residing in this country prior to January 1, 1981 is opposed by 62.4 to 29.9 percent.

On other issues, the decontrol of natural gas is favored by a margin of 55.4 to 29.7 percent. A lower minimum wage for teenagers is favored by a margin of 63.5 to 33.2 percent. Easing environmental controls on industry is opposed by a margin of 75.5 to 21.9 percent. Respondents are divided almost evenly on Japanese imports; 46.3 percent favor them, 47.3 percent oppose them.

Mr. Speaker, a question-by-question breakdown of answers given to my 10th District questionnaire for the benefit of my colleagues follows.

Results of 10th District Questionnaire

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. Which of the following levels of defense spending could you support? | Percent |
| A. 4 percent increase—(House recommendation)..... | 21.5 |
| B. 6 percent increase—(Senate recommendation)..... | 21.5 |
| C. 10 percent increase—(Administration proposal)..... | 25.6 |
| D. No Increase | 17.8 |
| E. Decrease..... | 13.7 |
| 2. Do you support development of the MX missile? | |
| Yes..... | 48.4 |
| No | 42.7 |
| No opinion..... | 8.7 |
| 3. Do you favor the construction of a new long range bomber to replace the B-52? | |
| Yes..... | 58.5 |
| No | 31.4 |
| No opinion..... | 10.0 |
| 4. In your opinion, which of the following statements best characterizes the nuclear balance between the Soviet Union and the United States? | |
| A. Soviet Union has slight advantage..... | 26.6 |
| B. United States has slight edge .. | 8.9 |
| C. Both powers roughly equivalent..... | 43.6 |
| D. United States has big advantage..... | 3.3 |
| E. Soviets have big advantage | 17.5 |
| 5. Do you favor continuation of military aid to El Salvador? | |
| Yes..... | 42.8 |
| No | 50.7 |
| No opinion..... | 6.5 |
| 6. Do you favor the use of covert activities by the United States to destabilize unfriendly governments (i.e. CIA involvement in Nicaragua)? | |
| Yes..... | 47.3 |
| No | 44.9 |
| No opinion..... | 7.9 |

7. Do you feel that the presence of a Marxist government in Nicaragua poses a security threat to the United States and other governments in the region, including Mexico?					
Yes.....	67.8				
No.....	25.8				
No opinion.....	6.4				
8. Do you favor greater Congressional involvement in the formulation of foreign policy?					
Yes.....	51.8				
No.....	39.0				
No opinion.....	9.8				
9. Do you favor levying fines against employers who knowingly hire illegal aliens?					
Yes.....	75.0				
No.....	20.3				
No opinion.....	4.7				
10. Do you favor granting permanent residency to illegal aliens who have resided in the United States prior to Jan. 1, 1981?					
Yes.....	20.0				
No.....	62.4				
No opinion.....	7.7				
11. In the past two years, the Congress has reduced expenditures for a number of the major federal assistance programs that aid the poor, disabled and the elderly? In general, do you feel these cuts have been:					
Too much.....	39.7				
Too little.....	23.0				
About right.....	37.3				
12. For which of the following federal assistance programs, should spending be reduced?		Number			
A. Aid to Families with Dependent Children.....	619				
B. Child Nutrition Programs.....	297				
C. Food Stamps.....	1,066				
D. Low Income Energy Assistance.....	613				
E. Medicaid.....	354				
F. Supplemental Security Insurance.....	624				
G. Legal Aid.....	888				
H. Education grants to low-income students.....	643				
I. Housing.....	641				
J. None.....	530				
13. For which of the following federal assistance programs, should spending be increased?					
A. Aid to Families with Dependent Children.....	384				
B. Child Nutrition Programs.....	571				
C. Food Stamps.....	195				
D. Low Income Energy Assistance.....	308				
E. Medicaid.....	491				
F. Supplemental Security Insurance.....	275				
G. Legal Aid.....	273				
H. Education grants to low-income students.....	498				
I. Housing.....	312				
J. None.....	870				
14. The Social Security bill just signed by the President addresses the long-term solvency of the Social Security system by gradually increasing the retirement age for full benefits to 67 by the year 2027. It makes no changes before the year 2000 and maintains the right to retire at age 62 at a lower amount.					
A. Do you agree with this change?		Percent			
Yes.....	69.0				
No.....	23.2				
No opinion.....	7.9				
B. Do you think that Congress, in conjunction with this change in full retirement, should provide an occupational disability for individuals who still must retire early for health reasons? (The Social Security bill calls for recommendations to be presented to Congress for such a program.)					
Yes.....	72.1				
No.....	18.8				
No opinion.....	9.1				
15. The Equal Rights Amendment has been reintroduced in Congress. Do you favor passage of the ERA?					
Yes.....	47.7				
No.....	45.1				
No opinion.....	7.2				
16. Do you favor easing of environmental controls on industry?					
Yes.....	21.9				
No.....	75.5				
No opinion.....	2.6				
17. Should we impose trade restrictions on Japanese imports?					
Yes.....	46.3				
No.....	47.3				
No opinion.....	6.5				
18. Do you favor a Constitutional Amendment to prohibit all abortions?					
Yes.....	16.6				
No.....	79.7				
No opinion.....	3.7				
19. Do you favor a Constitutional Amendment to permit prayer in public schools?					
Yes.....	54.9				
No.....	39.1				
No opinion.....	5.9				
20. Do you favor a lower minimum wage for teenagers?					
Yes.....	63.5				
No.....	33.2				
No opinion.....	3.3				
21. Do you favor decontrol of natural gas?					
Yes.....	55.4				
No.....	29.7				
No opinion.....	14.9				
22. Do you favor tuition tax credits for parents who send their children to private schools?					
Yes.....	36.5				
No.....	60.3				
No opinion.....	3.2				
23. Do you favor a ceiling on the amount of political action committee (PAC) funds that can be used in Congressional elections?					
Yes.....	82.3				
No.....	11.5				
No opinion.....	6.2				
24. Current projections indicate the Medicare trust fund will experience financial shortfalls before the end of the decade. How would you deal with this problem?		Number			
A. Fund Medicare from general revenues.....	415				
B. Increase payroll taxes.....	141				
C. Increase deductibles and co-insurance payments.....	329				
D. Put further limitations on payments to hospitals and physicians.....	832				
E. Restrict coverage of certain benefits.....	396				
F. Replace Medicare with National Health Insurance.....	615				
G. None of the above.....	112				
H. No opinion.....	140				
25. Agricultural extension, price supports and loan programs should be:		Percent			
A. Continued because they stabilize the farm economy and open up new markets for products.....	39.1				
B. Discontinued because they cost too much and violate supply and demand economics..	47.0				
C. No opinion.....	13.8				
26. The 1984 federal budget deficit is projected to be \$170-\$180 billion. How should the federal government reduce the deficit?		Number			
A. Reduce defense spending.....	868				
B. Generate new revenue with new or higher taxes.....	443				
C. Reduce spending for entitlements.....	551				
D. Reduce assistance to poor, elderly, disabled.....	334				
E. Defer or cap third-year tax cut.....	694				
F. All of the above.....	99				
G. None of the above.....	204				

KENNETH HEATH—PREEMINENT AGRICULTURAL AND CIVIC LEADER IN SOUTHEAST MISSOURI

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

Mr. EMERSON. Mr. Speaker, it is with deep sadness that I rise today to inform my colleagues of the loss of one of southeast Missouri's preeminent agricultural and civic leaders, my friend Kenneth R. Heath of Dogwood, Mo. Kenny was killed on his farm in a mishap on July 18.

Mr. Speaker, as I am sure everyone who serves in an elected office feels, one of the most rewarding experiences a public servant has is the opportunity to meet people, make new friends and come to know well those folks who make up the vital fabric of our districts, States, and country. It was during my first campaign to serve in the House that I came to know Kenny. He was always ready to offer his friendship, advice and counsel to facilitate sound agricultural policies, a better community, a better State and

country; indeed, a better world. That is the kind of man Kenny was and that is the way he lived his life, with everyone with whom he came into contact.

I will not go into the many organizations and public service groups Kenny lent his help to, because they are mentioned in the article accompanying these remarks in the CONGRESSIONAL RECORD. I just want to say that Kenny was a fine man and able leader who left things in a better condition than he found them. His energy, concern and commitment to the service of his fellow men can never be totally replaced.

I am certain that all Members join me in sending our heartfelt condolences to Kenny's wife Nancy, his children, his mother and sisters.

[From the Daily Standard (Sikeston, Mo.), July 19, 1983]

BY ELECTRICAL SHOCK: FARMER DIES IN ACCIDENT

EAST PRAIRIE.—Kenneth Ray Heath, 44, of East Prairie Route One, a prominent landowner, farmer and curator of the University of Missouri-Columbia, was killed sometime between 5 p.m. and 6 p.m. Monday on his farm in the Dogwood community.

Mississippi County Coroner Elgin McMikle, called to the scene about 8 p.m. Monday, said today death was accidental and Heath was killed instantly by electrical shock from 440 current.

Heath reportedly had gone back in the field, about three quarters of a mile west of the Dogwood store, to check an irrigation system which had ceased functioning. He evidently was working on the pump, powered by 440 current, as he had a screwdriver in his hand when found lying face down. Water was standing around the pump area and the ground was very wet, according to Sheriff Avery Hutcheson, who also investigated the death.

An employee on the Heath farm, Earl Bryant, went to check on Heath when he failed to respond to the farm radio. Bryant went to the field to locate and assist Heath and found the body near the irrigation system.

Commenting the death was "due to a human error," the coroner said Heath's hands and the left side of his chest was burned from the electrical shock.

Active in farming in the Dogwood community, Heath was appointed to the University of Missouri Board of Curators by Gov. Bond in January for a six-year term. He was a board member of Citizens Bank in Charleston, board member and part-owner of Dogwood Store and Oil Co. and a member of the Foresight Panel of "Missouri Ruralist."

He was presented the University of Missouri Citation of Merit Award and the State Extension Farm Management Award in 1981 and had been named Outstanding Young Farmer by the Sikestone and East Prairie Jaycees.

Other activities include being a member of the University of Missouri's State Extension Advisory Committee, a member and past president of the College of Agricultural Alumni Board; and a member of the Search Committee for Associate Dean of Agricultural Extension in 1981-82.

Heath has been active in Farm Bureau, serving as chairman of the 10th Congressional District Farmer's Action Committee

for four years, State Young People's Program chairman from 1963-64 and was a past Mississippi County board member and president of Farm Bureau.

A 1960 graduate of the University of Missouri with a major in soils, Heath was a member of the East Prairie R-2 School District, Dogwood United Methodist Church and Sunday School superintendent, a 32 degree Mason; past chairman of the Mississippi County Soil Conservation Service and participated in a delegation sponsored by the State Department of Agriculture which toured farm operations in Western Europe and Russia.

Born Sept. 26, 1938, son of Margaret Hurley Heath, who survives of the Dogwood community, and the late Noah Sylvester Heath, he had lived in Mississippi County all his life.

On Jan. 21, 1965 he married Nancy Gail Matthes, who survives.

In addition to his wife and mother, surviving are: one daughter, Emily Margaret Heath of the home; two sons, Brian Ray Heath and Alan Corey Heath of the home; and two sisters, Mrs. Bill (Margie) Arington of the Dogwood community and Brenda Morris of Fort Lauderdale, Fla.

One Sister, Martha Faye Heath, preceded him in death.

Friends may call after 6:30 p.m. today at Shelby Funeral Home in East Prairie, where Masonic rites will be conducted at 8 p.m. today.

Funeral services will be conducted at 3 p.m. Wednesday in the funeral home with the Revs. Floy V. Brower and Harold Norton officiating.

Burial will follow in Dogwood Cemetery.

[From the Charleston (Mo.), Enterprise-Courier July 21, 1983]

Missouri University Curator Kenneth R. Heath, 44, of the Dogwood Community, was electrocuted late Monday afternoon while working on an irrigation pivot system on his farm.

The Mississippi County agribusinessman, civic leader and bank director was appointed to a six-year term on the University of Missouri Board of Curators by Governor Christopher Bond in January of this year. The Curators are the governing body for the four-campus Missouri University system.

Coroner Elgin McMikle ruled the death accidental.

Heath was a lifelong resident of Mississippi County and graduated from East Prairie High School in 1956. He received his B.S. in Agriculture from the University of Missouri-Columbia in 1960.

Active in civic affairs for many years, Heath was a member of the East Prairie R-2 School District Board of Education, a member of the State Extension Advisory Committee, and served on the board of directors of the Citizens Bank of Charleston. He was also active in the ag alumni organization of the University of Missouri.

He had served as chairman of the Mississippi County Soil and Water Conservation Board of Supervisors, was a member of the Mississippi County Airport Commission and the Mississippi County Extension Council.

A resident of the Dogwood community, Heath farmed land in Mississippi and New Madrid counties and was a co-owner of the Dogwood Store and Oil Co.

In 1981, Heath received the State Extension Farm Management Award and the University of Missouri Citation of Merit Award.

Heath was born Sept. 26, 1938 in the Dogwood community to Mrs. Margaret Hurley

Heath and the late Noah Sylvester Heath. On Jan. 21, 1965, he married Nancy Gail Matthes, who survives.

In addition to his wife and mother, he is survived by two sons, Brian Ray Heath and Alan Corey Heath, and one daughter, Emily Margaret Heath, all of the home; and two sisters, Mrs. Bill (Margie) Arington of Dogwood and Brenda Morris of Ft. Lauderdale, Fla.

He was preceded in death by his father and one sister, Martha Faye Heath.

In lieu of flowers, the family requests that a scholarship fund be established in Mr. Heath's memory.

FARM POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. GLICKMAN), is recognized for 30 minutes.

Mr. GLICKMAN. Mr. Speaker, I take the floor of the House today to talk about farm policy. It strikes me that no time since I have been in Congress has the issue of farm policy been more chaotic than it is right now.

At no time since I have been in Congress for 6½ years has there been a crisis of decisionmaking both at the Federal level as well as the private level and the State level, both at the legislative level as well as the administrative level.

Nobody really knows what to do about farm programs. That means both grain programs, livestock programs, as well as some of the other commodity programs we have such as sugar and dairy. And the public policy choices are just about nil.

But let me talk about what we have right now on farm policy and farm programs.

The main program we have to deal with is the PIK program, payment-in-kind. In my judgment that program has failed in every respect.

It was balleyhooed as a free program or next to free program, but the estimates now are that PIK may cost as much as \$21 billion this year.

In spite of huge levels of participation, as much as 18 percent of the wheat acreage in the country was enrolled, the stock reductions will be minimal. Only about 8 percent for wheat.

So for about \$21 billion we have got virtually about the same amount of reductions as we had received the previous year.

Farm income may actually fall again this year as huge PIK supplies depress the cash markets. The only moderation may be due to somewhat lower costs of production this year and granted the recent announcement of grain sales to the Soviet Union may help to a certain degree.

Of greatest concern to farmers throughout this entire country is that the management and administration of the program has been and continues to be a nightmare and may be driv-

ing up the costs of the program, thus decreasing its ability to bolster the economy.

Mr. Speaker, in last week's Business Week magazine, the edition dated August 8, 1983, there was an article entitled "How PIK Is Poisoning Farm Policy."

One of the things I worry about as a Member of Congress from an agricultural producing State is that for the first time we are beginning to see a disintegration, a breaking apart of the farm coalitions that have for years put together farm bills in this place, primarily because of negative feelings about the PIK program.

I think it is worthwhile reading a couple of sections from that Business Week article. I quote:

Only last winter farmers tugged at the Nation's heartstrings as they battled depressed crop prices and massive debt to avert the bankruptcy auction gavel.

Today, in an abrupt reversal of sentiment, farmers are the target of scorn—now nowhere more than in the rural communities where they market their grain and bank their profits. From the main streets of the Midwest to the corridors of the Capitol, the realization is taking hold that farmers have wrangled the largest and perhaps least effective Federal bailout ever, the \$12 billion payment-in-kind program, or PIK.

The mounting budgetary costs and apparent ineffectiveness of PIK and other farm programs are creating a powerful political backlash. But farm interests are bitterly split over how to contain the costs of agricultural supports and deal with the farm sector's fundamental problem of overcapacity. That split is paralyzing policymaking and it threatens to undermine efforts by the Reagan administration to overhaul the Government's farm programs.

That is the end of the article, Mr. Speaker.

I think that the PIK program is doing more than undermining the efforts of the administration. I think that the PIK program is jeopardizing the fragile coalition that has made agricultural policy for about a century.

Now it looks to me as if we lack a firm policy for the future. I believe that the administration continues to use farm policy as a budget balancer without regard for its implications for farm programs.

The way the announcement of the 1984 wheat program has been handled shows no regard for farmers. The administration has withheld details of the program even at this stage as a political bargaining chip for its too little, too late proposal to freeze target prices.

□ 2250

Also its announcement last Friday of further details conflict on target price freeze legislation only worsens the situation created earlier.

And in spite, over the last week, of action involving Soviet grain sale agreements, foreign sales will be hurt dramatically over the last 18 months

from the use of farm trade to leverage other matters.

For example, inaction until lately on the Chinese textiles matter has cost hundreds of millions of dollars because the administration has failed to set a course promoting farm exports irrespective of other matters and has in fact contradicted its espoused support of free trade by clamping down on imports, thus costing American farmers their largest market.

The administration has played cat and mouse with the Soviet Union ever since taking office and has made positive signals only twice, both politically motivated; once last year a few weeks before the mid-term elections and just last week to shore up farm belt support as the President decides to run for reelection and sell further cuts in other domestic programs.

It is incumbent upon me to come down here and more than criticize. We have a giant farm program costing many, many billions of dollars, depressed farm prices.

I myself felt PIK at the time was at least a way to go out of doldrums of the 1981 farm bill. But it has not worked very well. So, we need to look toward the sound future. One of the things that disturbs me is the absolute emptiness of policymaking on farm programs almost anywhere in this country. The kind of thinking that goes on in America on scientific policy trade and export policy, economic policy is not found in agricultural policy. There are no agricultural think tanks in America.

We do not see the existing think tanks like Brookings, American Enterprise Institute, Hoover Institution, and the whole assortment of folks throughout America who think about policy are not even touching or talking about agricultural land policy.

Even our land grant institutions which have done such a dramatic and wonderful job of increasing agricultural productivity, on the whole do not do very much in trying to develop agricultural policy for the next few decades.

The alternative is a great disaster for American agriculture; fewer and fewer farmers, more and more bankruptcies, a situation which will build on itself and keep general economic recovery from emerging.

Let us look at what we can do. In the area of farm exports we can establish a firm policy on farm export and on circumstances to use concessional financing. We can establish greater and more stable bilateral trade agreements with countries all over the world. But we have to realize that exports alone will not improve the situation dramatically. So, we have to look at the situation of management.

