

## NATIONAL COUNCIL ON THE ARTS

The following-named person to be a Member of the National Council on the Arts for a term expiring September 3, 1984:

Thomas Patrick Bergin, of Indiana.

## DEPARTMENT OF JUSTICE

Maurice Rosenberg, of New York, to be an Assistant Attorney General.

The above nominations were approved subject to the nominees' commitments to re-

spond to requests to appear and testify before any duly constituted committee of the Senate.

## THE JUDICIARY

R. Lanier Anderson III, of Georgia, to be U.S. circuit judge for the fifth circuit.

Albert J. Henderson, of Georgia, to be U.S. circuit judge for the fifth circuit.

Reynaldo G. Garza, of Texas, to be U.S. circuit judge for the fifth circuit.

Carolyn D. Randall, of Texas, to be U.S. circuit judge for the fifth circuit.

Henry A. Politz, of Louisiana, to be U.S. circuit judge for the fifth circuit.

Francis D. Murnaghan, Jr., of Maryland, to be U.S. circuit judge for the fourth circuit.

Joseph W. Hatchett, of Florida, to be U.S. circuit judge for the fifth circuit.

Thomas M. Reavley, of Texas, to be U.S. circuit judge for the fifth circuit.

## HOUSE OF REPRESENTATIVES—Thursday, July 12, 1979

The House met at 10 a.m.

Rev. Aimee Garcia Cortese, Protestant chaplain, Bedford Hills Correction Facility, New York State Department of Corrections, Bedford Hills, N.Y., offered the following prayer:

We reverence Your presence here this day, dear Lord.

Help us to seek You, for You have told us that when we do, surely we will find You. Only as we search for the eternal does the temporal find its proper place and true balance. How we long to be the balanced creatures that can face life and cope. Grant us this blessing.

Give us a vision of Your will that we might set goals that will bless our people for surely without vision the people perish. Keep us in touch with You so we might be able to reach out and touch others.

Lord through this House of Representatives let Your voice be heard loud and clear. May Your servants feel the hurt of our Nation, the fears and perplexities, the tremendous uncertainties that are ours in such a real way today. Lord I rebuke from them all spirit of fear and helplessness and may they know You have chosen them and will never fail them or leave them alone. Make this House, each Representative an instrument of love, peace, and justice. In Jesus' name. Amen.

## THE JOURNAL

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

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

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2807. An act to amend the Bankruptcy Act to provide for the nondischargeability of certain student loan debts guaranteed or insured by the United States.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1786) entitled "An act to authorize appropriations to the National Aeronautics and Space Adminis-

tration for research and development, construction of facilities, and research and program management, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses, thereon, and appoints Mr. CANNON, Mr. STEVENSON, Mr. FORB, Mr. GOLDWATER, and Mr. SCHMITT to be the conferees on the part of the Senate.

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

S. 1159. An act to authorize appropriations for the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 86-41, appointed Mr. ZORINSKY, Chairman, and Mr. STEVENS, Vice Chairman, of the Canada-United States Interparliamentary Group, to be held August 9-17, 1979, in Canada/Alaska.

## REV. AIMEE GARCIA CORTESE

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

Mr. GARCIA. Mr. Speaker, I would just like the Members of the House to know that the young lady who offered the prayer this morning is my sister, and I think it is the first time, Mr. Speaker, that we have had a brother and sister act here on the floor. My sister's prayers have helped me and many others and you can be sure they will help us here.

My sister graduated from Central Bible College in Springfield, Mo., and she was the first woman to be appointed by the Governor of the State of New York as a chaplain in a New York State correctional facility. She works presently with the women who are incarcerated in Bedford Hills in the State of New York.

Mr. Speaker, in closing I would like to say that somehow we confused things in my family, because I was supposed to be the minister and my sister was supposed to be the politician. But here we are, with reversed roles.

## THE TEN COMMANDMENTS ON ENERGY

(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, as the President confers with various groups at Camp David this week to discuss the politics of energy, the absence of news from that summit is being replaced with a good deal of mystique. The picturesque and historical setting of Maryland's Catoctin Mountains is being referred to in a Biblical sense from which the President will soon descend with two tablets of stone on which will be carved "the Ten Commandments on Energy."

In a recent letter to the President, I outlined what I believe would closely constitute such a group of commandments.

The list goes as follows:

Thou shalt maximize the use of coal.

Thou shalt fully utilize existing nuclear powerplants.

Thou shalt develop a synthetic fuels industry.

Thou shalt decontrol your oil, expand your domestic oil and gas production, and mix your gasoline with at least 10 percent of alcohol.

Thou shalt continue to encourage the use of solar energy.

Thou shalt improve hydroelectric power generation.

Thou shalt develop other sources of energy from the winds, the woods, the oceans, geothermal, and hydrogen.

Thou shalt expand fixed-rail mass transit and fund the intercity bus and terminal program so thou shalt have alternatives to your passenger cars.

Thou shalt provide Government tax and loan offerings for alcohol-powered farm equipment and home and business energy improvements.

Thou shalt establish an Emergency Energy Production Board to advise the President on actions that will enable the Nation to bring forth the blessings of a secure energy future.

## PERMISSION FOR SUBCOMMITTEE ON SURFACE TRANSPORTATION OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT TODAY WHILE HOUSE IS IN SESSION

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the Subcommittee on Surface Transportation of the Committee on Public Works and Transportation may be permitted to sit to-

□ 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.

day while the House is in session, merely to take testimony.

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

There was no objection.

#### THE ENERGY CRISIS

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

Mr. HOWARD. Mr. Speaker, yesterday evening's Washington Star had on the front page a list of the people who have been called to Camp David this week to confer with the President concerning the energy crisis that affects this Nation.

When we think about the energy problem that we have now and will have in the future, we have to realize that over 50 percent of all of the petroleum used in this country is used in some form of transportation, and we are not going to solve this problem unless we involve transportation in it.

So when we look at this long list of lines, to see whether the voice of transportation has been involved, we might look for the name of Congressman Biz JOHNSON, the chairman of our own House Public Works and Transportation Committee, and we find that he has been ignored in this whole process. In fact, we find that the Secretary of Transportation, Brock Adams, is not among the people who have been interviewed or had discussions on the tremendous energy problem that we have.

In this morning's newspaper we find that Secretary Schlesinger has had four option plans for the energy crisis that has been submitted to the President. We can look through all plans, we can look through the entire article, and we do not find the word "transportation" once.

Mr. Speaker, if we ignore half of the problem on energy in establishing whatever policy we do, then even if we do a perfect job we are really only going to do half the job. I think it is about time that transportation is involved in this matter.

#### LET US MINISTER TO THE ILL AND INJURED IN INDOCHINA

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

Mr. BARNES. Mr. Speaker, if one American adventurer set sail in a sloop across the Atlantic and radioed that he was in trouble, we would automatically dispatch planes, ships, and helicopters in a massive air-sea rescue effort, and we would not wait for a new fiscal year or for a supplemental appropriation to be drafted and approved by Congress before lending aid.

But tens of thousands of people are today in trouble in the waters off Indochina. They are drowning at sea, receiving inadequate care in refugee camps, being sent back to sea in leaking boats, or forced back across a border into combat zones.

These people cannot wait, Mr. Speak-

er. This is not a problem which can be dealt with "in due course."

I am an amateur at this business. But it seems to me that there are emergency measures which can and should be taken. In a telegram which I sent to the President last night, I urge the following actions:

First. That naval vessels be ordered to Indochinese waters to conduct continuing search and rescue operations for refugee vessels.

Second. That transport vessels, whether of the U.S. Navy or private operation under charter, be employed to relieve crowding in existing refugee camps. Such vessels could be used either as temporary quarters, or to transport refugees to more distant, less crowded encampments;

Third. That naval hospital ships, and army field hospitals, as well as military medical personnel, be dispatched immediately to minister to the ill and injured.

When we made war in Vietnam we had little trouble overrunning that country with ships, aircraft, helicopters, and ground transports. Now we have the opportunity to demonstrate the capacity of America's Armed Forces in making peace livable for hundreds of thousands of individual human beings who are victims of that war and its continuing aftermath. I appeal to the President, as Commander in Chief, to mobilize our Nation's services to do what we can do best: help people.

□ 1010

#### U.S. COAL MUST REPLACE FOREIGN ENERGY IMPORTS

(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, that the citizens of our Nation must continue to suffer daily—as a result of our dependence upon foreign energy supplies—is a fact which I find shocking and thoroughly unnecessary.

Never before have U.S. citizens had to face the energy problems which we are confronting today. We are living under constant threat of a foreign oil embargo which could bring this Nation to a standstill. Foreign oil is more exorbitantly priced each successive month. Yet the leadership of our country continues to ignore the most extensive and valuable energy resource we possess—coal.

Proven U.S. coal reserves can supply our energy needs for 300 to 500 years to come, with many more reserves yet to be proven. Through American ingenuity, our scientists have discovered methods for maximizing our production of coal, while at the same time providing the necessary safeguards for our environment. Coal must be promoted to insure our earliest possible energy independence.

In light of our Nation's superior position in domestic coal reserves, I find it inconceivable that the United States has yet to formulate a commitment to coal. Therefore, I would like to urgently ask that my colleagues in the U.S. Congress call for the President's establishment of a national energy plan which emphasizes a dramatic increase in coal production

and coal use as a means of replacing our current, deplorable reliance upon foreign energy sources. Our commitment to coal is imperative if we are to look into the next decade with optimism.

#### PERSONAL EXPLANATION

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

Mr. O'BRIEN. Mr. Speaker, yesterday morning when the House voted on the Trade Agreements Act of 1979, H.R. 4537, I was unavoidably detained. I ask unanimous consent that my vote be recorded as "aye" in the RECORD.

The SPEAKER. The Chair will state that the gentleman's vote cannot be recorded as "aye." The gentleman's statement will be printed in the RECORD.

Mr. O'BRIEN. I thank the Chair.

#### VICE PRESIDENT'S SPEECH IN LOUISVILLE IGNORES NUCLEAR ENERGY

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

Mr. BADHAM. Mr. Speaker, yesterday I spoke of the cynicism involved in the central message in Vice President MONDALE'S speech in Louisville where he echoed the "new party line" of shifting the blame for all our Nation's ills to the OPEC nations, thus avoiding placing responsibility at the feet of the Federal Government.

But the Vice President's speech is more remarkable in what it does not mention than in what it does. In it, the Vice President talked of managing gasoline supplies, of conservation, of solar energy, gasohol, hydroelectric generation. He included coal, natural gas, pipeline construction, peat and agricultural biomass. He mentioned shale oil and wind, tar sands, and geothermal resources as well as synthetics.

If the comprehensiveness of the list is a harbinger of what we can expect from President Carter when he returns from Camp David, I regret the absence of even a mention of one source of energy vital to our success. He could not bring himself to mention the name of a source that already accounts for 12 percent of our electricity generation and could yield through relatively simple utilization the energy equivalent of 240 billion barrels of oil. That source, ignored in the administration's only comprehensive energy statement since the cancellation of the President's speech a week ago, is, and I do not fear to use the word, "nuclear."

#### AMERICA SHOULD SHOW MORE OUTRAGE ABOUT VIETNAM TREATMENT OF BOAT PEOPLE

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

Mr. LAGOMARSINO. Mr. Speaker, I share the concern that has been expressed about the Vietnamese refugees,

particularly "boat people," the ethnic Chinese who are being driven out of Vietnam.

Yesterday I inserted an article in the Extensions of Remarks outlining the tragedy that befell a refugee Chinese family and their story of what happened; they recounted there was very little doubt in their minds that it was official Vietnam Government policy that drove them out of that country.

I would suggest that we show not only concern for and assist the refugees but that we also express our strong moral outrage and that we take appropriate sanctions against that repressive government that is perpetrating one of the most heinous crimes of this century.

I would suggest also that much of the reluctance of the American people, at least as reflected in my mail, about taking in these refugees, would be overcome if we would take appropriate action to stop illegal immigrants from coming into this country. In total we have taken in about 200,000 Vietnamese refugees; estimates of the number of illegal aliens coming across the Mexican border alone are nearly that much every month.

#### ARTHUR FIEDLER

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

Mr. MOAKLEY. Mr. Speaker, I rise to pay tribute to one of the most significant and lasting traditions in American music: Arthur Fiedler. Arthur Fiedler, who died in Boston Tuesday at the age of 84, had become virtually synonymous with the popularizing and development of every kind of musical expression in the Nation.

Fiedler's career with the Boston Symphony began in 1929, at the beginning of the Great Depression. After a 10-year career as a member of the Boston Symphony Orchestra, during which time he played six or seven different instruments, Fiedler became the conductor of the offshoot of the famous BSO whose name is now known in every corner of the world: the Boston Pops. Fiedler was convinced that the best in the world's tradition of music should be made both understandable and enjoyable for all Americans. One way to do this, Fiedler was convinced, was to hold outdoor, free concerts where the public would be exposed to every style and form of music, from Bach to Puccini, from Tommy Dorsey to Frank Sinatra.

Fiedler was successful in raising moneys which allowed the Boston Pops to begin their free concerts on the Esplanade alongside the Charles River in Boston in the summer of 1930. For 50 years, Fiedler's presence at the Esplanade's bandshell became synonymous with summer in Boston. Generations of Bostonians and tourists visited the Esplanade concerts over the years, and Fiedler's presence at the podium on the Fourth of July became a major part of the national celebration of Independence Day. Fiedler reached perhaps the apex of his career during the celebration of the Nation's Bicentennial on July 4, 1976. On that day, some 250,000 thrilled celebrants watched and listened as maestro Fiedler

conducted the Pops in their famed rendition of Tchaikovsky's "1812 Overture." and as the cannonade greeted the beginning of this Nation's third hundred years.

Arthur Fiedler's prescription for success, perhaps, was his ability to catch his audience at the entry level of classical music. He was able to blend classical music with elements of both popular and familiar music, to blend Brahms, Bach, and Beethoven with Gershwin, Pearl Bailey, and Steven Sondheim. That ability is a rare gift, seen all too infrequently on the American stage.

Arthur Fiedler, the man, is gone. But Arthur Fiedler's contribution to American music, the Boston Pops, will live on and grow in the hearts of America's listening public.

#### DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1980

Mr. DODD. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 314 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. Res. 314

*Resolved*, That during the consideration of the bill (H.R. 4392) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1980, and for other purposes, all points of order against the following provisions in said bill for failure to comply with the provisions of clauses 2 and 6, rule XXI, are hereby waived: beginning on page 2, line 3 through page 15, line 9; beginning on page 16, line 5 through page 17, line 6; beginning on page 17, line 17 through page 18, line 11; beginning on page 19, lines 8 through 19; beginning on page 20, line 6 through page 22, line 11; beginning on page 29, line 7 through page 30, line 5; beginning on page 32, line 22 through page 34, line 24; and beginning on page 37, lines 9 through 16.

The SPEAKER. The gentleman from Connecticut (Mr. DODD) is recognized for 1 hour.

Mr. DODD. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi (Mr. LOTT), for the purpose of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 314 provides for the consideration of H.R. 4392, the Departments of State, Justice, and Commerce, the judiciary, and related agencies appropriation bill for fiscal year 1980. The resolution waives all points of order against certain provisions of the bill for their failure to comply with clause 2 of rule XXI. Under this provision of the rules, no appropriation shall be reported in any general appropriation bill for any expenditure not previously authorized. The clause also prohibits legislation in an appropriations bill.

In addition the resolution waives clause 6 of rule XXI against specified provisions of the bill. This provision of the rules prohibits the consideration of a general appropriations bill if it contains a provision reappropriating unexpended balances of appropriations.

This resolution reflects the wishes of the Committee on Appropriations and

the judgment of the Committee on Rules as to the waivers that are needed in order to preclude points of order from being raised against the consideration of the bill.

Mr. Speaker, H.R. 4392 provides \$7,646,707,000 in new budget authority for fiscal year 1980 for the Departments of State, Justice, and Commerce, the Federal Judiciary and 20 related agencies.

The amount recommended in the bill is an increase of \$458,276,000 above appropriations for these purposes enacted to date for fiscal year 1979. The total is \$321,105,000 below the administration's request for fiscal year 1980. The bill does not contain funding for the Law Enforcement Assistance Administration (LEAA), the Economic Development Administration, Regional Action Planning Commissions, and the Federal Trade Commission. The committee chose not to include funding for these agencies because of lack of authorizations.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule waives certain points of order against particular provisions of H.R. 4392, the Departments of State, Justice and Commerce, the judiciary, and related agencies appropriations bill for fiscal year 1980. The waivers granted by the rule relate to unauthorized appropriations and legislation on a general appropriations bill (clause 2, rule XXI) and to reappropriations of unexpended appropriations (clause 6, rule XXI).

The provisions in the bill against which the points of order are waived deal with the following items:

Department of State—all items.  
Department of Justice—all items.  
Department of Commerce—Office of Economic and Statistical Analysis, NOAA, Office of Science and Technical Research, and Maritime Administration.  
Related Agencies—Arms Control and Disarmament Agency, Board for International Broadcasting Commission on Civil Rights, International Communications Agency, Special Foreign Currency Program, Center for Cultural and Technical Interchange Between East and West, International Trade Commission, and Select Commission on Immigration and Refugee Policy.

The total appropriation in this bill for fiscal year 1980 is approximately \$7.65 billion. This figure is about \$321.1 million below the budget request. There are a few individual items in the bill which are above the President's budget. These include a \$481,000 increase for salaries and expenses for general legal activities of the Justice Department; a \$3.1 million increase for operations and training of the Maritime Administration; a \$41 million increase for SBA; and a \$13.2 million increase for the Legal Services Corporation.

It should be pointed out that the total appropriation for the Legal Services Corporation for fiscal year 1980 is \$305 million. This figure is \$35 million more than the fiscal year 1979 appropriation and, as stated earlier, \$13.2 million above the fiscal year 1980 budget request. In fairness it should also be mentioned that the Corporation's own request was \$32.5 million more than the amount recommended in the bill.

So what the Legal Services Corpora-

tion ultimately had recommended for fiscal year 1980 in the bill was a 13-percent increase over last year's appropriation, even though the Corporation itself requested a 25-percent increase. This fact makes me wonder how much of a cushion the Corporation builds into its request each year. It is obvious that there must be a several million-dollar pad, and I simply want to draw the attention of the House to this matter with the hope that it can be addressed during consideration of the bill.

I would like to commend Chairman SLACK and the ranking Republican member, the gentleman from Illinois (Mr. O'BRIEN) for their leadership in working up this appropriation bill. It is a very difficult appropriation bill, I am sure, to develop properly and hold under the budget because we are dealing with what I consider to be basically three major, worthless, ineffectual, and uncooperative departments in the Departments of State, Justice, and Commerce. However, in spite of that, the rule is one that we have to adopt if we are going to get this appropriation through this year and, therefore, I support the rule on this worthless appropriations bill.

Mr. DODD. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SLACK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4392) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1980, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Illinois (Mr. O'BRIEN) and myself.

The SPEAKER pro tempore (Mr. MOAKLEY). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. SLACK).

The motion was agreed to.

□ 1030

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. 4392) with Mr. BROWN of California in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman

from West Virginia (Mr. SLACK) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. O'BRIEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. SLACK).

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

Mr. Chairman, we held extensive hearings on this bill, and the testimony is contained in nine volumes. Every member of this subcommittee has worked very diligently in an effort to get this bill marked up and reported. I would like at this point to express to each of them my personal appreciation for their excellent cooperation, as well as the support of our very outstanding staff members, Mr. Dempsey Mizelle and Mr. John Osthaus.

Mr. Chairman, the total amount of new budget authority in this bill for fiscal year 1980 is \$7,646,707,000. While this amount is an increase of \$458,276,000 over comparable appropriations enacted to date for fiscal year 1979, it is a decrease of \$321,105,000 from the total requested for fiscal year 1980. This represents a decrease of slightly over 4 percent from the requests.

The following table summarizes by department and agency the recommendations of the committee and shows comparisons with the appropriations for fiscal year 1979 and the budget estimates for 1980:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1979 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1980

Agency and item	New budget (obligational) authority, fiscal year 1979 <sup>1</sup>	Budget estimates of new (obligational) authority, fiscal year 1980	New budget (obligational) authority, recommended in bill	Bill compared with—	
				New budget (obligational) authority, fiscal year 1979	Budget estimates of new (obligational) authority, fiscal year 1980
(1)	(2)	(3)	(4)	(5)	(6)
Department of State	\$1,234,520,000	\$1,386,101,000	\$1,325,569,000	+\$91,049,000	-\$60,532,000
Department of Justice	1,826,598,000	2,187,610,000	1,848,448,000	+21,850,000	-30,162,000
Department of Commerce	1,590,956,000	2,086,961,000	1,904,987,000	+314,031,000	-181,974,000
The Judiciary	489,647,000	619,769,000	589,866,000	+100,219,000	-29,903,000
Related agencies:					
Arms Control and Disarmament Agency	16,395,000	18,876,000	17,670,000	+1,275,000	-1,206,000
Board for International Broadcasting	85,000,000	86,917,000	82,990,000	+2,010,000	-3,927,000
Commission on Civil Rights	10,752,000	11,372,000	11,230,000	+478,000	-142,000
Commission on Security and Cooperation in Europe	521,000	550,000	264,000	-257,000	-286,000
Equal Employment Opportunity Commission	107,000,000	125,060,000	119,000,000	+12,000,000	-6,060,000
Federal Communications Commission	70,446,000	71,816,000	71,816,000	+1,370,000	-
Federal Maritime Commission	10,550,000	11,217,000	11,175,000	+625,000	-42,000
Federal Trade Commission	(64,750,000)	(69,021,000)	-	-	-
Federal Claims Settlement Commission	1,030,000	1,030,000	-	-	-1,030,000
International Communication Agency	411,009,000	432,782,000	429,112,000	+18,103,000	-3,670,000
International Trade Commission	12,950,000	14,700,000	14,106,000	+1,156,000	-594,000
Japan—United States Friendship Commission	1,500,000	1,500,000	1,500,000	-	-
Legal Services Corporation	270,000,000	337,500,000	305,000,000	+35,000,000	-32,500,000
Marine Mammal Commission	702,000	640,000	640,000	-62,000	-
Office of the Special Representative for Trade Negotiations	2,665,000	4,173,000	3,900,000	+1,235,000	-273,000
Presidential Commission on World Hunger	1,300,000	975,000	975,000	-325,000	-
Renegotiation Board	5,260,000	7,363,000	-	-5,260,000	-7,363,000
Securities and Exchange Commission	64,650,000	69,039,000	68,946,000	+4,296,000	-93,000
Select Commission on Immigration and Refugee Policy	-	2,226,000	1,600,000	+1,600,000	-626,000
Small Business Administration	974,435,000	795,300,000	836,300,000	-138,135,000	+41,000,000
U.S. Metric Board	1,575,000	3,335,000	1,613,000	+38,000	-1,722,000
Grand total	7,188,431,000	7,967,812,000	7,646,707,000	+458,276,000	-321,105,000

<sup>1</sup> Does not include amounts in Supplemental Appropriation bill for 1979.

<sup>2</sup> Excludes estimate of \$170,853,000 for the Law Enforcement Assistance Administration which was not considered due to lack of authorization.

<sup>3</sup> Excludes estimates of \$759,042,000 for the Economic Development Administration and

\$74,005,000 for Regional Action Planning Commissions which were not considered due to lack of authorization.

<sup>4</sup> Not considered due to lack of authorization.

AUTHORIZING LEGISLATION

Mr. Chairman, almost 60 percent of the amounts requested for programs under the subcommittee's jurisdiction require authorization for fiscal year 1980. These programs involve more than 20 authorization bills. While most of these have been reported to the House,

only several of them have been passed at this time. The committee deferred consideration of budget requests for the Law Enforcement Assistance Administration, the Economic Development Administration, Regional Action Planning Commissions, and the Federal Trade Commission because they are not yet

authorized. Authorizing bills dealing with LEAA and EDA have been reported to the House, but since a substantial restructuring of programs is proposed we felt it was not appropriate to recommend funding at this time. With respect to the FTC, we have proceeded without authorization for the last 2

years and funds were ultimately appropriated with no authorization. However, the FTC is now engaged in several controversial programs and the issue of legislative veto has not yet been resolved. Under the circumstances our committee feels it is better to wait for the authorization. Several budget amendments have been received since the subcommittee mark up and they have not been considered.

#### TRAVEL FUNDS

The committee was quite concerned about the increasing amount of funds used for travel. The 1980 budgets for departments and agencies funded in this bill included increases for travel totaling \$51 million. While we realize that certain travel must be performed in order to carry out the programs funded in this bill, we felt that the increases proposed were excessive. Therefore, reductions have been made in most of the individual requests in order to hold travel costs in fiscal year 1980 to the levels projected for fiscal year 1979.

#### TITLE I—DEPARTMENT OF STATE

The total amount recommended for the Department of State is \$1,325,569,000. This amount is \$60,532,000 less than the total requested for fiscal year 1980, but is an increase of \$91,049,000 over appropriations enacted to date for fiscal year 1979. The increases over the current appropriations are due primarily to increased requirements for international organizations and for international peacekeeping activities.

The largest appropriation item for the Department of State is "Salaries and Expenses," for which we are recommending \$769,700,000. This amount is \$8,211,000 less than the budget request. The decrease includes \$2.3 million in travel funds and \$3 million in funds budgeted for the Bureau of Oceans and International Environmental and Scientific Affairs, a bureau which the committee feels is overstaffed and generally ineffective.

For contributions to international organizations, we are suggesting a total of \$370.3 million. This amount reflects deletion of \$41.2 million requested for technical assistance programs. Mr. Chairman, at the time we marked up this bill there was still a question of whether technical assistance should be funded from assessed budgets or voluntary contributions for international organizations. The 1979 appropriation bill for the Department of State excluded the amounts requested for technical assistance and the pending bill is consistent with the position of Congress as reflected in that appropriation. However, last month the House voted to restore the 1979 funds for technical assistance and yesterday the conferees on the supplemental appropriation bill approved such funds. At the appropriate time, Mr. Chairman, I intend to offer an amendment to restore technical assistance funds to the pending bill.

#### TITLE II—DEPARTMENT OF JUSTICE

The total amount in the bill for the Department of Justice for fiscal year 1980 is \$1,848,448,000. This amount is \$21,850,000 more than comparable ap-

propriations for fiscal year 1979 enacted to date. However, it is \$30,162,000 less than the amounts requested for fiscal year 1980. These amounts exclude funds for the Law Enforcement Assistance Administration.

Included in the Justice title of the bill is \$299,326,000 for the Immigration and Naturalization Service. This amount represents essentially the level of the budget request. We were asked by several witnesses to increase the INS budget. However, we did not feel it was wise to do so at this time, since there appears to be no immigration policy and there is evidence of poor management and use of resources. In fact the Attorney General himself says they seem to have a system of nonmanagement.

To enable INS to improve its recordkeeping and management functions, the committee has earmarked \$3,000,000 in the bill to install fully automated systems for processing and recordkeeping in district offices, as well as \$2,100,000 to redesign, update, and maintain the non-immigrant control system applicable to arrival and departure of aliens in and from the United States. The \$3,000,000 for installing automated systems will enable INS to automate 23 of its district, regional, and field offices in fiscal year 1980. The balance of the field operation can be automated in fiscal year 1981.

#### TITLE III—DEPARTMENT OF COMMERCE

The bill includes a total of \$1,904,987,000 in new budget authority for the Department of Commerce for fiscal year 1980. This amount is a reduction of \$181,974,000 from the budget estimates, but is an increase of \$314,031,000 above the comparable amounts appropriated to date for the Department for fiscal year 1979.

The committee did not consider the budget requests for the Economic Development Administration and the Regional Action Planning Commissions because of lack of authorization.

The major element of the increase over current funding for Commerce is the 1980 Decennial Census. A total of \$554,676,000 is included in the bill for that census, a reduction of \$48 million from the request. Our report expresses concern about the high cost of the 1980 Decennial Census—the latest Census Bureau estimate is \$960,000,000. We believe that some reductions can be made in the interest of economy without jeopardizing the quality of the census. Reductions are to be applied to those items identified in committee hearings as of lesser priority and to the contingency item.