We are too productive, produce too many crops particularly in the grains area and something must be done to reduce that production or else we will

see prices continue to plummet down to zero and maybe in 30 years the fittest will survive, but lots of folks, lots of towns, lots of parts of America will go bankrupt in the process.

The current policies have failed, acreage reduction, set-asides, PIK, none have worked to reduce the real problem which are huge oversized crops.

Now is the time to begin serious consideration to alternatives to the current policy to restructure supply controls and such alternatives could include mandatory production controls, which I think the farmers in America should decide for themselves. The alternatives could involve bushel allotments as opposed to acreage allotments, because you do not eat acres, you do not consume acres and for years that is the way we have reduced production in America when in fact perhaps we ought to be looking at the issue of reducing the total amount of bushels produced.

But I guess I come down to this House because I have seen a dirth of discussion from Members from agricultural producing areas responding to the great outcry that we see in the press and in the national discussions on the PIK program.

It is expensive, it is not working to rebuild an agricultural future for farmers. There must be better ways. And I guess my point today is that during the next 3 months it is incumbent upon all of us in America, not just farm-producing legislators but folks throughout America, farmers themselves, people in institutions of higher learning, to begin thinking much more carefully about what we want our farm picture to look like in the next 20 years.

I would close by reminding my colleagues that our natural resource base is the heart of America's strength. And as it begins to deteriorate, as it has been for the last 10 or 15 years, we have seen the strength of America's economy begin to deteriorate further.

I am a Member from an agricultural State but from an Urban area of that agricultural State and I have come to realize the significance of a sound, strong, future-oriented farm economy to a healthy America.

It seems to me we are at the watershed of agricultural policies. Unless we can make dramatic changes in our farm policies over the next 2 or 3 years we may see a disastrous catastrophe happen in the production of food and fiber in America.

● Mr. DASCHLE. Mr. Speaker, I am joining with my colleagues this evening to examine our agricultural policies and the current stewardship of our basic agricultural programs by the Department of Agriculture.

The tenure of John Block as the Secretary of Agriculture may be re-

membered most in future years for the payment-in-kind (PIK) program. Although land diversion programs have been utilized since the 1930's, the scale of the PIK program has assured it will not be ignored nor forgotten in the near or more distant future.

Monumental in many respects, the payment-in-kind program is also a monument to the mismanagement of the Nation's most basic farm programs by the Department of Agriculture. The size and cost of the PIK program, which have assured its place in history, are also a direct reflection of the degree of farm program mismanagement which necessitated the creation of the PIK program.

According to the Department of Agriculture, the PIK program was needed because of large global supplies of agricultural commodities, the global recession, the strong U.S. dollars, and the financial plight of importing nations. In particular, the Agriculture Department cited record world production of grains, oilseeds, and cotton in 1981-82 and record world crops of grains and oilseeds again in 1982-83, world consumption of feedgrains had not increased since 1978-79 and world consumption of wheat had not increased since 1979-80, the value of the U.S. dollar compared to other currencies had risen to the highest level in 13 years which increased the cost of U.S. farm commodities purchased by foreign buyers and depressed farm export sales, and the global economic recession reduced the ability of importing nations to purchase U.S. farm production.

These conditions, cited by the Agriculture Department to explain the need for creating the PIK program, did not arrive unannounced 1 day late in 1982 on the doorstep of the Department of Agriculture. The loss of \$2.2 billion in farm exports because of the impact of the value of the U.S. dollar, for example, had been estimated on March 3, 1982, by the Department of Agriculture. These conditions were no surprise, but are instead an admission of major mismanagement of the Nation's farm programs by the Department of Agriculture.

As a direct consequence of this mismanagement, the cost of farm price support programs has increased dramatically from \$4 billion in 1981, only 2 years ago, to \$21.8 billion this year according to the administration's most recent forecast. A stated objective of the PIK program is "to promote a farm income while at the same time reducing costs to the Federal Government and, thus, to U.S. taxpayers." As a result of farm program mismanagement, the cost of farm price support programs has soared, but according to current estimates, no improvement in farm income has occurred. In fact, farm prices are falling and in June the national farm parity price fell to 56

percent equaling the 50-year low suffered in January and February of 1982.

As the consequences of farm program mismanagement have become apparent even to the Department of Agriculture, there have been increasing efforts to divert attention away from the failed management of our Nation's basic farm programs and to focus attention on future farm policy. The debate on future farm policy sought by the administration has begun and the cost of consequences of program mismanagement are central to that debate.●

● Mr. SKELTON. Mr. Speaker, leading agricultural economists and farm organization representatives, including two from the University of Missouri, testified recently at a House Government Operations Subcommittee hearing and charged that mismanagement by the U.S. Department of Agriculture in early 1982 contributed to lower farm income at the same time that the taxpayer cost for administering farm programs increased.

Dr. Abner Womack told the subcommittee that a paid diversion program for 1982 would have increased farmers' incomes for 1982 and would have reduced price-depressing surpluses. Dr. Harold Breimyer concurred, testifying that if the Department of Agriculture had instituted an aggressive paid diversion in early 1982, not only would prices have been higher for farmers and Government payments less for taxpayers, but little or no payment-in-kind program would have been needed in 1983. He laid most of the blame on Office of Management and Budget Director David Stockman's approach to agricultural problems, calling them "penny wise and not merely pound foolish, but billion dollar foolish."

In early 1982, I spoke to this body and called for a comprehensive farm program, including, among other things, a proper diversion program and increased agricultural exports. The House passed legislation incorporating these provisions, but it was never enacted into law. Thus, in 1982, we saw agricultural exports actually decrease as burdensome grain surpluses piled up.

Finally, the administration responded in 1983 with payment-in-kind, or PIK, program. This program has been helpful, and has undoubtedly saved many farmers from bankruptcy. But it has had its drawbacks. It has hurt the business of small agricultural suppliers, such as farm equipment dealers and those who sell fertilizer and seed. And, because the program was drawn up in haste, there have been administrative headaches. I have received reports of long delays in PIK payments being made, and of farmers receiving the wrong class or grade of grain. Newspaper reports have focused on

payments worth more than a million dollars to large corporate farms.

These problems, plus the cost of the program, indicate that PIK can only be a short-term solution to farm financial problems. In my opinion, there will be no substantial, long-term improvement in the farm economy until we reverse the current downward trend in agricultural exports, expand the market for our farm products and bring interest rates down to a reasonable level.●

ALTERNATIVE BUDGET

The SPEAKER pro tempore. Under a previous order of the House the gentleman from California (Mr. DANNEMEYER) is recognized for 30 minutes.

Mr. DANNEMEYER. Mr. Speaker, it is not too difficult to lapse into a state of mild euphoria over the seemingly endless gush of optimistic news over the past several weeks. Reports the GNP had risen over 8 percent in the second quarter had many economic forecasters, both private and in Government, falling over themselves in unrestrained astonishment that their own predictions were about half that figure. It seems now everybody sees the rainbow.

The problem is that we are not necessarily assured of finding a pot of gold at the end of that rainbow. The July economic news notes published by the National Association of Home Builders gives us a clue. Based on the way the financial markets have been behaving it is difficult to see how the housing recovery can maintain its momentum for more than a few months. Even worse we may have another bust in 1985 as a result of the almost certain collision in the capital markets when demands for private capital clash with Government borrowing.

Government borrowing, borrowing necessitated by budget deficits of such magnitude that most people cannot comprehend the numbers. The message to Congress ought to be clear enough, "cut spending now or face the inevitable tide when the 34th State calls for the convening of a Constitutional Convention to require a balanced budget." Not more than a half hour ago this House saw adopted a reauthorization of revenue sharing for cities and counties and States around this country.

In concept it was an excellent proposal, starting in the early part of the 1970's to give revenue by the Federal Government without strings and as a reduction for this new revenue sharing we would reduce on an allocated basis certain categorical aid programs.

It was intended it would be a net push to the Federal taxpayer. It has not worked out that way. And we saw the result of the vote. Once something gets started it is almost impossible to

stop it, even though we have no revenue to share.

Over the course of the past several weeks this Member from California has taken these special orders to bring to the Members' attention the fact that we can, if we have the will in this House, adopt a budget proposal that can substantially reduce the deficit that we are now facing in this country; namely, estimated to be \$200 billion for fiscal year 1984, the fiscal year that will start on October 1 of this year.

The Members may recall that when this matter was considered by the House in March of this year, this Member from California, working with half a dozen of my colleagues, produced an alternative budget that proposed spending for 1984 of \$760,510,000,000, that is in contrast to the budget proposal adopted by the House calling for spending of \$863.55 billion. That reduction of \$103 billion, which it would have achieved, were it adopted, would not balance the budget in 1984, but it would have significantly reduced the deficit, in fact, reduced the deficit for 1984 to \$68.51 billion.

You would think when you examine opinion polls around the country that the Members of this House would be willing to at least adopt a spending proposal that would substantially reduce the deficit, because poll after poll indicates that that is the desire of the American people. But my colleagues will be surprised perhaps to learn that the Members of this House were not even permitted to vote on this alternative budget whereby we would have reduced the deficit by over \$100 billion for fiscal year 1984.

You have to ask the question, well, why would a process come about that would prevent the Members of the House from voting for that lower level of spending consistent with the will of the vast majority of the people of this country.

The answer to that question deals with how this House is run and who runs this House.

The Democrats in this House have a total of some 267. We Republicans have a total of about 168. They have 62 percent of the membership, we have 38 percent of the membership.

The Rules Committee, which controls the flow of legislation to the House, as we all know, has a majority of two to one Democrats on that Rules Committee.

This Member went to the Rules Committee and asked that a rule be made in order whereby the alternative budget that this Member from California is talking about could have been voted on on the floor of the House.

I am sad to say to my colleagues that the Rules Committee, dominated by the Democrats two to one, ignored the request by this Member from California and refused to make this alterna-

tive budget in order to be voted on on the floor of the House.

I can only conclude that the main reason they did that was because they do not want their Members in this House to have to vote or to explain to their voters in the election of November 1984 why they voted against cutting spending of this magnitude.

It is a sad day, but it is the only way that I can bring this matter to the attention of the House that this error could be rectified when the law says we are supposed to take up the second concurrent budget resolution in September of this year, just about a month and a half from now, and it is my hope that the Rules Committee will make in order an alternative budget proposal so that Members of this House will have the chance to vote on record as to whether or not they want to reduce spending of the amount that was contained in this alternative proposal or some other Member's alternative which will move in the same direction.

Sometimes I am asked when I make this presentation, "Well, where are you going to cut spending?" There is a drum beat around here. Sometimes we hear that, "Well, you really cannot cut spending. It is so ingrained in our system that as a practical matter it cannot be done." Or if you are attempting to make spending cuts of that magnitude, you really cannot achieve it because you are doing it on the backs of the poor, the downtrodden, the deprived, and the handicapped in our society.

I have prepared an analysis which I have been reading over the course of the past several weeks to indicate that that is not the case and to illustrate to my colleagues how we can reduce spending of this magnitude in a responsible way.

I want to read some of those provisions here this evening.

The first category deals with 700, veterans benefits and services.

The proposal for reduction in this category comes at \$200 million, the base line is \$25.5 billion. The alternative budget that this Member from California prepared suggested spending be \$25.3 billion, a reduction of \$200 million.

And the way that can be achieved is by altering compensation provisions in category 701 as follows:

Reduce funding for 1984 to level proposed by the President, cap outyears to allow for 60 percent of CPI COLA less expected caseload decline.

In category 750, administration of justice. The CBO base line estimated spending at \$5.4 billion. This alternative budget recommends \$4.9 billion, a reduction of \$500 million.

That reduction can be achieved as follows:

Category 751, Federal law enforcement activities (Department of Education) education activities.

Department management: Reduce funding for civil rights enforcement to level proposed by the President.

Department of Health and Human Services. Departmental management: Office of Civil Rights—terminate office, transfer activities to the Justice Department.

Department of Housing and Urban Development. Fair housing and equal opportunity: Fair housing assistance—terminate funding for grants to States.

Department of Justice. Interagency Law Enforcement. Organized crime drug enforcement—reduce funding to level proposed by the President.

Department of the Treasury. Bureau of Alcohol, Tobacco, and Firearms—terminate bureau, transfer necessary interstate criminal detection and investigation activities to the FBI.

Other independent agencies. Commission on Civil Rights—terminate agency, transfer the activities to the Justice Department.

Architectural and Transportation Barriers Compliance Board—terminate agency, program has progressed to degree of compliance where separate-agency status is not warranted.

Category 752 Federal litigative and judicial activities. Department of Justice. Legal activities: Community relations service—delete funding and terminate Federal intervention in local police operations.

Other independent agencies. Legal Services Corporation—terminate agency as originally proposed by the President.

Category 754, criminal justice assistance. Office of Justice Assistance: Justice assistance—reduce funding to level proposed by the President.

Category 800, general government. CBO base line for this category is \$5.4 billion for 1984. This alternative proposal suggests we spend for it \$5.2 billion. A difference of \$200 million.

In a breakdown of that category.

Category 801, legislative functions. Legislative branch. Senate: Miscellaneous items—cap funding at \$40 million. Contingent expenses—cap funding at \$250,000.

House: Allowances and expenses—cap funding in outyears at \$90 million.

Government Printing Office: Congressional printing and binding—cap funding in outyears at \$100 million.

Other legislative branch agencies: Commission on Security and Cooperation in Europe—terminate the activities of that agency.

Category 802, executive direction and management. Executive Office of the President. Office of Science and Technology Policy—terminate the office, activities ought to be administered by the Office of Policy Development.

Council on Environmental Quality and Office of Environmental Quality—terminate these activities, policy ought to be directed by the EPA.

U.S. Trade Representative—terminate office, activities ought to be administered by the International Trade Administration.

Category 803, central fiscal operations. Department of the Treasury. Bureau of Government Financial Operations: Salaries and expenses—reduce funding to level proposed by the President, cap outyears at \$250 million.

Office of the Secretary: Salaries and expenses—incorporate President's proposal to delete funding for the old account for international affairs.

Bureau of the Public Debt: Administering the public debt—reduce funding to level proposed by the President, cap outyears at \$210 million.

Category 806, other general government.

Department of the Treasury. Office of the Secretary: Presidential election campaign fund—terminate taxpayer subsidies of campaigns.

Other independent agencies. Navajo and Hopi Indian Relocation Commission—terminate the Agency, activities ought to be administered by the Interior Department.

Other temporary commissions: Advisory Commission on Intergovernmental Relations—terminate this activity.

U.S. Holocaust Memorial Council—delete funding, finance activities through private donations as was the Vietnam Veterans Memorial.

We in this House, serving in the Congress of the United States, must come to a basic decision as to whether we truly want to do something about this runaway out-of-control spending. And the way to do it is to lay out a program whereby we can responsibly make significant cuts in the spending total by the Federal Government. That is in this spirit that this proposed alternative is offered.

I sincerely hope that when we take up this matter again in September, as the law requires, that we will have an opportunity of voting on this proposed alternative proposal for reducing spending by bringing it under control or some other Member's so that the taxpayers of this country will have an opportunity of evaluating whether or not we have been proper stewards of the privileges and responsibilities that we hold as Members of Congress.

□ 2310

THE O'NEILL PROJECT IN NEBRASKA

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

Mr. BEREUTER. Mr. Speaker, on July 25, 1983, I addressed the Mem-

bers of this body to discuss my concerns about a new study of the authorized O'Neill project in Nebraska. I outlined for the record some of my reservations about this latest study effort.

I wish to reiterate one statement from my July 25 special order: "I shall not consider myself or my constituents bound in any way by the recommendations of the joint State-Federal study authorized in the fiscal year 1983 supplemental appropriations bill."

I repeat this statement because I have been asked today to join my colleagues in the Nebraska congressional delegation in signing a letter to Secretary Watt requesting the Department of the Interior and the Bureau of Reclamation to initiate another review and analysis of the authorized O'Neill unit plan in order to determine if there are additional ways to reduce costs for the authorized project.

I did sign the letter because I believe any effort to reduce costs, even marginally, deserves support. However, as the O'Neill project includes construction of the Norden Dam, it will never receive sufficient support in Nebraska or Congress to see it completed. Nevertheless, I am willing to give supporters of the project this additional opportunity to seek modifications to their project and present their findings to the public. I am anxious to see a detailed work plan outlining the components of this study effort.

For the record, I wish to make clear that in this instance as well, that I consider that neither my constituents nor I are in any way bound by the results of this second study.

At the conclusion of both studies, I hope that a concensus can be achieved to begin work on a reasonable, cost-effective alternative that delivers water to north central Nebraska.

FAIR HOUSING AMENDMENTS OF 1983

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

● Mr. SENSENBRENNER. Mr. Speaker, today I introduced the Fair Housing Amendments of 1983. This bill is the same proposal that President Reagan recently submitted to the Congress. It has the strong endorsement of the Justice Department and the Department of Housing and Urban Development.

This legislation puts teeth in the current law where none have existed before. The heart of this bill is the strengthened enforcement mechanism. For the first time, the Attorney General, upon HUD's recommendation will be able to file an action where an individual has complained of a discriminatory housing practice. Currently, the Attorney General only has pattern or practice jurisdiction. The Attorney

General can also file for temporary or injunctive relief pending final disposition of a complaint. The bill places additional emphasis on conciliation by providing for binding arbitration. It allows a civil penalty to be levied by a court for \$50,000 and \$100,000 for subsequent violations.

This bill also includes handicapped persons as a covered class. The handicapped provisions are broadly written, but do not include current impairment related to alcoholism or drug abuse or that would be a direct threat to the safety of others.

This legislation is another example of the administration's strong commitment to the enforcement and strengthening of our civil rights laws. I hope the introduction of this bill will spark the serious thoughtful and bipartisan debate on this major civil rights issue which needs to be addressed. It is a debate that needs to be devoid of political rhetoric if the strengthening of our fair housing laws is to become a reality. As the ranking minority member of the House Judiciary Subcommittee on Civil and Constitutional Rights, I will be working very hard to accomplish the objective of putting teeth in the current act and to include handicapped persons as a covered class. ●

FTC CREDIT PRACTICES RULE WELL BALANCED

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

● Mr. ANNUNZIO. Mr. Speaker, on July 20 the Federal Trade Commission voted to adopt a modified version of the credit practices rule that had been under consideration since 1975. The rule that was adopted carefully balances the needs of consumers for protection from unfair credit practices against the needs of creditors to collect debts due them. It is a victory for commonsense in rulemaking and should stand as an example to other agencies on how to conduct fair and unbiased rulemaking proceedings.