The budget for the National Oceanic and Atmospheric Administration included another proposal to close weather stations—22 this time. We did not approve that proposal and have designated \$689,000 and 40 positions to keep these stations open and operating at the current level of service.

The committee's recommendation reduces the request for the ship construction program of the Maritime Administration by \$69 million. These funds were requested for three dry bulk ships. Maritime Administration officials indicated in

testimony to the committee that funds for these ships were being requested in conjunction with a special dry bulk legislative initiative. Since this special legislative proposal has not yet been transmitted to the Congress, we have not included the funds requested for these vessels.

#### TITLE IV—THE JUDICIARY

Title IV of the bill provides funds for the operation of the Federal courts, including salaries of judges, judicial officers and employees, and other expenses of the Judiciary. A total of \$589,866,000 is recommended to carry out these activities, an increase of \$100,219,000 over the amounts provided to date for fiscal year 1979, and a decrease of \$29,903,000 from the total amount requested for fiscal year 1980. The increase over the current appropriation is due primarily to enactment of the Omnibus Judgeship Act which authorized 152 new judges, the Bankruptcy Reform Act, and the Jury System Improvements Act.

#### TITLE V—RELATED AGENCIES

The subcommittee considered budget requests totaling \$1,996,371,000 for 20 related agencies. The total amount of new budget authority recommended for these agencies for fiscal year 1980 is \$1,977,837,000, a reduction of \$18,534,000 from the budget requests, and a reduction of \$68,873,000 from the total appropriated for these agencies for fiscal year 1979. The reduction from the 1979 level results from a lesser amount being provided for the SBA disaster loan program.

The bill includes \$305 million for payment to the Legal Services Corporation. This amount is \$35 million more than the appropriation made for the current fiscal year but is \$32,500,000 less than the amount requested by the Corporation for fiscal year 1980. The increase over the current level will permit minimum access to civil legal assistance in all areas of the country. It will also permit some program improvement.

The bill includes a proviso, similar to language contained in recent Department of Labor appropriation bills, which prohibits the use of Federal funds appropriated to the Legal Services Corporation for activities on behalf of any alien known to be in the United States in violation of the Immigration and Nationality Act or any law, convention, or treaty of the United States relating to the immigration, exclusion, deportation, or expulsion of aliens. The intent of the provision is to establish clearly that the proper use of federally appropriated funds is to provide legal assistance to citizens and resident aliens of the United States who otherwise meet eligibility requirements for assistance through the Legal Services Corporation Act.

The bill includes a total of \$836,300,000 in new budget authority for the Small Business Administration. This amount includes increases above the budget totaling \$41 million—\$7 million for salaries and expenses, primarily for loan processing and servicing, and \$34 million for direct business loans.

For the U.S. Metric Board we are recommending \$1,613,000. While this amount is \$38,000 more than the appropriation for this year, it is \$1,722,000 less

than the request for 1980. Our committee is concerned that the Board, in its policies and actions, is becoming an advocate of the metric system and is giving the impression that our official national policy is to convert to the metric system, albeit voluntarily. We believe that the proper role for the Board, as mandated by the Congress, is to educate the public concerning the metric system, including its disadvantages as well as its benefits, and to offer help and guidance to those segments of our society, industries, and other groups who want to convert. We, therefore, expect the Board to review its policies and programs to insure that it provides complete information about the metric system and about all aspects of the conversion process.

Mr. Chairman, we held extensive hearings on this bill and the testimony is available in nine volumes of hearings. Every member of the subcommittee worked diligently in an effort to get this bill marked up and reported to the House and I want to express to each of them my personal appreciation of their excellent cooperation.

□ 1040

Mr. O'BRIEN, Mr. Chairman, I yield myself such time as I may consume. With respect to this important bill, I would like to touch on what appears to me the overall consideration; namely, observing a policy of frugality without overlooking essentials. As the chairman indicated, we are approximately \$321.1 million under the administration's request. That accomplishment ought to be underscored, because we achieved such a result under the leadership of the gentleman from West Virginia, in the face of certain non-discretionary increases or, practically speaking, mandatory expenses. One such increase as found in the Omnibus Judgeship Act of 1978 which caused a 20.5-percent increase in the amount required by the judiciary most of which, if not all, going to provide for essential and additional Federal judges.

Another such increase is found in the mandated-by-law upcoming census, which brings with it a required expense of something like \$389 million. The heart of the matter is that while all of the agencies which appeared before this committee, had a full and patient hearing, were treated fairly, not overgenerously but properly, the committee managed to come through the process with a reduction of \$321 million under the President's request. Only one account received an increase, and that, as the chairman mentioned, was the Small Business Administration. It should be underscored however, that such increase constitutes a loan account which will be repaid to the Treasury.

Mr. Chairman, I think it is a fair bill. I think it is a frugal bill. I think it is a bill that no Member of the House need be embarrassed about voting for or supporting, an appropriation intended in the best interest of the United States. I would like to underscore the chairman's comments with respect to Mr. Mizelle, Mr. Osthaus, Miss Bon, Mr. Baikauskas, and Miss Yoho staff people of immense help to the committee. I

would like also to point out that in my limited experience in this House I have never served under a more competent nor responsible chairman than the gentleman from West Virginia (Mr. SLACK).

Mr. Chairman, at this time I yield 4 minutes to the gentleman from California (Mr. LAGOMARSINO).

Mr. LAGOMARSINO. Mr. Chairman, in recent years I have looked with dismay at the way our foreign policy has been formulated and implemented. It often seems to me that some high State Department officials are more interested in serving one constituency or another overseas rather than promoting the interests of our own citizens. Indeed, I have suggested—only in part facetiously—that an American desk be established in the State Department to look after the interests of the American public. With that in mind, and for budget increases that have not been fully justified, I have voted in the past, against the State Department authorizations and appropriations bills.

I do want to take this opportunity to make clear for the record that these votes are not directed at the U.S. International Communication Agency and the Board for International Broadcasting, both of which, I believe, perform valuable service in representing American interests overseas as the instrument of U.S. "Open Diplomacy."

Radio Free Europe and Radio Liberty, operated by the Board for International Broadcasting, and the Voice of America, operated by USICA provide information about the United States and our people to audiences in closed societies around the world who have no other means of learning the truth about what is going on, not only here but also in their own country as well.

The information, educational, and cultural exchange programs conducted by the U.S. International Communication Agency represent the means by which citizens of other countries, our allies and adversaries, come into direct contact with Americans—our society and culture.

As I have traveled around the world in my capacity as member of the Foreign Affairs Committee, I have been constantly reminded how similar people are around the world. As we get to know one another better, we understand each other better and the usual negative stereotypes are replaced by a more realistic appreciation of other people's interests and desires. I believe USICA accomplishes that admirably in the daily performance of its duties, informing others of our country and its policies and increasing an understanding of the United States, as a symbol of freedom, openness, and diversity.

USICA's programs are as varied as our own society; it distributes press materials, motion pictures, magazines, books; operates libraries, bi-national cultural centers, English-language classes; presents American classical and popular performers, and artists; and schedules American scholars and specialists from every field of American achievement.

It does all this on a budget that has not even managed to keep up with inflation over the past 10 years. Frankly,

I wish that State and USICA budgets' were not combined in the same measure year after year. I would wholeheartedly support the USICA program and its budget. As it is, it may once again be the unintended victim of my vote against the State Department appropriations if I remain unconvinced of the merits of the State's Department's policies.

□ 1050

Mr. O'BRIEN, Mr. Chairman, I yield 8 minutes to the gentleman from California (Mr. BURGNER).

Mr. BURGNER, Mr. Chairman, I want to express my appreciation to the chairman, the gentleman from West Virginia (Mr. SLACK), to the ranking member, the gentleman from Illinois (Mr. O'BRIEN) and all the members of this subcommittee for their excellent work and for their understanding of an extremely difficult problem which is as yet unresolved but about which we have great hopes that between now and final enactment of this bill a reasonably satisfactory solution will be reached.

I speak of the extremely difficult problem of what I choose to call an invasion from the Republic of Mexico to the United States, particularly in the southern California area. The invasion is friendly, the invasion is unarmed, the invasion is caused by economics but it is, nonetheless, an invasion that creates great problems of us and great problems for citizens who are nationals of Mexico.

I would like to describe as best I can the situation on the border. I do represent a great segment of the Mexican-American border in California.

The situation is that the border is an open sieve and that several thousand people per day attempt to cross the border and perhaps more than a couple of thousand actually make it each and every day, illegally.

Ever since the President's ill-conceived and most unfortunate remarks about amnesty, a program the Congress had never considered, a program probably unenforceable and unworkable, it cruelly encouraged people to cross the border illegally.

Let me point out that in the first 5 months of this year alone, just in the San Diego sector alone, which is called the Chula Vista sector, there were 180,963 apprehensions in that one area alone. That is 56 percent of the entire total for the preceding year. The number is growing.

Dr. Garrett Harden, a professor at the University of California at Santa Barbara, an expert in demography, immigration, and population, has written a very penetrating study called "The Limits of Sharing." I placed that in the CONGRESSIONAL RECORD some months ago. It indicates that no matter how well motivated we might be, no matter how hard we try, we cannot assimilate this culture rapidly. In the first place, our country has a very generous immigration policy. We legally admit, I believe, some 400,000 people each and every year from other countries around the world and this is good, it is what has built our country. I do not believe any other nation in the

world has such a generous immigration policy.

In spite of the foregoing, we have a tremendous influx of illegal aliens, particularly from the Republic of Mexico. As long as it is legal to hire these people, which it is, and as long as this Congress in this administration does not address that problem, a long as we have turned our backs on it and have made no attempt to solve that problem, we will continue to have this major problem.

There is also no penalty for the illegal alien for entering other than being hauled back across the border.

What kind of people are coming over? They are good people. The overwhelming majority are good, hard-working, honest people but they are in desperate straits. These people come here for the same reasons that our grandparents and the ones before them came. They came for an opportunity to work. The situation in Mexico is difficult. Unemployment is something like 50 percent. These people come because they want to support their families and they want to work. They perform work that, for whatever reason, our people cannot or will not do. The point is that is against the law, it is illegal, and when they live here they live in desperate situations.

In northern San Diego County, an area which I am privileged and proud to represent, there currently are camps of upward of a thousand people living in each camp. They are probably illegal aliens or undocumented workers. They live in squalor and in highly unsanitary conditions, which is dangerous and inhumane.

We are asking for a substantial increase in the border patrol funding for border patrol positions. I want to commend my colleagues, the gentleman from New York (Mr. FISH) and the gentleman from California (Mr. LUNGREN), from the Committee on the Judiciary for taking a very special interest and I am sure they will speak later today on this subject. They have a very special interest in this overall problem.

We do not have an amendment for this bill at this time, because we have some homework to do between now and when the bill goes through the Senate, and we will do that homework, indeed the chairman of the committee and the ranking member have promised their cooperation. The reason we need the additional positions is to send the right signal to our understaffed border patrol, as well as to the Republic of Mexico who have been very cooperative, particularly at the current time. The Republic of Mexico now is recognizing the seriousness of this problem and they want to cooperate with us. It will send the right signal if we enlarge the border patrol at this time. The morale is very, very low. We are asking a handful of men and women to do an impossible task. At any one time the number of border patrol agents active in the field on that border could be 30 or 40, attempting to stem a tide of several thousand every day. It is impossible. There is no earthly way they can do it.

I merely ask for the understanding of this House and this Committee.

Mr. Chairman, we are sitting on a virtual powder keg. This situation is explosive. It is wrong. Either the law should be obeyed and enforced or the law must be changed.

There are ways to make much of what is occurring legal and manageable without totally opening the border and having no restriction at all and without having the massive illegal immigration that we now are having.

Again, I want to call this problem to the attention of my colleagues. The San Diego newspapers are filled with it. It is headline news every day. We have met with the border patrol wives. There is a very dangerous situation here because hungry and desperate people can do things that ordinarily they would not do.

I again want to thank the Committee for its understanding. It is my complete and firm belief by the time this bill comes to conference, is finally sent to the President for enactment into law, we will have these positions because we will have overwhelming and conclusive proof to support our case.

I thank the Chairman.

Mr. O'BRIEN. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. LUNGREN).

Mr. LUNGREN. Mr. Chairman, I would like to reiterate much of what has been said already by the gentleman from California (Mr. BURGNER). In a "Dear Colleague" letter I sent out with my colleague, the gentleman from New York (Mr. FISH), I indicated it was our intent to bring forward an amendment to address the problem. As has been suggested by the gentleman from California (Mr. BURGNER) we will not do this today, but we have every firm belief that as we prove our case over the next couple of weeks that the ultimate outcome of this bill will be such that we will have an increase in the border patrol.

Let me just address this question for a few moments and suggest to you the urgency with which this matter must be addressed.

In the Chula Vista sector, in just that 65-mile border between California and Mexico that is basically centered in San Diego, they have had over 51,000 apprehensions of illegal aliens last month. That is last month. The rate of apprehensions in the El Centro section, which is the bordering section along that border has gone up over 2.061 percent from 1960 until last year and it is even higher today.

Recognizing this problem, the President of the United States, President Carter, said sometime ago that we needed to add 2,000 employees to the border patrol and, in fact, he said that in the presence of the INS Commissioner, Mr. Castillo. Mr. Castillo's response to the President's public urging for this was to develop programs that would allow that amount of manpower to come onboard.

But what has been the final response of the administration? Well, the INS, following the President's lead, suggested

that about 1,200 additional men and women be hired under the fiscal year 1980 budget.

□ 1100

Then that proposal went to the Justice Department and when it got through at the Justice Department, that had been pared down to 202 additional.

Then it went to OMB. What happened at OMB? Not only did they take out the 202 additional that the Justice Department thought was necessary, but they actually reduced the authorized and appropriated level of border patrol agents by 293 positions from that of fiscal year 1979.

When we brought some of the people involved in this process before our committee, I asked the No. 2 man at INS why the administration had done this and the specific reason given, in the words of Mr. Noto, was because the pressure on the border was less this year than it was a year ago.

In response to that, I went for 4½ days to all the border stations from El Paso across our southern border to San Diego and asked every border patrol officer whether that characterization was correct. I cannot in this context tell you exactly what they said, because what they said is unprintable; but the fact of the matter is that we are having more difficulty on the border than we ever had before. I spent several hours sitting on the banks of the Rio Grande River talking with illegal aliens as they came across, because if you go to downtown El Paso you will see the Rio Grande is cemented and the actual river is not 1½, 2½, or 3½ feet deep, but a couple inches deep, and you can tiptoe across.

What happens is many illegal aliens come across and sit on the levee on our side and wait until the lone border patrol officer who happens to be in that area goes by and then they come in by the hundreds. These are not people that are coming here because they want to do harm to this country. These are people who are coming here because they have no opportunity for work. They have no opportunity for sustenance for their families in their own country.

I believe we urgently need a comprehensive program in this country to address it; but in the meantime and as an element of any such program, we absolutely have to bolster the border patrol.

Things are so bad in the San Diego area that three weekends ago for the first time we had serious gunfire there. We had rifle shots across the border against the border patrol. There are gangs that are subjecting the illegal aliens and the people who live legally on both sides of the border to attack. The fact of the matter is that this is allowed to occur because this country and this Federal Government will not address the serious question of illegal immigration.

My colleagues. I suggest that this is a Federal responsibility. No State has the authority under the U.S. Constitution to control the border, only the Federal Government can do that.

I truly believe that if the U.S. Capitol were located in the Southwest United

States, we would have solved this problem by today; but, unfortunately, because we are so far away, because the problem is several thousand miles away, we fail to realize the importance and the impact of this.

I would suggest that the attention of my colleagues be directed to this problem and some of its solutions as seriously as possible and as immediately as possible.

Mr. SLACK. Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Chairman, first of all, I would like to compliment the chairman of this subcommittee. Of the various subcommittees that I have had the opportunity to serve on during my tenure in the House, I have not worked with anyone that is more cooperative, both with the Members of Congress that serve there, nor with the members of the various agencies that appear before that committee than the chairman of this subcommittee.

Also, I would like to compliment the members of the subcommittee, who together with the chairman worked in a spirit of cooperation, one of conciliation, negotiation, and compromise with the various issues that are presented for consideration before this committee. It is, indeed, a smooth operation and one that I am proud to be associated with.

Later on in the morning I am advised that there will be amendments offered to this bill, and more particularly I am interested in some proposals that are to be offered to the provisions that have been appropriated for the Bureau of Oceans and International Environment and Scientific Affairs.

Now, I would like to say at this time, while I see Members in the Chamber with whom I have spoken concerning this Bureau, that the committee has looked in depth into the operations of this Bureau for the last several years and that at the proper time we will be prepared to address those issues as they are presented for consideration and debate and resolution in the House today.

I notice that there are a number of "Dear Colleague" letters that have circulated with reference to the Bureau of Oceans and International Environmental and Scientific Affairs. Frankly, I am somewhat surprised that our Members in the Congress are unaware of the activities of that Bureau as reflected in the naivete of those "Dear Colleague" letters. When that issue is presented, the issue will be fully debated, at which time I am sure that the other Members of this body and our colleagues here will welcome the revelations that will be revealed at that time.

I thank the chairman very much for the good work the gentleman has done.

I thank the members of the staff and the Members of the other side for the cooperation they have given me in the interests I have expressed. I look forward very much to working with them during the months ahead.

Mr. SLACK. Mr. Chairman, I yield 2

minutes to the distinguished gentleman from Arizona (Mr. RUDD).

Mr. RUDD. Mr. Chairman I want to commend our distinguished colleague from West Virginia, the chairman of the Subcommittee on State, Justice, Commerce, Judiciary Appropriations (Mr. SLACK), and the distinguished ranking minority member (Mr. O'BRIEN), for their efforts to reduce spending wherever possible in this bill.

The bill provides budget authority that is \$321 million below the total requested in the President's fiscal year 1980 budget for comparable items, and it is my own view that these cuts were judiciously made so that programs involved would not be adversely affected.

It was with great interest that I noticed the recent action of the House to increase by \$1.8 million the authorized amount for antiterrorism activities of the Federal Bureau of Investigation. It is my hope that the House will see fit to accommodate that proposal in this bill.

Authorizing legislation already passed by the Senate has also provided modest but vitally needed increases for the FBI to help bolster crime-fighting in the areas of bank robberies, organized crime, white collar crime, as well as for foreign counterintelligence and general law enforcement training.

These authorized increases over the President's request for the FBI in Senate action amount to \$8.3 million, and it is my hope that this bill can be adjusted to accommodate these vitally needed funds for anticrime, antiterrorism, and counterintelligence operations.

I was also greatly impressed by the committee's firm action in its report to direct an end to metric conversion advocacy and promotion by the U.S. Metric Board, and to cut the Board's requested appropriation by a substantial amount to help enforce that directive.

The Metric Conversion Act of 1975, which established the Metric Board, was intended to provide Federal assistance to any organization or person in the private or government sector who requested assistance to convert to metric measurement on a voluntary basis.

However, since its inception, the Metric Board has become an advocacy group promoting metric conversion, in violation of the intent of Congress.

For example, the Board has just taken on a nationwide advocacy campaign to get retail gasoline dealers to switch their gas pumps to sale of gasoline by liters instead of the tradition gallon or other customary unit.

This is in spite of a great deal of evidence provided to the Board that such a massive change would create havoc among consumers and the petroleum industry, not to speak of the impact such a change would have on the rest of our economy.

The committee has instructed the Metric Board in its report accompanying this bill to implement the recommendations of the Comptroller General in his October, 1978, report to Congress on the metric issue.

Those recommendations of the Comptroller General were as follows—

1. Inform the American people that conversion is strictly voluntary and that our national policy does not favor the metric system over the customary system, or vice versa.

2. Ensure that its policies and actions do not advocate or discourage the use of one system over the other.

3. Ensure that if a voluntary metrication proposal is presented to the Board, all affected parties are adequately represented in the voluntary decisionmaking process.

4. Hold public hearings on those conversion plans that affect the general public to obtain their comments which should be considered in finalizing such plans.

5. Make provisions to handle questions and complaints by the general public in an expeditious manner.

6. Adopt a national metric symbol (logo) to be used only on materials that the Board has reviewed for accuracy and completeness and make the public aware of this designation.

7. In planning and coordinating conversion activities of U.S. industries involving the adoption of international standards, give consideration to those conversion activities that have taken place, such as that of the U.S. fastener industry in its attempt to achieve (1) adoption of its proposals for international standards and (2) the benefits of standardization and rationalization.

8. Use the experience gained in the conversion of the wine and distilled spirits industries in reviewing plans for other sectors, especially those involving consumer products.

9. Develop avenues through which the States may define their roles and coordinate appropriate voluntary conversion activities among other States under the current national policy.

10. Ensure that State education agencies and the U.S. Office of Education coordinate the timing of metric conversion in education so that metric instruction in schools will be in phase with the needs of the Nation in order that time, effort, and money will not be expended to develop and teach a predominantly metric program to students for a still nonmetric society. Educators must be reminded that U.S. policy at this time is voluntary, which includes the option not to convert.

11. Consider the information and specific recommendations contained in the chapters of our report in reviewing any conversion plans submitted to the Board.

12. Gasoline pump computers may have to be changed because of the increasing unit price per gallon. Therefore, we recommend that the U.S. Metric Board advise the petroleum industry of the conversion plans, if any, of other related consumer products. The petroleum industry then can plan for the volume unit price change to the quart or liter depending on what measuring system other consumer products will be sold by.

Mr. Chairman, a primary intent of Congress in passing the 1975 act was to insure that the Federal Government in no way impose or advocate the use or adoption of metric weights and measures upon the American people, and this intent has now been reaffirmed by the action of the House in connection with this appropriations legislation.

The Comptroller General's metric report recommendations, which the U.S. Metric Board has now been directed to implement, also included specific recommendations for other agencies of the Federal Government.



These recommendations of the Comptroller General were as follows—

**RECOMMENDATIONS TO THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, IN WORKING WITH THE U.S. METRIC BOARD**

1. Clarify for Federal agencies what they are expected to do in regard to planning and coordinating any increased use of the metric system.

2. Ensure that Federal agencies establish policies consistent with the intent of the Metric Conversion Act of 1975 and inform the private sector of Federal metrication plans whenever appropriate.

3. Ensure that Federal agencies convert regulations or mount other metrication activities when the initiative comes from the sectors which will be affected—industry, the States, and the general public. Federal agencies should only initiate action when they can demonstrate that such action is in the Nation's best interest.

4. Require that Federal agencies inform the public of the impact of those conversion actions that affect them and hold public hearings to obtain their comments which should be considered in any final determination on such actions.

**RECOMMENDATIONS TO THE SECRETARY OF TRANSPORTATION**

1. Because of past actions by the Department, the importance that the voluntary aspect of our current national policy be complied with, and Departmental metrication activities may adversely affect the Nation, we recommend the Department of Transportation adopt metrication policies, change regulations to metric specifications, or mount metrication activities only when the initiative comes from the sectors which will be affected—industry, the States, and the general public. In such cases, the Department should inform the public of the impact of those conversion actions that effect them and hold public hearings to obtain their comments which should be considered in any final determination on such actions.

2. To help ensure that the measurement terms used for automobile tires are those consumers are most familiar with, we recommend that the National Highway Traffic Safety Administration be directed to reevaluate the requirement that P-metric tires show the metric units as the predominant measurements on tire sidewalls. In selecting the measurement terms to be used, the Safety Administration should consider whether it is to consumers' interests to convert tire consumer information to metric. Uniform requirements should be established for all automobile passenger car tires.

**RECOMMENDATION TO THE SECRETARY OF COMMERCE**

We recommend that the Secretary instruct the National Weather Service to delay implementing the proposed plan for metrication of weather reporting until there is a clear public demand or a firm national decision to convert to the metric system.

**RECOMMENDATION TO THE SECRETARIES OF TRANSPORTATION AND COMMERCE**

We recommend that the Secretaries of Commerce and Transportation report to the Congress what actions need to be taken to provide adequate available air service to insure tire safety and longevity to the general public, particularly since the tire industry began introducing metric tires.

**RECOMMENDATION TO THE SECRETARY OF HEALTH, EDUCATION AND WELFARE**

We recommend that the Office of Education be directed to clarify its publications and other communications regarding metric

education to show that the U.S. policy is one of voluntary conversion. It should also encourage schools to time their progress to predominantly metric instruction to conform to the conversion trends of industry, government, and other sectors in the communities where students will live and work.

**RECOMMENDATION TO THE SECRETARY OF THE TREASURY**

1. In view of the difficulties in converting the wine industry's records into customary units for the purpose of determining Federal tax liabilities and the likelihood that similar problems will occur in the distilled spirits industry, we recommend that when appropriate the Secretary request that the Congress amend the Internal Revenue Code to tax wines and distilled spirits on the basis of metric quantities.

2. To ease the wine and distilled spirits industries' recordkeeping burden, the Secretary should review the Bureau's statistical reporting requirements and convert them to metric when appropriate.

3. The Secretary should also expand its public awareness program to better inform consumers about the size and price changes being made to wines and distilled spirits.

4. The Secretary should require the Director, Bureau of Alcohol, Tobacco and Firearms, to reevaluate the metric-container sizes adopted for distilled spirits. Specific consideration should be given to replacing the 1.75-liter and the 200-milliliter sizes for distilled spirits with sizes which would facilitate price comparisons consistent with consumer needs.

Mr. Chairman, these recommendations of the Comptroller General resulted from the General Accounting Office's 5-year nationwide survey of the costs and impact associated with metric conversion. In essence, they coincide with the directive accompanying this bill that Federal agencies stop advocating or pressuring metric conversion, since it is not our national policy to abolish our customary measurement system and switch to metric.

The report accompanying this bill instructs the U.S. Metric Board to implement these recommendations of the Comptroller General in this October 1978, report to Congress.

Mr. Chairman, since the Metric Board is required by statute to coordinate metric activities of all Federal agencies, and since the recommendations of the Comptroller General which the report has directed be implemented also involve other Federal departments and entities, I would like to propound a question to the chairman of the subcommittee, the gentleman from West Virginia (Mr. SLACK): Is it the intent of the committee in its report directive that all Federal entities abide by this mandate not to advocate or impose the use or adoption of metric weights and measures, and that they each implement the recommendations of the Comptroller General in his October 1978, report to Congress on the metric situation?

Mr. SLACK. Mr. Chairman, the gentleman is absolutely correct.

Mr. RUDD. Mr. Chairman, I thank the gentleman for this clarification.

Mr. O'BRIEN. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. BETHUNE).

Mr. BETHUNE. Mr. Chairman, it is

my understanding that the Fish Farming Experimental Station in Stuttgart, Ark., will be forced to shut down its warmwater fish research, extension and diagnostic operations this fall unless we correct a serious administrative oversight by restoring \$157,000 in deleted Commerce funds.

Since 1972, the Stuttgart laboratory has received Federal funds under a contractual agreement between the Departments of Commerce and Interior to provide valuable research, extension and disease prevention services to the commercial fish farming industry. The two Departments reached this joint agreement in 1970 when the President's Reorganization Plan No. 4 moved all marine and commercial fisheries projects out of the old U.S. Bureau of Commercial Fisheries at Interior to the newly established National Oceanic and Atmospheric Administration (NOAA) at Commerce. Since catfish research is a freshwater project, and the Interior Department conducts primarily freshwater programs, NOAA has traditionally contracted this type of funding out to the U.S. Fish and Wildlife Service. This year, the Commerce Department unexpectedly dropped the \$157,000 from its fiscal year 1980 budget, but in doing so, failed to notify the U.S. Fish and Wildlife Service of that decision. By the time the Interior Department learned of the Commerce Department's action, it was too late for this amount to be added to their fiscal year 1980 budget. As a result of this bureaucratic lack of communication, the country will lose its only Federal facility with the specific role of research, extension and diagnostic services for commercial fish farmers.

In fiscal year 1979, this \$157,000 amount represented 35 percent of the total operating budget of the Stuttgart station. Mr. Jim Malone, president of the American Fish Farmers Federation, and officials at the Fish and Wildlife Service, have said this cutoff of funds would cause a significant and severe reduction in the available services currently provided by the Stuttgart facility to commercial fish farmers in the United States and internationally.

Before the Stuttgart laboratory was established in 1960 under Public Law 85-342, little was known about the causes and treatments of fish diseases or proper pond management to insure good harvests. Fingerlings for stocking were expensive and difficult to obtain, and even if fish were harvested, processing and marketing mechanisms did not exist. The Stuttgart station was instrumental in determining nutritional requirements for commercial fishes and developing practical spawning and fry-rearing techniques for stocking.

Pond management techniques were developed to insure good water and fish quality. Fish diseases were diagnosed and drugs for their treatment developed. National diagnostic assistance and extension was provided to the new and practicing warmwater fish farmer, and informational support was given to foreign governments with fish farming interests.

Due to these and other technological advances at the Stuttgart laboratory, there has been a tremendous surge in the commercial fish farming industry since the 1960's. Currently over 60,000 acres of channel catfish are produced with a farm value of \$70 million annually, compared to 400 acres and \$100,000 in 1960. Production has increased from a 1,200 pounds per acre average in 1961, to somewhere between 3,500 and 6,000 pounds per acre today.

If the present NOAA contract expires September 30 this year without replenishment, the station will be unable to overcome this loss because all of their funds are committed to ongoing research. The laboratory will lose five professional staffers in water quality and a significant portion of their administrative funds as well.

Mr. Chairman, this \$157,000 is precisely the level at which the Stuttgart Station is currently funded by the Department of Commerce. This would not be a new appropriation or a funding increase. I will be working with Members of the other body to have funding provided and hope it will be acceptable to Members of the House.

□ 1110

Mr. O'BRIEN. Mr. Chairman, will the gentleman yield?

Mr. BETHUNE. Yes; I yield to the gentleman from Illinois.

Mr. O'BRIEN. Mr. Chairman, I share the gentleman's comments relative to the merits of the case. The chairman and I believe this may have slipped by the two departments, Commerce and Interior, and was overlooked. We will do what we can to help correct the situation.

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

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

Mr. ALEXANDER. Mr. Chairman, I compliment the gentleman on his discovery of the omission by the administration in providing funding for this important function in the gentleman's district in Arkansas, and I wish to pledge my support to do whatever I can to accommodate the gentleman's interests.

Frankly, I would like to add that I am surprised at the lack of diligence by those persons who are responsible for this important function, failing to recognize the lack of funding and failing to demonstrate some interest both by the administration and to the Congress in the continued funding of this operation.

Mr. Chairman, the gentleman from Arkansas (Mr. BETHUNE) should be complimented for his alertness and awareness and for his representation of this important function.

Mr. BETHUNE. Mr. Chairman, I thank my colleague for his statement.

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

Mr. BETHUNE. Yes; I yield to the chairman of the subcommittee.

Mr. SLACK. Mr. Chairman, the gentleman has made excellent points. He has spoken very well with respect to the merits of this program. It is a good program.

Let me assure the gentleman that he

will have the support of this committee in attempting to work out a solution, and this will be done in the immediate future.

Mr. BETHUNE. Mr. Chairman, I thank the distinguished chairman of the subcommittee, and I yield back the balance of my time.

Mr. O'BRIEN. Mr. Chairman, I yield 6 minutes to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, the bill we have under consideration today includes appropriations for the Immigration and Naturalization Service. The authorizing legislation came out of our subcommittee of the Judiciary Committee. The INS performs many important service functions. I want to call to the attention of the House today, a significant enforcement problem faced daily by the Immigration Service's border patrol. The patrol is charged with the duty of maintaining the integrity of our land borders between ports of entry. And we all know, our Southwest border is an area that has been crossed illegally by literally millions of aliens.

Unfortunately, the present strength of the border patrol is overwhelmed by the influx across the border of illegals. Morale is low and the dangers inherent in the job on the increase. The administration's budget for this year does not, in my estimation adequately provide the border patrol staffing needed to fulfill its mission to control our borders. In fact, unbelievably it provides for 293 positions less than are authorized and appropriated for in fiscal year 1979. At a time of increased pressure and violence on the border, we are in effect at fiscal year 1978 strength.

The subcommittee chairman, the gentleman from West Virginia, and the ranking minority member, the gentleman from Illinois, have shown an acute understanding of the problem. I know the subcommittee has traveled to the Southwest—as have I—to view personally some of the problems faced by the Immigration Service. The bill reported by the Judiciary Committee authorizes 495 additional border patrol personnel for fiscal year 1980. This figure is arrived at by adding to the rollback of 293, the 202 requested by Department of Immigration. I trust that the Appropriations Subcommittee will continue its interest in this problem and will consider additional requests for funds to staff those positions.

INS Commissioner Castillo testified before the Judiciary Committee this winter:

We also have continuing reports from the field of even more severe pressures on them (referring to border patrol personnel). We have continuing reports of more violence, of more necessity to cover more areas, and we tried to respond to that need by requesting the people we thought were still within the guidelines that the President had set "... and again," with more border patrol people, we can have more effective patrol.

At any given time today, there are no more than 350 border patrol officers along the almost 2,000 mile Mexican border. Testimony at our hearings was that often there is no response to sensor

device signals and visual sightings of aliens crossing the border because of lack of staff. This spring the increasing violence has led to two-man patrols. This will further reduce the number of units able to respond when needed.

The more conservative estimates by Border Patrol officers are that for every alien apprehended at the border, at least one and perhaps more aliens successfully enter the country. I asked Commissioner Castillo whether he had any reason to think that it is less than a 1-to-1 relationship. His answer was "no, there is no evidence that would indicate less. It is all in the other direction."

At the border during fiscal year 1978, there were 835,000 apprehensions. Using a 1-to-1 ratio at least that many aliens entered our country across our border illegally. I suspect that the true figure is higher.

Actual experience proves the case for increased personnel. In June 1977, INS detailed 100 additional Border Patrol officers to the Chula Vista, San Diego County, sector in what was known as Operation Shortstop. During the 4 months of that effort, over 192,000 apprehensions were made. This represents 1,109 apprehensions per man-year, in contrast to the regular rate of 800 apprehensions per man-year in that particular sector. When the Border Patrol has sufficient manpower and support personnel to allow officers to engage in patrol functions rather than support duties, efficiency increases dramatically.

Press reports on July 7, 1979, indicate a record number of illegals being apprehended—almost 1,600 per day or 1,190 apprehensions per man-year. Would assigning an additional 100 personnel to this sector result in 119,000 more apprehensions per year? Not necessarily.

The visible presence of the Border Patrol also has the effect of deterring illegal entry; few aliens attempt to cross the border if they see the Border Patrol, but I personally have seen persons wait, on the Mexican side of the border, for the undermanned Border Patrol to pass by so they can cross into the United States illegally.

The increased pressure on our southwest border coincides with Mexican Government efforts to crack down on alien smugglers on their side of the border. It would be a gross dereliction not to respond to Mexican efforts to cooperate.

My colleagues, it is clearly preferable, less expensive, and more humane, to apprehend undocumented aliens at the border. Once an alien enters our country undetected, he or she is more difficult to locate and to remove from the interior; involving a significantly higher cost per alien to do so.

No one should be left with the impression that manpower in any numbers along our southwest border—even as highly trained and professional as our border patrol—is the total answer. As long as there are economic incentives for the unemployed and hopeless to seek work in the United States, they will continue to risk entering illegally.

Our Committee on Immigration and Refugees has waited patiently and recep-

tively for a range of legislative initiatives from the administration—from tightened anti-smuggling laws and sanctions against employers who make a market for smuggling, to an organized, humane documented worker program.

As my colleagues know, the problem in Mexico is economic. Hopefully, the existence of huge oil and gas resources will provide the opportunity for economic development to create the needed employment and reduce the pressure to leave home.

The United States has an opportunity that is clearly in the self-interest of both nations. The times call for a partnership of full equality with Mexico based on mutual respect. It is an exciting challenge—one that could go far to meet many basic problems. The vision only awaits necessary policies and actions.

The CHAIRMAN. The time of the gentleman from New York (Mr. FISH) has expired.

Mr. O'BRIEN. Mr. Chairman, I yield an additional one-half minute to the gentleman from New York (Mr. FISH).

Mr. SLACK. Mr. Chairman, may I ask the gentleman if he needs some additional time?

Mr. O'BRIEN. We could use some additional time.

Mr. SLACK. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. O'BRIEN).

Mr. O'BRIEN. Mr. Chairman, I thank the gentleman, and I yield 2 additional minutes to the gentleman from New York (Mr. FISH).

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

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

Mr. LAGOMARSINO. Mr. Chairman, I want to thank the chairman of the subcommittee, the ranking minority member, and the gentleman in the well for yielding.

I want to say that I certainly subscribe to what the gentleman in the well has said, as well as to what my colleagues from California (Mr. BURGNER) and (Mr. LUNGREN), have said.

It seems to me to be very clear indeed that if we are going to have a law on the books with respect to immigration and if we are to keep the respect of the American people in our system of justice, we are going to have to enforce that law. We can and should talk about changing that law, and the various proposals, some of which the gentleman in the well has enumerated, and many of which I support are very worthy of support. I would suggest one of the highest priorities in this country should be to do something about this very severe problem. It is not only a problem for us but even a greater problem of our sister republic to the south, Mexico. One immediate way to help solve the problem is by increasing the strength of the Border Patrol.

So, Mr. Chairman, I commend the gentleman in the well and all other Members involved for their remarks on this issue.

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

I would like to add that we have waited in our committee for the better part of 5 months to get the benefit of initiatives from the administration.

In closing, let me say to my colleagues that despite the problems, there are opportunities that lie ahead that I think are very constructive. For the present, however, we must deal responsibly with the immediate threat to our borders, the needs of our Service, and the integrity of our laws.

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

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

Mr. KAZEN. Mr. Chairman, does the gentleman from New York (Mr. FISH) have an amendment he will offer to bring back some of these provisions in the bill?

Mr. FISH. Mr. Chairman, I did propose to introduce an amendment that would bring the strength up to the authorized level of the Committee on the Judiciary of the House. This amendment will not be offered today. It will be offered, however, in the Senate, particularly providing 495 additional border patrol personnel.

Mr. KAZEN. Mr. Chairman, I would hope that would be done, because it will do us no good to talk about our shortcomings unless we are prepared to try to correct them.

□ 1120

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

Mr. FISH. I yield to the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, the Congress has authorized a Select Commission on Immigration and Refugee Policy to make a study and report back in 1981. I would like to call attention to the fact that in this bill we have provided \$1,600,000 for this Commission.

The CHAIRMAN. The time of the gentleman from New York (Mr. FISH) has expired.

Mr. SLACK. Mr. Chairman, I yield 2 minutes to the gentleman from New York.

Mr. Chairman, this committee has been well aware of the problems along the border for some years. As a matter of fact, last year we held hearings in Los Angeles. It is the first time that this committee has ever gone out of the city of Washington for hearings, I might add.

The Attorney General has said within the last couple of months that the Immigration and Naturalization Service has no policy, no management; as a matter of fact, it has a system of non-management. So dollars are not always the answer to these problems. However, I have assured the gentleman in the well, who has an amendment, that we are going to work very closely, and we are going to attempt to beef up the Border Patrol.

I can assure the gentleman from Texas that this will be done.

Mr. KAZEN. I thank the gentleman.

Mr. FISH. I thank the gentleman.

● Mr. MAVROULES. Mr. Chairman, I rise before you today to speak in behalf of the amendment being offered by the Honorable Mr. BIAGGI. The amendment which is before us is the only method that we as Members of this Congress can employ to guarantee to the people of Ireland and to the American people that we

do not intend to allow, authorize, condone or sanction the continued selling of arms to the British Government for their eventual delivery to the constabulary forces in Northern Ireland.

Mr. Chairman, in the early days of June of this year, the American people were informed that their State Department had authorized the sale of 3,000 handguns and 500 automatic rifles to the Royal Ulster Constabulary Police in Northern Ireland by a Southport, Conn., manufacturer. When questioned about this sale and the granting of an export license for its expedition, Mr. Matthew Nimetz, a counsel to Secretary of State Vance, responded, and I quote:

It was done with approval. Our people thought it was all right.

Well, Mr. Chairman, maybe the counsel and the people of the State Department think it is all right for the United States to demand peace in all parts of the world and simultaneously sell arms to further destroy that peace, however, I do not agree that we have any right in the name of human justice and human rights, to perpetuate this insanity. The atrocities which have taken place in Northern Ireland, and continue to take place as I stand here today, are painful testimony to the death and destruction caused by our State Department authorizing these arms exports.

Mr. Chairman, I do not condone the use of violence and force for the settlement of any issue. And I believe that it is the intent of the American people not to condone the use of arms in any part of the world, including Northern Ireland. But yet, we stand here and listen over the years to the rhetoric stating that the Northern Irish question is an internal British problem. We have over the years, severely criticized and even prosecuted American citizens who have chosen to ship armaments to Northern Ireland. However, now we find out that while we have prevented the shipment of arms to relatives and friends in Northern Ireland, we as a government have not only allowed the shipments but in fact have licensed and facilitated the delivery of these arms. This insane and ridiculous contradiction must be stopped.

As Members of Congress, we are the only ones who can prevent this travesty from occurring ever again—if it is our intent to have an impact on the peace of the world, then let us begin with this small step toward a sane and just atmosphere for peace. Not only will this amendment be a significant effort at bringing to an end the continued oppression of the Catholic minority in Northern Ireland, but it will serve as a notice to other human rights violators in other parts of the globe that we are in fact true to our commitment to the world—a world which looks to us for leadership and guidance in the search for a just and everlasting peace for all mankind.

Mr. Chairman, I call upon my colleagues to reaffirm their dedication to the principles of humanity, I call upon them to support the amendment to H.R. 4392. And let us put peace before politics. ●

● Mr. RODINO. Mr. Chairman, I want to commend the gentleman from Mississippi and the gentleman from West Virginia for bringing this bill to the floor for

consideration. The Committee on the Judiciary has a special interest in the operations of the Department of Justice, and I am pleased that H.R. 4392 represents careful attention to the Department's budget needs for fiscal year 1980.

Notwithstanding the importance of this bill, however, and notwithstanding the need to complete action on the Justice Department's fiscal year 1980 appropriation, I am concerned and disappointed that once again this year we are faced with appropriating funds for this agency before they have been authorized.

As you know, clause 2 of rule XXI of the Rules of the House provides that:

(N)o appropriation shall be reported in a general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

But for that important provision to have any real meaning it is important that the authorizing bills in fact reach the floor ahead of the appropriations legislation. Points of order, of course, can always be waived as House Resolution 314 waives them here, but the logical approach to spending bills is then lost.

Rule XXI is designed to enhance the capability of the Congress to review the performance and to set the priorities of the executive branch. It gives the legislative committees the opportunity to establish the policy and spending boundaries for the areas of Government within their rule X jurisdiction, and it allows for important guidance to the Committee on Appropriations.

Perhaps most important, the rule greatly enhances the oversight leverage of the various committees—the budgetary authorization responsibility carries with it a most persuasive means for obtaining necessary information.

The Justice Department authorization process is particularly important, I think, both because of the nature of that Department's responsibilities and because this particular authorizing process was specifically mandated by the Congress only 3 years ago. Fiscal year 1980, in fact, is only the second year of the existing statutory requirement that these appropriations be specifically authorized.

The Department of Justice was created by act of Congress in 1870, more than a century ago. And legislative jurisdiction over virtually every activity within the Department reposes in the Judiciary Committee. Yet until 1 year ago the Department had never been required to come before the Judiciary Committee, nor indeed before the Congress at large for authorization of its annual appropriations.

The act of 1870 creating the Department, and the subsequent creation of subdivisions within the Department and the authorization of certain Department activities were treated in themselves as the requisite authorization of appropriations.

In 1976, however, the Congress felt it was time to put an end to this unique standing authorization. It enacted Public Law 94-503, title II of which explicitly states that beginning with fiscal 1979 specific authorizing legislation is now required in order for the Justice Depart-

ment to qualify for the appropriating process.

A year ago, however, when the process first began, it was unfortunately and inadvertently undermined by the floor schedule. Despite the fact that the Judiciary Committee met its May 15 Budget Act deadline, the appropriations bill was long enacted—passed and signed by the President—before the authorization bill conference report reached the floor during the marathon windup weekend last October. And perhaps even more disturbing, the appropriations bill was basically written by the Senate because rule XXI points of order lay against the Justice appropriations in the House.

Now, again today we are faced with appropriating the Justice Department's budget before considering the bill to authorize it. The Judiciary Committee reported its authorization bill well in advance of the May 15 Budget Act deadline. The Rules Committee has reported a rule. And still we follow the illogical scheduling approach that confronts us today.

We have waived the points of order, but we have not corrected the basic problem.

My concern does not reflect on the quality of the work that went into H.R. 4392, but the matter of adherence to Public Law 94-503 is a subject that the House needs to address in the near future.

● Mr. RODINO. Mr. Chairman, I cannot express strongly enough my opposition to the gentleman from Texas who will offer the so-called busing amendment.

What this amendment asks us to do is nothing less than to effectively prevent the Justice Department from carrying out its constitutional responsibilities.

Mr. Chairman, a full quarter century after Brown against The Board of Education is hardly the time to prohibit the Federal Government from seeking appropriate remedies for unconstitutional segregation.

And let us be clear, too, about the true nature of the role of the Department of Justice. The sole enforcement authority of the Department of Justice with respect to school desegregation is to sue in Federal court under one of the several congressional acts forbidding unlawful racial discrimination in schools. Thus the Justice Department has no authority to require busing or any other means of correcting unconstitutional segregation. Rather, its responsibility has been and is to present the relevant facts and on occasion to suggest remedies to the appropriate Federal court, leaving to the judiciary the determination as to whether the facts show a constitutional violation and, if so, what remedy is appropriate.

Mr. Chairman, we must not waver in our commitment to constitutionally protected rights. And the right to equal opportunity is the most basic of these rights. Separate is not equal; and after having secured a judicial determination that a school district or its officials have discriminated against minority students, it is appropriate for the executive branch to seek implementation of a plan that will practically and effectively remedy

the proven constitutional violation. We are simply talking about basic adherence to the Constitution and to the 1964 Civil Rights Act.

Finally, Mr. Chairman, let me offer a comment on an assertion of the gentleman that 63 percent of all fuel used in transporting schoolchildren is for busing to achieve racial balance. Only an estimated 2 to 7 percent of all public school students being used are being bused pursuant to desegregation plans.

When the issue is the integrity of constitutionally protected rights, the issue of gasoline, of course, pales. But as long as it has been raised I think we should at least put the real figures in perspective.

Mr. Chairman, I urge a "no" vote on the amendment.

● Mr. JENNETTE. Mr. Chairman, although I support the bill before us—H.R. 4392, the State-Justice-Commerce appropriation—as reported by the Committee on Appropriations this bill poses one issue that is of particular concern to me. The committee has accepted the recommendation of the administration to abolish the U.S. Travel Service, which is part of the Department of Commerce, in fiscal year 1980. The administration, with the concurrence of the committee, would transfer the \$3 million of the USTS budget that provides for data collection, policy formulation, technical assistance and coordination with other governmental organizations to the Industry and Trade Administration. The committee has endorsed the view that the \$10.5 million which our Government now spends on tourism promotion through USTS can be eliminated without any significant effect on the Nation's overall promotion effort, and that the Government can better help to promote tourism with a shift of emphasis to the policy, data, and coordination functions.

I find no fault with the conclusion that these latter functions can usefully be strengthened. But I cannot agree that the promotion efforts of USTS can simply be eliminated without affecting our Nation's tourism industry. Given the intensely competitive nature of the international tourism industry, with widespread Government involvement, just makes no sense to me. The extensive advertising and travel promotion of the airlines, which the committee cites as justification for its position, are no substitute for the official network of promotional activities that USTS has operated overseas.

The House Committee on Interstate and Foreign Commerce, which has jurisdiction over the International Travel Act of 1961, has also investigated the matter this year. Commerce finds that the value of the USTS foreign promotion effort is considerable. While it is not really possible to determine precisely how many visitors have come to the United States solely as a result of USTS's efforts, the agency has been able to quantify results from three of its programs. Its efforts in tour development, incentive travel, and conventions over the last 4 years have had a cost/benefit ratio of \$18.60 in foreign exchange earnings for every USTS budget dollar. And

the agency has projected that 720,000 tourist arrivals and \$375 million in earnings will be the result of its efforts in 1979.

Let me mention also that the last several years of active USTS promotion activity has brought about a 15-percent drop in the U.S. tourism trade deficit. It has fallen from \$2.7 billion in 1971 to \$2.3 billion last year, the lowest level in a decade. While some of this must be attributed to the decline in the value of the dollar, there is considerable evidence that the efforts of USTS, and particularly its overseas offices, have also played an important role.

Furthermore, USTS acts not only to bring foreign tourists here, but also to channel more of them to the interior and Southern States. Without assistance, most foreigners would travel only in the Northeast and the most popular resorts in Florida and California. The travel service has promoted travel to other areas that are less well known, which helps to spread the benefits of the tourism trade.

The proposal to eliminate all tourism promotion under Government auspices ignores the fact that most of the world's governments compete vigorously for travel earnings. There are 125 nations operating national tourist offices. If USTS is eliminated, the United States will become the only industrialized Nation, and one of the few independent ones, without a national tourism office or tourist facilities in foreign countries.

Instead of elimination, the Commerce Committee has proposed in H.R. 2795, the International Travel Act Authorization for 1980, to reorient the promotional effort, with spending reduced and greater emphasis placed on USTS's overseas efforts. Under this bill, the USTS Washington staff, which has been the target of much of the criticism, would be cut by almost two-thirds. The funding level authorized for USTS would be cut from \$13.5 million to \$8 million. The bill also specifies that no more than 10 percent of these funds could be used for the expenses of Washington headquarters personnel, with the remaining \$7.2 million to be allocated to regional offices and activities.

Mr. Chairman, I believe this bill, which would cut the USTS funding level by more than 40 percent, meets the test both of providing more economy in government and placing greater emphasis on the part of the USTS effort which has the real payoff in tourist earnings in the United States. I intend to support H.R. 2795 when it reaches the House floor. And if Congress does adopt legislation along the lines of this bill, I would hope that my colleagues on the State-Justice-Commerce Appropriations Subcommittee would reconsider their position on this matter. I would urge them to accept funds for USTS in conference, if they should be added to H.R. 4392 by the Senate, or failing that, include funds for USTS at the reduced level in the fiscal year 1980 supplemental appropriation. ●

● Mr. VAN DEERLIN. Mr. Chairman, I would like to add my voice to those in support of funds for expansion of the border patrol.

My district abuts the Mexican border and includes the San Ysidro entry point. Not a day goes by that I do not receive letters from constituents whose backyards and streets have become pathways for the smugglers of illegal aliens. People complain that they cannot get a good night's sleep for the nocturnal smuggling activities in these neighborhoods.

The county of San Diego has recently identified several sites where illegal agricultural workers live in shanty towns of up to 1,000 inhabitants, lacking the most elementary health and sanitation facilities. The county approached the Immigration and Naturalization Service about clearing these sites up, only to be told that no border patrol officers could be spared. To provide the manpower for such an operation, a checkpoint elsewhere would have to be shut down, allowing even more illegal aliens to enter than would be apprehended.

In a visit to the border just 2 weeks ago, I saw first hand the most difficult and troublesome aspect of this whole problem. Our border patrol officers are being taxed beyond human limits. They simply do not have adequate resources to do the job. When 1 or 2 officers must arrest as many as 40 or 50 individuals, all the ingredients for tragedy are present. Violence is an inevitable by-product of this highly organized and amoral trafficking in human beings. The fewer the officers, the greater the peril.

Additional funding would enable the border patrol to restore the positions cut by the Office of Management and Budget from the 1979 authorized level and restore the positions OMB knocked out of the Justice Department's 1980 budget request.

Enabling the border patrol to hire these additional agents will not in itself solve the illegal alien problem, but it will relieve the pressure on the severely hard-pressed patrol agents and may save lives.

I would like to thank the distinguished Chairman for his consideration of this matter, and to express my appreciation for the fine and constructive work of the gentleman from New York (Mr. FISH) and my able colleagues from California, Mr. BURGNER and Mr. LUNGREN. ●

● Mr. PATTERSON. Mr. Chairman, I rise in general support of H.R. 4392 to provide appropriations for fiscal year 1980 for the Departments of State, Justice, and Commerce. The Appropriations Committee made a number of prudent and necessary reductions in the budget for the Commerce Department, however, I have some serious reservations about the cuts made in the Census Bureau's budget for the 1980 Decennial Census.

H.R. 4392 provides a total of \$554,676,000 for the 1980 Decennial Census. This amount represents a reduction of \$98 million from budget requests.

While I share the committee's concern about the extremely high cost of the 1980 Decennial Census, which has been estimated by the Census Bureau to be around \$960 million, I am just as concerned about the impact this cut will have on the

ability of the Census Bureau to insure against the serious undercount problem which occurred in the last census count. They have instituted a number of improvement programs and techniques designed to reduce the overall undercount in the 1980 census with particular emphasis on substantially reducing the differential undercount between whites and minorities. These improvement efforts include a program of local community review which will allow local officials to review the counts made by the Census Bureau in order to insure an accurate census count. The cost of this program has been estimated to be about 19.2 million and is the most costly of all the improvement programs planned by the Bureau. It is costly because field offices will have to stay open for a longer period of time for local officials to provide their input.

The Secretary of Commerce, Juanita Kreps, has indicated that she plans to eliminate the community review program if Congress acts to cut the full \$48 million for the 1980 census. I strongly oppose this action. The community review program is by far the most important program initiated by the Bureau for reducing the undercount and if it is cut, it will completely negate the other efforts by the Bureau to improve the census count.

There are other areas where these cuts can be made. The Appropriations Committee in its report on H.R. 4392, intended that reductions be applied to those improvement items identified during committee hearings as being of lesser priority, as well as the Bureau's contingency fund.

In testimony before the Appropriations Committee, the Census Bureau identified the community review program as being of second priority to other improvement programs which provide quantifiable results. The Census Bureau believes that the community review program is essential to the overall improvement efforts and are secondary only in relation to direct coverage improvement efforts with measurable benefits. I cannot agree with the Census Bureau's assessment. The community review program is vital if we are going to insure accurate counts in populations, particularly in those urban areas with large minority populations.

I do not need to belabor the importance of insuring accuracy in census count. It has a major impact on almost all federally funded programs which require census data. An accurate census count will obviously have an impact on the number of congressional seats allotted to the States.

While I am concerned about the size of the cuts made by the Appropriations Committee, for the decennial census, I will reluctantly support the bill. I feel that the committee has given the Census Bureau adequate leeway to make cuts in a number of other program areas. I do not feel that the Department of Commerce would be acting responsibly if it should in fact eliminate the entire community review program. ●

Mr. O'BRIEN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SLACK. Mr. Chairman, I have no further requests for time, and I yield back any remaining time that was allocated to me.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATION OF FOREIGN AFFAIRS  
SALARIES AND EXPENSES

For necessary expenses of the Department of State and the Foreign Service, not otherwise provided for, including obligations of the United States abroad pursuant to treaties, international agreements, and binational contracts (including obligations assumed in Germany on or after June 5, 1945); expenses authorized by section 2 of the Act of August 1, 1956 (22 U.S.C. 2669), as amended; telecommunications; expenses necessary to provide maximum physical security in Government-owned and leased properties and vehicles abroad; acquisition by exchange or purchase of vehicles as authorized by law, except that right-hand drive and security vehicles may be purchased without regard to any price limitation otherwise established by law and except that chief of mission vehicles may be replaced at a cost not to exceed \$6,500; \$709,700,000.

AMENDMENT OFFERED BY MR. CONTE

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

The Clerk read as follows:

Amendment offered by Mr. CONTE: On page 2, line 20, strike "\$709,700,000" and insert in lieu thereof: \$712,700,000".