The rule bans certain contractual provisions in consumer credit contracts that give creditors unfair and unnecessary leverage over consumers. Confession of judgment clauses, also known as cognovits, are banned. These are contractual clauses in which the consumer supposedly agrees in advance that if the consumer defaults on paying, for whatever reason, the creditor can go to court, file suit, and then have a judgment entered against the consumer, all without the consumer being notified of the suit or having an opportunity to present a defense. Cognovits are completely contrary to the American system of fairness in which everyone should have an opportunity

to be heard and are properly banned by the rule.

Many States permit debtors to keep certain essential property when their property is seized to collect a judgment. Typically, the exempt property consists of certain goods that are essential to the consumer for maintaining a home, such as cooking utensils, or a livelihood, such as tools. Often creditors have consumers waive in advance all their rights to keep such property. The FTC rule would prohibit such blanket waivers but would permit the consumer and creditor to agree to waive State exemptions of specific items if State law permitted.

A wage assignment permits a creditor to receive part of a consumer's paycheck directly from the consumer's employer. Once a creditor has a wage assignment, the consumer has no choice over how to spend his money, and if an emergency arises in which the consumer needs the additional money for medical bills or the like, the consumer cannot divert that money from the creditor to pay the doctor. Under an irrevocable wage assignment, there is nothing the consumer can do, for unlike a wage garnishment, the consumer receives no notice that the wage assignment has been filed, and no court has to give permission for the wage assignment. The rule bars irrevocable wage assignments, but recognizes that voluntary wage assignments that may be canceled by the consumer are not subject to abuse, and so permits them. Here again, the Commission took a commonsense approach and barred abuses without developing an overbroad rule.

Another typical consumer credit contract clause that is outlawed by the rule is the blanket security interest in household goods and furnishings. This clause gives the creditor the right to seize and sell all the consumer's personal goods and belongings in the event the consumer defaults on the agreement. This remedy is used more by creditors to terrorize consumers than to provide security that will provide compensation since the resale value of used household goods is typically low. The rule recognizes that some household goods do have significant value, however, and it permits the taking of security interests in items of significant value, such as works of art and antiques. Creditors who advance funds for the purchase of particular items can continue to take security interests in those items as well.

The rule forbids the pyramiding of late charges. Often a consumer will miss a payment and incur a late charge. If the consumer then makes up that payment but not the late charge, the creditor will apportion part of each subsequent payment to the initial late charge and consequently cause every succeeding payment to be late. The creditor will then assess a

late charge for each one of those payments. This practice permits the creditor to parlay a single late payment into a recurring charge, even though the account is actually paid to date.

Finally, the rule requires that co-signers be provided a notice informing them of the obligations and liabilities that they are undertaking when co-signing a loan. Many consumers who guarantee loans for others do not realize that they can be liable for late fees and collection costs, can be sued, can have their wages garnished, and can have their property sold without the creditor first seeking payment from the primary obligor. This notice is a small price to pay for informing co-signers of the nature of the obligation they are incurring.

The Commission wisely rejected several proposals in connection with the rule. It rejected bans on cross-collateral clauses, which give the creditor a security interest in property already in use as collateral for earlier loans when the creditor makes a new loan, third-party contacts when attempting to collect debts, prohibitions on the assessment of attorney's fees in collection actions, and limitations on deficiency judgments when collateral is sold for less than the amount owed the creditor.

The actions of the Commission in prohibiting certain actions by creditors and rejecting other proposals clearly show that the Commission gave careful consideration to the arguments for and against these proposals. After 8 years of hearings, reports, staff recommendations, and deliberations, it appears to me that the Commission developed a final rule that will permit creditors to continue to adequately secure loans and assure repayment without abusing consumers. The Commission is to be congratulated for its action in adopting this rule. I am confident that the Commission will approve the final statement of basis and purpose and regulatory analysis for the proposed rule this September so that the rule can be finally promulgated without any undue delay. ●

ONE APPROACH TO CONTROLLING HEALTH CARE COSTS

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

● Mr. PANETTA. Mr. Speaker, I recently had the opportunity to read the text of a speech given by Joe Califano, former Secretary of the Department of Health, Education, and Welfare (HEW) entitled, "The Chrysler Story: How an Ailing American Firm Is Tackling Health Care Cost Problem." I am inserting the text of this speech into the RECORD for the attention of my colleagues. The major focus of this essay responds to the challenges

which face the Chrysler Corp. and other private concerns in their efforts to afford the health care cost of their employees. However, this same message can be directed at the Congress, and the administration as we contemplate reforms to salvage the crippled medicare system and maintain other Federal health care programs.

As you all know too well, the medicare trust fund is facing severe financial problems and recent projections point to a \$1 trillion deficit in this trust fund by the year 2005. While the Congress has given the social security system new life, the medicare fund continues to demand intensive care. The fact is that the financial problems in the medicare system and the cost demands of other Federal health care programs will continue to make inherently difficult the institution of effective policies to reduce large Federal budget deficits. This fact points to the need for the enactment of sound, fair, and compassionate reforms in this program. With growth in the elderly population expected throughout the next decade, it is our responsibility to insure that adequate and quality health care coverage is available.

Former Secretary Califano concludes in his speech that education, the use of alternative systems, building on efficient parts of the current system, and cooperation from health care participants are all parts of a comprehensive solution to the health problems demanding the attention of the Chrysler Corp. As Congress debates medicare reforms, the suggestions of Mr. Califano should be recognized.

Following is the text of former Secretary Califano's speech:

[From the FAH Review, July/August 1983]
THE CHRYSLER STORY: HOW AN AILING AMERICAN FIRM IS TACKLING HEALTH CARE COST PROBLEM

(By Joseph A. Califano, Jr.)

Let me begin with some questions.

Over the past 30 years, what has been the fastest rising cost of doing business in America?

If businessmen answer labor, they are wrong. If union leaders answer energy, they are wrong, too.

What is the most rapidly widening gap between what a company pays the average employee and what that employee takes home?

If you answer income taxes, you are wrong.

What is the most sharply increasing portion of the ballooning federal budget?

If you answer Social Security or defense spending, you are wrong.

The answer to all these questions is health care costs.

For management, health care is the only item purchased that is priced unilaterally, outside the competitive marketplace, without any negotiation with the suppliers—doctors and hospitals.

For employees, particularly those in sophisticated, hard-bargaining unions like the United Auto Workers (UAW) who negotiate for each half cent of the dollar, health care

benefits are put in the contract without questioning whatever the hospital, doctor or laboratory charges.

We did not get into this predicament—one might say, mess—overnight. Health care costs have been outstripping inflation for years. Every recent American president—Johnson, Nixon, Ford, Carter and now Reagan—has tried to change the way we pay doctors and hospitals and to put a cap on hospital costs.

In 1980, when oil prices were skyrocketing, concerned Americans feared that the Arab oil sheiks would break the American economy. In that year, Americans spent \$2 on health care for every \$1 they spent on oil. In 1982, the double digit rise in health care costs, in defiance of the worst recession and the lowest inflation in years, demonstrates that something is fundamentally wrong with our health care system.

The structure of that system assures continued growth and guarantees that most of the growth will be inflationary and not real, that cost increases will not reflect better health care for Americans. In two respects, the health industry is totally out of step with the American system of free enterprise and competition:

First, hospitals are generally reimbursed on a cost, or in the case of for profit hospitals, a cost-plus basis. Doctors are paid on a fee-for-service basis. Thus, the more hospitals spend, the more they receive; the more services doctors perform, the more money they make. No wonder the rate of surgery is rising five times faster than the population.

Second, there is no relationship between the buyer and the seller. When an American buys an automobile, he or she picks a dealer, negotiates about model, price, terms of payment, optional equipment, color, trim. Then the buyer picks the car he wants.

With inflation increasingly coming under control as consumer and wholesale price indices level off, with profit margins on cars still at depression levels, with union wage increases tougher to get, health care stands out as the single most inflationary factor in the American economy today.

NOW IS THE SEASON AND TIME TO ACT

If indeed there is a season for everything and a time for every purpose under heaven, then now is the season and time for American business and American labor to deal with the cost of health care—a cost that bears little relationship to the quality of care and none to the efficiency with which it is delivered.

Last year, the cost of medical care rose about 12 percent, triple the 3.9 percent increase in the overall Consumer Price Index (CPI) (which itself has a health care component.) The daily cost of a hospital room rose 20 percent, to an average of \$340 per day. The total bill for health care in the United States was \$321 billion. That is a levy of \$1,400 on every man, woman and child in America. Almost 15 cents of every federal tax dollar spent went to the health care industry, and it was the cost of health care that drove so many state budgets into deficits.

What about American business?

Take just one slice of its health care bill. In 1983, U.S. companies will pay \$77 billion in health insurance premiums for their employees and retirees, and their dependents. That is more than those companies will pay out in dividends.

This year, Americans will turn 10 percent of the Gross National Product (GNP) over to the health care industry. Health care is our nation's second largest employer

(behind education) and our third largest industry in consumer spending (after food and housing.)

But no one enters a hospital and says, "I would like an appendectomy today," or "I would like a hysterectomy tomorrow." Where hospitalization is involved, the patient doesn't even pick the surgeon or specialist. His family physician does. That doctor prescribes the medical procedure; he picks the hospital at which it will be performed. Knowing he is not likely to be sued for conducting an extra test, the doctor has every incentive to run lots of tests. And so does the hospital since its charges for tests help pay for the expensive equipment used to conduct them.

The doctor doesn't pay the bill. And the patient doesn't think he is paying it. Ninety-four percent of the hospital bills in America are paid by government program (like Medicare and Medicaid), private insurers and the Blues.

The Blue Cross card is like having a credit card to use at restaurants—and never getting the bill. We would all order caviar, lobster, steaks and Dom Perignon if we had such a card. And that is the only food and champagne the restaurant would stock. There would be no more crowded tables. The owner would not have to worry about renting unnecessary space or the cost of linens on empty tables. He would have no concern about moving out the first sitting and turning the tables over twice each evening. Several waiters would hover over each table—one to serve, another to mix the salad, a third to debone the fish and a fourth whose specialty was whipping the zabaglione.

Of course, the Blue Cross card that lets us enter the third party, fee-for-service, cost-plus health care reimbursement system provides only the illusion of a free lunch. In reality, we are all paying for this meal—and in 10 short years, the bill will hit at least \$1 trillion—unless we do something about it.

Businessmen tend to look at these numbers the way they look at the federal budget deficits: They are something that someone else better get under control. Let Ronald Reagan fix it. He is trying—and so is Congress. The House and Senate just put a lid on Medicare payments to hospitals by setting fixed rates for 467 hospital procedures, from appendectomy to breast surgery.

But the health care system is like a pillow. If you push down one part of it, another will puff up. As Congress and state health care systems put caps on public payments to hospitals and doctors, those providers will just increase their charge to private payers, that is, business and its employees.

What about Chrysler?

The prospect of imminent bankruptcy in business, like the prospect of execution in prison, has a marvelous capacity to focus the mind. When Chrysler decided not to follow the Wall Street Journal's advice to "die with dignity," it took a hard look at the way it was living, what had to be changed to survive and, hopefully prosper.

Chrysler changed the way it was operating—in its plants, with banks and supplier, with the union and with the car-buying public. What the old Chrysler Corporation once accepted as inevitable, the new Chrysler Corporation found intolerable. And the unchangeable was changed.

So it must be for health care. Chrysler has decided to act.

One of the things Chrysler found, when it faced bankruptcy, was that its health care costs were just as bad as, if not worse than

those of the nation as a whole. Chairman Lee Iacocca found the health care cost problem so intimately related to the future viability of the new Chrysler Corporation that he created a committee of the board of directors on health care—the only one of its kind in American business.

He asked me to chair that committee. He himself sits on it, along with three other Chrysler directors—United Auto Workers (UAW) President Douglas Fraser (who recently retired), former Michigan Governor Bill Milliken, and American Red Cross Chairman Jerome Holland. We also created a management task force to work with the board committee.

We have been at it for more than a year. We went behind the health insurance premiums we have been paying to analyze health care utilization patterns and expenditures in order to identify opportunities for cost control. We looked not just at things like length of hospital stay, but probed the intensity of care—the laboratory, x-ray, pharmacy and ancillary charges that can inflate the total health care bill. And we compared practices and medical procedures among hospital physicians.

In short, we looked at how much we were paying, to which physicians, for what medical procedures, at what hospitals, for which employees, retirees and dependents. My mission is to announce what we found and what we intend to do about it.

REPORT FROM CHRYSLER'S HEALTH CARE COMMITTEE

Here is what we found:

The direct health care bill for Chrysler employees, dependents and retirees will amount to more than \$6,000 for each active worker in 1983. Put another way, each worker has to produce \$6,000 just to pay for direct health care costs, like health insurance premiums—before Chrysler can pay for anything else, including wages. Chrysler will pay \$373 million in health insurance premiums in 1983. That makes Blue Cross Blue Shield our biggest supplier.

That is only part of the health care bill. Chrysler will also pay more than \$20 million in Medicare taxes (in addition to the \$20 million its workers will pay). We estimate that of the \$6 billion we will pay supplies in 1983, at least \$200 million will go to pay health care costs for their employees.

Put it all together and what does it mean for the American car buyer? The total health care bill Chrysler will pay this year amounts to more than \$600 for each car we sell. That is more than 10 percent of the sticker price of an Omni or Horizon; 10 percent of the price of a "K" car. That is eight times the \$75 per car health care cost at Chrysler in 1970.

What does Chrysler's health care bill mean to its workers?

In 1983, the \$6,000 each average hourly worker must produce to pay for health care equals the amount that worker will be paid for almost four months' work. Just about 10 years ago, in 1972, the comparable amount—\$850—was equal to less than one month's pay. Chrysler's 1983 health care bill will exceed the amount Chrysler pays in cash retirement benefits to all 65,000 of its pensioners.

When we looked at Chrysler's situation, we found abuses, plenty of them. And we have begun to move to correct those abuses.

In 1981, Chrysler payments to podiatrists and others for services on feet were \$4 million in Michigan alone, far in excess of our payments for such services in any other

area. Last year, we started a screening program in Michigan for foot surgery, requiring prior determination of medical necessity for certain high volume procedures. We were able to save well over \$1 million in the first year, reducing our costs for those services by more than 30 percent.

Concerned about excessive costs of prescription drugs—which ran at a \$23 million annual rate in 1982—we have started a pilot generic drug program. It is having money, and we plan to extend it. We are also policing the drug benefit portion of our health care program to catch abuses, like the employee who, in a one-year period, obtained 136 prescriptions for 4 milligram Dilaudids totaling 8,671 tablets—27 a day. Or the worker who in one year obtained 51 prescriptions for 6,030 10 milligram Valium tranquilizers.

HOPE FOR FUTURE: CHANGING THE STRUCTURE

The new Chrysler Corporation is moving to eliminate at least \$10 million in waste and abuse. But the big savings—and the hope for the future—rests in fundamentally changing our health care structure. Right now, Chrysler and its employees receive health care in a system of comprehensive benefits, at no apparent cost to the individual, with an infinite choice of hospital, doctor and para-professional without regard to cost. It is a system that encourages spending and permits waste to flourish.

In the Detroit area in 1981 (the last year for which we have figures), the average cost for a day at six of the largest acute care hospitals that Chrysler used varied from \$452 to \$608. The cost for the average length of stay at these hospitals varied from \$3,028 up to \$6,077—a 100 percent spread.

The variances are just as wide in fees different physicians charge for the same services and the tests, x-rays and drugs they prescribe for the same diagnoses.

What is the single most costly medical procedure Chrysler paid for in 1982? It was the \$4 million Chrysler paid doctors for post-admission visits to hospitalized patients.

If we had any doubt about the structural defects in this fee-for-service, cost-unconscious system, our analysis of the Chrysler Outpatient Psychiatric Benefit Program removed it.

In 1973, Chrysler employees and retirees, and their dependents, received some 34,000 services under this program at a cost of \$800,000. About that time, psychiatric clinics in Michigan discovered the wide open Chrysler plan, and they started springing up everywhere. By 1978, services for Chrysler-insured patients climbed to over 160,000 at a cost of \$5 million. This stunning increase was arrested only when Blue Cross/Blue Shield slapped a moratorium on approving new clinics for reimbursement.

The programs to deal with abuse are valuable and will save both millions of dollars and hundreds of unnecessary, and by definition risky, medical procedures. But they don't get to the basic structural problem of the health care system. They don't change the current situation where both the demand and prices for medical services are set unilaterally by the suppliers, and the users don't realize they are paying for what they consume.

We also want to recognize that choosing a family physician from among 150 general practitioners is just as good as choosing from among 200. And if those who choose from among 150 save several hundred or \$1,000 per year, then they should receive the benefit of their choice. And where the

same quality health care is provided—within or without the new system—those who choose a more expensive alternative should be conscious of the costs of their choice—and bear those costs.

We intend to get together with doctors and hospitals who will work with Chrysler and their patients to keep costs down. We intend to give our health care business to these doctors and hospitals and to provide incentives to them for supplying efficient, high quality health care to our employees and retirees, and their dependents. Our system will be offered to all doctors and hospitals that want to join with us in this effort.

We need the cooperation of our employees to do this. The first step is getting to them—and our managers—the information that we have accumulated, telling them what we have learned about health care costs. So we are going to our employees and asking them to join in this effort just as they have joined with us to make the new Chrysler Corporation a proud phoenix out of the ashes of the past.

The alternatives we face at Chrysler are pretty clear, and they are not pleasant. They are far more expensive for all of us. Those alternatives involve cuts in benefits, ever-increasing copayments and deductibles, health care costs so high that we price ourselves out of the U.S. and world car markets and out of work, lower quality health care—or some unhappy combination of the above.

Those are the choices. We have already faced some tough times at Chrysler. We have made some tough decisions. We have held down our pay. We have changed some work rules. We further automated and robotized. We have streamlined our management ranks and our assembly lines. We got back on our feet by making those choices together—management, union, employees and our suppliers. That is the way we intend to make the hard choices on health care.

The alternatives that the rest of American industry, its employees and its health care suppliers, face are about the same as ours. They can join us. We would welcome them and encourage them in the battle to get health care costs under control. We think it is in their interests. The "Fortune 500" employs 14.4 million people. If all the members of that corporate club have average health care costs per active employee of only half of Chrysler's cost, they are paying about \$43 billion annually for health care. That is 70 percent of their 1982 profits.

America, like Chrysler, does face choices regarding its health care costs. We can do nothing and watch our country's annual health care bill go from 1982's \$321 billion to \$1 trillion in the early 1990s, just 10 years from now. Or we can act to fix things the way that Americans have always done once we saw the size and shape of the problems we confronted.

The new Chrysler Corporation has decided to work with the United Auto Workers, our employees, and the hospitals and physicians who serve the Chrysler family, to change the system.

We have decided to stop blaming the other guy—the government, or the doctors, or the hospital administrators, or the insurers, or the insured for the health care cost mess that we are in. By and large, they have only been acting the way that the system has encouraged them to act. There is plenty for them to change, and, of course, we will need their help. But we are going to concentrate on what we can do.