Mr. CONTE. Mr. Chairman, at the outset, let me say that I very reluctantly offer this amendment because of my high respect and regard for the chairman of the subcommittee, the gentleman from West Virginia (Mr. SLACK), and the ranking minority member on the subcommittee, the gentleman from Illinois (Mr. O'BRIEN). I sat in the markup of this bill, and I felt that they did an outstanding job. I was, unfortunately, also in another markup when this item was taken up. I have had a lot of discussions with the gentleman who made the cut, the gentleman from Arkansas, and I had kind of hoped, in the weeks of discussion, that we would be able to resolve the issue; but, unfortunately, we have not been able to.

Mr. Chairman, I rise in support of the amendment to restore the \$3 million deleted from the State Department budget for the Bureau of Oceans and International and Scientific Affairs. This cut, which represents 51 percent of the Bureau's current budget will severely hamper its ability to deal with some of today's most crucial global problems. I am referring specifically to the environment, pollution, population planning, energy and nuclear nonproliferation, oceans and fisheries, and science and technology.

Numerous times we have heard the ominous warnings of those experts who claim the greatest threat to U.S. security lies not with enemy nations, but in the areas of population, energy, and food. I believe them. Even now we are on a collision course with the Earth's biological systems as we pollute and exploit our environment with little concern as to

what the future holds. Well, the future is right around the corner and the time to be concerned is now. It is imperative that the Earth's ecological systems receive greater attention and management than they have had in the past. And it is imperative that this management be on the international level. The United States cannot solve these problems alone. International cooperation is the key and OES our means for assuring this.

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

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

Mr. BINGHAM. I thank the gentleman for yielding.

Mr. Chairman, the gentleman is making a very important statement and, if it is in order, 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.

□ 1130

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. 321]

Abdnor	Boner	Crane, Philip	Flippo	Lewis	Roe
Addabbo	Bonior	Daniel, Dan	Florio	Livingston	Rose
Akaka	Bouquard	Daniel, R. W.	Foley	Lloyd	Rosenthal
Albosta	Bowen	Danielson	Ford, Tenn.	Loeffler	Rostenkowski
Alexander	Brademas	Dannemeyer	Fountain	Long, La.	Roth
Ambro	Breaux	Daschle	Fowler	Long, Md.	Roybal
Anderson	Brinkley	Davis, Mich.	Frenzel	Lott	Royer
Anderson, Calif.	Brodhead	Davis, S.C.	Frost	Lowry	Rudd
Anderson, III.	Brooks	de la Garza	Fuqua	Lujan	Russo
Andrews, N. Dak.	Broomfield	Deckard	Garcla	Luken	Sabo
Annuozio	Brown, Calif.	Derrick	Gaydos	Lungren	Satterfield
Anthony	Brown, Ohio	Derwinski	Gephardt	McClory	Sawyer
Applegate	Broyhill	Devine	Gibbons	McCloskey	Schroeder
Archer	Buchanan	Dicks	Gilman	McCormack	Schulze
Ashbrook	Burgener	Donnelly	Gingrich	McEwen	Sebelius
Aspin	Burlison	Dornan	Ginn	McHugh	Seiberling
Atkinson	Butler	Dougherty	Glickman	McKinney	Sensenbrenner
AuCoin	Byron	Downey	Goldwater	Madigan	Shannon
Badham	Campbell	Drinan	Gonzalez	Maguire	Sharp
Bafalis	Carney	Duncan, Tenn.	Goodling	Markey	Shelby
Bailey	Carr	Early	Gore	Marks	Shumway
Baldus	Carter	Edwards, Ala.	Gradison	Marlenee	Shuster
Barnard	Cavanaugh	Edwards, Calif.	Gramm	Marriott	Slack
Barnes	Chappell	Edwards, Okla.	Grassley	Martin	Smith, Iowa
Baum	Cheney	English	Gray	Matsul	Smith, Nebr.
Beard, R.I.	Clausen	Erdahl	Green	Mattox	Snowe
Beard, Tenn.	Clay	Erlenborn	Grisham	Mavroules	Snyder
Bedell	Cleveland	Ertel	Guarini	Mazzoli	Solarz
Bellenson	Clinger	Evans, Del.	Gudger	Mica	Solomon
Benjamin	Coelho	Evans, Ga.	Guyer	Michel	Spence
Bennett	Coleman	Evans, Ind.	Hagedorn	Mikulski	St Germain
Bereuter	Collins, Tex.	Fary	Hall, Ohio	Miller, Ohio	Stack
Bethune	Conable	Fascell	Hall, Tex.	Mineta	Staggers
Bevill	Conte	Fazio	Hamilton	Minish	Stangeland
Biaggi	Corcoran	Fenwick	Hammer-	Mitchell, Md.	Stanton
Bingham	Corman	Ferraro	schmidt	Mitchell, N.Y.	Stark
Blanchard	Cotter	Findley	Hance	Moakley	Steed
Boggs	Coughlin	Fish	Hanley	Moffett	Stenholm
Boland	Courter	Fisher	Hansen	Mollohan	Stewart
	Crane, Daniel	Fithian	Harkin	Montgomery	Stokes
			Harris	Moore	Stratton
			Hawkins	Moorhead,	Studds
			Heckler	Calif.	Stump
			Hefner	Mottl	Swift
			Heftel	Murphy, Ill.	Symms
			Hightower	Murphy, N.Y.	Synar
			Hillis	Murphy, Pa.	Tauke
			Hollenbeck	Murtha	Taylor
			Holt	Myers, Ind.	Thomas
			Holtzman	Myers, Pa.	Thompson
			Hopkins	Natcher	Traxler
			Horton	Neal	Trible
			Howard	Nedzi	Ullman
			Hubbard	Nelson	Van Deerlin
			Huckaby	Nichols	Vander Jagt
			Hughes	Nolan	Vanik
			Hutto	Nowak	Vento
			Hyde	O'Brien	Volkmer
			Ichord	Oakar	Walgren
			Ireland	Oberstar	Walker
			Jacobs	Obey	Wampler
			Jeffords	Ottinger	Watkins
			Jeffries	Panetta	Waxman
			Jenkins	Pashayan	Weaver
			Jenrette	Patten	Weiss
			Johnson, Calif.	Patterson	White
			Johnson, Colo.	Paul	Whitehurst
			Jones, N.C.	Pease	Whitley
			Jones, Okla.	Pepper	Whittaker
			Jones, Tenn.	Perkins	Whitten
			Kastenmeler	Petri	Williams, Mont.
			Kazen	Peyster	Wilson, Bob
			Kelly	Pickle	Wilson, Tex.
			Kemp	Preyer	Winn
			Kildee	Price	Wirth
			Kindness	Pritchard	Wolf
			Kogovsek	Pursell	Wolpe
			Kostmayer	Quayle	Wright
			Kramer	Quillen	Wyatt
			LaFalce	Rahall	Wyder
			Lagomarsino	Rallsback	Wylie
			Latta	Ratchford	Yates
			Leach, Iowa	Regula	Yatron
			Leath, Tex.	Reuss	Young, Alaska
			Lederer	Rhodes	Young, Fla.
			Lee	Richmond	Young, Mo.
			Lehman	Rinaldo	Zablocki
			Leland	Ritter	Zefteretti
			Lent	Roberts	
			Levitas	Robinson	

□ 1150

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

At the time the point of order was raised with regard to no quorum, the gentleman from Massachusetts (Mr. CONTE) had consumed 2 minutes in support of his amendment.

The gentleman from Massachusetts is recognized for an additional 3 minutes.

(By unanimous consent Mr. CONTE was allowed to proceed for 5 additional minutes.)

Mr. CONTE. Mr. Chairman, I want the Committee of the Whole House to know that this amendment which I offer, I offer on behalf of, not myself, but on behalf of the chairman of the International Affairs Committee, the gentleman from Wisconsin (Mr. ZABLOCKI), myself, and many other Members.

Mr. Chairman, the OES has been and will continue to be critical in the advancement of U.S. foreign policy objectives—if the Bureau is adequately funded. It serves as a central coordinating point between other agencies and private enterprises. OES provides U.S. representation in international negotiations and at international organizations. And it does so for areas in which international coordination and management are instrumental for the present and future. This morning I would like to address three areas of particular importance.

Energy is an issue in which interdependence finds its most immediate range of application. Whether we have been forced to wait in seemingly endless gas lines, or to pay higher prices for not only petroleum products, but other consumer goods dependent upon energy for their production, our lives have been affected. The consequences for the developing world are even more far reaching. Economic development is substantially curtailed while scarce foreign exchange reserves are used for higher energy bills. Uppermost in every mind are the questions of both alternative sources and forms of energy. OES is dealing with both of these questions.

Working with other Government agencies, OES facilitates cooperation on various energy agreements at the international level. To date they have involved themselves with Japan, the European Community, Mexico, and most recently with those nations participating in last week's economic summit in Tokyo. Long-term planning is evident in their energy survey now being conducted with much of the third and fourth world. The goal of this survey is the development of energy sources appropriate to their peculiar environments. If funds are not restored, not only will the energy technology cooperation programs be curtailed, OES efforts in encouraging international attention to alternative energy sources will be virtually eliminated. The present chaos we are engulfed in proves that we can no longer postpone effective international energy development. We cannot afford to err again.

A second issue of global import is that of population. How can we expect the Earth's generous bounty to satisfy our most fundamental needs if we continue to press the limits of our resources with explosive population growth? The population problem is the root of many of the other challenges we now face including energy, inadequate food supplies, and general poverty. It seems that each time we take two steps forward with respect to increasing food production, discover-

ing new energy sources, or facilitating economic development, we are pushed three steps backward because of burgeoning populations. Some success has been achieved in this area, yet it will be years before the problem is solved. OES provides our only mechanism for attempting to find international solutions to this pressing problem. Without a strong OES, international cooperation and coordination of population policy becomes virtually impossible.

A third major area under the auspices of OES is the critical, yet little publicized issue of ocean management. The oceans have traditionally been a life-giving force through their bountiful nutritional resources. And their importance is increasing as land sources of raw materials and minerals become more and more scarce. The ocean floor as well as its waters hold unexplored treasures which, if effectively managed, could yield substantial benefits to both the developed and developing worlds. Yet this requires great attention, attention which OES may be prevented from giving due to the budget cut.

The projected reduction in funds will reduce support to seven International Fishing Commissions. It will delay negotiations of international fishing agreements including the negotiations with Canada. It will eliminate the Department's role as executive secretary of the Panel on International Programs and International Cooperation in Oceanography. Finally, it will further reduce or even eliminate OES participating in and support for the Law of the Sea Conference. This Conference, which in effect is drawing up plans for the management and exploitation of the ocean floor, is of not only economic, but political importance. Even the economic benefits of mining manganese nodules and other minerals do not overshadow the political implications of Law of the Sea. This issue also provides a major forum for the North-South debate in which the industrialized nations can demonstrate their commitment to the development of the Third and Fourth Worlds. Continuation of effective U.S. input is, therefore, crucial.

The three issues mentioned and others which the Bureau deals with have assumed increasing importance to the United States—in fact they are fundamental to our security. I do not want to risk the danger inherent in U.S. neglect of the Earth's biological systems. And I further do not wish to exclude the United States from participation in international management schemes to protect these systems. I, therefore, strongly urge that the \$3 million be restored to this account.

□ 1200

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

Mr. CONTE. I yield to the gentleman from Virginia.

Mr. WHITEHURST. I thank the gentleman for yielding.

I want to commend the gentleman for his statement. I rise in strong support of this amendment.

Mr. Chairman, I would like to speak briefly in favor of the amendment to re-

store the budget and positions of the Department of State's Bureau of Oceans and International Environmental and Scientific Affairs to the level in the original budget proposal.

The Bureau of Oceans and International Environmental and Scientific Affairs, or OES for short, is responsible for a wide range of issues. OES plays a major role in the licensing and policy review of our nuclear exports, and in working with other countries to promote our nonproliferation objectives. OES also plays a major role in coordinating our cooperation with other countries in S. & T. and coordinating the international S. & T. activities of various U.S. technical agencies to insure that such activities contribute to our foreign policy objectives. OES has major responsibilities in the management of our oceans resources and in working with other countries to protect the environment. For example, OES takes the lead in our international efforts to protect endangered species.

I for one do not want to see any diminution in our international efforts to protect our living heritage. This is not a reversible process, once a species is lost it is gone forever. We must maintain an active, dynamic organization in the Department of State to carry out this battle on the diplomatic front. To reduce the OES staff by 50 percent would mean a drastic, and I believe, unacceptable, reduction in the efforts currently underway on environmental and other important issues. I believe that the OES staff and budget should be restored to the level proposed in State's budget submission. I believe that OES should be encouraged to continue and expand the work currently being done on endangered species, energy technology, and in other important areas. I urge that we restore this cut.

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

Mr. CONTE. I yield to the gentleman from Vermont.

Mr. JEFFORDS. I thank the gentleman for yielding. I also want to commend the gentleman for his statement, associate myself with his remarks, and speak in strong support of the amendment.

Mr. Chairman, the effect of this amendment will be to restore to an adequate level, the funding for personnel and programs of the Bureau of Oceans and International Environmental and Scientific Affairs of the U.S. Department of State.

The suggested reduction by the House Appropriations Committee of \$3 million for this Bureau's activities would delay and curtail fisheries negotiations with Mexico on tuna and with Canada on salmon; eliminate close contact with the regional fishing councils in eight areas of the United States; effect drastically the OES's capacity to negotiate future agreements for fish worth \$850 million.

The funding cut would also cripple the OES's capacity to approve about \$2 billion worth of export licenses in the nuclear industry each year; drastically cut the OES capacity to support the nuclear

industry and nonproliferation policy including close cooperation with the major nuclear states; stretch out indefinitely the renegotiations of 24 nuclear cooperation agreements; reduce seriously the OES ability to participate in the international nuclear fuel cycle evaluation.

In addition, reducing the funding for this Bureau's activities would eliminate its ability to carry out title V of Public Law 95-426 which requires that the Secretary of State integrate and coordinate foreign policy in the science and technology area. Such funding cuts would make it impossible for the United States to follow up an effective Migratory Species Convention now under negotiation, deal with the major problems of tropical deforestation, desertification, wildlife conservation, and toxic substances.

Finally, the suggested funding cuts would reduce the OES's capacity to oversee U.S. population programs worldwide and provide guidance. In addition, the OES would be hampered in its ability to manage and oversee new science programs with China, Japan (fusion research and coal liquefaction), Mexico, the Soviet Union, and the European Community.

Mr. Chairman, the Bureau of Oceans and International Environmental and Scientific Affairs is unique among the nine functional Bureaus of the Department of State, in that much of its work involves carrying out legislatively required tasks contained in over 50 congressional acts. As a consequence, OES has acquired a talented technical staff of some 80 professionals, 44 of whom have graduate degrees in technical areas and 41 have had experience in other U.S. technical agencies.

Mr. Chairman, the timeliness of a 50-percent cut in budget and staff of this Bureau is illustrated in one specific example relating to the current efforts of the International Whaling Commission to reach new agreements in the commercial killing of whales. The United States has historically taken a lead role in the IWC meetings, with recent activities aimed at bringing all member nations to reach a decision on a possible moratorium on the commercial killing of whales. Should the OES budget be cut as suggested by the House Appropriations Committee, the Department of State's role in international negotiations to conserve whales and other marine mammals through IWC participation would be greatly curtailed.

In an even more critical area, energy development, such an OES budget cut would virtually eliminate this Bureau's effort in encouraging international attention to alternative energy resources. Given our current need for the development of alternative energy sources, an effort which the entire world community should participate in, such budget cutbacks are very untimely.

In a third area, nuclear nonproliferation policies, the OES plays a critical role in formulating and implementing the U.S. Government's position, which would be made impossible to fulfill adequately with the suggested funding cuts.

Mr. Chairman, all in all, it would be in the best interest of the Nation on several fronts, for my colleagues to support the amendment pending, and restore the \$3 million suggested cut by the Appropriations Committee. It appears to me that without restoring this funding to this crucial Bureau of the Department of State, we would suffer irreversible consequences as a Nation which would have lasting effects on our environment and foreign policy.

Thank you, Mr. Chairman.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

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

Mr. ANDERSON of Illinois. I thank the gentleman for yielding. I, too, want to associate myself with the remarks of the gentleman in the well.

Mr. Chairman, we often overlook the importance of the world's oceans to mankind; yet, they are unmistakably the backbone that supports life on this Earth.

Just yesterday, Skylab's safe reentry over the Indian Ocean reminded us that the ocean has its uses. Still, while we are thankful that the bulk of Skylab came down in the ocean and over uninhabited sections of land, we also must remember that Skylab was just one more piece of now useless junk that found its way into our seas, which rapidly are becoming the recipient of more and more of man's waste and garbage.

Therefore, Mr. Chairman, it remains highly important that we concentrate our attention on the utilization of the world's waterways by man. The seas not only are a dumping ground; they are a source of bountiful harvest from their fishstocks; they are increasingly explored for yields of fossile fuel; and their mineral resources are becoming targets for undersea mining activities of unprecedented scale.

If we are to maximize our beneficial uses of ocean resources and minimize our degradation of that environment, it is foolhardy to cut back funding for the Bureau of Oceans and International Environmental and Scientific Affairs. As a result, I rise to support restoration of the Bureau's funding.

In its report, the committee criticized the Bureau for general faults of technical weakness and lack of effective interface with other Federal agencies having responsibilities for ocean, environmental, and scientific policy. As a result, the committee recommends a 50 percent slash in the Bureau's budget at the same time it expects an improvement in performance from the remaining Bureau staff. I fail to see how quality can improve absolutely while the office responsible for this function is effectively eviscerated.

Mr. Chairman, obviously, the Bureau's record has not been perfect because the problem-solving environment has not been ideal. For years, we have taken our environment for granted; for centuries the oceans have been regarded as every man's and yet no man's. Now, when we finally recognize the need to conserve and fairly share the ocean's resources, we

have been unable to completely eradicate the mentality that finds nations seeking to jealously reap their share of the pie.

If we are to break this entrenched mind-set, we must increase and not lessen our efforts to improve international cooperation in such areas as the ocean environment, fisheries, and undersea mining. Halving the budget of the Bureau of Oceans and International Environmental and Scientific Affairs is not a step forward; it is a step backward. I urge my colleagues not to step backward into the past but forward into the future so that the American commitment to the international environment and the open seas will be unmovable.

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

Mr. Chairman, I would like to congratulate the good intentions of the gentleman from Massachusetts (Mr. CONTE). Mr. Chairman, I would like further to stipulate that the gentleman from Massachusetts means well in the effort that he is making today to bring this amendment before the House. I respect the gentleman. I respect his good intentions, and I respect the fact that he means well.

Before I was elected to the Committee on Appropriations, I was privileged for 4 years to have served as a member of the Committee on Government Operations, and for those 4 years I was assigned to the Subcommittee on Foreign Operations. During the tenure of my service there, I had the opportunity to review the activities of the Department of State in their operations outside the United States, and I took particular interest in the activities that are now under the bureau and are being debated here today. I would say to the Members, based upon the experiences that I have had there and the experiences on the Subcommittee on Appropriations for State that while it may be intended by the Congress that the Bureau of OES should achieve these lofty goals to which my friend and colleague, the gentleman from Massachusetts, refers to solve the energy crisis, to halt the population explosion all over the world, to feed the hungry multitudes that are undernourished and underfed all around the globe, to bring peace among the nations of the world, and to bring good will among the brotherhood of men and women, the fact remains that there is an ocean—not a gulf but an ocean—that lies between the fantasies that we harbor in this Congress about what this agency should do and the facts of the operation and maintenance that actually take place in the day-to-day workings of the agency. There is an ocean that separates the perception that Members of Congress have about the good will of this bureau, the good intentions that we harbor that this bureau should achieve, and the realities that our Subcommittee on Appropriations have discovered in the day-to-day operations.

□ 1210

It is the intent of the Congress that this bureau should develop a comprehensive and current U.S. policy on issues which arise in these areas. It is the intent of Congress that this bureau advise the



Secretary in the consideration of various factors affecting these areas. It is the intent of Congress that this bureau coordinate the policy responsibilities between the Department of State and the other departments and agencies of the Federal Government in the field of oceans, international environmental and scientific affairs.

The fact remains, as we have discovered in our committee, that the bureau has performed none of these charges comprehensively, in all or in part.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent Mr. ALEXANDER was allowed to proceed for 5 additional minutes.)

Mr. ALEXANDER. The committee, after several years of deliberation has concluded that in fact no U.S. international policy has been advanced in the fields identified and particularly, in the area of the oceans. For example, no formal policy-level, bureau-chaired, interagency coordinating mechanism is now actively functioning. The once operational Committee on International Ocean Affairs has remained inactive for at least 3 years at a time when the oceans are subject to increasing pressure, use, and domestic and foreign concerns and conflicts. In fact, the oceans have been referred to, and I think properly, as, indeed, the last frontier from which this industrial Nation can look forward to recovering and developing the minerals and the fuels that we need in order to sustain the standard of living to which we have become accustomed.

Furthermore, the two existing advisory groups on fisheries and ocean science fall far short of representing the full range of ocean activities and issues. The general situation within the bureau, I regret to advise, can best be characterized as reactive, short-term oriented, narrowly focused and advised, and lacking of adequate technical competence and balance between professional and diplomatic staff. In fact, in a recent conversation which I had with the Under Secretary of State, Mrs. Benson, she told me, quite apologetically, that former Secretary of State Henry Kissinger told her that this bureau is where the Department of State places its incompetents.

The committee feels we should take action to help the Department remove those incompetents when they have failed to do so themselves instead of defending its actions.

In the light of the fiscal restraints with which we are faced in this Nation today, it occurs to me that the Congress should more properly be directing this bureau to prepare and implement a plan which—

First. Develops a coherent and comprehensive U.S. international policy for the oceans.

Second. Establishes effective interagency coordinating mechanisms. Title 5, Science and Technology in American Diplomacy of Public Law 95-426, Foreign Authorizations Act of 1979, will hopefully provide the impetus for carrying out this responsibility.

Third. Establishes an advisory ar-

angement consistent with the broad range of international ocean activities.

Fourth. Develops a long-range planning capability as well as the ability to conduct assessment and analysis of international ocean resources use and management.

Fifth. Promotes U.S. scientific technological, economic and foreign goodwill and development through bilateral and multilateral agreements, international organizations, et cetera.

Sixth. Develops the internal professional competence and staff balance necessary to carry out these foregoing functions.

After all, if we intend that this Bureau achieve the objectives and we spend the taxpayers' moneys appropriated for these objectives, it appears to me that what we should be doing today is giving this agency—which has vacillated; which has, indeed, rocked in this vast ocean of indecision and lack of direction—some firm direction so that it can chart a course which will justify the expenditures that we appropriate in this body.

The emphasis on discharging these responsibilities should not be on duplication, as we have observed, but rather on judiciously utilizing the existing expertise and capabilities within all other operating agencies. The bureau has not actively pursued this approach, I regret to say, principally, I have concluded, because the staff composition lacks the managerial and technical personnel necessary to draw together competing and complementary interests and such reasoned evaluations and judgments.

It will do no good for this Congress to appropriate 3 additional millions of dollars in order for this bureau to buy a fleet of Chevettes. What we need is a few Oldsmobiles and a few Cadillacs down at this bureau, not more Chevettes.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent Mr. ALEXANDER was allowed to proceed for 5 additional minutes.)

Mr. ALEXANDER. I would rather have one good horse than a whole team of lame nags that sit grazing at the trough of public expense without producing one tangible objective that has been charged by this Congress in order for them to achieve.

Although OES has characterized itself as the "leading edge" in international oceans efforts, it appears to be a more reactive agency. A typical example: Although OES has become active in negotiating with Mexico with regard to U.S. academic oceanographic research ship operations in Mexican waters, it did so only at the formal urging of the Presidentially appointed National Advisory Committee on Oceans and Atmosphere. It should be noted that ocean marine science is vitally important to the United States and that the academic community shoulders the principal responsibility for conducting this kind of research.

That political or other unrelated issues influence OES positions in international negotiations seems clearly indicated in two other ocean-related matters. The United States-Canadian fish-

eries treaty which American fishing interests say will damage their opportunities in the Georges Bank area seem to have been governed by State's interest in getting Canada to submit an ocean floor boundary dispute to arbitration. The U.S. position on dividing up the East Tropical PACIFIC tuna fishery resources seems more guided by our concern over who will get Mexican oil than any awareness of the legitimate concerns of a major food industry and of the conservation and protection needs relating to porpoises.

Mr. Chairman, I regret this procedure today and I have tried to negotiate with the gentleman from Massachusetts and those who are sincerely and genuinely interested in the objectives of this bureau. However, as a responsible Member of Congress accountable to the people who vote for and elect me to this institution, I cannot sit idly by for an additional year and watch this bureau squander tax funds in millions of dollars without producing one tangible result for us to look to with pride that we can go back and return to our districts and report to them, "Yes, I have the responsibility over appropriated funds for the Department of State," and "Yes, some progress is being made there to take out these incompetents and send them off to where they need to be."

Yes, I would like very much to report to my people that progress is being made but I cannot sincerely do that, as long as we in this subcommittee continue to observe the facts that I have tried to articulate today.

Nor can I accept the argument that no budget cut should be made at this time because the bureau is showing some progress in its work and needs to be doing more. That is arguing that an agency should be rewarded because congressional dissatisfaction with the quality of its performance has finally forced it into some forward movement. With the exception of matters that appear to be purely political, this habit of reaction rather than initiating action appears to often too accurately describe performance in the areas in which this bureau has responsibility.

The reexamination, possibly the first real examination, State has underway of its responsibilities for aggressively promoting and protecting U.S. interests in the areas of science and technology is being undertaken because Congress directed that the work be done—through section 504 of the Foreign Relations Authorization Act of Fiscal Year 1979.

Such an effort should automatically have been a part of State's response in 1974 to the mandate that resulted in the establishment of the bureau. That that was apparently not done is clear throughout the "Report to Congress on Science, Technology and U.S. Foreign Policy" submitted to the Congress last January.

The object of the creation of the bureau and the requirement of the report—called the "Title V Report"—is to generate a greater degree of sensitivity among career State Department people of the national interest in these areas.

That the State bureaucracy is not overly enthusiastic about having its minions gain expertise, understanding and sensitivity to the real U.S. interest in these areas—as opposed to a purely political interest in gaining a consensus—runs like a depressing echo throughout the title V report.

The Bureau's creation was basically an effort to improve State's willingness and ability to work cooperatively and knowledgeably with the operating departments and agencies with primary responsibility in the areas of oceans, science and the environment. Even so, throughout the title V report there is evidence that the career Foreign Service officers resist gaining proficiency in these areas because they do not see this as enhancing their career prospects.

The report frankly acknowledges the weakness of State's ability and awareness of the need to deal effectively with the issues for which it claims responsibility. The report says that there is a need for eliminating this weakness but other than indicating the need it makes few positive commitments to replacing those weaknesses with strength in the form of personnel specifically equipped by training, experience and motivation in dealing with these problems.

Frankly, if political considerations are going to continue to override all other U.S. interests in these areas when we are at the policy table there appears to be little to choose between the Bureau and the old method of dealing with these matters through areas and country desks at State. And, the Bureau has already had nearly 5 years to demonstrate that there is a significant and substantive difference.

Mr. Chairman, I suggest there needs to be a restructuring of this Bureau in the current staff and makeup in order that this bureau might provide the managerial, technical and scientific help to which the gentleman refers in order to achieve the objectives we would like to achieve.

□ 1220

The plan that we can draw up in this body and the course that can be charted then should be directed to the Bureau and resubmitted to the Congress not later than about 120 days following enactment of this legislation.

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

Mr. ALEXANDER. I yield briefly to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I want to thank the gentleman for yielding.

I want to ask the gentleman a few questions.

First, how many additional employees did this Bureau ask for to the Congress?

Mr. ALEXANDER. I only yielded to the gentleman for a comment.

Mr. CONTE. I think we ought to have a colloquy, because the gentleman is making some very serious accusations here about the Agency.

Mr. ALEXANDER. I would like to finish my remarks.

Mr. CONTE. Well, I would have objected. The gentleman has gotten 15 minutes to speak and I think the gentle-

man owes me the courtesy to try to answer some of these questions.

Mr. ALEXANDER. I would like to address some of these questions and I intend to in my remarks.

Mr. CONTE. Would the gentleman tell this body how many additional bodies they have asked for in this budget?

Mr. ALEXANDER. Mr. Chairman, I reclaim my time.

Mr. CONTE. I think the gentleman has given this body the answer.

Mr. ALEXANDER. Mr. Chairman, I will be pleased to yield to the gentleman from Massachusetts as soon as I have completed my remarks.

There was a memorandum circulated to my office and to Members of Congress yesterday apparently from this bureau, which is entitled, "OES Cut Assessment." It is not signed. There is no heading on the memorandum. It may have been prepared by Jack Anderson, for all I know; but it claims in here some impact on this agency from these cuts.

I would like to refer to a couple of these preposterous claims. It says here that the proposed cut would reduce by one-half the department's effort to negotiate agreements to interdict maritime narcotic smuggling. I wonder what the U.S. Coast Guard function is and even the U.S. Navy.

It claims that this cut would reduce by one-half the department's technical assistance support of the International Atomic Energy Agency. I again wonder what technical assistance does the Department of Energy provide.

It goes on to say that these proposed cuts would reduce by one-half the department's effort to promote international development of alternate sources of energy. Here again, I wonder what functions the Department of Energy performs in this area. Perhaps the Bureau could first enlighten our domestic interests in developing alternate sources of energy.

The CHAIRMAN. The time of the gentleman from Arkansas (Mr. ALEXANDER) has expired.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. NEDZI. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

I yield to the gentleman from Arkansas.

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

Mr. Chairman, the memorandum continues, to allege preposterously that considerable delays will be incurred in reviewing nuclear export applications worth \$2.3 billion annually. This certainly appears to be a function of the Department of Energy which they could perform and certainly that this bureau could delegate to and coordinate with the Department of Energy.

The memorandum goes on to say that it will reduce to a minimal level the monitoring of existing air and water agreements with Canada and Mexico.

Are not these the functions that could be performed by the National Oceanic and Atmospheric Administration and the Environmental Protection Agency?

Now, the gentleman from Massachusetts has referred to the number of personnel. I would like to address that subject and I will be glad if the gentleman from West Virginia would yield to the gentleman from Massachusetts; but before the gentleman yields, I would like to address one thing specifically. It has been stated by the gentleman from Massachusetts that to approve this cut will dramatically reduce the bureau's ability to perform in a number of essential areas because of severe cuts in the staff.

Now, I ask for a memorandum of staffing from the agency about 3 weeks ago and last evening about 5 o'clock we received some of the information we requested. I would say that is about par for the course, that that is about the usual response that we receive from this agency. When we ask for a simple statement of fact it takes 2 or 3 weeks for this agency to respond.

Now, on the memorandum of personnel which the Bureau says that will be cut is the name of one Eileen M. Maturi, and according to the Agency this lady performs the important function as a member of this Bureau, paid by the Department of State, as Executive Secretary of the Panel on International Programs and International Cooperation in Oceanography. I have discovered what this Bureau apparently does not even know, that this lady is employed by the Navy, the Navy Oceanographic Office, which has gratuitously assigned this fine person to the OES on a nonreimbursable basis. She is not a State Department employee. She is not an OES employee. She works for the U.S. Navy, but she is alleged to be one of the employees that will be lost by the cut that this committee I believe has judiciously made.

Now, the question arises for the gentleman, does the State Department, the Bureau of OES, know what it is doing and who is assigned to do it? I think the answer is clearly no.

Now I would be glad to yield to the gentleman from Massachusetts.

Mr. SLACK. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I ask the gentleman again, how many additional employees—I am asking the gentleman in the well to answer. The gentleman seems to be the expert. The gentleman seems to know all about it.

Mr. ALEXANDER. The gentleman from West Virginia has the time.

Mr. CONTE. Then please yield to the gentleman from Arkansas.

Mr. SLACK. I will advise the gentleman from Massachusetts, the answer is zero.

Mr. CONTE. They asked for one less.

I would like to refer to the hearings chapter 8 of the Department of State and ask my colleagues to read this volume. There has not been 1 day of hearings. There have been no witnesses. There have been no cross-examinations. If the gentleman in the well was so interested in this Department and this Department

was doing such a bad job, why did not the gentleman call a member of this agency before his committee and examine him and build a record on which the gentleman can make these accusations, these unfounded accusations, or is it because of some other reason?

The CHAIRMAN. The time of the gentleman from West Virginia (Mr. SLACK) has expired.

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

Mr. Chairman, I rise in support of the amendment offered by our distinguished friend and colleague, the gentleman from Massachusetts (Mr. CONTE). This amendment would restore the reduction made by the Committee on Appropriations to the budget and staff of the State Department Bureau of Oceans and International Environmental and Scientific Affairs (OES).

At the very outset, Mr. Chairman, I wish to commend the chairman of the subcommittee, the gentleman from West Virginia (Mr. SLACK). I think the gentleman is a very fair and conscientious chairman. Indeed, I understand the gentleman is going to offer an amendment later to restore the technical assistance funds for the United Nations, an action we deeply appreciate.

I do not question the intentions of the gentleman from Arkansas, but I must observe that the gentleman's action to cut these funds in the committee and his opposition to the restoration of the \$3 million is very irresponsible.

It was my intention to offer this amendment, Mr. Chairman, that I now cosponsor with the gentleman from Massachusetts (Mr. CONTE) for two fundamental reasons. The first deals with the vitally important prerogatives provided to the authorizing committees by the rules of the House.

The second deals with the counterproductive nature of the appropriations cut in light of the excellent contributions made by OES in support of a coordinated U.S. policy in the field of oceans and international environment and scientific affairs.

□ 1230

With respect to my latter point, I must say that the gentleman from Arkansas (Mr. ALEXANDER) is speaking from the past; he is not speaking of the current situation. There may have been allegations that there were some shortcomings in this particular Bureau some years ago, but I submit that the gentleman from Arkansas must agree with me that since Ambassador Tom Pickering became head of this Bureau, there has been some improvement.

He is a topnotch man, is he not?

Mr. ALEXANDER. Mr. Chairman, may I ask, is the committee chairman directing his question to me?

Mr. ZABLOCKI. I am, Mr. Chairman, and I yield to the gentleman from Arkansas.

Mr. ALEXANDER. Mr. Chairman, I find Mr. Pickering to be a fine person, skilled in diplomacy and having a good record in the State Department.

I would respond further by saying that he has no technical expertise in oceans, science, or the environment.

While it is not our job here to approve or disapprove the confirmation of the gentleman who heads this agency, I think he, too, can fit within the category of the gentleman from Massachusetts. He means well, but he needs help, and we are trying to give him some help to get rid of some of these incompetents he has got to deal with down there.

Mr. ZABLOCKI. Mr. Chairman, I just want a response as to what the gentleman's evaluation is of the Bureau Chief. I am sure the gentleman from Arkansas does agree with me that the Bureau Chief is very competent, skilled, a good negotiator, and a good administrator. We want to give the tools to them to reorganize and administer that Bureau to the extent the gentleman from Arkansas and all of us desire.

Mr. Chairman, the reason for and the nature of the cut that was made by the Committee on Appropriations require serious challenge.

It is my understanding that this action was taken without hearings or discussions by the Committee on Appropriations. In the Committee on Foreign Affairs we have given close attention to this Bureau. We have had close oversight over the Bureau, and we have held numerous hearings.

In fact, Mr. Chairman, I submit that these cuts were adopted without any consideration and chiefly at the urging of one individual, our good friend, the gentleman from Arkansas. That unfortunate record stands in sharp contrast to the extensive review and hearing effort taken by the Committee on Foreign Affairs.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. ZABLOCKI) has expired.

(By unanimous consent, Mr. ZABLOCKI was allowed to proceed for 5 additional minutes.)

Mr. ZABLOCKI. Mr. Chairman, not only was the authorization figure reduced by \$3 million, more than half of the authorized figure, but it was also specified by the committee that the OES staff be reduced from 138 to 69. If we expect Ambassador Pickering to do a good job and then give him only half the support he needs, I think we are asking the impossible.

Such an action, Mr. Chairman, is not an action designed to trim fat from the budget or reduce unnecessary expenditures; rather, it is a conscious and deliberate attempt by the Committee on Appropriations to make policy judgments and force policy decisions to be made or altered because of drastic reductions in appropriations. Action is a clear intrusion into the jurisdictional prerogatives of the Committee on Foreign Affairs. It far exceeds the fiscal oversight function provided to the Committee on Appropriations by the rules of the House.

My second reason, Mr. Chairman, for cosponsoring this amendment relates to the need for OES to continue its valuable contributions to a coordinated U.S. policy on oceanic, international environmental and scientific affairs.

Since its establishment by Congress in 1973, OES has succeeded in bringing to

the State Department a single office responsible for developing and implementing a comprehensive and coherent policy in the areas of oceanic, environmental and scientific affairs.

If we focus only on this past year, the major accomplishments of OES have been significant, and I submit that these accomplishments would not have been possible with an incompetent staff. In the area of nuclear proliferation and energy, for example, OES has successfully strengthened the U.S. agreements for cooperation to achieve common supplier export policies. It has also pursued international efforts to insure adequate controls associated with the use of nuclear energy. I can say the same for all the various activities of OES whether they are in the area of environmental issues or in the area of science and technology.

As an illustration of the effective work which OES is doing, I decided to research the validity of a contention in the report of the Committee on Appropriations on this bill. That report—to which I understand that at that time the gentleman from Arkansas contributed—alleged that there had been "insufficient interface between the Bureau and other Federal agencies having primarily responsibilities for oceanic, environmental and scientific policies and programs."

Well, Mr. Chairman, I will say to the members of the committee that I took it upon myself to write to some 15 different Federal agencies who have such interface with OES and asked them to evaluate the effectiveness of their relationships with OES. Their replies reflected a unanimous and enthusiastic appraisal of their working relationships with OES. And at the end of my statement, Mr. Chairman, I will include for the RECORD excerpts from those replies.

Given the wide scope of OES activities and its major accomplishments, on which I have briefly touched, the reduction by the Committee on Appropriations is inappropriate and unfortunate. The \$5,963,800 authorized for OES by the Committee on Foreign Affairs hardly represents a "spendthrift" attitude on the part of the committee, since this figure is only \$84,000 more than the estimated OES budget for fiscal year 1979. On the other hand, the \$3 million reduction from that figure can only be characterized as irresponsible.

For these reasons, Mr. Chairman—the counterproductive nature of the cut and its implications for continued intrusions into the prerogatives of the authorizing committees and the authorization process—I urge that the amendment be agreed to and the cut restored.

Mr. Chairman, before closing, I would like to refute the allegations that the OES is a dumping ground for incompetents: Not only is the head of the Bureau, Ambassador Tom Pickering, eminently qualified, but his Senior Deputy Assistant Secretary, Leslie H. Brown, is also superbly qualified as the record will show, the same is true with respect to the Director of Policy Assessment Unit, Bruce L. R. Smith, and for all other officers in the top echelon of the Bureau.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. ZABLOCKI) has again expired.

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

Mr. ZABLOCKI. Mr. Chairman, in order not to take any more time, I will insert at the end of my remarks a comprehensive list of the chief officers of the Bureau along with their qualifications and a summary of the qualifications of the supporting staff.

EXCERPTS FROM REPLIES OF FEDERAL AGENCIES  
COUNCIL ON ENVIRONMENTAL QUALITY

The Council has had a rewarding and productive working relationship with OES, especially in developing the Global 2000 Study. The Council is distressed with the Appropriations cut for OES and would like to see the funds restored, thereby enabling OES to continue its essential work with the Council.

INTERIOR DEPARTMENT—FISH AND WILDLIFE

The Fish and Wildlife Service (FWS) has had a successful liaison with OES. The OES Liaison Office has assured the views of FWS on various international delegations dealing with environmental matters. The OES Liaison has also guided FWS in meeting its responsibilities under the Endangered Species Act, revitalizing implementation of the Convention on Nature protection, wildlife preservation in the western hemisphere and various other environmental issues. FWS believes OES is necessary to their functions and any reduction in OES funding would create severe difficulties for the Service in meeting its responsibilities and assuring that its needs and interests are broadcast widely within the State Department.

INTERIOR DEPARTMENT—GEOLOGICAL SURVEY

The Geological Survey, being a domestic agency, has relied on OES for invaluable assistance and guidance in its dealings with foreign governments. OES has played an essential role in the effective conduct of international activities by the Survey. The Geological Survey believes that a reduction in OES funds would seriously affect its international activities.

ENVIRONMENTAL PROTECTION AGENCY

OES has consistently supported and provided positive guidance for EPA programs such as marine pollution prevention, Law of the Sea, UN environment programs and others. The efficient and constructive assistance by OES to EPA has allowed EPA to concentrate on substantive issues, rather than time consuming coordination and clearance functions among other U.S. agencies and foreign governments.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The National Oceanic and Atmospheric Administration (NOAA) and OES share complementary responsibilities on many international fishery, oceanographic, meteorological and climate matters. NOAA considers OES cooperation routine and a source of strength to its programs and does not support the Appropriations cut for OES.

DEPARTMENT OF ENERGY

DOE has had a close relationship with OES specifically in the area of nuclear non-proliferation. OES has taken on the task of renegotiating the 24 agreements for peaceful nuclear cooperation, and among other programs, plays a significant role in developing new energy technologies with other industrialized countries. Also, the review of nuclear export activities to ensure effective non-proliferation oversight (handled by OES) would suffer in light of the OES cut. DOE would hope that funds can be restored

when the State Appropriations bill reaches the floor of the House.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

HEW is pleased with the cooperative relationship with OES. At the policy level, HEW has consulted frequently with OES on such matters as development of bilateral health agreements with Italy and the PRC. Additionally, working relationships with component agencies of HEW such as FDA had been very good. HEW feels the working relationship is mutually helpful and should be strengthened, not weakened; which is what the Appropriations cut would do.

NATIONAL INSTITUTES OF HEALTH

NIH has had an adequate and productive relationship with OES and considers it to be an effective instrument for coordination of international scientific activities of the U.S. Government. As NIH becomes involved in more complex situations, it expects the need for assistance from OES to rise.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

NASA, through its International Affairs Division, has maintained a close and effective relationship with OES. OES and the International Affairs Division consult daily on numerous international space projects. Of particular significance where OES provides valuable assistance are projects such as the UN Commission on Peaceful Uses of Outer Space, development of satellite remote sensing programs, skylab briefings for various government groups, and facilitating clearances for NASA overflights in foreign territories. NASA has found OES to be technically competent and positively oriented toward facilitating NASA programs and feels the role of OES in its space activities to be valuable and constructive.

NATIONAL SCIENCE FOUNDATION

The National Science Foundation and OES have had a favorable and constructive relationship in such matters as the U.S.-U.S.S.R. World Ocean Agreement, conduct of ocean research in non-U.S. territorial waters and operating the U.S. natural research program in Antarctica, for which the NSF assumed full responsibility in 1976. From NSF's point of view, it would be a severe loss if the activities of OES were significantly curtailed. Additionally, the coordinated approach to International Science policy desired by Congress and expressed in Title V of the Foreign Relations Authorization Act will not be realized with the cut. NSF strongly urges that Members of the Foreign Affairs Committee take whatever steps are necessary to restore the funds for OES.

FEDERAL SCIENCE AND TECHNOLOGY COMMITTEE—INDUSTRIAL RESEARCH INSTITUTE

The Industrial Research Institute is an organization of 258 U.S. companies which carry out more than 85 percent of the privately supported research programs in the U.S. IRI has had several dealings with OES in the past year. The cut for OES would be counterproductive with respect to non-proliferation matters, continuing negotiations on the problem of fisheries, studies of international fuel cycles, and bilateral science and technological relationships such as those with China.

DEPARTMENT OF THE NAVY

The Oceanographer of the Navy and professional staff have maintained a long-term and continuous relationship involving a wide spectrum of subjects and issues such as U.S.-U.S.S.R. World Ocean Study and the People's Republic of China cultural agreement, Law of the Sea Conference, international satellite program, Antarctic natural resources, among others. The interaction between Navy and OES has been one of cooper-

ation and effectiveness and the Navy Department's intention would be that the relationship continue to be strengthened.

U.S. NATIONAL COMMISSION FOR UNESCO—U.S. NATIONAL COMMITTEE FOR MAN AND THE BIOSPHERE (MAB)

MAB program is an international science effort which carries out ecologically-based research monitoring and training programs throughout the world. OES has been instrumental in carrying out cooperative programs with participating MAB countries, in particular, the Soviet Union with respect to an ecological monitoring project. The MAB Committee feels OES is essential to the long-term success of bilateral, multilateral, and other international science efforts. Steps to weaken the Bureau such as the Appropriations cut, would hinder the efforts of U.S. agencies under the MAB program.

AGENCY FOR INTERNATIONAL DEVELOPMENT—DEVELOPMENT SUPPORT BUREAU

In the areas of population, energy and science and technology, there has been effective interface between A.I.D.'s Development Support Bureau (DSB) and OES. The proposed budget cut for OES would have a significant adverse effect on the interagency relationship. The efforts of DSB and OES require a sizeable additional commitment of OES time and personnel that would be unsupported with a smaller staff. DSP hopes that this situation will not develop since its relationship with OES has proved to be highly productive and mutually beneficial.

QUALIFICATION OF TOP OES PERSONNEL

ASSISTANT SECRETARY THOMAS R. PICKERING  
Career Minister;  
Former Ambassador to Jordan, 1974-1978;  
Deputy Director of the Bureau of Political-Military Affairs, 1969-1973;  
Special Assistant to the Secretary of State and Executive Secretary of the State Department, 1973; and  
Deputy Chief of Mission, Dar es Salaam, Tanzania, 1967-69.

SENIOR DEPUTY ASSISTANT SECRETARY  
LESLIE H. BROWN

FSRU 1;  
Former Director of Planning, Bureau of Political-Military Affairs, 1965-1976; and  
Special Assistant to the Under Secretary of State for Security Assistance, Science and Technology, 1977-1979.

DIRECTOR, POLICY ASSESSMENT UNIT,  
BRUCE L. R. SMITH

Former Professor of Public Law in Government, Columbia University;  
Senior Staff Worker, Rand Corporation, 1964-1966;

Consultant to numerous government agencies;  
Harvard Ph. D., 1964; and  
Author of six books and various scholarly articles.

DEPUTY ASSISTANT SECRETARY FOR ENVIRONMENTAL AFFAIRS, WILLIAM ALSTON HAYNE

Diplomat;  
Senior Staff Member, Council on Environmental Quality;  
Counselor for Economic Affairs, Embassy Mexico City; and  
Served in Diplomatic Posts in Lima, Paris, Kingston.

DEPUTY ASSISTANT SECRETARY FOR NUCLEAR ENERGY AND ENERGY TECHNOLOGY AFFAIRS,  
LOUIS V. NOSENZO

Research Assistant, Willow Run Research Labs, University of Michigan;  
Director, Missiles-Space Planning, United Aircraft Corp.;

Vice President, General Manager, Lulejian Associates, Los Angeles; and

Office Director, Bureau of Political-Military Affairs, Department of State.

**DEPUTY ASSISTANT SECRETARY FOR OCEANS AND FISHERIES AFFAIRS, JOHN D. NEGROPONTE**

Consul General, Thessaloniki, Greece;  
Political Officer, Embassy Saigon;  
Member, Delegation to Paris Peace Talks on Vietnam;

National Security Council Staff, in charge of Indo-China Affairs; and  
ACDA Summer Session on UN Committee on Disarmament, Geneva.

**DEPUTY ASSISTANT SECRETARY FOR SCIENCE AND TECHNOLOGY, NORMAN TERRELL**

Director of International Affairs, National Aeronautics and Space Administration, 1977-1978;

Assistant Director for Policy Review, U.S. Nuclear Regulatory Commission, 1975-1977;  
Foreign Service Officer serving at Embassies Warsaw and Canberra; and  
Served in the Bureau of European Affairs and Political Military Affairs, 1963-1975.

**COORDINATOR FOR POPULATION, RICHARD E. BENEDICK**

**FSO 2;**

Served in ICA and AID in Tehran and Karachi as a program analyst and economist;  
Financial economist, Embassy Bonn;  
Director, Office of Development Finance, Bureau of Economic and Business Affairs; and

Counselor for Economic and Commercial Affairs, Embassy Athens.

**SUMMARY OF PROFESSIONAL TRAINING AND EXPERIENCE OF OFFICERS IN THE BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AFFAIRS**

**OFFICE OF NON-PROLIFERATION AND EXPORT POLICY**

There are four regular professional staff positions with three currently occupied, plus one officer on detail from another agency. Of the four officers on board, two have PhD's and two are Foreign Service Officers with 18 years of combined experience. One officer has six years of experience on the NSC plus two years with the NRC before joining OES last year.

**OFFICE OF ENERGY TECHNOLOGY COOPERATION**

There are two regular professional staff members, plus one officer on detail from DOE. One officer has a PhD in economics plus almost two years of experience at the Argonne National Laboratory. Both of the other officers have technical training and considerable experience in the Foreign Service. One has a Masters Degree in geology.

**OFFICE OF NUCLEAR AND SAFEGUARDS TECHNOLOGY**

There are four regular professional staff positions with three occupied, plus two officers on detail and one part-time expert. Of the six officers on board four have PhD's two in nuclear engineering, one in physics and one in economics. One has had seven years of experience on non-proliferation issues in ACDA and IAEA, while two others have spent a combined total of 30 years at Argonne National Laboratory.

**OFFICE OF EXPORT AND IMPORT CONTROL**

There are four regular professional staff positions with three currently occupied. Of the three officers on board, two have an education in nuclear engineering and a combined total of almost 40 years of experience in working on nuclear issues in DOE and its predecessor. One officer is a Foreign Service Officer who, in addition to 20 years of diplomatic experience, has a Masters of Science Degree.

**OFFICE OF ENVIRONMENT AND HEALTH**

There are seven regular professional staff members, two have PhD's, two have worked a combined total of six years for EPA, one has had four years experience with NIH and one has had 10 years of university teaching experience in addition to four years with the

Department of Agriculture and four with the Office of the President's Science Adviser.

**OFFICE OF FOOD AND NATIONAL RESOURCES**

There are five regular professional staff members. One has a PhD, one has a Masters Degree in geology, one has 5 years experience with AID and one has 7 years experience with non-governmental environmental organizations.

**COORDINATOR FOR POPULATION AFFAIRS**

There are five regular professional staff members who hold 3 PhD's. In addition one officer has two Masters Degrees in related subjects. One officer has 20 years of experience in academe and the four career Foreign Service Officers have a combined total of more than 75 years of diplomatic experience.

**OFFICE OF ADVANCED TECHNOLOGY**

There are seven regular professionals assigned plus a military exchange officer serving on detail. Among these eight officers there are 4 PhD's, 2 JD's and 2 Masters Degrees. Experience in other agencies includes USIA (ICA), AID, NATO International Staff, NSF and ONR. In addition, there is a combined experience in the Foreign Service of over 100 years.

**OFFICE OF COOPERATIVE SCIENTIFIC PROGRAMS**

There are nine regular professionals assigned. Among these nine officers, there is one PhD and several Masters Degrees. Eight of the nine are career Foreign Service Officers with a combined total of over 160 years of diplomatic experience. The officer responsible for the Chinese program is fluent in Chinese. The officer responsible for the Soviet program is fluent in Russian. The officer responsible for the Japanese program is fluent in Japanese. The officer responsible for the Yugoslav program is fluent in Serbo-Croatian. In addition the officer responsible for the Indian program is a recognized expert in the field of Indian politics, having published a major work on this subject.

**POLICY ANALYSIS STAFF**

There are four professionals assigned, two of which are career Foreign Service Officers. Three of the four hold PhD's, one has almost twenty years of university experience, one has more than ten years experience in university and private research organizations and the two Foreign Service Officers have a combined total of 15 years of diplomatic experience.

**OFFICE OF FISHERIES AFFAIRS**

There are 8 regular professional staff members, plus 1 Coast Guard officer on detail. Of the 8 officers, six have had undergraduate or graduate university training in fields directly related to their responsibilities; i.e., marine biology, fisheries management, international marine affairs. Three of the officers have Masters Degrees and 1 has a PhD. Five of the officers have had previous professional experience in fisheries or marine affairs, most of them with the National Marine Fisheries Service, its predecessor, or international fisheries organizations. This is a total of 28 professional years experience before joining OES.

**OFFICE OF MARINE SCIENCE AFFAIRS**

There are 4 professional staff members in the office. All 4 of them have had undergraduate or graduate work in fields directly related to their responsibility; i.e., physical oceanography, marine affairs, etc. One of the officers has a Masters Degree, 2 others have law degrees, together with an additional degree in international marine law. All 4 officers have had previous professional work experience in oceanography, marine affairs, the law of the Sea—for a total of 35 years experience previous to their joining OES.

**OFFICE OF OCEAN AFFAIRS**

There are 7 professional staff members in this office. Four of the staff members have had graduate work in directly related fields;

i.e., oceanography, marine affairs, with 1 PhD and 1 Masters Degree and 1 law degree. Six of the 7 professionals have had previous work experience in related fields either in marine science, oceanography, law of the sea, Navy or Coast Guard, for a total of 57 years experience previous to OES.

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

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

Mr. McCORMACK. Mr. Chairman, I thank the gentleman for yielding. I associate myself with his remarks. I agree with the gentleman completely.

I would like to point out that Assistant Secretary Tom Pickering can hardly be called incompetent. He is one of our outstanding leaders in the field of science in this country, particularly in diplomatic circles.

I would also like to point out that although they are not directly affected by the cut in the committee bill we have several dozen science attachés and science counsels, working in science and energy and in various other fields in our various Embassies overseas. They are working with Mr. Pickering's personnel and Mr. Pickering's office. There are about 130 staff persons in Mr. Pickering's office, a portion of whom are designated to work with our scientists overseas.

These are some of the finest scientists in the world. I have traveled around the world and met with them and worked with them and seen this interaction between them and Assistant Secretary Pickering's staff. It is my opinion that the cuts proposed by the gentleman from Arkansas would cripple that program and have disastrous results for the country in the fields of international science and communication.

For this reason, Mr. Chairman, I support the amendment, and I thank the gentleman for yielding.

Mr. ZABLOCKI. Mr. Chairman, I thank the gentleman for his contribution. He is absolutely correct.

This cut would endanger the coordination we have with these various scientific attachés and counsels that we have all over the globe.

Mr. Chairman, I urge the adoption of the amendment and I yield back the balance of my time.

□ 1240

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

Mr. Chairman, there is no Member in the House for whom I have more personal respect than the gentleman from Arkansas. I suspect that until we Republicans have marathon runners of his caliber, we can never hope to achieve a majority, nor should we, in this body.

I regret also opposing my personal hero in this year's Congress, the chairman of this subcommittee, the gentleman from West Virginia (Mr. SLACK), who abolished the first Government agency in 23 years by standing firm against the President request that we refund it, the Renegotiation Board.

But I speak in favor of this amendment which, after all, only restores \$3

million to a \$6 million budget for the Bureau of Oceans and International Environmental and Scientific Affairs. I would like to tell the House precisely why.

The gentleman from Arkansas has done a service in pointing out that in past years this new bureau of the State Department has, on occasion, been the repository for less than the most competent members of the State Department. It is a little like the trust departments of banks in past years, where people whose careers held little promise were assigned to the trust department.

But what the Congress has done in the last several years is to upgrade substantially the responsibility of the State Department with regard to the oceans and ocean fishery negotiations. I want to point out to my colleagues that this very minor part of the State Department has jurisdiction over that area of ocean controversy which has led to more wars in the history of this country than any other—the *Turner Joy* and the *Maddox* off the coast of North Vietnam, the *Pueblo* off the coast of North Korea, the *Mayaguez* off the coast of Cambodia, the *Lusitania* in World War I, the sinking of the *Maine*, the incident of the U.S.S. *Panay* in the 1930's, all were incidents which led either to war or a serious threat of war.

Negotiations today which can achieve peace and world law for the oceans, and which can provide for settlements of disputes in the oceans are the responsibility of this small agency, which, if this amendment is not adopted, will be cut in half.