The first step is education. The new Chrysler Corporation is beginning a major

effort—unprecedented in the history of American business—to tell its executives, union and salaried employees and stockholders what we face. We want our employees to have the same high quality health care that they now enjoy. But we want them to know that there are choices we and they can make—and get that same high quality health care at a significantly lower price.

We want to put in place a real alternative to the present system—one that will change the way the costs are generated. If we succeed, we estimate that we will save up to \$1,000 for each active employee each year. That is money employees could see in their paychecks rather than in the checks Chrysler sends to Blue Cross/Blue Shield and our other medical and dental carriers. It is money their spouses and dependents can use for groceries and education.

We want to build on the most efficient parts of our health care structure. We intend to become more prudent purchasers and channel our business to those doctors and hospitals which are conscious of costs. For example, there are many efficient suppliers of health care in Southeastern Michigan who are willing to cooperate with Chrysler and its employees and agree that, from now on, company-supported health care plans will be the most efficient, rather than the most wasteful systems.

We believe that enough doctors and hospitals will join with us so that Chrysler employees will have plenty of room to choose their family physician. It is not the insured but the physician who selects the specialists and surgeons, who in turn select the hospitals. We are conscious of freedom to choose a physician—and we want to preserve a wide range of choice.

For me, I subscribe to the words of G. K. Chesterton:

"I do not believe in a fate that befalls people however they act. I do believe in a fate that befalls them unless they act."

PRIVACY PROTECTION ACT OF 1984

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

● Mr. ENGLISH. Mr. Speaker, today I am introducing the Privacy Protection Act of 1984, a bill to establish a permanent and independent Privacy Protection Commission in the Federal Government.

The idea of a governmental entity with responsibility for establishing privacy policy and overseeing its implementation is not new. When the Privacy Act of 1974 was initially considered in the Senate, Senator Sam Ervin advocated the creation of a Federal Privacy Board as an aid to enforcement and oversight of the act. The proposal passed the Senate but it met with resistance in the House.

As a compromise, the Congress established the Privacy Protection Study Commission as a temporary group to conduct research and make recommendations on a wide range of privacy issues. In its final report issued in 1977, the Privacy Protection Study Commission also recommended

that an independent entity be established to monitor and evaluate privacy laws; to continue research, study, and investigations; to issue interpretative rules for the Privacy Act; and to provide privacy advice to the President, the Congress, and to the States. Although bills to accomplish this purpose were introduced from time to time in the past, no action was ever taken.

Why am I reviving the notion of a permanent Privacy Commission at this time? In June, the Subcommittee on Government Information, Justice, and Agriculture conducted 2 days of general oversight hearings on the Privacy Act of 1974. These were the first general oversight hearings on the act since its enactment. Several conclusions were immediately apparent from the testimony.

First, oversight of the Privacy Act within the executive branch is virtually nonexistent. As part of the compromise that led to the creation of the Privacy Protection Study Commission, the Congress assigned oversight and implementation responsibilities to the Office of Management and Budget. OMB is simply not doing a very good job. In fact, OMB is hardly doing the job at all. In the words of one witness, OMB has "virtually abdicated responsibility" for the Privacy Act. Other witnesses also agreed that OMB was not interested in its Privacy Act responsibilities.

Second, privacy is no longer an issue of purely domestic interest. In recent years, an increasing number of foreign nations have become concerned about the privacy implications of new technology and of the flow of personal information across national borders. Legislation to protect personal data has been enacted in some countries. West Germany, Sweden, France, and other nations have established data protection commissioners or agencies. The Council of Europe has proposed a convention to establish international standards for data protection.

These international concerns about privacy have very important implications for American businesses. Restrictions on the transfer of data to nations that do not have adequate privacy protections may result in the loss of markets for information and telecommunications service. In addition, multinational companies are finding that their own internal operations are impeded by restrictions on data transfer.

One expert in international privacy law testified that ratification of the Council of Europe Data Protection Convention would make things more difficult for American companies doing business in Europe. With the functional demise of the National Telecommunications and Information Administration, there is no agency in the Federal Government paying sufficient attention to the implications for

American businesses of international privacy concerns.

The Privacy Protection Commission that I am proposing would have responsibility for both domestic and international privacy issues. Domestically, the Commission would be assigned an oversight role under the Privacy Act of 1974. The Commission would develop guidelines and model regulations, investigate compliance with the act, and generally oversee agency Privacy Act activities.

For international privacy issues, the Commission would assist U.S. companies doing business abroad to comply with foreign data protection laws, assist in the coordination of U.S. privacy policies with those of foreign nations, accept complaints and otherwise consult with foreign data protection agencies. The Commission would also assist in the development or implementation of private sector data protection standards. However, the Commission would have no regulatory authority over the private sector.

It is time to renew the debate over how we should set, implement, and oversee policies designed to protect the privacy of personal information. I hope that my bill will serve as an effective vehicle for that debate. Privacy can so easily be sacrificed to other interests that it is likely to be ignored unless there is a dedicated and responsible spokesman. Both OMB and NTIA have failed in that role. A small and independent Commission seems to be the best alternative.

I welcome any comments on the Privacy Protection Act of 1984.●

NEW COMMITTEE RULE ADOPTED BY COMMITTEE ON SCIENCE AND TECHNOLOGY

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

● Mr. FUQUA. Mr. Speaker, as a result of the recent involvement of the Committee on Science and Technology in the issue involving the alteration of transcripts, the committee reviewed its rules governing procedure. On July 26, 1983, the committee met to consider a proposed rule change which is now rule 23 in the material I am inserting for the RECORD.

The committee adopted the new rule for the publication of transcripts by a vote of 37 to 0. It is my feeling it will correct the problem of transcription alteration, and, at the same time, provide a method whereby the work of the committee staff is expedited. The Committee on Science and Technology rules governing procedure in the 98th Congress, as amended, follow:

RULES GOVERNING PROCEDURE OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, 98th CONGRESS (Note: * indicates rules applicable to subcommittees.)

GENERAL

1. The Rules of the House of Representatives, as applicable, shall govern the committee and its subcommittees. The rules of the committee, as applicable, shall be the rules of its subcommittees.

COMMITTEE MEETINGS

Time and place

2. Unless dispensed with by the Chairman, the meetings of the committee shall be held on the 1st and 3rd Tuesday of each month the House is in session at 10:00 a.m. and at such other times and in such places as the Chairman may designate.

3. The Chairman of the committee may convene as necessary additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business.

*4. The committee shall make public announcement of the date, time, place and subject matter of any of its hearings at least one week before the commencement of the hearing. If the Chairman determines that there is good cause to begin the hearing sooner, he shall make the announcement at the earliest possible date. Any announcement made under the subparagraph shall be promptly published in the Daily Digest, and promptly entered into the scheduling service of the House Information Systems.

*5. The committee may sit while the House is reading a measure for amendment under the 5-minute rule, provided 10 or more Members on the House floor do not object when special leave for such committee or subcommittee to sit is requested.

Ranking majority member to preside in absence of chairman

*6. If the Chairman of the committee is not present at any meeting of the committee, the ranking Member of the Majority Party on the committee who is present shall preside.

Order of business

*7. The order of business and procedure of the committee and the subjects of inquiries or investigations will be decided by the Chairman, subject always to an appeal to the committee.

Membership

8. A majority of the Majority Members of the committee shall determine an appropriate ratio of Majority to Minority Members for each subcommittee and shall authorize the Chairman to negotiate that ratio with the Minority Party; *Provided, however*, that party representation on each subcommittee (including any ex-officio Members) shall be no less favorable to the Majority Party than the ratio for the full committee. *Provided, further* that recommendations of conferees to the Speaker shall provide a ratio of Majority Party Members to Minority Party Members which shall be no less favorable to the Majority Party than the ratio for the full committee.

Special meetings

9. Rule XI 2(c)(2) of the Rules of the House of Representatives is hereby incorporated by reference (Special Meetings).

COMMITTEE PROCEDURES

Quorum

*10. One-third of the Members of the committee shall constitute a quorum for all purposes except that a majority must be present in order to: (1) report or table any legislation, measure or matter; (2) close committee meetings or hearings; or (3) authorize the issuance of subpoenas.

*11. The number of Members to constitute a quorum for taking testimony and receiving evidence shall not be less than two, one of whom shall be a Member of the Minority.

Proxies

12. Any Member may authorize a vote by proxy with respect to any measure or matter before the committee. Such proxy authorization shall be in writing, shall assert that the Member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his or her vote, filed with the committee clerk, and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

Witnesses

*13. The committee shall, insofar as is practicable, require each witness who is to appear before it to file with the committee (in advance of his or her appearance) a written statement of the proposed testimony and to limit the oral presentation at such appearance to a summary of his or her statement.

*14. Whenever any hearing is conducted by the committee on any measure or matter, the Minority Members of the committee shall be entitled, upon request to the Chairman by a majority of them, before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to the measure or matter during at least one day of hearing thereon.

Investigative hearing procedures

15. Rule XI 2(k) of the Rules of the House of Representatives is hereby incorporated by reference (rights of witnesses under subpoena).

Subject matter

*16. Bills and other substantive matters may be taken up for hearing only when called by the Chairman of the committee or by a majority vote of a quorum of the committee, except those matters which are the subject of special-call meetings outlined in Rule 9.

17. No private bill will be reported by the committee if there are two or more dissenting votes. Private bills so rejected by the committee will not be reconsidered during the same Congress unless new evidence sufficient to justify a new hearing has been presented to the committee.

*18. (a) It shall not be in order for the committee to consider any new or original measure or matter unless written notice of the date, place and subject matter of consideration and to the extent practicable, a written copy of the measure or matter to be considered, has been available in the office of each Member of the committee for at least three calendar days in advance of con-

sideration, excluding Saturdays, Sundays, and legal holidays.

(b) Notwithstanding the foregoing sections of this rule, consideration of any legislative measure or matter by the committee shall be in order by vote of two-thirds of the Members present, provided that a majority of the committee is present.

Open meetings

*19. Each meeting for the transaction of business, including the markup of legislation, of the committee shall be open to the public except when the committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public. No person other than Members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by Rule 20 contained herein, or to any meeting that relates solely to internal budget or personnel matters.

*20. Each hearing conducted by the committee shall be open to the public except when the committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, and Rule 10, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony.

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate clause 2(k)(5) of Rule XI of the Rules of the House of Representatives; or

(B) may vote to close the hearing, as provided in clause 2(k)(5) of Rule XI of the Rules of the House of Representatives. No Member may be excluded from nonparticipatory attendance at any hearing of any committee or subcommittee, unless the House of Representatives shall by majority vote authorize a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subparagraph for closing hearings to the public: *Provided, however*, That the committee or subcommittee may by the same procedure vote to close one subsequent day of hearing.

Requests for roll call votes

21. A roll call of the Members may be had at the request of three or more Members.

Committee records

*22. The committee shall keep a complete record of all committee action which shall include a record of the votes on any question on which a roll call vote is demanded. The result of each roll call shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each

Member voting for and each Member voting against such amendment, motion order or proposition and the names of those Members present but not voting.

**23. Publication of committee hearings*

The transcripts of those hearings conducted by the Committee which are decided to be printed will be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate.

Any requests by those Members, staff or witnesses to correct any errors, other than errors in transcription, or disputed errors in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted.

Prior to approval by the Chairman of hearings conducted jointly with another Congressional committee, a memorandum of understanding will be prepared which incorporates an agreement for the publication of the verbatim transcript.

5-Minute rule during committee proceedings

*24. The time any one Member may address the committee on any bill, motion or other matter under consideration by the committee or the time allowed for the questioning of a witness at hearings before the committee will be limited to five minutes, and then only when the Member has been recognized by the chairman, except that this time limit may be waived by the Chairman or acting Chairman. The rule of germaneness will be enforced by the Chairman.

Requests for written motions

*25. Any legislative or non-procedural motion made at a regular or special meeting of the committee and which is entertained by the chairman shall be presented in writing upon the demand of any Member present and a copy made available to each Member present.

SUBCOMMITTEES

Structure and jurisdiction

26. The committee shall have the following standing subcommittees with the jurisdiction indicated.

(a) *Subcommittee on Energy Development and Applications.* Legislation, general and special oversight and all other matters relating to research, development and demonstration programs in fossil energy R&D; solar applications; solar technology; advanced energy technology; energy conservation; biomass; basic energy sciences; high energy and nuclear physics; geothermal energy; international cooperation in non-nuclear energy; and policy and management programs of the Department of Energy.

(b) *Subcommittee on Natural Resources, Agriculture Research and Environment.* Legislation, general and special oversight and all other matters relating to natural resources, including, but not limited to, water research, and, to the extent appropriate, agriculture R&D; legislation, risk assessment and other matters relating to environmental research and development generally—including, but not limited to, research and development activities of the Environmental Protection Agency; environmental health, safety, life sciences, pharmaceutical and medical activities of Executive departments and agencies, as appropriate; operational and research and development activities related to the atmosphere (including meteorology, aeronomy, climate, weather modification); those ocean R&D activities related to the quality and management of the environment of the National Oceanic and Atmos-

pheric Administration; and activities relating to a land observing system.

(c) *Subcommittee on Energy Research and Production.* Legislation, general and special oversight and all other matters relating to research, development and demonstration involving nuclear fission and the nuclear fuel cycle; nuclear fusion, electric energy systems; energy storage systems; hydroelectric energy systems; international cooperation in nuclear matters (except for exports of nuclear technology and hardware); and policy and management programs of the Department of Energy.

(d) *Subcommittee on Science, Research and Technology.* Legislation, general and special oversight and all other matters relating to the National Science Foundation; the National Bureau of Standards; the Office of Science and Technology Policy; the Office of Technology Assessment; scientific research and development and applications; science policy; scientific resources (including manpower); science education; science information and information sciences; technology transfer; technology assessment; innovation, productivity, and industrial R&D; standards (weights, measures, etc.); patent policies as they relate to Federal research and development programs; R&D involving governmental health, nutritional and handicapped programs; biotechnology; intergovernmental mechanisms for R&D; and international cooperation in science and technology.

(e) *Subcommittee on Transportation, Aviation and Materials.* Legislation, general and special oversight and all other matters relating to civil aviation research and development (includes aeronautical research and technology programs of the National Aeronautics and Space Administration and research and development programs of the Federal Aviation Administration); transportation programs of the Department of Energy; aviation-weather services; materials R&D and national materials policies, both domestic and international; oversight of surface transportation research and development programs of the Department of Transportation, Urban Mass Transportation Administration, Federal Railroad Administration, Federal Highway Administration, National Highway Traffic Safety Administration, and Coast Guard and the Maritime Administration; oversight of research and development in communications other than that for which the Subcommittee on Space Science and Applications is responsible.

(f) *Subcommittee on Investigations and Oversight.* Review and study, on a continuing basis, of the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the committee and the organization and operation of the Federal and private agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress. In addition, the Subcommittee on Investigations and Oversight and the appropriate subcommittee with legislative authority may cooperatively review and study any conditions or circumstances which indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the committee, and may undertake futures research and forecasting on matters within the jurisdiction of the committee. The Subcommittee on Investigations and Oversight shall in no

way limit the responsibility of other subcommittees from carrying out their oversight responsibilities, nor shall any investigation be undertaken by the Subcommittee on Investigations and Oversight without (a) consultation with the Chairman of the appropriate subcommittee with legislative authority and (b) approval of the Chairman of the committee.

(g) *Subcommittee on Space Science and Applications.* Legislation, general and special oversight and all other matters relating to the National Aeronautics and Space Administration (except aeronautical research and development); national programs of research and development in space exploration, space applications, space communications and related matters; and activities relating to a land observing system.

Referral of legislation

27. All legislation and other matters referred to the committee shall be referred to all subcommittees of appropriate jurisdiction within two weeks unless, by a majority vote of the Majority Members of the full committee, consideration is to be by the full committee. Subcommittee chairmen may make requests for referral of specific matters to their subcommittee within the two-week period if they believe subcommittee jurisdictions so warrant.

Ex officio members

28. The Chairman and Ranking Minority Member shall serve as ex officio Members of all subcommittees and shall have the right to vote and be counted as part of the quorum on all matters before the subcommittees.

Procedures

29. No subcommittee shall meet for markup or approval when any other subcommittee of the committee is meeting to consider any measure or matter for markup or approval.

30. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the committee on all matters referred to it. Each subcommittee shall conduct legislative and general oversight, inquiries for the future and forecasting, and budget impact studies on matters within their respective jurisdictions. Subcommittee chairmen shall set meeting dates after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible.

31. Any Member of the committee may have the privilege of sitting with any subcommittee during its hearings or deliberations and may participate in such hearings or deliberations, but no such Member who is not a member of the subcommittee shall vote on any matter before such subcommittee.

32. During any subcommittee proceeding for markup or approval, a roll call vote may be had at the request of one or more Members of that subcommittee.

Power to sit and act; subpoena power

33. Rule XI 2(m) of the Rules of the House of Representatives is hereby incorporated by reference (power to sit and act; subpoena power).

REPORTS

Substance of legislative reports

34. The report of the committee on a measure which has been approved by the committee shall include the following, to be provided by the committee:

(A) the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X of the Rules of the House of Representatives, separately set out and identified, [Rule XI 2(1)(3)(A)];

(B) the statement required by section 308(a) of the Congressional Budget Act of 1974, separately set out and identified, if the measure provides new budget authority or new or increased tax expenditures, [Rule XI 2(1)(3)(B)];

(C) a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on the national economy, [Rule XI 2(1)(4)];

(D) with respect to each roll call vote on a motion to report such bill or resolution, the total number of votes cast for and the total number of votes cast against the reporting of such bill or resolution, [Rule XI 2(1)(2)(B)];

(E) the estimate and comparison prepared by the committee under Rule XIII 7(a) of the Rules of the House of Representatives, unless the estimate and comparison prepared by the Director of the Congressional Budget Office prepared under subdivision (A) of Rule 34 has been timely submitted prior to the filing of the report and included in the report, [Rule XIII 7]; and

(F) in the case of a bill or joint resolution which repeals or amends any statute or part thereof, the text of the statute or part thereof which is proposed to be repealed, and a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, [Rule XIII 3].

35. (a) The report of the committee on a measure which has been approved by the committee shall further include the following, to be provided by sources other than the committee:

(A) the estimate and comparison prepared by the Director of the Congressional Budget Office required under section 403 of the Congressional Budget Act of 1974, separately set out and identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted such estimate and comparison to the committee, [Rule XI 2(1)(3)(C)];

(B) a summary of the oversight findings and recommendations made by the Committee on Government Operations under Rule X2(b)(2) of the Rules of the House of Representatives, separately set out and identified, [Rule XI 2(1)(3)(D)].