Let me try to provide to the committee two personal experiences that I have had recently. My responsibilities in this House are not great, but I have been privileged to represent the House for 5 years as the Congressional Adviser to the Law of the Sea negotiations, now approaching fulfillment in August or September of this year.

And, second, for the last 3 years I have been privileged to serve as the Congressional Delegate to the International Whaling Commission.

Let me tell the Members a little of what has happened in the International Whaling Commission this week, because I have been in London until yesterday for this year's annual session of the IWC. For some 6 years, the United States has tried to urge the nations of the world to adopt a moratorium on the commercial taking of whales. We have been increasingly successful in cutting whale quotas each year, but unfortunately, until this year, our State Department did not play a major role in the whaling negotiations. Those negotiations were conducted primarily by the Department of Commerce and NOAA. Because of the lack of success at the IWC last year, several of us on the Committee on Merchant Marine and Fisheries urged, indeed, demanded, that the State Department assign a high-level member of this Bureau of Oceans to assist in the whaling negotiations. A very talented negotiator, Morris Busby, who has responsibilities for dealing in law of the sea and in fisheries negotiations, was assigned, per-

haps somewhat against his will, and somewhat against the State Department's will, because of the feeling that this bureau is already understaffed in dealing with the Canadian fisheries problems, in dealing with the international tuna negotiations, in dealing with the fisheries problems with Peru and Chile and Mexico, where we have paid over \$11 million to recapture ships seized within those nations' 200-mile zones, in dealing with the Law of the Seas negotiations, scheduled to resume next week in New York \* \* \* in all of these areas where Mr. Busby has major responsibilities.

Against his will, Mr. Busby and members of this Bureau were assigned to try to beef up our effort on the whaling negotiations in London. And the result of those efforts are shown today. The State Department did its homework which preceded the negotiations in London. State Department representatives from this Bureau took their time to talk with representatives of the 23 whaling nations, and yesterday, for the first time, the IWC adopted what is the first step toward a moratorium toward the saving of the great whales. I want to tell the Members, from my personal experience, in my judgment this would not have occurred but for the services of Mr. Busby of the State Department shoring up, coordinating, and making effective our international negotiations this whaling effort.

The CHAIRMAN. The time of the gentleman from California (Mr. McCloskey) has expired.

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

Mr. McCLOSKEY. Mr. Chairman, this amendment would restore only \$3 million. I want to advise the committee of a second personal experience which, in my judgment, justifies restoring these funds.

At the Law of the Sea negotiations last year in London, I was present at two sessions where the real work is done in the international negotiations. The first was a Russian Embassy cocktail party where the finest vodka, the finest caviar, was served to the representatives of 156 nations by the Soviet delegates who were wooing those 156 nations to take positions sometimes adverse to the interests of the United States. The following night, the State Department, backing up our Law of the Sea delegation, held a similar cocktail party for the 156 nations' representatives, and the best we could produce was some relatively cheap liquor and some potato chips. This Bureau is operating on a budget which, in my judgment, has not been used with a Cadillac mentality; it has not been used for abuses of power or excessive expenditures. It is operating on a budget which we cannot afford to limit if we consider fisheries negotiations, the saving of the great whales, the protection of our anadromous species, the controlling of foreign nations fishing within our 200-mile zone, the protection and conservation of tuna, as deserving of the major importance Congress has increasingly recognized. If anything, this particular Bureau, in my judgment, ought to be continued.

I want to commend the gentleman from Arkansas, however, for doing one service, because I think the gentleman has properly pointed out that this Bureau in the past has been allowed to suffer neglect and lack of status within the State Department itself. If the gentleman's amendment does nothing more than force the Secretary of State to recognize that one of the great contributions we make to peace in our time is in the oceans and fisheries efforts, and in population, I might add, where this Bureau also has major responsibilities, I think the gentleman has done a great service, I hope we will vote against him with great pleasure and respect and adopt the amendment that has been offered by the gentleman from Massachusetts (Mr. CONTE).

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

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

Mr. ALEXANDER. Mr. Chairman, I appreciate the gentleman's candor, and I, too, want to see that this agency gets a better brand of caviar; but I suggest that the best place to do that is in conference and not by supporting this amendment today.

Mr. FUQUA. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the distinguished gentleman from Massachusetts (Mr. CONTE).

During the past few weeks, I have had an opportunity to carefully examine the implications of the drastic 50-percent cut in the budget of the Bureau of Oceans and International Environmental and Scientific Affairs. It is my conclusion that the drastic cuts would seriously damage the State Department's capabilities in science and technology, the environment, and the oceans.

My examination of the matter showed that there was a long list of legislatively mandated responsibilities and, to a large degree, they resulted in a series of actions taken by Congress over a number of years. These actions have been designed to strengthen and improve the Department's capabilities and performance in using science and technology as increasingly important factors in foreign affairs. Instead of demolishing the State Department's capabilities in these vital foreign policy areas I would urge a course of action that has somewhat been recommended by my good friend and esteemed colleague, the gentleman from Arkansas. I might say that I have the greatest respect for my good friend. I know of nobody in this Congress who works any harder and for whom I have any greater respect than my good friend, the gentleman from Arkansas. But I think we should involve ourselves in concerted oversight review—whether it be this subcommittee, whether it be the Committee on Foreign Affairs, whether it be the Committee on Government Operations, or the Committee on Science and Technology—and review and make specific recommendations for performance improvement.

When we have agencies that do not perform as we think they should—and this agency is not totally innocent of

that—I think we should strive—and it is our responsibility—to improve that performance rather than trying to cripple the agency by drastic cuts in budgets. That may ultimately be necessary, but I do not think this Congress has exercised the oversight responsibility over this agency that it should. Until such time as we do that, I think we should adopt the amendment offered by the gentleman from Massachusetts.

I understand, from talking with the State Department, that they would welcome such a searching inquiry of this agency. In every area that the Committee on Science and Technology has worked we find, more and more, that science and technology has become a very significant influence in the international scene.

□ 1250

They have become very vital parts in foreign policy, whether it be in the peaceful uses of outer space or the many cooperative arrangements that we have with other nations; in solving some of our energy problems, many of the nations of the world are caught in the same problems that this Nation is and are yearning to work with us in trying to mutually solve some of these issues.

It is not a time to cripple ourselves in dealing with these new areas of responsibility in foreign policy.

Mr. Chairman, I urge all Members of the House to support the amendment of the distinguished gentleman from Massachusetts (Mr. CONTE).

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

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

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

Mr. PRITCHARD. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Conte amendment, which would restore \$3 million to the State Department budget. This funding would be for the support of the Bureau of Oceans and International Environmental and Scientific Affairs, which among other things is responsible for conducting fisheries and other ocean resource negotiations, which are of the utmost importance in Washington and other coastal States. Currently, in the Pacific Northwest, it is essential to reach agreement between the United States and Canada on a very critical problem of salmon interception. If this agreement can be achieved, both countries will be able to invest and receive significant benefits from an expanded salmon development program. In order to achieve this agreement, however, we must have the continued support, and in fact increased efforts on the part of the State Department to help resolve this very contentious issue.

Therefore, this reduction of over one-half of this particular agency's budget comes at a very bad time. It would result in the loss of 69 positions, and many of the important fisheries negotiations which are ongoing would not be handled as effectively. Fisheries negotiations are unique in that they require constant monitoring due to the changes in the

actual physical condition of the stocks. This requires constant updating of the negotiations, and a lot of time and effort on the part of the negotiating teams which are assembled.

Although the salmon negotiations are at the forefront in my view, there are many other ocean, environmental, and scientific issues which are dealt with by this particular agency within the State Department, all of which are important in these days when we are seeking to cope with more demands on our natural resources, as well as trying to develop important new energy alternatives. The 50 percent reduction will strongly affect the ability of the State Department to conduct negotiations in the following areas:

Nuclear and renewable energy issues including nonproliferation negotiations.

Population issues and general global environmental protection issues.

International science and technology issues including space and communications negotiations.

Other marine resource and science negotiations conducted by this agency include negotiations on Antarctic resources, marine pollution, fisheries, and other ocean interests in Micronesia in the South Pacific, and general support of marine mammal protection.

Mr. Chairman, I feel that this cut in the State Department budget is very untimely, given these important negotiations which must receive continued high-level attention, because these resources which I have mentioned are becoming increasingly valuable and will become more valuable in the future. We must maintain our effectiveness in negotiating with other countries to protect them. Therefore, I strongly support Mr. CONTE's amendment.

Mr. LAGOMARSINO. Mr. Chairman, while I can and do quarrel with State Department policies and budgets and do and would vote to cut many of their budget items, I rise in support of the amendment of the gentleman from Massachusetts (Mr. CONTE) and the chairman of the Foreign Affairs Committee, Mr. ZABLOCKI, to restore the 50-percent cut in the budget of the State Department's Bureau of Oceans and International Environmental and Scientific Affairs (OES). I believe all the implications of such a cut have not been fully and adequately considered. While such different fields as fisheries, the environment and bilateral scientific cooperation would be affected, as has been already pointed out, I would like to focus specifically on our nuclear policies and programs, which relate to my responsibilities as ranking Republican on the Subcommittee on International Economic Policy and Trade.

A failure to restore funds for this Bureau could severely limit U.S. efforts in carrying out our nuclear nonproliferation policy. The Bureau is responsible for the formulating and implementing policy in the following areas:

The renegotiation of the 24 existing agreements for nuclear cooperation. These agreements outline the terms and conditions governing transfers of nuclear material and equipment, as well as the negotiation of new agreements, as

called for in the Nuclear Nonproliferation Act of 1978;

The review and coordination of executive branch consideration of all U.S. nuclear exports, which are to be handled on a timely basis as mandated in the Nuclear Nonproliferation Act of 1978;

Initiation of our participation in the international nuclear fuel cycle evaluation involving 57 countries and 4 international organizations in a comprehensive technical study to examine more proliferation-resistant approaches to meet future nuclear energy needs;

The encouragement and focusing of international attention on the development of alternative energy sources.

The projected budget cut, among other things, would:

Make it very difficult to comply with the legally mandated 60-day period for review of nuclear exports without reducing the reviewing function to a mere rubberstamp rather than an analysis of the merits of these applications;

Slow down significantly the negotiations of our agreements for nuclear cooperation, which provide for enhanced safeguards and controls;

Severely hamper our cooperation with other countries, especially LDC's in the areas of development of energy technology, and development of alternative sources of energy.

The critical task of furthering nuclear nonproliferation is a difficult one at best. A 50-percent cut in the OES budget would make this difficult effort even more difficult, if not an impossible one. I urge my colleagues to support restoration of these funds.

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

Mr. Chairman, somebody might wonder, if they are listening to this and watching it, why we are taking so much time on such a small amendment, \$3 million that cuts 50 percent out of a roughly \$6 billion budget.

The answer is obvious to anybody who has listened and watched. This is not an ordinary cutting amendment. There is something punitive about this amendment since there is no justification on the record for that kind of a cut.

As chairman of the Subcommittee on International Operations, having jurisdiction over the State Department budget, I want to disagree with those people who said there has been no oversight over this particular Bureau.

I can tell my colleagues that we have had ample oversight. We have a record of our oversight on this particular Bureau.

I want my colleagues also to know that the Subcommittee on International Operations started back several years ago to do something about increasing the level of importance of this Bureau within the Department of State. Our former colleague was in charge, the Honorable Patsy Mink of Hawaii, and we undertook with her modification of this Bureau; to increase its importance; to get the right kind of personnel in it; to give it the personnel they wanted and to increase its budget. We did that. We gave them additional people. This Con-

gress supported that action. The Appropriations Committee supported it. The cut, which this amendment would restore, is a complete reversal of an effort of improvement over several years.

Ambassador Pickering is now in charge. He is one of the topflight diplomatic people who we have in the Department. He has the capability and the confidence, not only diplomatically, but as we have heard from those who are interested in science and technology, of the scientific community not only in the United States, but abroad.

He has brought and is continuing to bring and amass the kind of capability we are all talking about in this Bureau.

There is desirable change in the Bureau taking place and will continue to take place.

To say that one way to solve the problems in this Bureau is to cut its personnel in half, is illogical to me. People do not have to be fired to be moved to other jobs.

The Congress has given them additional personnel they so desperately need to help carry out the legislatively mandated additional duties that have been placed upon that Bureau. But they are still short of personnel and we provided no additional personnel this year. The Department has recognized the interest of the Congress. The Bureau has good management and personnel. It is obtaining the acceptability, and the credibility within the Department that this bureau deserves and this has come about not only because of the interest of Congress but also the Secretary.

And just last year, as the chairman of the Committee on Science and Technology pointed out, the Congress passed a special provision dealing with science and technology and its importance in diplomacy in which we related the importance that all of us see to science and technology by a whole special section of law. We gave this Bureau the responsibility of administering that law. This new law was the culmination of a 5-year effort of the chairman of the Foreign Affairs Committee, the gentleman from Wisconsin (Mr. ZABLOCKI). He was too modest to mention his personal efforts, supported by the committee, supported by the Appropriations Committee and the full Congress. Also the State Department is anxious to raise the level of the operation of the Bureau of OES and to fit into U.S. diplomatic efforts the very important role that science and technology has.

We are just getting there now after about a 4- or 5-year struggle. And now we are faced with an absolutely unsupported effort to cut personnel in half in that Bureau. It does not make sense to me.

I respectfully disagree with whomever in good faith support this committee position, advocating this cut. I rise to support strongly the amendment that is now pending before us which would restore the full opportunity to about \$6 million and permit the Bureau to carry out its responsibilities.

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

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

Mr. BUCHANAN. Mr. Chairman, I simply want to confirm what the gentleman is saying and strongly associate myself with his remarks.

The last thing we need to do is cut half the budget away from this Bureau to which we have given additional responsibility, which they are determined to meet without any increase in staff.

I urge support of the amendment.

Mr. FASCELL. After we have had 3 years to build it up.

□ 1300

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

Mr. Chairman, I will try not to take 5 minutes, since I think the arguments for the amendment have been well made. I had intended to speak about the particular responsibilities of this Bureau of which I have personal knowledge, in the field of nuclear nonproliferation—but my friend and ranking Member (Mr. LAGOMARSINO) has done that very well. I endorse what the gentleman said.

Let me just add a footnote or two. Last year in the Nuclear Nonproliferation Act we gave to the State Department a heavy responsibility in this field. My friend from Arkansas (Mr. ALEXANDER), speaking of the fact that the State Department has pointed to its responsibility for licensing \$2 billion worth of nuclear exports, suggested that that responsibility should be carried out by the Department of Energy. But that is not what this Congress said. In the Nuclear Nonproliferation Act of 1978, we said that the State Department should be the lead agency in this regard, and of course that is as it should be.

What surprises me so much about my friend from Arkansas pressing for a 50-percent cut in this Bureau's funding is that such a cut would be a devastating blow to these important exports and the gentleman from Arkansas well knows how important exports are to this country; indeed he is the chairman of the House Task Force on Exports.

Nuclear nonproliferation is a vitally important area in which we have given the responsibility to the State Department to take the lead. I believe the OES Bureau is doing a good job; indeed, in my judgment, they do not have enough personnel to carry their heavy responsibilities. We certainly should not cut them in half.

In the nuclear area, OES is going to have in the coming year the heaviest responsibility they have had yet because coming up early next year will be the work done by the broad international study on nonproliferation with many, many task forces at work. OES will have the responsibility for carrying out the U.S. side of that operation.

Although it involves \$3 million, this is perhaps the most important amendment we have had this year in the foreign policy area, because the cut would have such a devastating impact on the ability of our State Department to function in a variety of important fields, only one of which I have mentioned, the nuclear nonproliferation area.

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

Mr. BINGHAM. I yield to my friend from Massachusetts.

Mr. MARKEY. Mr. Chairman, I would like to echo and repeat the points made by the gentleman from New York and speak in support of the amendment. The role this agency plays as a representative of our Government to the International Atomic Energy Agency is crucial in upholding our Nation's commitment to halt the spread of atomic weapon capacity. A specific example of the problems faced by the OES is the worldwide threat of nuclear arms proliferation, of which a recent example is the Pakistani attempt to expand their nuclear capacity. The OES coordinates U.S. Government efforts, in conjunction with the IAEA, to extend the scope of international safeguards on nuclear materials, to improve proliferation-resistant alternatives, and to increase the role of our Government in nuclear cooperation agreements with other governments in trying to limit the proliferation of nuclear hardware. The proposed cut would severely limit the U.S. activity in preventing the global spread of nuclear weapons. For this reason I think this amendment is one of the most important amendments that we will be facing not just here today, but I think for future generations.

Mr. BINGHAM. May I add my personal word to what the gentleman from Florida (Mr. FASCELL) said. I know Ambassador Tom Pickering well. I have worked with him personally and I have the highest regard for him. I think he is one of the top public servants in our Government. I have worked with many of the people on his staff and from my personal knowledge I know they have good interface and good working relationships with the other agencies having responsibilities.

I yield back the balance of my time.

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

Mr. Chairman, I think it is clear that we ought not to allow this cut to continue. I think in reviewing the issue it is clear also that this agency has, indeed, performed in an admirable manner. There are many questions I am sure with regards to all bureaucratic agencies and the way they operate. That is one of the reasons why I have in the past supported sunset legislation. But this is not the correct action.

But with regards to this agency, which deals with the transfer of technology, which deals with the gathering of technology throughout the world, it is probably one of our greatest national assets to have an agency that can deal with technology on a 1-to-1 basis with representatives of countries such as Mexico.

I recently had the opportunity to visit Mexico, and while I was there I also had the opportunity, and I am very grateful for it, to meet with the president, President Lopez Portillo. I also had the opportunity to meet with many of the scientific community, the people who deal in the



technology. I got a better feel for what it was that the people of Mexico want.

But why am I even referring to this? It is important to do that but, you know, Mexico has so many things we want. What do we want? We want oil.

Mexico happens at this point to have a pretty goodly amount of oil down in the Campeche region and other areas of the Gulf and it is important we communicate with these people. I want them to take care of their own country, but they need help in, for instance, the area of hydroelectric power and they also have other areas developing in the areas of food and feeding their own people. They have a crying need to reduce their unemployment. All of this can be addressed by technology transfer.

In the areas of technology transfer if we do not have an agency which is going to coordinate and cooperate with these other countries, who then is going to do it? Certainly it is not going to be this House. In reality we must give the people and the tools of the trade the money with which to operate. That is really what this is all about. It is true that it is only \$3 million, but the fact remains I think it probably, as evidenced by the amount of time that has been spent on it, it probably is the most important money we will spend in a long time. Frankly, it merits more of our consideration and the continuing support of this House that we continue to support the technology transfers to other countries and from other countries to us. This is the only agency that can do it and I urge strongly at this time that we support the amendment.

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

Mr. LLOYD. Yes, I yield to the gentleman from Massachusetts.

Mr. CONTE. I want to take this opportunity to compliment the gentleman from California in the well for the very fine and sound statement he has just made here today.

Mr. LLOYD. I thank the gentleman and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The question was taken; and on a division (demanded by Mr. ALEXANDER) there were—ayes 25, noes 11.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

INTERNATIONAL ORGANIZATIONS AND  
CONFERENCES  
CONTRIBUTIONS TO INTERNATIONAL  
ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties, conventions, or specific Acts of Congress, \$370,300,000.

AMENDMENT OFFERED BY MR. SLACK

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

The Clerk read as follows:

Amendment offered by Mr. SLACK: On page 4, line 6, strike out "\$370,300,000", and insert in lieu thereof "\$411,500,000".

□ 1310

Mr. SLACK. Mr. Chairman and members of the Committee, as I indicated

when the 1979 supplemental appropriation bill was considered by the House last month, the issue of technical assistance has been a troublesome one for the Committee on Appropriations for several years. There are those who feel that technical assistance should be funded under voluntary programs of the United Nations, such as the U.N.D.P. (U.N. Development Program). The U.N. agencies themselves maintain that their charters, to which the United States subscribes, authorize the pursuit of programs involving technical assistance. In the past the House Committee on Appropriations has supported the view that such programs are permitted by the charters of these organizations and that assessments levied by these organizations constitute legal obligations on the part of the United States. Failure to pay our assessments will ultimately jeopardize our voting rights and membership in these organizations.

Last year the appropriation bill for the Department of State was amended in the Senate and funds for technical assistance were deleted. Conferees on the bill suggested restoration of such funds, but the House instead agreed to the Senate amendment—the Helms amendment—which deleted \$27,716,000 from the appropriation. In dealing with the 1979 supplemental appropriation bill, our committee deferred for floor consideration a request to restore such funds. We did the same thing on the 1980 request of \$41,200,000 for technical assistance.

Mr. Chairman, the House on June 6 voted to restore the \$27,716,000 in technical assistance funds for 1979 and yesterday the conferees on the supplemental appropriation bill approved such funds. In light of these actions, I felt it was appropriate that such funds be provided for 1980. The amendment I have offered would provide all of the technical assistance funds requested for fiscal year 1980.

I ask for your support of the amendment.

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

Mr. SLACK. I yield to the distinguished chairman of the Committee on Foreign Affairs.

Mr. ZABLOCKI. Mr. Chairman, I rise in support of the amendment offered by the gentleman from West Virginia.

I want to commend my colleague, the distinguished chairman of the Subcommittee on State, Justice, Commerce, the Judiciary and Related Agencies for his initiative in sponsoring this amendment. The effect of his amendment will be to enable the U.S. Government to meet its legal obligations as a member of the United Nations and the specialized agencies by paying in full its regularly assessed dues for fiscal year 1980.

Mr. Chairman, this is the fourth time in the last 2 months that I have stood before the Committee of the Whole to endorse full payment of our membership dues. I do not believe it is necessary to repeat all of the reasons why it is so important for the United States to meet these obligations. Those reasons are spelled out in detail in the CONGRESSIONAL RECORDS of April 5, April 24, and June 6. On each of those days, following exten-

sive and thorough debate, the House determined by a series of majority votes that technical assistance, which would be funded under this amendment, constitutes a necessary component of our assessed contribution to the United Nations.

To Members who are critical of certain United Nations programs and the manner in which some of those programs are managed and administered, I merely say, Mr. Chairman, that that is not the issue. The issue is whether the United States is to carry out its legal responsibilities under the United Nations Charter. It is our credibility as a nation and as a legislative body which is at stake here \* \* \* and I would like to add that if we are seriously interested in reforming or changing certain practices of the U.N. and its specialized agencies, we will have more influence and moral authority to do so if we preserve our status as a dues-paying member in good standing than as an organizational "delinquent."

That, Mr. Chairman, is why I support the amendment of the gentleman from West Virginia and urge its adoption.

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

Mr. Chairman, I did not come here prepared today to talk at any great length on the issue of international technical assistance. I was not aware that the chairman was going to offer this amendment, but there is no reason that I should know that. I did read the report, and I noticed this amount of money, \$41.2 million, had been deferred. Quite frankly, I am distressed that the amendment should be before us at all. Simply because the supplemental appropriation included the amounts supposedly that the U.S. Government was in arrears. For last year does not mean that we must include money for the current year, and does not mean that we ought not to settle this issue one way or another.

Everytime this issue has come up on the floor—and it was subjected to hours of debate last year—we have been told by the gentleman from Wisconsin and others that some day this issue of technical assistance is going to be settled. Just spending money does not settle it. To add money just acquiesces in what has been assessed to us.

The issue, as I see it, is whether or not these international organizations have the right to dictate to the United States that we are going to spend money, whether we like it or not. Then their advocates come in and say that they are sorry but this claim has been made on us and we must pay it. The U.S. taxpayers pay the largest percentage of money in all these international organizations, as the gentleman well knows. These agencies have used this device of assessing us, rather than permitting voluntary contributions, to rob us in many instances, and to place on our taxpayers a burden they ought not to have to bear.

The gentleman from Illinois is correct, some of these funds go to worthy goals to stem disease, fight hunger, but an awful lot goes to bureaucrats, people with fat, high-paying jobs in New York, Geneva, and elsewhere. In fact, if the international bureaucrats salaries were

given to the objectives these programs are supposed to serve, such as hunger, famine, disease, the world would be much better off. We all know that these international organizations have become customary dumping grounds for bureaucrats who cannot make it in their own governments.

I am sorry that the chairman of the Appropriations subcommittee has been placed in the position of trying to commit this House to do something it should not want to do. I would urge defeat of this amendment until we have legislation reported by the Foreign Affairs Committee on this issue. Otherwise, you are going to be soaking the taxpayers and you are going to be soaking them \$41 million, which even on the Eastern Shore of Maryland is not an insignificant amount of money.

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

Mr. BAUMAN. I yield to the distinguished gentleman who bears the brunt of leadership on this matter, the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, this has been a troublesome issue. This House voted on both sides of the issue; last year for deletion, and in the supplemental this year for restoration of these technical assistance funds. So this committee assumed that the House was on record for this program. Certainly, the Foreign Affairs Committee supports it, and it will be authorized. They have just indicated their support.

Mr. BAUMAN. The Foreign Affairs Committee is a distinguished part of this body, and all of us have respect for the individual members, but their collective judgment has been questioned many times by a majority of this House; and the gentleman has the right to Act on his own for the subcommittee and the full committee. We are certainly within our rights to exercise our prerogative and say no.

Mr. SLACK. I am sorry the gentleman was not here during discussion of the supplemental to voice his opposition.

Mr. BAUMAN. I was here, but the issue remains before us now.

I would just like to reiterate, the issue is whether we are going to knuckle under to international organizations who demand money from us. If the Congress votes to add \$41 million to this bill, I guess that is what it wants but I believe we have the right to decide for ourselves how our money will be spent.

□ 1320

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

Mr. Chairman, I had not intended to speak on this matter, but I need to take some time to give some kind of perspective to this issue at least from my point of view. The United States is not an involuntary member of the United Nations. We are a member because we chose to be. We signed the charter and we passed all the laws necessary to implement our position in the United Nations and the affiliated agencies. Part of the responsibility of that membership is that we have to pay our share of the assessed budgets in either the parent organization or the affiliated organizations. You can quarrel

with the budget if you want to. I think that is legitimate. You can quarrel with the percentage of contribution or the amount of assessment the United States has to pay for participating; but it never has been—and we have debated this many times in this House—rational to deny our obligation because we are displeased and thus be in default of the U.S. legal obligations. The difficulty is that the United States as a separate member of each one of these affiliated agencies has to fight within that agency to affect those budgets one way or another. The United States has been doing that all the time, despite the fact that we have only had one vote. The United States has been somewhat successful in reducing the percentage of our contribution, reducing the budgets and holding the line. Lately the issue has arisen as to whether technical assistance ought to be part of the assessed budgets. It is in those agencies whose sole or primary operation is technical and is more readily understandable. But the issue of concern is increased assessments for technical programs in all affiliated agencies.

We can have a legitimate argument as to how much program operations we want out of an assessed budget. But when the assessment is made and the United States is part of that operation in fixing that budget, it is then too late to come in and ask the Committee on Appropriations to do something which would be actually a violation of our obligation on something that we have already agreed to. That does not stop necessarily our efforts to do whatever we can in terms of the U.S. position in those agencies. The debate that we have had on this whole issue has been extremely helpful in focusing attention not only in the Congress but in the executive branch about the necessity of either holding that down or changing the manner by which that is done. I commend that kind of discussion and effort. I am part of it.

The Subcommittee on International Operations will continue to pursue that question in terms of limiting the kind of automatic liability, if you will, imposed upon the United States through the assessed budget process for program operations. We have urged the agencies of Government at this moment, meaning State, General Accounting, and others, to take a look at that whole problem to see what other means can be achieved other than the single U.S. representative in that particular agency fighting for his life to hold down the budget to which the United States would ultimately be committed. I do not know that there is any easy answer to that, but the process has started.

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

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

Mr. BAUMAN. I thank the gentleman for yielding. The gentleman is correct. This is a continuing controversy, but it is always sloughed off in the same manner. We are always told it is part of our obligation, that we are part of the organization and we have an obligation.

Mr. FASCELL. The gentleman can

characterize in any way he wants to but I am not sloughing it off.

Mr. BAUMAN. If the gentleman will yield further, no, the gentleman is not. The gentleman is at least describing correctly what is being done, which is nothing. Every year we go through the same ritual debating technical assistance. We are assessed. We do not like the assessment. The gentleman says we hold oversight hearings. He urges people to do things. We debate it. The gentleman says it puts pressure on the U.N. It does not do a darned thing. We go right on spending the money.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. FASCELL. The truth of the matter is something is being done. It is being done by the United States, in every one of those agencies, and they are trying as hard as they can. The problem is the gentleman from Maryland just does not like any part of it, and he wants to get at it by just simply cutting the money here in the Congress no matter what goes on in those agencies. It is frustrating. It is difficult. But there is a way to do it without going back on our obligations.

Mr. BAUMAN. Will my good friend, the gentleman from Florida yield? Will my excellent friend, the gentleman from Florida yield? Will my outstanding friend, the gentleman from Florida yield?

Mr. FASCELL. I would be delighted to yield to the gentleman.

Mr. BAUMAN. I thank my good, excellent, and outstanding friend for yielding. The gentleman from Maryland is not opposed to all of these programs. That may come as a surprise to the gentleman, but I am opposed to forced assessments that we have little to say about.

Mr. FASCELL. When the gentleman says "forced assessments," he already adversely characterizes this whole operation. It is not a forced assessment. We are members voluntarily and vote on each budget.

Mr. BAUMAN. But we do nothing to change the assessments.

Mr. FASCELL. The gentleman is doing his best.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from West Virginia (Mr. SLACK).

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

RECORDED VOTE

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

Mr. SLACK. Mr. Chairman, if the gentleman will withdraw his point of order that a quorum is not present, we would be pleased to give him a recorded vote.

Mr. BAUMAN. In that case, Mr. Chairman, I withdraw my point of order that a quorum is not present.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 190, not voting 28, as follows:

[Roll No. 322]

AYES—216

Addabbo	Ford, Mich.	Oberstar
Akaka	Ford, Tenn.	Obey
Alexander	Fowler	Ottinger
Ambro	Frost	Panetta
Anderson,	Fuqua	Patten
Calif.	Garcia	Patterson
Anderson, III.	Gephardt	Pease
Andrews, N.C.	Gibbons	Ferkins
Annunzio	Glickman	Feyser
Anthony	Goldwater	Pickle
Aspin	Gonzalez	Preyer
AuCoin	Gore	Price
Baldus	Gray	Pritchard
Barnes	Green	Rahall
Bedell	Guarini	Railsback
Beilenson	Hall, Ohio	Rangel
Biaggi	Hamilton	Ratchford
Bingham	Hanley	Reuss
Blanchard	Harkin	Richmond
Boggs	Harris	Rodino
Boland	Hawkins	Roe
Bonior	Hightower	Rose
Bonker	Holtzman	Rosenthal
Bowen	Howard	Rostenkowski
Brademas	Hutto	Roth
Brodhead	Ireland	Roybal
Brooks	Jeffords	Russo
Brown, Calif.	Jenrette	Sabo
Brown, Ohio	Johnson, Calif.	Scheuer
Buchanan	Kastenmeier	Schroeder
Burison	Kildee	Seiberling
Burton, John	Kogovsek	Shannon
Burton, Phillip	Kostmayer	Sharp
Carr	LaFalce	Simon
Carter	Leach, Iowa	Sack
Cavanaugh	Lederer	Smith, Iowa
Chisholm	Lehman	Snowe
Clay	Leland	Solarz
Clinger	Lloyd	St Germain
Coelho	Long, La.	Stack
Collins, III.	Long, Md.	Staggers
Conte	Lowry	Steal
Corman	Lundine	Stewart
Cotter	McClory	Stokes
Coughlin	McCloskey	Studds
Danielson	McCormack	Swift
Daschle	McHugh	Synar
Del'ums	McKay	Thompson
Derrick	McKinney	Traxler
Derwinski	Maguire	Udall
Dicks	Markey	Ulman
Diggs	Marks	Van Deerlin
Dodd	Matsui	Vanik
Downey	Mavroukes	Vento
Drinan	Mica	Walgren
Duncan, Oreg.	Mikulski	Waxman
Early	Mikva	Weaver
Eckhardt	Muller, Calif.	Weiss
Edgar	Mineta	White
Edwards, Calif.	Mintz	Williams, Mont.
Erdahl	Mitchell, Md.	Wilson, Bob
Erlenborn	Moakley	Winn
Ertel	Moffett	Wirth
Fary	Mollohan	Wolf
Fascell	Moorhead, Pa.	Wolpe
Fazio	Murphy, Ill.	Wright
Fenwick	Murphy, N.Y.	Wydler
Ferraro	Murtha	Yates
Findley	Neal	Younz, Mo.
Fish	Nedzi	Zablocki
Fisher	No'an	Zerferetti
Fithlian	Nowak	
Florio	O'Brien	

NOES—190

Abdnor	Bouquard	D'Amours
Albosta	Breaux	Daniel, Dan
Andrews,	Brinkley	Daniel, R. W.
N. Dak.	Broomfield	Dannemeyer
Applegate	Broyhill	Davis, Mich.
Archer	Burrener	de la Garza
Ashbrook	Butler	Devine
Atkinson	Byron	Dickinson
Badham	Campbell	Dingell
Bafalis	Carney	Donnelly
Balley	Chappell	Dorman
Barnard	Cheney	Dougherty
Bauman	Clauser	Duncan, Tenn.
Beard, R.I.	Cleveland	Edwards, A'a.
Beard, Tenn.	Coleman	Edwards, Okla.
Benjamin	Collins, Tex.	English
Bennett	Conable	Evans, Del.
Bereuter	Corcoran	Evans, Ga.
Bethune	Courter	Evans, Ind.
Bevill	Crane, Daniel	Filippo
Boner	Crane, Philip	Fountain

Frenzel	Latta	Robinson
Gaydos	Leath, Tex.	Rudd
Gilman	Lee	Runnels
Gingrich	Levitas	Santini
Ginn	Lewis	Satterfield
Goodling	Livingston	Sawyer
Gradison	Loeffler	Schulze
Gramm	Lott	Sebellus
Grassley	Lujan	Sensenbrenner
Grisham	Luken	Shelby
Gudger	Lungren	Shumway
Guyer	McDonald	Shuster
Hagedorn	Madigan	Smith, Nebr.
Hall, Tex.	Marlenee	Snyder
Hammer-	Marriott	Solomon
schmidt	Martin	Spence
Hance	Mathis	Stangeland
Hansen	Mattox	Stanton
Harsha	Mazzoli	Stenholm
Heckler	Michel	Stockman
Hefner	Miller, Ohio	Stratton
Hefel	Mitchel, N.Y.	Stump
Hillis	Montgomery	Symms
Hollenbeck	Moore	Tauke
Holt	Moorhead,	Tay'or
Calif.	Calif.	Thomas
Hopkins	Mottl	Trible
Horton	Murphy, Pa.	Van'Jer Jagt
Hubbard	Myers, Ind.	Volkmer
Huckaby	Myers, Pa.	Walker
Hughes	Natcher	Wampler
Hyde	Nelson	Watkins
Ichord	Nichols	Whitehurst
Jacobs	Oakar	Whitley
Jenkins	Pashayan	Whitaker
Johnson, Colo.	Paul	Whitten
Jones, N.C.	Pursell	Wilson, Tex.
Jones, Okla.	Quayle	Wyatt
Jones, Tenn.	Quillen	Wylie
Kazen	Regula	Yatron
Kelly	Rhodes	Young, Alaska
Kemp	Rinaldo	Young, Fla.
Kin'ness	Ritter	
Kramer	Roberts	
Lagomarsino		

NOT VOTING—28

Ashley	Giaino	Rousselot
Bolling	Hinson	Royer
Conyers	Holland	Skelton
Davis, S.C.	Jeffries	Spellman
Deckard	Leach, La.	S'ark
Dixon	Lent	Treen
Emery	McDade	Williams, Ohio
Flood	McEwen	Wilson, C. H.
Foley	Pepper	
Forsythe	Petri	

□ 1340

Messrs. YATES, WYDLER, and WEAVER changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 103. Funds appropriated under this title shall be available, except as otherwise provided, for salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by 5 U.S.C. 5921-5925; services as authorized by 5 U.S.C. 3109; expenses as authorized by section 2 (a), (c) and (e) of the Act of August 1, 1956, as amended (22 U.S.C. 2669); and hire of passenger or freight transportation.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: page 8, immediately after line 7, insert the following new section:

"Sec. 104. Funds appropriated by this title may not be used to approve any export, any sale, or any transfer by any other means, of any defense articles of United States origin to Great Britain for use in Northern Ireland or to or for any police or other law enforcement authorities of Northern Ireland."

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

The CHAIRMAN. The gentleman from West Virginia reserves a point of order.

Mr. BIAGGI. Mr. Chairman, the Irish issue has been very clearly stated. The question of human rights in Northern Ireland has been under discussion and consideration by many Members for some time; however, now we are talking about a very narrow aspect of this entire undertaking. The amendment deals with the conduct of some members of the Department of State to deal more specifically with the sales of arms that the Department of State has licensed to export to Great Britain.

Mr. Chairman, I rise today to offer an amendment to the appropriations bill for the Department of State for fiscal year 1980. My amendment would prohibit the use of any State Department funds for use in the authorization or approval of any sale, export, or transfer of any defense articles to Great Britain for use in Northern Ireland by police authorities or other law enforcement authorities in Northern Ireland.

As chairman of the 130-member Ad Hoc Congressional Committee for Irish Affairs, I feel that there is a most compelling need for this amendment. On January 31 of this year, the Office of Munitions Control of the State Department authorized the sale of 3,000 .357 magnum handguns and 500 .223 rifles to the Royal Ulster Constabulary, the major British police force in Northern Ireland. This decision was implemented without any consultation or notification with Congress. More importantly, this action condoned the activities of a group which has been cited on numerous occasions for human and civil rights violations of suspects and prisoners by the Nobel Prize-winning Amnesty International, as well as the Bennett Commission, under the auspices of Britain itself.

This act is a violation of the intent of section 502(B) of the Foreign Assistance Act of 1961 which prohibits licenses from being issued under the Export Administration Act for "crime control detection instruments and equipment to a country, the government of which engages in a consistent pattern of gross violations of internationally recognized human rights." The rationale from State regarding this decision was the fact that it was felt that these arms were needed by British troops in light of recent troop reductions. We must take a hard look at the implications of this decision to arm another nation's police authorities to further perpetuate the violent nature of the problem of Ulster.

Cries of outrage came instantaneously from members of the Irish-American community in this country. In response to this, I dispatched a letter cosigned by 29 of my colleagues on the ad hoc committee to Matthew Nimetz, Counselor of the State Department who approved this sale expressing my strongest objections. This administration has committed itself to a policy of promoting human rights for all people, in all parts of the world yet the State Department, in its implementation of this policy, has seen fit to conveniently overlook Northern Ireland. This action was a strong indication that human rights has become a selec-

tive concern, which excludes countries such as Ireland, when it is allowed to be implemented in such a fashion. At this point, I would like to insert into the RECORD a copy of the letter which the ad hoc committee sent to Mr. Nimetz.

WASHINGTON, D.C.,  
June 6, 1979.

HON. MATTHEW NIMETZ,  
Counselor of the Department of State,  
Washington, D.C.

DEAR MR. NIMETZ: We the undersigned members of the Ad Hoc Congressional Committees for Irish Affairs wish to register our strong protest of the decision made by the State Department approving the sale of more than 3500 pieces of ammunition to police authorities in Northern Ireland.

We oppose this action on several grounds. The first relates to the oft-stated claim by the Department that it is neutral concerning the issue of Ireland. This decision clearly challenges the claim and in fact, interjects the United States clearly on one side of the dispute.

Our second, and perhaps more fundamental concern relates to the inconsistency between this decision and our advocacy and concern for human rights. The arms are being sent to police authorities who have been cited on several occasions for human rights violations by such respected international organizations such as Amnesty International, the European Commission and Court of Human Rights as well as the Bennett Commission in Great Britain itself. Despite human rights being the "cornerstone" of our nation's foreign policy, the Administration has been silent with respect to Ireland. Further, to approve the shipment of arms to an offending party lends credence to the contention that human rights is a selective concern which does not include Ireland.

If the United States is to become involved in the Irish question, it should be on the side of advancing peace in a balanced fashion. We request a full explanation of the actions which lead to the Department's decision with special attention to the provision of the law which sanctioned this action. We seek this information in advance of consideration by the House of the appropriations bill for the Department of State. We would like a reply either in written form or at a meeting which can be arranged.

Sincerely,

Mario Biaggi, Chairman; Leo C. Zeferetti, Geraldine A. Ferraro, Frank J. Guarini, Gerald B. H. Solomon, Frank Annunzio, Ronald M. Mottl, Doug Walgren, Tennyson Guyer, William R. Ratchford, Nicholas Mavroules, Lester L. Wolff, Pat Williams, Herbert E. Harris II, Edward J. Stack, Frederick W. Richmond, Benjamin A. Gilman, Hamilton Fish, Jr., and William S. Moorhead, Members of Congress.

JUNE 7, 1979.

HON. MATTHEW NIMETZ,  
Counselor of the Department of State,  
Washington, D.C.

DEAR MR. NIMETZ: As Chairman of the Ad Hoc Congressional Committee for Irish Affairs, I am writing to inform you that the following additional Members of the Committee have joined as co-signers to the letter which I recently sent to you protesting the decision by your department to authorize the sale of arms to British police authorities in Northern Ireland:

James J. Howard, William R. Cotter, Michael O. Myers, Bruce F. Vento, Eugene V. Atkinson, William Carney, Gary A. Lee, Mary Rose Oakar, Benjamin S. Rosenthal, Raymond F. Lederer, James M. Collins, and Charles B. Rangel, Members of Congress.

I would greatly appreciate an expeditious reply on this matter as the State Department

appropriations bill will be under consideration by the House on June 19.

With kindest regards, I remain,  
Sincerely,

MARIO BIAGGI,  
Member of Congress.

The reply which I received I also wish to insert into the RECORD and my colleagues will see how this response does very little to justify the exclusion of human rights concerns in this arms sale decision.

WASHINGTON, D.C.  
June 15, 1979.

HON. MARIO BIAGGI,  
House of Representatives,  
Washington, D.C.

DEAR MR. BIAGGI: Thank you for your letters of June 6 and 7, also signed by a number of other Members of Congress, regarding the sale of weapons to the police in Northern Ireland.

The Royal Ulster Constabulary is the legally constituted police force in Northern Ireland. As such, it has the responsibility for protecting all of the people there against crime and terrorism. Therefore, we believe that the recent commercial export sale of arms to this police force in no way reflects any U.S. partiality with regard to the tragic communal differences in Northern Ireland. In this connection I would note that Irish Foreign Minister O'Kennedy, in a May 31 foreign policy speech to the Dail, pledged the continued cooperation of the Irish police and army with the Royal Ulster Constabulary in the fight against violence in Northern Ireland.

We of course deplore any maltreatment of individuals in police custody. Following the issuance in March of the Bennett Committee report cited in your letter, the British Government announced immediate acceptance of its findings and promised immediate steps to avoid a recurrence of the abuse which the report had revealed. The new British Government formed after the May 3 election made a similar statement in Parliament on May 24, and also announced that the medical evidence in cases of possible maltreatment identified by the Bennett Committee will be referred to the Director of Public Prosecutions for Northern Ireland, who will decide whether any prosecutions should be brought against members of the Royal Ulster Constabulary.

President Carter articulated United States policy toward the Northern Ireland situation in his statement of August 30, 1977 as follows:

"The United States wholeheartedly supports peaceful means for finding a just solution that involves both parts of the community of Northern Ireland, protects human rights and guarantees freedom from discrimination—a solution that the people in Northern Ireland, as well as the governments of Great Britain and Ireland can support."

I can assure you that we shall continue to follow closely the human rights situation in Northern Ireland, including possible abuses by police or military authorities there.

Insofar as the legal framework for this decision is concerned, Section 38 of the Arms Export Control Act empowers the President to control the export of defense articles and defense services on the United States Munitions List "[i]n furtherance of world peace and the security and foreign policy of the United States." This authority is implemented through the International Traffic in Arms Regulations (the ITAR), 22 C.F.R. parts 121 et seq., administered by the Office of Munitions Control of the Department of State. Each application for a license to export commercially-sold Munitions List articles is reviewed by the Department from the standpoint of the compatibility of the pro-

posed export with the security and foreign policy of the United States. In accordance with our policy and the requirements of Section 502B of the Foreign Assistance Act of 1961, as amended, the possible human rights impact of the proposed export is one of the principal foreign policy factors, taken into consideration in evaluating a license application.

I hope you find this reply responsive to your questions and concerns. I am sending copies of this reply to the other Members of Congress who signed your letter.

Sincerely,

MATTHEW NIMETZ.

Again we see the inherent hypocrisy of our foreign policy in this matter as demonstrated by State. The Department of State preaches its neutrality with respect to Ireland, yet feels no qualms about dispatching 3,500 weapons to aid a major party in the dispute. They pontificate about respect for human rights in our foreign policy, yet when it comes to Great Britain and Northern Ireland, human rights are an expendable consideration.

Press reaction to this State action has been highly critical. Jimmy Breslin, in writing in the New York Daily News said:

The order for the arms purchase came from the British Home Office in London. The Home Office had first lied and said the arms were for police in Britain. When people in the U.S. State Department who license arms exports queried the Home Office a second time, the British admitted the funds were to be sent to the police in Northern Ireland.

A similar editorial in the June 6 edition of the Washington Post entitled "Guns to Ulster" noted:

\* \* \* question will and should be raised about the American Government's support of a British policy that does not yet seem fully committed to the goal of restoring self-government to Ulster.

The Irish press was equally as quick with criticism.

The most distressing fact of this entire action is that there are no assurances as to who these guns will finally go to. The Office of Munitions Control at State has confirmed this and even those in Ireland are aware of what will happen with these arms. As Bernadette Devlin stated:

Pretty soon people who aren't policemen will be going around with them (.357 magnums)—the police will be slipping as many as they can to their friends. It all adds up to the general armament of the people.

We must not allow this country to be responsible for the further escalation of a conflict which has taken thousands of lives since its beginning. If the United States is to become involved in the Irish problem, it should be involved in the promotion of peace, not the promotion of violence. Our tax dollars should not be spent in shipping arms to a law enforcement authority which has been acknowledged to be a violator of human and civil rights but rather be spent to promote the return of civil justice to a land which has been ransacked by violence for too long. I urge my colleagues to join us in this amendment.

□ 1350

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

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

Mr. ROSENTHAL. Mr. Chairman, I appreciate what the gentleman is saying, and I agree with him thoroughly.

I think the issue is a very narrow, precise one, whether the State Department exercised ordinary prudence and caution in the character and nature of the weapons they sold to the Northern Ireland police force. In my judgment, they did not.

The gentleman from New York (Mr. BIAGGI) is to be commended. The House has a responsibility for inquiring into this matter in great depth. Whether this is the appropriate vehicle or not, I am not sure I know the answer to that, but certainly some relevant committee, perhaps the Committee on Foreign Affairs, ought to look into the matter. And for that purpose I might ask the gentleman to yield to the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI).

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

Mr. BIAGGI. I am delighted to yield to the chairman of the committee.

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

I can certainly appreciate the gentleman's concern in this matter, and I know of his deep interest. We are all concerned about the situation in Northern Ireland.

I can assure the gentleman that, as the chairman of the Committee on Foreign Affairs, we will investigate this matter thoroughly, and I will insist that policy decisions on arms transfers to Great Britain for use in Northern Ireland as licensing be made at the highest level in the Department of State in the future.

Mr. Chairman, I hope my assurances will satisfy the gentleman that we are genuinely concerned and will continue to investigate the matter thoroughly. In view of these assurances, I hope that the gentleman will withdraw his amendment.

Mr. BIAGGI. Mr. Chairman, I appreciate what the chairman of committee has said, and I am also aware of his concern.

However, may I engage further in colloquy with the gentleman from Wisconsin (Mr. ZABLOCKI)?

Mr. ZABLOCKI. The gentleman has the time.

Mr. BIAGGI. All right. Mr. Chairman, I understand the gentleman's commitment to a comprehensive, exhaustive investigation, but I wonder if it will take the form of a hearing. And what will the time frame be to deal with this very narrow issue?

We are not getting into the involved passionate displays about which some people are fearful. We are talking about the conduct of the Department of State, which has obviously adopted a partisan position.

The CHAIRMAN. The time of the gentleman from New York (Mr. BIAGGI) has expired.

(By unanimous consent, Mr. BIAGGI was allowed to proceed for 5 additional minutes.)

Mr. BIAGGI. Mr. Chairman, to continue, the Department of State professes to be neutral on one hand and yet we see a visible conduct of partiality. They are providing arms to a part of a country that has been found guilty and in violation of the law.

I think it is essential that we make the Department of State accountable—I appreciate the gentleman's cooperation and his comments along these lines—and it could be done best through a very exhaustive investigation and a hearing to deal with this very precise issue.

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

Mr. BIAGGI. I am delighted to yield to the committee chairman.

Mr. ZABLOCKI. Mr. Chairman, as I earlier assured the gentleman, it is my intention, on the narrow issue to which the gentleman is addressing himself, to conduct a thorough investigation of this matter pursuant to the oversight authority and jurisdiction of the Committee on Foreign Affairs.

I am sure the gentleman would not advocate conducting an open hearing which would open a Pandora's box on the issue of Northern Ireland. To the extent the gentleman is concerned about the licensing of arms sales and other arms transfers to Great Britain for use in Northern Ireland, I can assure the gentleman that the committee will look into the matter as carefully and as thoroughly as possible.

Mr. BIAGGI. Mr. Chairman, may I inquire, when we can expect that we will have a hearing?

Mr. ZABLOCKI. Mr. Chairman, I can assure the gentleman that the committee's investigation will be done very expeditiously.

Mr. BIAGGI. Mr. Chairman, I am very grateful for the gentleman's cooperation.

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

Mr. BIAGGI. I am delighted to yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I want to compliment the gentleman from New York and thank him for yielding.

I am happy that the gentleman from New York (Mr. BIAGGI) has been able to center and focus some little attention on a problem that has been plaguing us for so these many years. I am a little disturbed, however, at the statement that was just made by my esteemed and distinguished colleague the very able chairman of the Foreign Affairs Committee "that we should not open a Pandora's box."

I think it is about time we opened up a Pandora's box on Northern Ireland. I think for too long that box has been closed up.

I put in a resolution of inquiry on this question of military aid to Britain destined for Northern Ireland, but no action was taken we have been asking for hearings on the question for three Congresses—6 years. Unfortunately there has been no action. And as for limiting the inquiry, I understand the gentleman in the well indicates now there will be a limiting of the inquiry.

May I just ask the chairman of our committee this question? Is it not true,

I will ask the chairman, that we do have an amendment, the Harkins amendment, that passed this House that prohibited military equipment from being furnished to any nation which has a record of continuing violations or gross violations of human rights, and has not that finding been made of mistreatment, torture and imprisonment without trial by the British of the minority in Northern Ireland? And is it not true the British themselves issued a similar report, the Bennet commission report, of gross violations of human rights?

Is it not time then to open that Pandora's box?

Mr. ZABLOCKI. Mr. Chairman, will the gentleman from New York (Mr. BIAGGI) yield to me in order that I may respond to the question of the gentleman from New York (Mr. WOLFF)?

Mr. BIAGGI. Yes, I yield to the chairman of the committee.

Mr. ZABLOCKI. Mr. Chairman, in answer to the gentleman's question, yes, we do have the Harkin amendment, and, yes, the provisions of the amendment are as the gentleman perceives them.

As to the implementation of the Harkin amendment by the State Department, I am not at this moment prepared to say that the State Department has been negligent in implementing the Harkin amendment as far as human rights in Northern Ireland is concerned.

Let me state that there are matters far beyond the scope of the issue which the gentleman from New York (Mr. BIAGGI) has called the attention of this committee, which are confined solely to the licensing provisions and arms transfer policy on the part of the State Department with respect to Great Britain and its province in Northern Ireland.

I am sure that if we would open the full question on Northern Ireland, under the format of open hearings, and as the gentleman said, open a Pandora's box, we would then have to go into all relevant issues such as the question of where the IRA receives its military equipment. Such a step should take into consideration the interests of our allies in Europe, in Great Britain, and particularly the people in Northern Ireland. Therefore, I do not think that an open hearing on the matter suggested by the gentleman from New York (Mr. WOLFF) would help the situation at all. I make this statement in conjunction with the agreement I have just made with the gentleman from New York (Mr. BIAGGI) to conduct a thorough investigation of U.S. arms transfer policy with respect to Great Britain and its province, Northern Ireland.

Mr. BIAGGI. Mr. Chairman, I would like to punctuate that last remark. The gentleman from Wisconsin (Mr. ZABLOCKI) and I have made an agreement for a hearing.

I do not disagree with the gentleman from New York (Mr. WOLFF). Our long-range objective is to have a full hearing of the Northern Ireland question.

Mr. Chairman, I make this statement at this point in the light of the circumstances which have inhibited the subcommittee chairman, the gentleman from West Virginia (Mr. SLACK), who

has reserved a point of order on my amendment, and we appreciate his reservation. But we are grateful for even a full investigation of this very narrow aspect of the question.

The CHAIRMAN. The time of the gentleman from New York (Mr. BIAGGI) has expired.

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

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

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

Mr. MOTT. Mr. Chairman, I would like to compliment the gentleman in the well for offering his outstanding amendment, and I would like to associate myself with his remarks.

I would also like to compliment the gentleman for his yeoman job as chairman of the "Irish Caucus" and for working out this agreement with the chairman of the committee, the gentleman from Wisconsin (Mr. ZABLOCKI), to have a hearing on this issue.

Mr. Chairman, I thank the gentleman for yielding.

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

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

Mr. ZEFERETTI. Mr. Chairman, I merely want to commend my colleague, the gentleman from New York (Mr. BIAGGI), for offering this amendment.

The gentleman is opening up the door, and if it is a Pandora's box, then let us open it up.

In all the years the gentleman spent in law enforcement and in my own years in law enforcement, I do not know of any police department that has to have .357 magnums and M1 rifles to maintain law and order.

So, Mr. Chairman, with that I say I extend my congratulations to the gentleman for offering this amendment.

Mr. Chairman, I rise in support of the amendment offered by my colleague from New York. It is totally incomprehensible to me that our State Department continues to preach impartiality with respect to Ireland while at the same time approving the recent sale of weapons for use by the police force in Northern Ireland.

The Royal Ulster constabulary has a long history of inflicting torture and abuse on prisoners and suspects alike, and Mr. Biaggi has already mentioned the fact that this police force has been cited by Amnesty International and the British Government itself for violating the human rights of the citizenry of Northern Ireland.

The carnage in Ireland must stop, and by approving the sale of guns to an already strife-ridden area such as Northern Ireland is merely adding fuel to the fire.

I realize that many of my colleagues may be hesitant to limit the sale of arms to a nation that has been our staunch ally during the past century, but the time has come for this Congress to take a stand against that nation's continuing involvement in the affairs of Northern

Ireland. If the United States fails to act, I am convinced that the conflict that has to date claimed more than 2,000 lives will continue for years to come.

For these reasons, I wholeheartedly support the gentleman's amendment, and I strongly urge my colleagues to support the cause of human rights by voting in favor of the proposal.

□ 1400

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

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

Mr. GILMAN. Mr. Chairman, I rise in support of the Biaggi amendment to the State, Commerce, and Judiciary appropriations bill, which seeks to prohibit any arms sales to Northern Ireland police forces, or to Great Britain for use in Northern Ireland. I want to commend the gentleman from New York for his unfailing and diligent efforts on behalf of the Irish, and I want to praise him for his leadership as chairman of the Ad Hoc Committee on Irish Affairs.