(b) Notwithstanding the foregoing sections of this rule, if the committee has not received prior to the filing of the report the material required under subdivisions (A) and (B) of this rule, then it shall include a statement to that effect in the report on the measure.

Minority and additional views

36. If, at the time of approval of any measure or matter by the committee, any Member of the committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that Member, with the clerk of the committee. All such views so filed by one or more Members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume

which shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (A) and (B) of Rule 34) are included as part of the report. However, this rule does not preclude (1) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph or (2) the filing by the committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

37. The Chairman of the committee or subcommittee, as appropriate, shall advise Members of the day and hour when the time for submitting views relative to any given report elapses. No supplemental, minority or additional views shall be accepted for inclusion in the report if submitted after the announced time has elapsed unless the Chairman of the committee or subcommittee, as appropriate, decides to extend the time for submission of views beyond 3 days, in which case he shall communicate such fact to Members, including the revised day and hour for submissions to be received, without delay.

Consideration of subcommittee reports

38. Reports and recommendations of a subcommittee shall not be considered by the full committee until after the intervention of three calendar days, excluding Saturdays, Sundays and legal holidays, from the time the report is submitted and printed hearings thereon shall be made available, if feasible, to the Members, except that this rule may be waived at the discretion of the Chairman.

Timing and filing of committee reports

39. It shall be the duty of the Chairman to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken the necessary steps to bring the matter to a vote.

40. The report of the committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the Members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the Chairman of the committee notice of the filing of that request.

41. Any committee or subcommittee report published by the committee shall follow the same procedures for its approval, including the opportunity to submit views, as is followed in the case of a report accompanying a bill or resolution which has been approved by the committee.

MEDIA COVERAGE

*42. The committee may permit, by majority vote, hearings or meetings which are open to the public to be covered in whole or in part by television, radio and still photography—or by any such methods of coverage—in accordance with Rule XI 3 of the Rules of the House of Representatives.

LEGISLATIVE AND OVERSIGHT JURISDICTION OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY "RULE X. ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES"

"The Committees and Their Jurisdiction."

"1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

* * * * *

"(r) Committee on Science and Technology.

"(1) Astronautical research and development, including resources, personnel, equipment, and facilities.

"(2) Bureau of Standards, standardization of weights and measures and the metric system.

"(3) National Aeronautics and Space Administration.

"(4) National Aeronautics and Space Council.

"(5) National Science Foundation.

"(6) Outer space, including exploration and control thereof.

"(7) Science scholarships.

"(8) Scientific research and development.

"(9) Civil aviation research and development.

"(10) Environmental research and development.

"(11) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

"(12) National Weather Service.

"In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(f) with respect to all nonmilitary research and development.

"SPECIAL OVERSIGHT FUNCTIONS"

"3. (f) The Committee on Science and Technology shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving nonmilitary research and development."●

PERSONAL EXPLANATION

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

● Mr. GEPHARDT. Mr. Speaker, because of illness in my family, it was not possible for me to be here for the last three votes on Friday, July 29.

Had I been present and voting, I would have cast my votes as follows:

Rollcall No. 294, motion that House recede and concur in Senator amendment No. 65 to H.R. 3069, supplemental appropriation, "nay."

Rollcall No. 295, motion that House recede and concur in Senate amendment No. 158 to H.R. 3069, supplemental appropriation, "yea."

Rollcall No. 296, final passage of House Concurrent Resolution 153, pro-

viding for summer district work period, "yea."●

LEAVE OF ABSENCE

Mr. GEPHARDT (at the request of Mr. WRIGHT), after 2:30 p.m., Friday, July 29, on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WOLF) to revise and extend their remarks and include extraneous material:)

Mr. DANNEMEYER, for 30 minutes, on August 3.

Mr. DANNEMEYER, for 30 minutes, on August 4.

Mr. PHILIP M. CRANE, for 15 minutes, today.

Mr. LEWIS of Florida, for 60 minutes, on September 14.

Mr. BEREUTER, for 5 minutes, today.

Mr. SENSENBRENNER, for 5 minutes, today.

(The following Members (at the request of Mr. DYSON) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 30 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ENGLISH, for 5 minutes, today.

Mr. FUQUA, for 5 minutes, today.

Mrs. COLLINS, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, today.

Mr. RICHARDSON, for 10 minutes, on August 3.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BROOKS, to revise and extend in favor of the Horton amendment.

Mr. DYSON, to revise and extend on H.R. 2780, general revenue sharing and Mr. GLICKMAN to revise and extend on H.R. 2780, general revenue sharing.

(The following Members (at the request of Mr. WOLF) and to include extraneous matter:)

Mr. FIELDS in two instances.

Mr. COURTER.

Mr. YOUNG of Florida in 10 instances.

Mr. MICHEL in three instances.

Mr. PURSELL.

Mr. CHENEY.

Mr. BEREUTER in two instances.

Mr. FRENZEL in five instances.

Mr. GREEN in two instances.

Mr. LAGOMARSINO in three instances.

Mr. MOORE.

Mr. FORSYTHE.

Mr. GEKAS.

Mr. HARTNETT in three instances.
 Mr. COUGHLIN.
 Mr. McGRATH in two instances.
 Mr. EDWARDS of Oklahoma.
 Mr. CLINGER in two instances.
 Mr. LENT in two instances.
 Mrs. JOHNSON.
 Mr. REGULA.
 Mr. GINGRICH.
 Mr. LEACH of Iowa.

(The following Members (at the request of Mr. DYSON) and to include extraneous matter:)

Mr. BORSKI.
 Mr. GEJDENSON in two instances.
 Mr. MAZZOLI.
 Mr. LEVINE of California in two instances.
 Mr. ROYBAL.
 Mr. ORTIZ.
 Mr. LANTOS.
 Ms. OAKAR.
 Mr. SMITH of Florida.
 Mr. MURTHA.
 Mr. MILLER of California.
 Mr. YATES.
 Mr. McNULTY.
 Mr. DORGAN.
 Mr. FLORIO.
 Mr. EDGAR in three instances.
 Mr. SWIFT.
 Mr. SKELTON.
 Mr. IRELAND.
 Ms. MIKULSKI.
 Mr. BERMAN.
 Mr. AU COIN.
 Mr. LUKEN.
 Mr. ROSE.
 Mr. WAXMAN.
 Mr. McDONALD.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following title:

S. 272. An act to improve small business access to Federal procurement information, and

S. 930. An act to authorize the Smithsonian Institution to purchase land in Santa Cruz County, Ariz.

ENROLLED JOINT RESOLUTION SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 338. Joint resolution to correct Public Law 98-63 due to an error in the enrollment of H.R. 3069.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. HAWKINS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for

his approval, joint resolutions of the House of the following title:

On August 1, 1983:

H.J. Res. 321. An act to proclaim a day of national celebration of the 200th anniversary of the signing of the Treaty of Paris.

On August 2, 1983:

H.J. Res. 338. Joint resolution to correct Public Law 98-63 due to an error in the enrollment of H.R. 3069.

ADJOURNMENT

Mr. DYSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 14 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 3, 1983, 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:

1649. A letter from the Assistant Secretary of Defense (Comptroller), transmitting selected acquisition reports and SAR summary tables for the quarter ended June 30, 1983, pursuant to section 811(a) of Public Law 94-106; to the Committee on Armed Services.

1650. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Federal Employees' Compensation Act to provide a waiting period and restrictions on continuation of pay received during initial claims processing, increased timeliness in that processing, more equitable benefits, increased emphasis on reemployment of disabled workers, improved oversight of long-term disabilities, and improved expenditure controls; to the Committee on Education and Labor.

1651. 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(a); to the Committee on Foreign Affairs.

1652. A letter from the Acting Director, Minerals Management Service, Department of the Interior, transmitting notice of the proposed refund of excess royalty payments totaling \$220,097.20 to the CNG Producing Co., pursuant to section 10(a) of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

1653. A letter from the Acting Director, Minerals Management Service, Department of the Interior, transmitting notice of the proposed refund of excess royalty payments totaling \$66,830.54 to Mobil Oil Corp., Shell Oil Co., Chevron U.S.A. Inc., Arco Oil and Gas Co. and Peto Oil Co., pursuant to section 10(a) of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

1654. A letter from the Acting Director, Minerals Management Service, Department of the Interior, transmitting notice of the proposed refund of excess royalty payments totaling \$67,224.69 to Chevron U.S.A. Inc., Mobil Oil Corp., and Shell Oil Co., pursuant to section 10(a) of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

1655. A letter from the Acting Director, Minerals Management Service, Department of the Interior, transmitting notice of the proposed refund of excess royalty payments totaling \$32,597.41 to the Shell Oil Co., Arco Oil and Gas Co., and Mobil Oil Corp., pursuant to section 10(a) of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

1656. A letter from the Acting Director, Minerals Management Service, Department of the Interior, transmitting notice of the proposed refund of excess royalty payments totaling \$50,031.40 to the Mobil Oil Corp. and ICI Delaware Inc., pursuant to section 10(b) of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

1657. A letter from the Secretary of Transportation, transmitting a report on negotiated contracts for experimental, developmental, or research work, covering the period October 1, 1982, through March 31, 1983, pursuant to 10 U.S.C. 2304(e); to the Committee on Merchant Marine and Fisheries.

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. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 3278. A bill to provide a comprehensive system of liability and compensation for oil-spill damage and removal costs, and for other purposes; with amendments (Rept. No. 98-340, Pt. I). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHENEY:

H.R. 3733. A bill to modify the Jackson Hole Snake River local protection flood control project in Wyoming to authorize maintenance work to be performed by the Corps of Engineers; to the Committee on Public Works and Transportation.

By Mr. COURTER:

H.R. 3734. A bill to amend title 5, United States Code, to limit the number of public holidays which may be established by Federal statute or executive order; to the Committee on Post Office and Civil Service.

By Mr. SAM B. HALL, JR.:

H.R. 3735. A bill to exempt from the operation of the Federal antitrust laws certain conduct of motor common carriers of property which relates to rates applicable to intrastate transportation; to the Committee on the Judiciary.

By Mr. KOLTER (for himself and Mr. MURPHY):

H.R. 3736. A bill to permit Federal participation in the construction of certain new toll roads, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. McHUGH (for himself and Mr. CONABLE, Mr. JENKINS, Mr. PURSELL, Mr. TAUKE, and Mr. UDALL):

H.R. 3737. A bill to amend the Internal Revenue Code of 1954 to provide a full credit for contributions to candidates for Congress, and for other purposes; jointly, to the Committees on Ways and Means and House Administration.

By Mr. ORTIZ (for himself, Mr. PEPPER, and Mr. ROYBAL):

H.R. 3738. A bill to amend title II of the Social Security Act to reform the benefit payment procedures which are followed upon the death of an insured individual or beneficiary (including a dependent or survivor) by providing for the payment of a lump-sum death benefit, in an equitable manner and in a realistic amount, when any such insured individual or beneficiary dies; to the Committee on Ways and Means.

By Mr. SEIBERLING (for himself and Mr. FEIGHAN):

H.R. 3739. A bill to provide certain authority to reduce erosion within the Cuyahoga Valley National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. ALBOSTA:

H.R. 3740. A bill to suspend for a 3-year period the duty on 3-(Hydroxydiphenylacetyl) oxy-1,1-dimethylpiperidinium bromide; to the Committee on Ways and Means.

H.R. 3741. A bill to suspend for a 3-year period the duty on 5H-Dibenz [b,f] azepine-5-propanamine, 10, 11-dihydro-N-methyl-, monohydrochloride; to the Committee on Ways and Means.

H.R. 3742. A bill to suspend for a 3-year period the duty on hydrazone, 3-(4-methylpiperazinyliminomethyl) rifamycin SV; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 3743. A bill to establish a Privacy Protection Commission, and for other purposes; to the Committee on Government Operations.

By Mr. GUARINI:

H.R. 3744. A bill to amend title V of the Refugee Education Assistance Act of 1980 to extend assistance for Cuban and Haitian entrants to 72 months after the month of entry; jointly to the Committees on Education and Labor and the Judiciary.

By Mr. LEACH of Iowa:

H.R. 3745. A bill to establish a Peace Corps Strategy Commission; to the Committee on Foreign Affairs.

By Mr. ROSE (for himself, Mr. DE LA GARZA, Mr. ALBOSTA, Mr. ANDREWS of North Carolina, Mr. ANTHONY, Mr. BATEMAN, Mr. BEDELL, Mr. BRITT, Mr. CHAPPIE, Mr. CLARKE, Mr. DERRICK, Mr. DICKINSON, Mr. DUNCAN, Mr. DYSON, Mr. ENGLISH, Mr. FOLEY, Mr. FRANKLIN, Mr. GONZALEZ, Mr. HANCE, Mr. HARKIN, Mr. HATCHER, Mr. HEFNER, Mr. HORTON, Mr. JONES of North Carolina, Mr. JONES of Tennessee, Mr. MONTGOMERY, Mr. NEAL, Mr. NICHOLS, Mr. PANETTA, Mr. PEASE, Mr. PERKINS, Mr. SISISKY, Mr. SKELTON, Mr. STENHOLM, Mr. SWIFT, Mr. TALLON, Mr. THOMAS of Georgia, Mr. VALENTINE, Mr. WATKINS, Mr. WHITLEY, and Mr. WON PAT):

H.R. 3746. A bill entitled: "The Agricultural Stabilization and Conservation Committee Act of 1983"; to the Committee on Agriculture.

By Mr. SENSENBRENNER (for himself, Mr. MICHEL, Mr. GEKAS, Mr. SAWYER, Mr. LUNGREN, Mr. MCCOLLUM, Mr. WYLLIE, Mr. MCKINNEY, Mr. BARTLETT, Mr. KEMP, Mr. VANDER JAGT, Mr. ERLBORN, Mr. HORTON, and Mr. WHITEHURST):

H.R. 3747. A bill entitled: "The Fair Housing Amendments of 1983"; to the Committee on the Judiciary.

By Mr. SWIFT:

H.R. 3748. A bill to amend title 5, United States Code, to include inspectors of the Immigration and Naturalization Service and inspectors of the U.S. Customs Service within the immediate retirement provisions applicable to certain employees engaged in hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. HAMMERSCHMIDT:

H.J. Res. 339. Joint resolution designating February 14 of each year as "National Salute to Hospitalized Veterans' Day"; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California (for himself, Mr. SABO, Mr. AKAKA, Mr. FOLEY, Mr. ROBERTS, Mr. PANETTA, Mr. FRANKLIN, Mr. EVANS of Iowa, Mr. LEVIN of Michigan, Mr. SNYDER, Mr. LEWIS of California, Mr. TALLON, Mr. PERKINS, Mr. MAZZOLI, Mr. VANDERGRIF, Mr. DE LA GARZA, Mr. ROE, Mrs. BOXER, Mr. SMITH of Florida, Mr. FAUNTROY, Mr. HANSEN of Utah, Mr. HAMMERSCHMIDT, Mr. VENTO, Mr. HUGHES, Mr. SPENCE, Mr. CORRADA, Mr. SCHNEIDER, Mr. LOWRY of Washington, Ms. SNOWE, and Mr. BONIOR of Michigan):

H.J. Res. 340. Joint resolution to provide for the designation of the week of November 27 through December 3, 1983, as "National Entomology Week"; to the Committee on Post Office and Civil Service.

By Mr. GREEN:

H. Res. 295. Resolution dealing with the prevention of arson; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

237. The Speaker presented memorial of the Legislature of the State of Ohio, relative to a nuclear weapons freeze; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

PRIVATE RESOLUTIONS

Mr. PHILIP M. CRANE introduced a joint resolution (H.J. Res. 341) authorizing and requesting the President to appoint Captain Grace M. Hopper (U.S. Naval Reserve, Retired) to the grade of commodore on the retired list, which was referred to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 190: Mr. PATTERSON.

H.R. 408: Mr. DWYER of New Jersey, Mr. SCHAEFER, and Mr. BROWN of Colorado.

H.R. 671: Mr. BEVILL, Mr. RATCHFORD, Mr. SMITH of Florida, Mr. STOKES, Mr. MURPHY, Ms. OAKAR, Mr. RANGEL, Mr. FORD of Tennessee, Ms. MIKULSKI, Mr. SCHEUER, Mr. MACKAY, Mr. SOLARZ, Mr. OTTINGER, Mr. OWENS, Mr. VENTO, Mr. BIAGGI, Mr. EDWARDS of Oklahoma, Mr. LELAND, Mr. LANTOS, Mr. HERTEL of Michigan, Ms. KAPTUR, Mr. HYDE, Mr. TOWNS, Mr. MITCHELL, Mr. NEAL, Mr. HEFTEL of Hawaii, Mr.

WEISS, Mr. EDGAR, Mr. CLINGER, and Mr. BONKER.

H.R. 672: Mr. LEVINE of California, Mr. NEAL, Ms. MIKULSKI, Mr. MARTINEZ, Mr. FORD of Michigan, Mr. FAZIO, Mrs. BOXER, Mr. McNULTY, Mr. CLINGER, Mr. HERTEL of Michigan, Mr. ROGERS, Mrs. COLLINS, Mr. GEJDENSON, Mr. TORRICELLI, and Mr. WEISS.

H.R. 943: Mr. ROE.

H.R. 953: Mr. RINALDO.

H.R. 1244: Mr. PACKARD.

H.R. 1249: Mr. HAWKINS and Mr. LUKE.

H.R. 1374: Mr. ROGERS.

H.R. 1415: Mr. SHUMWAY.

H.R. 1881: Mr. BEDELL, Mr. BROOMFIELD, Mr. CAMPBELL, Mr. EMERSON, Mr. GAYDOS, Mr. JENKINS, Mr. MARRIOTT, Mrs. MARTIN of Illinois, Mr. MURTHA, Mr. NEAL, Mr. ROBINSON, Mr. ROEMER, Mr. SABO, Mr. SHUSTER, Mr. SISISKY, Mr. SNYDER, Mr. WALGREN, Mr. WINN, and Mr. YOUNG of Florida.

H.R. 1903: Mr. BENNETT, Ms. FERRARO, and Mr. YATES.

H.R. 1918: Mr. MARTINEZ.

H.R. 1942: Mrs. LLOYD and Mr. MINETA.

H.R. 2000: Mr. DUNCAN, Mr. ARCHER, Mr. VANDER JAGT, Mr. PHILIP M. CRANE, Mr. FRENZEL, Mr. MARTIN of North Carolina, Mr. SCHULZE, Mr. GRADISON, Mr. CAMPBELL, Mr. THOMAS of California, and Mr. PATMAN.

H.R. 2053: Mr. PURSELL and Mr. PENNY.

H.R. 2305: Mr. RAHALL.

H.R. 2382: Mr. PURSELL, Mr. HARKIN, Mrs. SCHNEIDER, and Mr. MCCOLLUM.

H.R. 2488: Mr. OBERSTAR, Mr. FAUNTROY, Mr. SIMON, Mr. CROCKETT, Mr. BEDELL, Mr. GRAY, Mr. EDGAR, Mr. NEAL, Mr. DELLUMS, Mr. ADDABBO, Mr. HARKIN, and Mr. YATRON.

H.R. 2660: Mr. JEFFORDS, Ms. OAKAR, Mr. WEAVER, Mr. TORRES, Mr. SOLARZ, Mr. ROE, Mr. ACKERMAN, Mr. LEHMAN of Florida, Mr. CORRADA, Mr. SMITH of Florida, Mr. STOKES, Mr. LEWIS of Florida, Mr. BERMAN, Mr. VANDERGRIF, Mr. GOODLING, Mr. HOWARD, Mr. CROCKETT, Mr. HERTEL of Michigan, Mr. MITCHELL, Mrs. HALL of Indiana, Mr. WEISS, Mr. TALLON, Mr. SCHEUER, Mr. ANDERSON, Mr. PANETTA, and Mr. CARR.

H.R. 2854: Mr. FORD of Tennessee, Mr. BEVILL, Mr. RATCHFORD, Mr. FRANK, Mr. SMITH of Florida, Mr. CROCKETT, Mr. STOKES, Mr. MURPHY, Ms. OAKAR, Mr. RANGEL, Ms. MIKULSKI, Mr. SCHEUER, Mr. MACKAY, Mr. SOLARZ, Mr. OTTINGER, Mr. OWENS, Mr. BIAGGI, Mr. BERMAN, Mr. LEHMAN of Florida, Mr. EDWARDS of Oklahoma, Mrs. COLLINS, Mr. LELAND, Mr. LANTOS, Mr. HERTEL of Michigan, Ms. KAPTUR, Mr. HYDE, Mr. CHAPPEL, Mr. VENTO, Mr. TOWNS, Mr. MITCHELL, Mr. NEAL, Mr. HEFTEL of Hawaii, Mr. WEISS, Mr. EDGAR, Mr. CLINGER, and Mr. BONKER.

H.R. 2855: Mr. FORD of Tennessee, Mr. BEVILL, Mr. RATCHFORD, Mr. FRANK, Mr. SMITH of Florida, Mr. CROCKETT, Mr. STOKES, Mr. MURPHY, Ms. OAKAR, Mr. RANGEL, Ms. MIKULSKI, Mr. SCHEUER, Mr. MACKAY, Mr. SOLARZ, Mr. OTTINGER, Mr. OWENS, Mr. BIAGGI, Mr. BERMAN, Mr. LEHMAN of Florida, Mr. EDWARDS of Oklahoma, Mrs. COLLINS, Mr. LELAND, Mr. LANTOS, Mr. HERTEL of Michigan, Ms. KAPTUR, Mr. HYDE, Mr. CHAPPEL, Mr. VENTO, Mr. TOWNS, Mr. MITCHELL, Mr. NEAL, Mr. HEFTEL of Hawaii, Mr. WEISS, Mr. EDGAR, Mr. CLINGER, Mr. BONKER, Mr. CORCORAN.

H.R. 2856: Mr. BEVILL, Mr. RATCHFORD, Mr. FRANK, Mr. SMITH of Florida, Mr. CROCKETT, Mr. STOKES, Mr. MURPHY, Ms. OAKAR, Mr. RANGEL, Mr. FORD of Tennessee, Ms. MIKULSKI, Mr. SCHEUER, Mr. MACKAY, Mr. SOLARZ, Mr. CORCORAN, Mr. OTTINGER, Mr. OWENS, Mr. VENTO, Mr. BIAGGI, Mr. LEHMAN of Florida, Mr. EDWARDS of Oklaho-

ma, Mrs. COLLINS, Mr. LANTOS, Ms. KAPTUR, Mr. HYDE, Mr. NEAL, Mr. MITCHELL, Mr. TOWNS, Mr. HEFTEL of Hawaii, Mr. WEISS, Mr. EDGAR, Mr. CLINGER, and Mr. BONKER.

H.R. 2911: Mr. SCHAEFER.

H.R. 3028: Mrs. COLLINS.

H.R. 3106: Mr. IRELAND and Mr. DORGAN.

H.R. 3245: Ms. FERRARO.

H.R. 3335: Mr. HEFNER.

H.R. 3341: Mr. JENKINS.

H.R. 3349: Mr. SMITH of Iowa, Mr. BEDELL, Mr. CONYERS, Mr. FORD of Tennessee, Mr. FEIGHAN, Mr. HARKIN, Mr. RICHARDSON, Mr. DELLUMS, Mr. HUBBARD, and Mr. VANDERGRIF.

H.R. 3350: Mr. PEPPER, Mr. GREEN, and Mr. FASCELL.

H.R. 3578: Mr. ROTH.

H.R. 3387: Mr. OTTINGER, Mr. HUGHES, Mr. CROCKETT, Mr. EDGAR, Mr. RANGEL, and Mr. KILDEE.

H.R. 3532: Mr. YOUNG of Alaska, Mr. JONES of North Carolina, Mr. STARK, Mr. WHITEHURST, Mr. ROE, Mr. NICHOLS, Mr. WILSON, Mr. HUTTO, Mr. STOKES, Mr. GONZALEZ, and Mr. OTTINGER.

H.R. 3545: Mr. BEREUTER.

H.R. 3591: Mr. ADDABO, Mr. BIAGGI, Mr. BONER of Tennessee, Mr. DWYER of New Jersey, Mr. FOWLER, Mr. FRENZEL, Mr. GUARINI, Mr. HUBBARD, Mr. LAFALCE, Mr. LEHMAN of Florida, Mr. MILLER of California, Mr. MINETA, Mr. MURPHY, Mr. QUILLEN, Mr. SABO, and Mr. VENTO.

H.R. 3642: Mr. HORTON, Mr. ECKART, Mr. OWENS, Mr. EDWARDS of California, Mr. EDGAR, Mr. DOWDY of Mississippi, Mr. DORGAN, Mr. PANETTA, Mr. HUGHES, Mr. GEPHARDT, Mr. MINETA, Mr. STAGGERS, Mr. GLICKMAN, Mr. PERKINS, Mr. FOWLER, Mr. DUNCAN, Mr. DOWNEY of New York, and Mr. ROSTENKOWSKI.

H.R. 3646: Mr. MINETA and Mr. FAZIO.

H.R. 3678: Mr. MOODY, Mr. VANDERGRIF, Mr. WISE, Mrs. HALL of Indiana, and Mr. BORSKI.

H.R. 3681: Mr. JEFFORDS.

H.J. Res. 103: Mr. FEIGHAN, Mr. STUMP, Mr. BROWN of Colorado, Mr. DOWNEY of New York, and Mr. MARTINEZ.

H.J. Res. 105: Mr. BROWN of California, Mr. FLORIO, Mr. THOMAS of California, Mr. FOLEY, Mr. WHITTAKER, Mr. McEWEN, Mr. HUCKABY, Mr. EVANS of Iowa, Mr. YOUNG of Alaska, Mr. GUNDERSON, Mr. SOLARZ, Mr. WYLIE, Mr. JONES of North Carolina, Mrs. KENNELLY, Mr. NATCHER, Mr. TOWNS, Mr. McGRATH, Mr. DREIER of California, Mr. STANGELAND, and Mr. CONABLE.

H.J. Res. 120: Mr. MARTINEZ.

H.J. Res. 134: Mr. McEWEN.

H.J. Res. 176: Mr. MAVROULES, Mr. RUSSO, Mr. DICKINSON, Mr. ROBERTS, Mr. DEWINE, Mr. SHANNON, and Mr. STUMP.

H.J. Res. 295: Mrs. BOGGS, Mr. BROYHILL, Mr. COUGHLIN, Mr. EARLY, Mr. EDGAR, Mr. FOWLER, Mr. HEFNER, Mr. HYDE, Mr. LUKE, Mr. MICA, Mr. MOLLOHAN, Mr. MURTHA, Mr. MYERS, Mr. PRICE, Mr. PRITCHARD, Mr. ROEMER, Mr. SCHUMER, Mr. SHUMWAY, Mr. SMITH of Iowa, Mrs. SMITH of Nebraska, Mr. TAUZIN, Mr. VALENTINE, Mr. WHITTEN, and Mr. WORTLEY.

H.J. Res. 313: Mr. HAMILTON.

H. Res. 15: Mr. BATEMAN, Mrs. BURTON of California, Mr. CLARKE, Mr. COOPER, Mr. RALPH M. HALL, Mr. McEWEN, and Mr. YOUNG of Alaska.

H. Res. 102: Mr. DE LA GARZA, Mr. WATKINS, Mr. WON PAT, Mr. SUNIA, Mr. SYNAR, Mr. RICHARDSON, Mr. WEAVER, Mr. STANGELAND, Mr. DORGAN, Mr. ROSE, Mr. WEBER, Mr. BEDELL, Mr. BEVIL, Mr. JEFFORDS, Mr. ALBOSTA, Mr. SIMON, Mr. OXLEY, Mr. OBER-

STAR, Mr. WHITLEY, Mr. BRITT, Mr. McNULTY, Mr. NIELSON of Utah, Mr. NEAL, Mr. CORCORAN, and Mr. TALLON.

H. Res. 190: Mr. VOLKMER, Mrs. BURTON of California, and Mr. LUKE.

H. Res. 216: Mr. PENNY, Mr. SILJANDER, and Mr. SUNDQUIST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1797: Mr. WHITEHURST.

H.R. 2250: Mr. DICKS.

H.J. Res. 1: Mr. KOLTER.

PETITIONS, ETC.

Under clause 1 of rule XXII:

183. The Speaker presented a petition of the Western Governors' Conference, San Francisco, California, relative to redress for American citizens of Japanese ancestry for their internment during World War II; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2350

By Mr. GLICKMAN:

—On page 143, after line 11 insert the following:

REPORT ON FEDERAL ROLE IN FACILITATING TIMELY ACCESS TO HUMAN ORGANS FOR TRANSPLANT PURPOSES

SEC. . (a) The Director of the National Institutes of Health, after consultations with the Directors of the National Heart, Lung, and Blood Institute, the National Institute of Diabetes and Digestive and Kidney Diseases, the National Institute of Child Health and Human Development, the National Eye Institute, and the Center for Disease Control, the Administrator of the Veterans' Administration, a designee of the Secretary of Defense and such other federal officials as the Director deems appropriate, representative state and local health officials, health care professionals with qualifications to provide specific guidance, shall submit a plan to the Congress and the President not later than 180 days after the date of enactment of this Act to expand and improve timely access to human organs available for transplant purposes, including but not limited to means of improving public awareness of the shortage of human organs for transplant purposes and establishing a comprehensive national network of information sharing with regard to organs available for transplant.

(b) further legislative authority is deemed by the Director to be necessary to adequately expand and improve such access, such report shall be accompanied by proposed legislation to allow for implementation of its recommendations and an interim plan for improving such access to human organs for transplant purposes.

H.R. 2379

By Mr. UDALL:

—Page 2, line 3, strike all after the enacting clause and insert the following in lieu thereof:

SHORT TITLE

SECTION 1. This Act may be cited as the "National Park System Protection and Resources Management Act of 1983".

FINDINGS

SEC. 2. The Congress finds that—
(1) the natural and cultural resources of the national park system embrace unique, superlative and nationally significant resources, constitute a major source of pride, inspiration, and enjoyment for the people of the United States, and have gained international recognition and acclaim;

(2) the Congress has repeatedly expressed its intentions, in both generic and specific statute and by other means, that the natural and cultural resources of the national park system be accorded the highest degree of protection;

(3) many of the natural and cultural resources of the national park system are being degraded or threatened with degradation; and

(4) no comprehensive process exists for the gathering of data, the identification, analysis, and documentation of trends, and the identification of problems regarding the condition of the national park system's natural and cultural resources, and for the development of a program to prevent and reverse the degradation of the natural and cultural resources of the national park system.

PURPOSE AND POLICY

SEC. 3. In furtherance of the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), it is the purpose of this Act, and shall continue to be national policy, to provide for a high degree of protection and preservation of the natural and cultural resources within the national park system for the benefit of the public, and to provide for the interplay of the forces and processes of natural geological change and ecological succession in perpetuity (except for locations of development or where the historic scene is to be stabilized and depicted at a particular static point in time). In furtherance of that purpose and policy, it is the specific purpose of this Act to provide for the development of comprehensive management programs, and planning and decision-making processes which will—

(1) identify damage, threats, and problems affecting the natural and cultural resources of the national park system, and

(2) provide for the implementation of actions which will prevent and reverse such adverse forces so as to maximize the protection and preservation of the natural and cultural resources of the national park system.

Nothing in this section shall be deemed to constitute a change in the more specific purposes or provisions of the various Acts establishing the individual units of the national park system.

STATE OF THE PARKS REPORT

SEC. 4. (a) In furtherance of the provisions of section 3 of this Act, the Secretary shall undertake a continuing program of data collection, research, monitoring, analysis and documentation as to conditions, factors and forces which are degrading, or threatening to degrade, the natural and cultural resources of the national park system and shall prepare a biennial "State of the Parks" report. Such report shall constitute

documentation of the condition of park resources, including problems related to their degradation and solutions to such problems. The report shall correlate to a fiscal year base and shall be transmitted by January 1, 1985 (and by January 1 of each odd numbered year thereafter), by the Secretary to the Speaker of the United States House of Representatives and to the President of the United States Senate for referral to and consideration by the appropriate legislative committees of the Congress. Successive reports shall update previous submissions. Each report shall be printed as a House document. The report shall include, but need not be limited to, the following major components:

(1) a brief description, for each individual unit of the national park system, of—

(A) the past, current, and projected condition of the unit's natural and cultural resources;

(B) the impact from identified factors and forces, ranked in order of priority, emanating from both inside and outside the unit, which damage or threaten to damage the welfare and integrity of the unit's natural and cultural resources, with identification of the trends and the severity of impact of such factors and forces;

(C) ongoing and planned protection and management actions, including specific research programs, with regard to subparagraphs (A) and (B) of this paragraph; and

(D) the accomplishments and results of the actions undertaken in accordance with subparagraph (C);

(2) a description and assessment of the systemwide efforts to address the requirements of paragraph (1) of this subsection, which assessment shall include a list of all personnel positions systemwide (given according to pay grade, location, and professional expertise of the incumbent) assigned 50 per centum or more of the time to direct resource protection, resource management activities or research, and an assessment of the effectiveness and adequacy of these personnel in meeting resource management objectives;

(3) a detailed and specific discussion, developed in accordance with the requirements of paragraphs (1) and (2) of this subsection, of continuing, newly implemented and/or recommended systemwide policies, plans, programs, actions, commitments, and accomplishments for both the direct management actions and the research programs of the National Park Service relating to the prevention and reversal of factors and forces which are altering or damaging, or threatening to alter or damage, the welfare and integrity of natural and cultural park resources, which discussion shall include, but not be limited to—

(A) management policies, directions, and priorities;

(B) accomplishments in and progress toward resolving specific problems described in the current and the previous State of the Parks report;

(C) continuing research projects;

(D) new administration and research proposals for park protection and resource management programs;

(E) an itemized estimate of the funding required for the following two fiscal years to carry out both the continuing and the new management actions and research programs;

(F) legal authority available for addressing damage and threats emanating from outside unit boundaries, the effectiveness of that authority in preventing damage to the

natural and cultural resources, and suggestions for new authority which may promote resource protection; and

(G) the progress in meeting the objectives of this Act;

(4) a discussion of the adequacy of past and present congressional appropriations in addressing protection and resource management programs; and

(5) a determination and explanation of funding needs for fulfilling the mandates of this section.

(b) In the preparation of the State of the Parks report, the National Park Service shall take appropriate steps to solicit public involvement. A preliminary draft of the report shall be made available to the public for a period of thirty days for review and comment no less than three months before the final report is due for submission to the Congress. Notice of the availability of such draft for public review and comment shall be published in the Federal Register. A summary of public comments received shall be transmitted with the State of the Parks report.

SIGNIFICANT RESOURCE PROBLEMS

SEC. 5. The Secretary shall identify and establish priorities among at least the fifty most critical natural and the fifty most critical cultural resource problems or threats within the national park system and shall prepare a detailed analysis of such problems or threats (with an estimate of the funds necessary to reduce or eliminate the problems or threats). Such analysis shall be made annually and shall be submitted to the appropriate committees of the Congress on the same date as the submission of the President's budget to the Congress.

SCIENTIFIC ADVISORY ASSISTANCE

SEC. 6. (a) The Secretary shall take such steps as may be necessary to contract with the National Academy of Sciences for development of a plan for the National Park Service to conduct natural and cultural resources inventories and research directed to the problems of and the solutions for natural and cultural resource problems within the national park system.

(b) The plan required under subsection (a) shall be simultaneously submitted to the Secretary and to the appropriate committees of the Congress no later than eighteen months after the effective date of this Act. Three months and six months after the effective date of this Act, the Secretary shall submit to the appropriate committees of the Congress a written statement as to his progress in the consummation of arrangements with the National Academy of Sciences for the development of such a plan.

(c) Funding for such plan shall derive from funds specifically appropriated for this purpose to the National Park Service.

RESOURCE MANAGEMENT PLANS

SEC. 7. Resource management plans for each unit of the national park system, including areas within the national capital region, shall be prepared and updated no less frequently than every two years. Such plans shall address both natural and cultural resources of the park units and shall include, but not be limited to—

(1) a historical overview of the past composition, treatment, and condition of the resources;

(2) a statement of the purposes and objectives for the management and preservation of the individual and collective components of the resource base;

(3) an inventory of significant resources and their current condition, prepared in ac-

cordance with acceptable scientific baseline data collection methods;

(4) an identification of current and potential problems, emanating from sources both inside and outside park unit boundaries, associated with the protection and management of the resources;

(5) a comprehensive, detailed program of proposed actions to be taken to prevent or reverse the degradation of the natural and cultural resources of the park, including a proposed schedule of actions to be initiated and the estimated costs to complete such actions; and

(6) a brief summary of accomplishments in resolving resource problems identified pursuant to paragraphs (4) and (5) of this subsection.

General management and other relevant plans developed for each park unit shall be brought into conformity with the park unit's resource management plan, and the resource management plan shall be used to provide data for the State of the Parks report. The Secretary shall establish guidelines for the National Park Service setting forth procedures whereby the development of general management plans and resource management plans shall be coordinated with other affected Federal agencies, States, and local governments.

LAND CLASSIFICATION REVIEW

SEC. 8. The Secretary shall conduct a review of the current land classification system for the preservation and use of lands within national park system units, and shall adopt such revisions as may be appropriate to assure the protection of park resources, appropriately balanced with the use and appreciation of those resources by visitors. Such review shall include the development of a new classification for maximum resource protection where restricted use may be necessary to protect sensitive ecosystems and cultural resources or areas of special value for research, scientific, or related purposes. The review mandated by this section shall be completed and the results adopted by January 1, 1985.

INTERNATIONALLY RECOGNIZED AREAS

SEC. 9. (a) Those park units accorded the designation of "biosphere reserve" or "world heritage site" shall receive priority attention and consideration for prompt, heightened resource data collection, monitoring, and resource protection efforts. The Secretary shall develop a document, setting forth such policies and guidelines as are appropriate to achieve these objectives, to be published in draft form in the Federal Register no later than January 1, 1985 for public comment, and published in final form no later than April 30, 1985. Such document shall be revised subsequently as appropriate.

(b) It is the sense of the Congress that with respect to any international park located within the United States and any adjacent nation which has been recognized and designated as a Biosphere Reserve under the auspices of the international conservation community, the responsible park management officials of the United States and such nation, in conjunction with appropriate legislative and parliamentary officials, establish means and methods of ensuring that the integrity of such Biosphere Reserve is maintained, and the collective attributes for which it was so recognized and designated are accorded the highest practicable degree of continuing protection.

PUBLIC LAND MANAGEMENT

SEC. 10. (a) In any case of areas which are within any unit of the national park system, where the Secretary of the Interior is vested with any authority to—

- (1) issue any lease;
- (2) authorize or permit any use, occupancy, or development of such areas;
- (3) sell or otherwise dispose of such lands or waters or interests therein or sell or otherwise dispose of any timber or sand, gravel, and other materials located on or under such areas,

he may exercise such authority only after he has determined that the exercise of such authority will not have a significant adverse effect on the values for which such national park system unit was established (including the scenery and the natural and cultural resources). Such determination shall be made only after notice and opportunity for a hearing on the record. The process for collecting needed information and evaluation thereof for this section or section 11 may be integrated with such planning and decision-making processes as are required by other law, except that the determination of the effect upon park resources shall be a separate document or a separate chapter within a document executed by the Secretary of the Interior or the head of any other Federal agency or instrumentality as may be required by this section or section 11.

(b) In any case of areas which are adjacent to any unit of the national park system, where the Secretary is vested with any authority described in subsection (a), the Secretary may exercise such authority only after he has determined that the exercise of such authority will not have a significant adverse effect on the values for which such national park system unit was established; except that if the Secretary determines that—

(1) any significant adverse effects on the values for which the national park system unit was established are clearly of lesser importance than the public interest value of the proposed action; and

(2) the exercise of such authority is fully consistent with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), the Act of August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 through 1a-7), and specific provisions of law which established the affected national park system unit,

he may exercise such authority. The Secretary shall publish the record of such decision in the Federal Register and transmit copies of such decision documents to the Committee on Energy and Natural Resources of the United States Senate and to the Committee on Interior and Insular Affairs of the United States House of Representatives. The Secretary shall not implement such decisions until thirty legislative days after such transmittal.

(c) This section shall not apply to inland waters except those which the Federal Government owns.

FEDERAL PROGRAM REVIEW

SEC. 11. (a) Each agency or instrumentality of the United States conducting or supporting activities within or adjacent to any unit of the national park system shall, to the extent practicable, undertake to insure that those activities will not significantly degrade the natural or cultural resources or values for which the unit was established. Nothing in this subsection shall be deemed to give rise to a cause of action in any court of law.

(b) During the normal procedure utilized by any Federal agency in deciding to undertake or approve any Federal action (except such actions as may be required for maintenance or rehabilitation of existing structures or facilities) on areas within or adjacent to any unit of the national park system, the agency head (or the Secretary as determined pursuant to subsection (d) of this section), shall consider whether such action may degrade or threaten the natural or cultural resources of any such unit, and if the head of such agency finds that such action may have such an effect, he shall notify the Secretary in writing. Such notification shall, at a minimum, include a description of the proposed action, the proposed agency's views as to the potential short and long term impact of the proposed action on the park unit's resources, and any measures proposed by the agency to prevent or minimize adverse effects on such park unit's resources.

(c) The Secretary shall respond in writing with regard to the foreseeable impact on park resources of such proposed Federal action and shall include recommendations for any changes in the proposed Federal action needed to avoid adverse effects on park resources. Such response shall be submitted to the proposing Federal agency within sixty days after receipt of notification required by subsection (b). The response by the Secretary shall include (as an attachment) the views of professional personnel within the National Park Service whose expertise is relevant to the issue of the impact of such proposed action on park resources.

(d) In any instance in which the Secretary has not been notified of a Federal agency's proposed action and on his own determination finds that such action may threaten the natural or cultural resources of any unit of the national park system, the Secretary shall notify the head of such Federal agency in writing. Upon such notification by the Secretary, such agency head shall promptly provide the Secretary with the information specified in subsection (b), and any other relevant information in the possession of such agency if requested by the Secretary, and such notification by the Secretary pursuant to this subsection shall thereby invoke the other relevant provisions of this section.

(e) The Secretary shall fully consider any adopted city, county, State, or Federal comprehensive development plans or elements thereof and shall, if requested by the affected governmental unit, hold a public hearing prior to responding to the Federal agency if such response to the proposed action is to be negative. The hearings are to be held at or near the site of the proposed action or project after notification of the affected local government unit.

(f)(1)(A) In all cases where the proposed Federal action would occur upon federally owned lands or waters within the authorized boundary of a national park system unit, the proposing Federal agency shall comply fully with the recommendations of the Secretary.

(B) In all cases where the proposed Federal action would occur upon areas not owned by the Federal Government within the authorized boundary of a national park system unit, the proposing Federal agency shall fully consider the recommendations of the Secretary and shall comply with such recommendations, unless the head of such agency, after consideration of applicable law, including the Act of August 25, 1916 (39

Stat. 535; 16 U.S.C. 1-4), and the Act of August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 through 1a-7) finds that the public interest in the proposed action is greater than the public interest in avoiding the adverse effects on the natural and cultural resources of the affected national park system unit. The proposing Federal agency shall, upon such determination publish the record of decision in the Federal Register and notify, in writing, the Secretary and the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives of such decisions, including the reasons therefor, and shall not implement the proposed action for thirty legislative days after the date of such transmittal.

(2) In any case where the proposed Federal action involves areas adjacent to the boundary of a national park system unit, the proposing Federal agency shall fully consider the recommendations contained within the response from the Secretary. The proposing Federal agency shall transmit the details of the planned final course of action to the Secretary prior to implementing such action. In any instance in which there is substantial disagreement between the proposing agency's course of action and the Secretary's recommendations to the agency, the Secretary shall, within ten days of receipt of the agency's planned final course of action, notify, in writing, the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives. The proposing Federal agency may proceed with the proposed final course of action at the time of transmittal to the Secretary, except that if the proposed final course of action is inconsistent with the recommendations of the Secretary, the proposed final course of action shall not be implemented for thirty legislative days after the date of such transmittal to the committees of Congress referred to in the preceding sentence.

(g) The Secretary shall publish promptly (but in all cases within ten days) in the Federal Register a notice of—

(1) receipt of any proposed Federal action, including a summary of the key components of the proposal and the location and availability of supporting documents, and

(2) notice of the response made by the Secretary to the proposing agency, including all recommendations made by the Secretary.

(h) The following Federal actions which constitute a major and necessary component of an emergency action shall be exempt from the provisions of this section—

(1) those necessary for safeguarding of life and property;

(2) those necessary to respond to a declared state of disaster; and

(3) those necessary to respond to an imminent threat to national security.

(i) Any action under this Act must be brought in the United States district court for the district in which the national park system unit concerned is located, and such court shall have jurisdiction to provide any appropriate relief.

TECHNICAL ASSISTANCE, COOPERATION, AND PLANNING

SEC. 12. (a) The Secretary is directed to cooperate with, and is authorized to provide technical assistance to, any governmental unit within or adjacent to the units of the

national park system where the results of such cooperation and assistance would likely benefit the protection of park resources. There shall be initiated, by the superintendent of each unit of the national park system, an effort to work cooperatively with all governmental agencies and other entities having influence or control over lands, resources, and activities within or adjacent to the park unit for the purpose of developing, on a voluntary basis, mutually compatible land use or management plans or policies for the general area.

(b) Those personnel assigned to provide assistance described in subsection (a) shall be employees of the National Park Service knowledgeable about the affected unit of the national park system and the resources that unit was authorized to protect.

(c) The Secretary is authorized to make grants to units of local government for the purposes described in subsection (a). Such grants shall not exceed \$25,000 in any fiscal year to any unit of local government. The Secretary shall develop criteria for the awarding of grants, with such criteria to include priority for awards which will afford the greatest increased degree of protection to critically degraded or threatened park resources.

(d) There is authorized to be appropriated not more than \$750,000 in each of fiscal years 1984, 1985, and 1986 for the purposes of this section. Such sums shall remain available until appropriated, and such sums as may be appropriated shall remain available until expended.

(e) Within one year after the date of enactment of this Act, no less than two park units in addition to all "biosphere reserves" and "world heritage sites", for each administrative region of the national park system shall have initiated the effort described in subsection (a). No more than two years after the date of enactment of this Act, each unit within the national park system shall have initiated such an effort.

(f) In no more than two years following the date of enactment of this Act, the Secretary shall assure that each unit, or each regional office for the region in which a unit is located, has on its staff at least one person who is trained and knowledgeable in matters relating to the provisions of this section, and whose principal duty it shall be to coordinate the activities which are related to the provisions of this section. The Secretary shall initiate, within no more than one year of the date of enactment of this Act, a training program for park personnel in the principles and techniques necessary to carry out the requirements of this section.

PUBLIC INFORMATION PROGRAM

SEC. 13. By January 1, 1984, the Secretary shall initiate and shall continue to develop, a public information program designed to inform park visitors and the public of the problems confronting the protection of park resources and the solutions being implemented to address those problems. Educational information of this nature shall be made available to youth groups and to educational institutions.

PERSONNEL

SEC. 14. The Secretary shall promptly and continually take actions to assure that the staffing of the National Park Service provides for an adequate number and distribution of personnel with sufficient scientific and professional knowledge and expertise to provide for the protection and management of the natural and cultural resources. Scien-

tific research shall be directed to the resource protection and management needs of the park system units. Programs, guidelines, and standards for the following shall be under development by no later than January 1, 1984, and completed no later than January 1, 1985:

(1) employee training programs in resource protection and resource management;

(2) performance standards for all employees as related to resource protection and resource management;

(3) qualification criteria related to resource protection and resource management for positions to be filled by new employees; and

(4) career ladders for employees specializing in resource protection and resource management, with equitable promotion opportunities for advancement into mid-level and senior general management positions.

GENERAL MANAGEMENT PLANS

SEC. 15. Section 12(b) of the Act of August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 through 1a-7) is amended by inserting the following at the end of the first sentence: "Each such plan shall be reviewed, revised and approved no less frequently than every ten years or it shall cease to constitute an officially approved plan. All plans not fully addressing all of the following elements on January 1, 1984, shall be revised and approved to so address all such elements by no later than January 1, 1988."

DONATIONS

SEC. 16. (a) In the case of real property located adjacent to, or within or in the near vicinity of, any unit of the national park system if—

(1) the owner of any interest in such property desires—

(A) to make a contribution of such interest to any person, and

(B) to have such contribution qualify as a charitable contribution under section 170 of the Internal Revenue Code of 1954 (relating to deduction for charitable, etc., contributions and gifts), and

(2) the Director of the National Park Service determines that the contribution of such interest to such person will protect or enhance the unit of the national park system,

the Director of the National Park Service shall, upon such owner's written request, promptly take appropriate steps to assist the owner in satisfying the requirements of such section 170 with respect to such contribution.

(b) The assistance provided by the Director of the National Park Service under subsection (a) shall include (but shall not be limited to) providing for—

(1) a professional valuation of the interest in real property being contributed, and

(2) a statement as to the importance of such contribution related to protecting and enhancing park unit values.

ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT PRIORITY

SEC. 17. In all cases where the Secretary determines that the provisions of this Act are in conflict with the provisions of the Act of December 2, 1980 (16 U.S.C. 3101-3233), the provisions of the Act of December 2, 1980 (16 U.S.C. 3101-3233) shall prevail.

DEFINITIONS

SEC. 18. As used in this Act, the term—

(1) "Appropriate committees of the Congress" means those committees of both the House and the Senate which have primary

jurisdiction for the authorization of national park system units and programs or for the appropriation of funds for the acquisition and operations of such units and programs.

(2) "Secretary" means the Secretary of the Interior acting through the Director of the National Park Service except where specific reference is made to the Secretary of the Interior.

(3) "Resource" and "resources" includes—

(A) in the case of natural resources, the geology, paleontological remains, and flora and fauna which are principally of indigenous origin, and

(B) in the case of cultural resources, the historic and prehistoric districts, sites, buildings, structures, objects and human traditions associated with or representative of human activities and events, including related artifacts, records and remains.

(4) "National park system" has the meaning provided by section 2 of the Act of August 8, 1953 (16 U.S.C. 1b-1c).

(5) "Federal action" means any Federal project or direct action, or any Federal grant or loan to a public body.

(6) The term "thirty legislative days" means thirty calendar days of continuous session of Congress. For purposes of this paragraph—

(A) continuity of session of Congress is broken only by an adjournment sine die; and

(B) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the thirty-day period.

SAVINGS PROVISION

SEC. 19. Nothing in this Act shall be construed to exempt the Secretary of the Interior, the Director of the National Park Service, or any other department, agency, or instrumentality of the United States from compliance with any other requirement of law.

AUTHORIZATION OF APPROPRIATIONS

SEC. 20. Effective October 1, 1983, there is hereby authorized to be appropriated to the Department of the Interior such sums as may be necessary to carry out the provisions of this Act.

COMPLIANCE WITH BUDGET ACT

SEC. 21. Any new spending authority (within the meaning of section 401 of the Congressional Budget and Impoundment Control Act of 1974) which is provided under this Act shall be effective for any fiscal year only to the extent or in such amounts as provided in appropriations Acts. Any provision of this Act which authorizes the enactment of new budget authority shall be effective only for fiscal years beginning after September 30, 1983. Nothing in this section shall be construed to affect or impair any authority to enter into contracts, incur indebtedness, or make payments under any other provision of law.

H.R. 2867

By Mr. BREAU:

—Page 11, strike out line 18 and all that follows down through line 5 on page 12 and substitute the following:

"(b) LAND DISPOSAL OF CERTAIN HAZARDOUS WASTE.—(1)(A) Not later than February 1, 1984, the placement of containerized liquid hazardous waste in salt dome formations, underground mines or caves is prohibited.

"(B) Not later than February 1, 1984, the placement of bulk or noncontainerized

liquid hazardous waste in landfills which do not meet the requirements of 40 CFR 265.314 as in effect on July 27, 1983, salt dome formations, underground mines, or caves is prohibited.

"(C) Effective six months after the date of enactment of this subsection, the placement of bulk or noncontainerized liquid hazardous waste in any landfill is prohibited.

"(D) Not later than six months after the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983, the Administrator shall promulgate final regulations which minimize (to the extent technologically feasible) the disposal of containerized liquid hazardous waste in landfills.

"(E) Effective one year after the date of enactment of this subsection, the placement of any liquid which is not a hazardous waste in a landfill for which a permit is required under subsections 3005 (c) or (e) is prohibited.

"(F)(i) Not later than 4 years after the date of enactment of this subsection, no hazardous waste listed or identified under Section 3001 as of the date of enactment may be placed or maintained in a surface impoundment which has been granted Interim Status pursuant to Section 3005(e) unless the Administrator has issued a permit for such surface impoundment under Section 3005(c).

"(ii) For any hazardous waste identified or listed under Section 3001 after the date of enactment of this subsection, not later than 4 years after such listing or identification, such hazardous waste may not be placed or maintained in a surface impoundment which has been granted Interim Status pursuant to Section 3005(e) unless the Administrator has issued a permit for such surface impoundment under Section 3005(c).

"(iii) Permits issued pursuant to clauses (i) and (ii) of this subparagraph shall contain a compliance schedule to meet the requirements of subsection (k) (as established in Section 21 of the Hazardous Waste Control and Enforcement Act of 1983) as rapidly as practicable, but in no event later than 2 years after the issuance date of the permit.

"(2) Effective on the date of enactment, for hazardous waste listed or identified under Section 3001, other than those covered by the prohibitions in paragraph (1), there shall be no placement of such waste into salt dome formations, underground mines, or caves until such time as the Administrator has issued permit standards under this subtitle for such facilities and a permit has been issued pursuant to Section 3005(c).

"(3) Prior to February 1, 1984 with respect to the prohibitions contained in paragraph (1)(A) and (1)(B) of this Section and pending the promulgation of regulations pursuant to paragraph (1)(D) of this Section, the Administrator shall maintain the requirements (as in effect on April 30, 1983) in regulations under Section 3004 respecting the disposal in landfills of liquid hazardous wastes and free liquids contained in hazardous wastes."

On page 14, line 18, insert after the period the following sentence:

"In making the determinations contained in this paragraph, the Administrator may not modify the prohibitions set forth in subsection (b) of this Section."

On page 17, line 10, insert after the period the following sentence:

"In the case of agencies or instrumentalities of the federal government, no other effective date established by the Administrator shall be later than 18 months after the

effective date specified in subparagraph (A)."

On page 18, strike the closing quotation marks on line 2, and insert the following subsections:

"(g) DEFINITIONS.—As used in this Section, the terms

"(1) 'Land disposal' means—

"(A) the placement of hazardous waste on or into the land, including but not limited to the placement of such wastes in a salt dome formation, landfill, surface impoundment, waste pile, injection well, land spreading method, coborial with solid wastes, or storage in drums, tanks or other vessels, except:

"(i) where storage in drums, tanks or other vessels is performed to allow the accumulation of such quantities as to facilitate proper treatment, recovery, or disposal; or

"(ii) if the hazardous waste is placed in a surface impoundment for treatment, such impoundment meets the design standards for new impoundments; and,

"(iii) where treatment residues which are hazardous wastes are removed for subsequent processing or disposal within one year of such placement

"(2) 'liquid hazardous waste' means those hazardous wastes which are identified or listed by the Administrator pursuant to section 3001 which the Administrator determines to be in liquid form or to contain free liquids, including those liquid hazardous wastes to which absorbents have been added.

"(h) AIR EMISSIONS FROM LAND DISPOSAL FACILITIES.—Not later than two years after the date of enactment of this subsection, the Administrator shall promulgate regulations for the monitoring and control of air emissions at hazardous waste storage, treatment and land disposal facilities, including but not limited to open tanks, surface impoundments, and landfills, as may be necessary to protect human health and the environment."

On page 58, line 14, after the period insert the following:

"(c) FACILITY INSPECTIONS.—Beginning one year after the date of enactment of this subsection, the Administrator shall, or in the case of a State with an authorized hazardous waste program the State shall, undertake no less often than every year a thorough inspection of each facility for the treatment, storage, or disposal of hazardous waste which is operated by a Federal agency as to its compliance with this subtitle and the regulations promulgated thereunder. The records of such inspections shall be available, consistent with Section 1006, to the public as provided in Section 3007(b).

"(d) FEDERAL AGENCY HAZARDOUS WASTE FACILITY INVENTORY.—Each Federal agency shall, within one year after the date of enactment of this subsection, undertake a continuing program to compile, publish, and submit to the Administrator, and the State in the case of States having an authorized hazardous waste program, an inventory describing the location of each site which the Federal agency owns or operates or has owned or operated where hazardous waste is being stored or has been or is being disposed of. The initial report shall be submitted within two years of the date of enactment of these amendments and shall be updated no less frequently than every two years thereafter. Such inventory shall contain—

"(1) a description of the location of the sites at which any such storage or disposal has taken place before or after the date on which permits are required under Section 3005 for such storage or disposal;

"(2) such information relating to the amount, nature, and toxicity of the hazardous waste at each such site as may be practicable to obtain and as may be necessary to determine the extent of any health hazard which may be associated with such site;

"(3) the name and address and responsible agency for each such site, determined as of the date of preparation of the inventory;

"(4) an identification of the types of techniques of waste treatment or disposal which have been used at each site; and

"(5) information concerning the current status of the site, including information respecting whether or not hazardous waste is currently being treated or disposed of at such site (and if not, the date on which such activity ceased) and information respecting the nature of any other activity currently carried out at such site."

By Mr. DOWDY of Mississippi:
—Page 7, line 14, strike out "ninety" and insert in lieu thereof "one hundred and eighty".

By Mr. HILER:
(Amendment to the amendment by Mr. Lent)

—Page 3, strike out "(4) not later than 180 days after the enactment" in line 23 and all that follows down through "the generator," in line 5 (Strike out all of the first sentence of paragraph (4) of the Lent amendment) and substitute:

"(4) No later than 270 days after the enactment of the Hazardous Waste Control and Enforcement Act of 1983, any hazardous waste which is part of a total quantity generated by a generator generating greater than 250 kilograms but less than 1,000 kilograms during one calendar month and which is shipped off the premises on which such waste is generated shall be accompanied by a copy of the Environmental Protection Agency Uniform Hazardous Waste Manifest form signed by the generator. No later than 540 days after the enactment of such Act, the same requirement shall apply to generators generating greater than 100 kilograms but less than 1,000 kilograms during one calendar month."

By Mr. LENT:
—Page 5, strike out line 20 and all that follows down through line 11 on page 9 and substitute:

SMALL QUANTITY GENERATOR WASTE

Sec. 3. Section 3001 of the Solid Waste Disposal Act is amended by adding the following at the end thereof:

"(d) SMALL QUANTITY GENERATOR WASTE.—

(1) Effective 30 months from the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983, unless the Administrator promulgates standards as provided in paragraph (2) of this subsection prior to such date, hazardous waste generated by any generator in a total quantity greater than one-hundred kilograms but less than one-thousand kilograms during a calendar month shall be subject to the following requirements until the standards referred to in paragraph (2) of this subsection have become effective:

"(A) in addition to the notice requirements of paragraph (4) of this subsection, the information provided in the form shall include the name of the waste transporters and the name and address of the facility designated to receive the waste;

"(B) except as provided in paragraph (3)(A) of this subsection, the treatment, storage or disposal of such waste shall occur at a facility with interim status or a permit under this subtitle;

"(C) generators of such waste shall file manifest exception reports as required of generators producing greater amounts of hazardous waste per month except that such reports shall be filed by January 31, for any waste shipment occurring in the last half of the preceding calendar year, and by July 31, for any waste shipment occurring in the first half of the calendar year; and

"(D) generators of such waste shall retain for three years a copy of the manifest signed by the designated facility that has received the waste.

Nothing in this paragraph shall be construed as a determination of the standards appropriate under paragraph (2).

"(2) Not later than eighteen months after the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983, the Administrator shall promulgate standards under sections 3002, 3003, and 3004 for hazardous waste generated by a generator in a total quantity of hazardous waste greater than one-hundred kilograms but less than one-thousand kilograms during a calendar month. Except as provided in paragraph (3) of this subsection, such standards, including standards applicable to the legitimate use, reuse, recycling, and reclamation of such wastes, may vary from the standards applicable to larger quantity generators but must be sufficient to protect human health and the environment.

"(3) Standards promulgated under paragraph (2) shall at a minimum provide that:

"(A) on-site storage of hazardous waste generated by a generator generating a total quantity of hazardous waste greater than one-hundred kilograms but less than one-thousand kilograms during a calendar month, may occur for up to 180 days without the requirement of a permit;

"(B) all other treatment, storage, or disposal of hazardous wastes generated by such generators shall occur at a facility with interim status or a permit under this subtitle; and

"(C) any hazardous waste generated by such generators which is shipped off the premises on which such waste is generated, shall be accompanied by a manifest, except that the specific requirements for entries on such manifest may vary from those applicable to the manifest required for larger quantity generators.

"(4) No later than 180 days after the enactment of the Hazardous Waste Control and Enforcement Act of 1983, any hazardous waste which is part of a total quantity generated by a generator generating greater than 100 kilograms but less than one-thousand kilograms during one calendar month and which is shipped off the premises on which such waste is generated shall be accompanied by a copy of the EPA Uniform Hazardous Waste Manifest form signed by the generator. This form shall contain the following information:

"(A) the name and address of the generator of the waste;

"(B) the Department of Transportation description of the waste, including the proper shipping name, hazard class, and identification number (UN/NA), if applicable;

"(C) the number and type of containers; and

"(D) the quantity of waste being transported.

If subparagraph (B) is not applicable, in lieu of the description referred to in such subparagraph (B), the form shall contain the Environmental Protection Agency identification number, or a generic description of

the waste, or a description of the waste by hazardous waste characteristic. Additional requirements related to the manifest form shall apply only if determined necessary by the Administrator to protect human health and the environment.

"(5) Except as provided in paragraphs (1) through (4), nothing in this subsection shall be construed to affect or impair the validity of regulations of the Administrator promulgated prior to the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983 with respect to hazardous waste generated by generators of less than one-thousand kilograms per calendar month.

"(6) The Administrator may promulgate regulations under this subtitle which establish special standards for, or exempt from regulations, hazardous wastes which are generated by any generator who does not generate more than one-hundred kilograms of hazardous waste per calendar month.

"(7) Nothing in this subsection shall be construed to affect or impair the validity of regulations promulgated by the Secretary of Transportation pursuant to the Hazardous Materials Transportation Act.

"(8) The last sentence of section 3010(b) shall not apply to regulations promulgated under this section.

"(9) The Administrator shall undertake activities to inform and educate the waste generators of their responsibilities under this section during the period within thirty months after the enactment of this section to help assure compliance."

By Mr. SKELTON:

—Amend Section 5 subsection (c)(2)(E) by striking "1,000" and inserting in lieu thereof "2,800".

—Amend Section 5, subsection (c)(2)(E) by inserting the work "liquid" immediately following "(E)" and immediately preceding "hazardous".

(Amendment to the amendment by Mr. Lent)

—Page 5 in the line 20, after the period in Paragraph 9 of the Lent Amendment insert; "There is authorized to be appropriated for purposes of this paragraph, \$500,000 for each of the fiscal years 1984 through 1986".

(Amendment to the amendment by Mr. Lent)

—Add the following new paragraph to the Lent amendment:

"() The Administrator shall cause to be studied the existing manifest system for hazardous wastes as it applies to small quantity generators and recommend within 30 months of the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983 whether the current system shall be retained or whether a new system should be introduced. The study shall include an analysis of the cost versus the benefits of the systems studied as well as an analysis of the ease of retrieving and collating information and identifying a given substance. Finally, any new proposal shall include a list of those standards that are necessary to protect human health and the environment."

H.R. 2957

By Mr. BETHUNE:

—Page 28, after line 8, insert the following:

REIMBURSEMENT FROM BENEFICIARIES OF QUOTA INCREASES

Sec. 308. The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end thereof the following:

"REIMBURSEMENT FROM BENEFICIARIES OF QUOTA INCREASES

"Sec. 46. (a) The Congress hereby finds—

"(1) depository institutions have charged excessive rates of interest on loans made to foreign countries;

"(2) such excessive rates of interest were often imposed in order to compensate for the declared high-risk rate of lending to such countries;

"(3) the United States Government, by increasing its quota contribution to the International Monetary Fund, has substantially reduced the risk of lending to those foreign countries which benefit from the increased resources of the International Monetary Fund;

"(4) such quota contribution by the United States Government will result in a considerable financial burden to the American taxpayer; and

"(5) permitting depository institutions to retain the profits earned from the excessive interest rates charged to such foreign countries results in unjust enrichment to such depository institutions in light of the increase in the United States quota contribution.

"(b) Each depository institution shall transmit a report to the Secretary of the Treasury specifying—

"(1) all loans made by such depository institution to any foreign country;

"(2) with respect to each such loan—

"(A) the rate of interest charged on such loan;

"(B) all service fees imposed on such loan;

"(C) the unpaid balance on such loan;

"(D) the total amount of interest collected on such loan; and

"(E) such other information as may be requested by the Secretary.

"(c)(1) The Secretary may examine the books and records of any depository institution in order to insure compliance with the provisions of this section.

"(2) The Secretary shall consult with the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and other appropriate Federal and State regulatory agencies in order to obtain information on foreign loans by depository institutions which may have been reported to such agencies.

"(d)(1) The Secretary shall determine which loans made by depository institutions or subsidiaries thereof have been extended, refinanced, or made more secure, or in any other manner affected by the increased United States quota contribution to the International Monetary Fund made pursuant to section 40.

"(2) The Secretary shall determine the interest rate charged, and the interest rate earned, on such loans. All such interest rates shall be determined in accordance with provisions of the Truth in Lending Act and the regulations issued pursuant to such Act.

"(e)(1) With respect to loans identified in subsection (d), the Secretary shall determine which loans have earned for the depository institution involved a rate of return which is greater than the rate of return which would have been earned by such depository institution if the principal amount involved had been lent in the United States to a corporate borrower with a rating of AAA for a similar maturity.

"(2) The amount determined by the Secretary to have been earned in excess of the amount which would have been earned from

a domestic loan (as determined under paragraph (1)) shall be paid to the Treasury as a reimbursement for the increased quota contribution made pursuant to section 40 of this Act.

"(f) For purposes of this section—

"(1) the term 'depository institution' shall have the same meaning given such term in section 19(b)(1)(A) of the Federal Reserve Act;

"(2) the term 'loan' means any extension of credit to—

"(A) a foreign government or any agency or instrumentality thereof;

"(B) any entity owned in whole or in part by a foreign government unless United States persons own at least 10 percent of such entity;

"(C) any entity which is not more than 10 percent owned by United States persons."

—Page 28, after line 8, insert the following:

**DETERMINATION OF BENEFITS FROM QUOTA
INCREASES**

SEC. 308. The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end thereof the following:

**"DETERMINATION OF BENEFITS FROM QUOTA
INCREASES**

"SEC. 46. (a) The Congress hereby finds—

"(1) depository institutions have charged excessive rates of interest on loans made to foreign countries;

"(2) such excessive rates of interest were often imposed in order to compensate for the declared high-risk rate of lending to such countries;

"(3) the United States Government, by increasing its quota contribution to the International Monetary Fund, has substantially reduced the risk of lending to those foreign countries which benefit from the increased resources of the International Monetary Fund;

"(4) such quota contribution by the United States Government will result in a considerable financial burden to the American taxpayer; and

"(5) permitting depository institutions to retain the profits earned from the excessive interest rates charged to such foreign countries results in unjust enrichment to such depository institutions in light of the increase in the United States quota contribution.

"(b) Each depository institution shall transmit a report to the Secretary of the Treasury specifying—

"(1) all loans made by such depository institution to any foreign country;

"(2) with respect to each such loan—

"(A) the rate of interest charged on such loan;

"(B) all service fees imposed on such loan;

"(C) the unpaid balance on such loan;

"(D) the total amount of interest collected on such loan; and

"(E) such other information as may be requested by the Secretary.

"(c)(1) The Secretary may examine the books and records of any depository institution in order to insure compliance with the provisions of this section.

"(2) The Secretary shall consult with the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and other appropriate Federal and State regulatory agencies in order to obtain information on foreign loans by depository institutions which may have been reported to such agencies.

"(d)(1) The Secretary shall determine which loans made by depository institutions

or subsidiaries thereof have been extended, refinanced, or made more secure, or in any other manner affected by the increased United States quota contribution to the International Monetary Fund made pursuant to section 40.

"(2) The Secretary shall determine the interest rate charged, and the interest rate earned, on such loans. All such interest rates shall be determined in accordance with provisions of the Truth in Lending Act and the regulations issued pursuant to such Act.

"(e)(1) With respect to loans identified in subsection (d), the Secretary shall determine which loans have earned for the depository institution involved a rate of return which is greater than the rate of return which would have been earned by such depository institution if the principal amount involved had been lent in the United States to a corporate borrower with a rating of AAA for a similar maturity.

"(2) The amount determined by the Secretary to have been earned in excess of the amount which would have been earned from a domestic loan (as determined under paragraph (1)) shall be disclosed to the public within 180 days of any transfer of resources to the Fund.

"(f) For purposes of this section—

"(1) the term 'depository institution' shall have the same meaning given such term in section 19(b)(1)(A) of the Federal Reserve Act;

"(2) the term 'loan' means any extension of credit to—

"(A) a foreign government or any agency or instrumentality thereof;

"(B) any entity owned in whole or in part by a foreign government unless United States persons own at least 10% of such entity;

"(C) any entity which is not more than 10 percent owned by United States persons."

—Page 43, after line 18, insert the following:

DISCLOSURE OF PROFITS ON FOREIGN LOANS

SEC. 413. Each depository institution shall publicly disclose all profits made on all foreign loans. Not later than 120 days after the date of the enactment of this section, the appropriate Federal banking agencies shall promulgate regulations or orders necessary to implement this section.

—On Page 45, on line 3, after the word "authorized", insert the following: "(but not until the United States Governor has reported to the Secretary of the Treasury on the total compensation of all employees of the institution and not until the Secretary has reported this information to Congress)".

—On Page 46, on line 6, after the word "authorized", insert the following: "(but not until the United States Governor has reported to the Secretary of the Treasury on the total compensation of all employees of the institution and not until the Secretary has reported this information to Congress)".

—On Page 46, on line 18, after the word "authorized", insert the following: "(but not until the United States Governor has reported to the Secretary of the Treasury on the total compensation of all employees of the institution and not until the Secretary has reported this information to Congress)".

—On Page 47, on line 10, after the word "authorized", insert the following: "(but not until the United States Governor has reported to the Secretary of the Treasury on the total compensation of all employees of the institution and not until the Secretary has reported this information to Congress)".

—On Page 49, after line 4, insert the following:

"(3) The Secretary of the Treasury shall conduct a study of how public entities, both domestic and foreign, absorb the resources from the domestic credit markets of the United States and shall report to Congress before October 15, 1984, on the findings of such study."

—On Page 49, after line 4, insert the following:

"(3) The Secretary of the Treasury shall conduct a study of how multilateral development institutions compensate their employees and shall report to Congress before October 15, 1984, on the findings of such study. Such study shall include listing of employees whose total compensation exceeds the gross pay of Members of Congress."

By Mr. DORGAN:

—On Page 28, after line 8, insert the following:

PROHIBITION ON RENEGOTIATION FEES

SEC. 308. (a) Notwithstanding any other provision of law (including any other provision of this title), in order to avoid excessive debt service burdens on debtor countries, no banking institution shall charge, in connection with the restructuring of an international loan, any fee exceeding the administrative cost of the restructuring and any such fee which does not exceed the administrative cost of the restructuring shall be amortized over the effective life of the loan involved.

(b) The requirements of subsection (a) shall take effect on the date of the enactment of this section. Each appropriate Federal banking agency shall promulgate such regulations as are necessary to further carry out the provisions of this section.

—Page 28, after line 8, insert the following:

PROHIBITION ON RENEGOTIATION FEES

SEC. 308. (a)(1) Notwithstanding any other provision of law (including any other provision of this title), in order to avoid excessive debt service burdens on debtor countries, no banking institution shall charge, in connection with the restructuring of an international loan, any fees exceeding the administrative cost of the restructuring.

(2) Notwithstanding any other provision of law (including any other provision of this title), any fee which is authorized to be charged under paragraph (1) shall be amortized over the effective life of the loan involved.

(b) The requirements of subsection (a) shall take effect on the date of the enactment of this section. Each appropriate Federal banking agency shall promulgate such regulations as are necessary to further carry out the provisions of this section.

By Mr. GONZALEZ:

—Section 309 (a), strike out the words following "restructuring".

By Mr. McCOLLUM:

—Page 19, beginning on line 18, strike out "5,310.8 million Special Drawing Rights" and insert in lieu thereof "1,830 million Special Drawing Rights".

By Mr. PAUL:

—Page 19, strike out line 16 and all that follows through line 20, and insert in lieu thereof the following:

"USE OF THE FUND'S GOLD RESERVE

"SEC. 40. The United States Governor of the Fund shall request the Fund to sell part of the Fund's gold reserve in order to provide such amounts as are necessary to alleviate the current problems of international borrowers."

—Page 28, after line 8, insert the following:

NOTICE TO CONGRESS REGARDING BORROWING IN
UNITED STATES CREDIT MARKETS

SEC. 308. Section 5 of the Bretton Woods Agreements Act (22 U.S.C. 286c) is amended by adding at the end thereof the following: "Neither the President nor any person or agency shall, on behalf of the United States, consent to any borrowing (other than borrowing from a foreign government or other official public source) by the Fund of funds denominated in United States dollars unless

the Secretary of the Treasury transmits a notice of such proposed borrowing to both Houses of the Congress at least 60 days prior to the date on which such borrowing is scheduled to occur."

—Page 28, after line 8, insert the following:

CONSENT OF CONGRESS REQUIRED FOR
BORROWING IN UNITED STATES CREDIT MARKETS

SEC. 308. Section 5 of the Bretton Woods Agreements Act (22 U.S.C. 286c) is amended

by adding at the end thereof the following: "Neither the President nor any person or agency shall, on behalf of the United States, consent to any borrowing (other than borrowing from a foreign government or other official public source) by the Fund of funds denominated in United States dollars unless Congress, in advance and by law, authorizes such action."