Mr. Chairman, the recent arms sale to Great Britain, a sale in which 3,000 .357 magnum guns and many rifles were handed over to the British for use in Northern Ireland, was approved by the administration. The State Department, we have learned, had foreknowledge of that sale, approved it, knowing full well that the sale may prove disastrous. Great Britain has been accused, and has admitted on several occasions before the world, that there have been gross violations of human rights, and that the British Police have been major perpetrators of these crimes. To arm a violent and morally offensive segment of the population in Northern Ireland is a disgrace, particularly when the United States is the party arming these people. This region of the world has had more than its share of hardship and violence. It makes no sense whatsoever for our Nation to approve a shipment of deadly weapons to the police stationed in Northern Ireland.

Mr. Chairman, on many occasions, in the House of Representatives, we have pointed out the consistent and flagrant violations of human rights which continue to occur in Northern Ireland, directly resulting from the British presence there. I need not belabor the point at this time, but suffice it to say that no other U.S. ally has so consistently and so publicly admitted that they are guilty of human rights violations. And suffice it to say that the U.S. State Department approved a sale of arms to this nation whose record is less than admirable in this area. Documentation of human rights violations has been compiled, and year after year, the evidence comes through substantiating the continuing British violations. The evidence speaks for itself. In early April of this year, nearly 25 of our colleagues submitted for the RECORD written statements attesting to the violations. That special order appears in the RECORD of April 9, 1979, and establishes, beyond the shadow of a doubt, the Congress concern with this deplorable situation.

I have visited Northern Ireland on

several occasions and have personally observed the conditions in prisons, and have listened to the pleas by prisoner's mothers and by their loved ones.

The gentleman from New York (Mr. FISH in a fine report, has recently documented his meetings with many of the prisoners' families, and has compiled recommendations and suggestions as to how the United States might effectively assist the Irish in mollifying the horrendous conditions which face them daily.

The continuation of these violations is disturbing. In meeting with our State Department officials, in various capacities, we hear the same statements over and over, pleading a lack of knowledge of the situation and suggesting that nothing substantive can be done to assist in an "internal" situation. And I say to them, as I say now, how did we assist in achieving peace in other parts of the globe, and under what reasons do we continue to pressure other governments to ease restrictions placed on their dissidents? And why does the State Department continue to speak out against violations in South America, Africa, and in Southeast Asia, without one hint of concern for the Irish? It is not laxity on the part of our State Department—we have produced enough evidence to fill volumes—no, it is a subtle attitude of disregard, a hope that the problem will go away—will clear itself up so that the United States does not have to go on record in opposition to the violations carried out by the British. It reflects a narrow view by the State Department in regard to the British Isles, a preservation of the status quo. We are entitled to know why the State Department feels that this question is virtually untouchable, why the Irish should be singled out as one of the few groups who cannot share in the benefits of America's conscience. The State Department should promulgate a rational, fair and estimate determination in this matter—not a half-hearted, evasive human rights policy—which fails to treat all nations equitably. To date, the State Department has failed to live up to its commitment toward human rights in all parts of the globe.

Mr. Chairman, I urge the adoption of the Biaggi amendment, and urge my colleagues to join in supporting this measure.

I also urge our House Foreign Affairs Committee to conduct a full and thorough hearing on the issue in Northern Ireland to seek opportunities for bringing peace and justice to that troubled part of the world.

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

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

Mr. CARNEY. Mr. Chairman, I would like to add to the sentiments of those who have spoken before me, and I commend my colleague, the gentleman from New York (Mr. BIAGGI), on the yeoman's job that he has done on this issue, bringing this issue to the attention of the Members of the Congress and to the people of the United States.

I would support the amendment. But, more importantly, I would support whatever decision the gentleman from New

York (Mr. BIAGGI) would make as to whether to withdraw the amendment and go into open hearings. The situation in Northern Ireland demands that this Congress investigate the many human rights violations which have occurred in Northern Ireland. I believe that we would accomplish much more by having the Foreign Affairs Committee initiate this most important issue, and I look forward to the full cooperation of the committee chairman (Mr. ZABLOCKI) to expedite these hearings.

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

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

Mr. PEYSER. Mr. Chairman, I want to say that I think the gentleman has touched on something that has bothered the conscience of a great many Americans, not just Irish Americans, for many, many years now, and it is a move, a step, toward bringing about justice and, perhaps, peace in Northern Ireland. I commend the gentleman for his work in this matter.

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

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

Mr. HANLEY. I thank the gentleman for yielding.

Mr. Chairman, I, too, want to commend the gentleman in the well, Mr. Biaggi, for his outstanding contribution in providing leadership on this issue here in the Congress. The gentleman certainly has earned the gratitude of all who are concerned with human rights. Speaking of human rights, it appears that there are some who tend to provide a dual standard for human rights, that human rights in one set of circumstances applies, but with respect to the tragedy in Northern Ireland, in their eyes, it should not apply.

So I commend the gentleman, and it certainly is inconceivable to me and, I hope, most Members of this Congress, that the State Department would demonstrate the irresponsibility it did in approving that recent arms sale.

I again commend the gentleman in the well for his outstanding leadership.

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

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

Mr. FINDLEY. I thank the gentleman for yielding.

Mr. Chairman, I hope the gentleman will not mind if I voice a discordant note here. My name has a slightly Irish ring, so I suppose that, because of that, I ought to be sympathetic to the amendment. But I wonder if anyone can seriously describe this as a constructive and helpful amendment after actually reading the language.

This would shut off the export, sale or transfer of any defense articles to a part of Great Britain. Great Britain is a member state of the North Atlantic Treaty Organization. We are pledged under the treaty to regard an attack on any part of Great Britain as if it were an attack on U.S. territory. Great Britain includes Northern Ireland.

So, with all due respect, I think this amendment would be a very serious mistake. I favor public inquiry into the status of human rights in Northern Ireland, but I am convinced it would be a blunder to impair our military relationship with any part of a NATO ally.

The CHAIRMAN. The time of the gentleman from New York (Mr. BIAGGI) has expired.

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

Ms. HOLTZMAN. Mr. Chairman, will the gentleman yield?

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

Ms. HOLTZMAN. Mr. Chairman, I want to commend my colleague, the gentleman from New York (Mr. BIAGGI), for his leadership in raising this issue. He addresses a very important point, namely, the willingness of the State Department to wink and look the other way when it comes to potential human rights violations and actual human rights violations, not by our enemies, but by our friends. I think the sale of weapons to Great Britain in this case raises some very serious questions of prudence. I do not think they should have been sold. I think, if nothing else, the gentleman's amendment here on the floor today should send a very strong signal to the State Department to stop winking at this kind of behavior.

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

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

Mr. DERWINSKI. I thank the gentleman for yielding.

Mr. Chairman, I, too, wish to commend the gentleman. As I understand, the gentleman has reached a practical agreement with the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI).

I just have two polite observations to make. One is that as I listened to all of the accolades that the gentleman is receiving, I am amazed that he is able to keep his modesty in the face of the overwhelming adulation he has received from Members of the House.

My second observation is that, should the gentleman from Wisconsin (Mr. ZABLOCKI) not be able to solve the problem, I will be prepared next year when this bill is before us to offer an amendment requiring the State Department to appoint a special ambassador to work with the Congressional Irish Caucus.

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

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

Mr. WEISS. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the amendment being offered by my colleague from New York (Mr. BIAGGI) which would prevent the State Department from helping to arm the Royal Ulster Constabulary.

This amendment would disassociate the United States from the human rights violations and repression that continue

to afflict Northern Ireland. The State Department-approved sale of 3,000 .357 magnum handguns and 500 .223 rifles to the main police authority in Northern Ireland would breach any claim of neutrality of the United States toward the situation in Ulster. The Royal Ulster Constabulary has been cited by Amnesty International and other respected human rights organizations as a practitioner of abusive treatment of suspects and prisoners in Northern Ireland. The United States should not place itself in the position of arming this repressive police organization.

It would in fact appear that the January 31 decision by the State Department's Office of Munitions Control to approve the sale directly violates section 502(B) of the 1961 Foreign Assistance Act. This provision prohibits licenses from being issued for "crime control and detection instruments and equipment to a country, the government of which engages in a consistent pattern of gross violation of internationally recognized human rights."

A commission appointed by the British Government recently reported that human rights are systematically violated in Northern Ireland by occupying forces and Ulster authorities. Arming the agents of this oppression is indefensible. I strongly urge my colleagues to support a peaceful resolution to the conflict in Northern Ireland by voting for Mr. BIAGGI's amendment and I urge the Committee on Foreign Affairs to hold full and open hearings on the deprivation of human rights in Northern Ireland.

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

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

Mr. FISH. I thank the gentleman for yielding.

Mr. Chairman, the amendment offered by my colleague from New York (Mr. BIAGGI), is entirely appropriate in view of the recent State Department approved sale of 3,000 hand guns and 500 high-powered automatic rifles to the Royal Ulster Constabulary in Northern Ireland. These arms are hardly routine type police weapons.

The amendment would prohibit the use of any State Department funds to approve any export or sale of any United States defense articles to Great Britain for use in Northern Ireland or for any police or other law enforcement authorities in Northern Ireland.

The State Department approved sale of arms is an outrage. It does violence to the President's position of August 1977 on the resolution of the tragedy in Northern Ireland and makes a mockery of U.S. policy which forbids military aid to a country which violates human rights.

The Royal Ulster Constabulary has been consistently indicted for violations of human rights—in 1978 by Amnesty International, in 1979 by the British Government's own Bennett Commission Report. In 1976, Great Britain was found guilty of torture in the Irish Government case before the European Commission on Human Rights in Strasbourg, and again

in 1978 was found guilty by the European Court of Human Rights of degrading and inhumane treatment in interrogation techniques.

In the face of these findings of human rights violations for most of the decade of the 1970's, I am at a loss to give a charitable explanation to our State Department's approval of a sale of high-powered rifles and hand guns to the RUC. Section 502(b) of the Foreign Assistance Act of 1961, as amended states:

Security Assistance may not be provided to the police, domestic intelligence, or similar law enforcement forces of a country, and licenses may not be issued under the Export Administration Act of 1969 for the export of crime control and detection instruments and equipment to a country, the government of which engages in a consistent pattern of gross violations of internationally recognized human rights unless the President certifies in writing to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee that extraordinary circumstances exist warranting provision of such assistance and issuance of such licenses.

It is extraordinary that these findings and allegations are ignored by our Government. It is difficult to understand how our Government, committed as it is to human rights, refuses to condemn well-documented violations of human rights and continue to authorize arms sales to the violators of these human rights.

This amendment should force a reassessment by our State Department of its contorted interpretation of the law.

I find it appalling that our country is assuming the role of arms merchant in the highly volatile political situation in Northern Ireland at a time when we should be promoting peace and justice. Central to such a policy would be an evenhanded denunciation of violence from any quarter.

Our State Department's present position can only serve to continue the bloodshed and repression; to further the syndrome of the bomb and the bullet.

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

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

Mr. BINGHAM. I thank the gentleman for yielding.

Mr. Chairman, I, too, would like to commend my colleague, the gentleman from New York, on his dedication to the work of bringing justice to Northern Ireland.

I would just like to say that, not only is an investigation of this matter called for, but, in my judgment, it would be appropriate and wise—and I know the gentleman agrees—for the Committee on Foreign Affairs to have open hearings on the whole range of issues involved in Northern Ireland.

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

Mr. BIAGGI. I yield to the gentleman from West Virginia.

Mr. SLACK. I thank the gentleman for yielding.

Mr. Chairman, I am certainly sympathetic with the concerns of the gentleman from New York (Mr. BIAGGI), but in view of assurances that were given a

few moments ago by the chairman of the Committee on Foreign Affairs, the gentleman from Wisconsin (Mr. ZABLOCKI), I would respectfully request that the gentleman withdraw his amendment.

The CHAIRMAN. The time of the gentleman from New York (Mr. BIAGGI) has expired.

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

Mr. BIAGGI. Mr. Chairman, in light of the assurances that I have received from the gentleman from Wisconsin (Mr. ZABLOCKI), the chairman of the Committee on Foreign Affairs, that he would commit himself to a complete, comprehensive, and exhaustive investigation, and closed hearings, if necessary, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

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

Mr. Chairman, without in any way taking away from the accolades just bestowed upon our brother, the gentleman from New York (Mr. BIAGGI), but in order for the record to be made clear, I have heard reference to a weapon defined as a .357 Magnum, and by someone else as a .375 Magnum during the recent debate, as though it were something out of "Star Wars."

I happen to know that the .357 revolver has been in use by civilian police agencies in the United States for at least 40 years. There is nothing very exotic about it.

The CHAIRMAN. Are there additional amendments to title I?

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: On page 8, after line 7 add the following new section:

"Sec. 104. No more than 95 percent of the funds appropriated by this title shall be expended."

Mr. ASHBROOK. Mr. Chairman, on April 24 a majority of this House, while in the Committee of the Whole, voted to cut 10 percent of the funds for the Department of State. Only last minute power tactics by the leadership was able to reverse the will of the Committee. The points I raised in April are more valid now than then. The record of this administration and its Department of State is one of the most dismal in American history. One close friend and ally after another has been sold down the river by this administration. After 2½ years of Carter foreign policy we have lost a major waterway in Panama, we have shipped our close friend Taiwan into a diplomatic never-never land, we have lost vital monitoring stations in Iran, we have signed a faulty SALT II agreement, and we have left the doors open in Africa and Central America for Cuba to run rampant. No other recent administration has been able to do so much damage in so little time. To reward

such incompetence with an increase in funding the very arm of Government most responsible for this embarrassing record is an outrage to Americans.

The President is now up at Camp David trying to understand what is going on in America. It is a major tragedy when a President has to admit that he does not know what is going on in his own Nation. Part of the blame for this isolation of the President is the clutch of advisers who find it in their own interests to warp reality. America cannot tolerate such actions. Today we have an opportunity to signal our disgust. I urge the adoption of the amendment.

□ 1410

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

Mr. Chairman, our committee reviewed the budget request for the Department of State very carefully over a long period of time. We recommended a total for the Department, which was \$60,532,000 less than the total request. Even with the amendments that have been adopted here today, the total is still \$16,432,000 less than the total request.

A cut across the board in my judgment is certainly not the way to make reductions.

Therefore, Mr. Chairman, I would ask that the amendment be defeated.

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

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

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

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

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 323]

Abdnor	Barnes	Brinkley
Addabbo	Bauman	Brodhead
Akaka	Beard, R.I.	Brooks
Albosta	Beard, Tenn.	Broomfield
Anderson,	Bejell	Brown, Calif.
Calif.	Bellenson	Brown, Ohio
Anderson, Ill.	Benjamin	Broyhill
Andrews, N.C.	Bennett	Buchanan
Andrews,	Bereuter	Burgener
N. Dak.	Bethune	Burlison
Annunzio	Bevill	Butler
Anthony	Biaggi	Byron
Applegate	Bingham	Campbell
Archer	Blanchard	Carney
Ashbrook	Boland	Carr
Aspin	Boner	Carter
Atkinson	Bonior	Cavanaugh
AuCoin	Bonker	Chappell
Ba'ham	Bouquard	Cheney
Balley	Bowen	Clausen
Baldus	Braemas	Clay
Barnard	Breaux	Cleveland



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Crane, Daniel  
Crane, Phillip  
D'Amours  
Daniel, Dan  
Daniel, R. W.  
Danielson  
Dannemeyer  
Daschle  
Davis, Mich.  
Davis, S. C.  
de la Garza  
Deckard  
Dellums  
Derrick  
Derwinski  
Devine  
Dickinson  
Dicks  
Diggs  
Dingell  
Dodd  
Donnelly  
Dornan  
Dougherty  
Downey  
Drinan  
Duncan, Tenn.  
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Edwards, Ala.  
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Florio  
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McEwen  
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McKay  
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Madigan  
Maquire  
Markey  
Marks  
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Martin  
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Michel  
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Miller, Calif.  
Miller, Ohio  
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Mitchell, Md.  
Mitchell, N. Y.  
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Mollohan  
Montgomery  
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Yates  
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Young, Alaska  
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## NOES—199

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Akaka  
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Burton, John  
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Davis, S. C.  
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Duncan, Oreg.  
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Gaydos  
Gephardt  
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Gilman  
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Ginn  
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Gore  
Gradison  
Gramm  
Grassley  
Gray  
Green  
Grisham  
Guarini  
Gudger  
Guyer  
Hagedorn  
Hall, Ohio  
Hall, Tex.  
Hamilton  
Hammer-  
schmidt  
Hance  
Hanley  
Hansen  
Harkin  
Harris  
Harsha  
Hawkins  
Heckler  
Hefner  
Hefter

Fisher  
Florio  
Foley  
Ford, Mich.  
Ford, Tenn.  
Frost  
Fuqua  
Garcia  
Gialmo  
Gibbons  
Gilman  
Gonzalez  
Gore  
Gray  
Green  
Hall, Ohio  
Haney  
Harris  
Hawkins  
Hightower  
Holtzman  
Howard  
Jeffords  
Jenrette  
Johnson, Calif.  
Jones, Tenn.  
Kastenmeier  
Kazen  
Kildee  
Kostmayer  
LaFalce  
Leach, Iowa  
Lederer  
Lehman  
Leland  
Lloyd  
Long, La.  
Long, Md.  
Lowry  
Lundine  
McClory  
McCloskey  
McCormack  
McEwen  
McHugh  
McKay  
McKinney  
Madigan  
Maquire  
Markey  
Matsul  
Mattox  
Mavroules  
Mazzoli  
Mikulski  
Miller, Calif.  
M'Neta  
Minish  
Mitchell, Md.  
Moakley  
Moffett  
Mollohan  
Moorhead, Pa.  
Murphy, Ill.  
Murphy, N. Y.  
Myers, Pa.  
Natcher

Nedzi  
Nolan  
Nowak  
O'Brien  
Oberstar  
Obey  
Ottinger  
Patten  
Patterson  
Pease  
Pepper  
Peysler  
Pickle  
Price  
Pritchard  
Rahall  
Rallsback  
Rangel  
Ratchford  
Reuss  
Rhodes  
Richmond  
Roe  
Rose  
Rosenthal  
Rostenkowski  
Roybal  
Sabo  
Scheuer  
Seberling  
Shannon  
Simon  
Slack  
Smith, Iowa  
Smith, Nebr.  
Solarz  
St Germain  
Stack  
Stagers  
Stanton  
Stark  
Steed  
Stewart  
Stokes  
Studds  
Swift  
Taufe  
Thompson  
Udall  
Ulman  
Van Deerlin  
Vanik  
Vento  
Wayman  
Weiss  
Whitten  
Williams, Mont.  
Wilson, Bob  
Wilson, Tex.  
Wolf  
Wolpe  
Wright  
Yates  
Young, Mo.  
Zablocki  
Zeferetti

□ 1430

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

## RECORDED VOTE

The pending business is the demand of the gentleman from Ohio (Mr. ASHBROOK) for a recorded vote. In accordance with the previous announcement of the Chair, 5 minutes will be allowed for the vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, noes 199, not voting 25, as follows:

## [Roll No. 324]

## AYES—210

Abdnor  
Ambro  
Anderson, Ill.  
Andrews, N. C.  
Andrews,  
N. Dak.  
Anthony  
Applegate  
Archer  
Ashbrook  
Atkinson  
Baitham  
Bafalis  
Barnard  
Bauman  
Beard, Tenn.  
Bennett  
Bereuter  
Bethune  
Bouquard  
Broomfield  
Brown, Ohio  
Broyhill  
Burgener  
Butler  
Byron  
Campbell  
Carney  
Carter  
Chappell  
Cheney  
Chausen  
Cleveland  
Clingler  
Coleman  
Collins, Tex.  
Conable  
Corcoran  
Cotter  
Coughlin  
Courter  
Crane, Daniel  
Crane, Phillip  
D'Amours  
Daniel, Dan  
Daniel, R. W.  
Dannemeyer  
Davis, Mich.  
de la Garza  
Deckard  
Devine  
Dickinson  
Dicks  
Donnelly  
Dornan  
Dougherty  
Downey  
Drinan  
Duncan, Oreg.  
Early  
Eckhardt  
Edgar  
Edwards, Ala.  
Edwards, Calif.  
Ertel  
Fary  
Fascell  
Fazio  
Fenwick  
Ferraro  
Findley  
Fish  
Fisher  
Fithian  
Flippo  
Florio  
Foley  
Ford, Mich.  
Ford, Tenn.  
Fountain  
Fowler  
Frenzel  
Frost  
Fuqua  
Garcia  
Gaydos  
Gephardt  
Gialmo  
Gilman  
Gingrich  
Ginn  
Glickman  
Goldwater  
Gonzalez  
Goodling  
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Gradison  
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Gudger  
Guyer  
Hagedorn  
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Hall, Tex.  
Hamilton  
Hammer-  
schmidt  
Hance  
Hanley  
Hansen  
Harkin  
Harris  
Harsha  
Hawkins  
Heckler  
Hefner  
Hefter

Goodling  
Gradison  
Gramm  
Grassley  
Grisham  
Guarini  
Gudger  
Guyer  
Hagedorn  
Hall, Tex.  
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Hammer-  
schmidt  
Hance  
Hansen  
Harkin  
Harsha  
Heckler  
Hefner  
Robinson  
Roe  
Rose  
Rosenthal  
Rostenkowski  
Roth  
Roybal  
Royer  
Rudd  
Runnels  
Russo  
Sabo  
Santini  
Satterfield  
Sawyer  
Scheuer  
Schroeder  
Schulze  
Sebellius  
Seberling  
Sensenbrenner  
Shannon  
Sharp  
Shelby  
Shumway  
Shuster  
Simon  
Slack  
Smith, Iowa  
Smith, Nebr.  
Snow  
Snyder  
Solarz  
Solomon  
Spence  
St Germain  
Stack  
Stagers  
Stange and  
Stanton  
Stark  
Steed  
Stenholm  
Stewart  
Stockman  
Stokes  
Stratton  
Studds  
Swift  
Symms  
Synar  
Taufe  
Taylor  
Thomas  
Thompson  
Travler  
Tribble  
Ulman  
Van Deerlin  
Vander Jagt  
Vanik  
Vento  
Volkmere  
Walker  
Watkins  
Weaver  
Weiss  
White  
Whitehurst

Murphy, Pa.  
Murtha  
Myers, Ind.  
Neal  
Nelson  
Nichols  
Oakar  
Panetta  
Paul  
Perkins  
Petri  
Preyer  
Pursell  
Quayle  
Quillen  
Regula  
Rinaldo  
Ritter  
Roberts  
Robinson  
Roth  
Royer  
Rudd  
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Russo  
Sabo  
Santini  
Satterfield  
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Scheuer  
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Smith, Nebr.  
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Tribble  
Ulman  
Van Deerlin  
Vander Jagt  
Vanik  
Vento  
Volkmere  
Walker  
Watkins  
Weaver  
Weiss  
White  
Whitehurst

## NOT VOTING—25

Alexander  
Ashley  
AuCoin  
Bolling  
Coelho  
Conyers  
Dellums  
Dixon  
Emery

Evans, Ga.  
Flood  
Forsythe  
Hinson  
Holland  
Leach, La.  
Mikva  
Pashayan  
Rodino

Rousselot  
Skelton  
Spellman  
Treen  
Wampler  
Wilson, C. H.  
Wylder

The Clerk announced the following pairs.

## On this vote:

Mr. Emery for, with Mr. Mikva against.  
Mr. Pashayan for, with Mr. Dellums against.  
Mr. Wylder for, with Mr. Conyers against.  
Mr. Wampler for, with Mr. Dixon against.  
Mr. Rousselot for, with Mr. Flood against.

Mr. NELSON and Mr. CHAPPELL changed their vote from "no" to "aye."  
Mr. MADIGAN changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1440

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will proceed to read title II.

The Clerk read as follows:

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including miscellaneous and emergency expenses authorized or approved by the Attorney General or the Assistant Attorney General for Administration; and not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of the Attorney General and accounted for solely on his certificate; \$98,600,000, of which not to exceed \$1,500,000 shall be available for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals: *Provided*, That not to exceed \$105,000 may be transferred to this appropriation from the "Allen Property Fund, World War II", for the general administrative expenses of alien property activities, including rent of private or Government-owned space in the District of Columbia.

AMENDMENT OFFERED BY MS. HOLTZMAN

Ms. HOLTZMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. HOLTZMAN: On page 9, line 6, strike "\$98,600,000" and insert "\$100,900,000".

On page 9, line 7, strike "\$1,500,000" and insert "\$2,300,000".

Ms. HOLTZMAN. Mr. Chairman, this is a simple and noncontroversial amendment which would increase the appropriation earmarked for the investigation and prosecution of alleged Nazi war criminals by the Criminal Division of the Department of Justice by \$800,000—from \$1.5 million to \$2.3 million. Additionally, the amendment would restore \$2.3 million to the appropriation for General Legal Activities of the Department which includes the Criminal Division, to fund the office charged with these prosecutions.

This amendment reflects the transfer in April of the Nazi investigations unit from the Immigration and Naturalization Service to the Criminal Division at the urging of the Judiciary Committee. It is in line with a fiscal year 1980 budget amendment sent to Congress by the President on June 8 to take account of the transfer, although the total amount is slightly higher—\$2.3 million instead of the administration request of \$2.052 million.

I have discussed this amendment with the chairman of the subcommittee (Mr. SLACK) and he supports its adoption. I wish particularly to commend the gentleman from West Virginia for his efforts throughout the consideration of this appropriations bill to assure that the Nazi unit is given the full funding needed to complete its important task. I also wish to single out my good friend from Florida (Mr. LEHMAN) and my colleague from Illinois (Mr. YATES), both members of the full committee, for raising the issue in committee and for their untiring efforts to reach an accommodation on this matter.

Mr. Chairman, the fact that individuals alleged to have been involved in

Nazi atrocities were allowed to enter this country and live here freely has been a concern of mine since 1974, and since then a substantial amount of my time has been spent in disclosing over 30 years of U.S. Government incompetence and indifference—if not complicity—in this intolerable situation and seeking ways to rectify it. Unfortunately, early hopes raised by the Justice Department and the Immigration Service in 1977 to act forcefully on this issue by creating a centralized unit in INS to conduct prosecutions were dissolved in a morass of funding, staffing, and bureaucratic problems. As a result, not a single new case has been filed since the unit was created.

Finally, this March, at the urging of the Subcommittee on Immigration, Refugees, and International Law, which I chair, the Justice Department agreed to take immediate and substantial steps to upgrade the Nazi unit, including setting aside the full amount authorized by Congress for the unit's operation in fiscal year 1979, amending its current authorization bill to earmark funds specifically for the unit in fiscal year 1980, increasing the staff dramatically, and transferring the unit out of INS to the Criminal Division. The full Judiciary Committee subsequently authorized \$3 million for the establishment and operation of a new Office of Special Investigations in the Criminal Division.

Mr. Chairman, the \$800,000 increase to \$2.3 million for the operation of this office is entirely reasonable. It is based on budget projections submitted to the Immigration Subcommittee by the staff of the Nazi unit during oversight hearings this spring. These projections reflect the substantial staff increases (from the current 5 attorneys to 20, from 3 investigators to 10, and from a total staff complement of 13 full time to 51 full time) to which the Justice Department is committed in fiscal 1980.

I would note that the new office chief, Mr. Walter Rockler, a former Nuremberg prosecutor, has hired nine new attorneys and made offers to five more within the last few weeks. This additional staff will finally permit a thorough investigation of the roughly 175 credible cases which the office has in its files, in addition to completion of the 12 cases now in trial. This will also undoubtedly increase litigation costs markedly.

Although monumental bureaucratic problems have severely limited expenditures by the Nazi unit in the first half of fiscal 1979, additional figures submitted to my subcommittee show that, even with the limited number of cases in trial at the moment, for the last half of this fiscal year the unit will spend over \$1.1 million—an annualized rate approximating the total amount appropriated for the Nazi investigations if my amendment is adopted.

Mr. Chairman, the second part of my amendment—raising the total amount appropriated for the Criminal Division by \$2.3 million—is simply to reflect the transfer of the Nazi unit out of INS to that division. The administration had requested roughly \$98 million for general legal activities prior to the trans-

fer. Although the Appropriations Committee eliminated funds requested for the unit by INS when the unit was transferred out, it did not add funds to the Criminal Division budget when the unit was transferred in. Instead, it simply earmarked moneys out of the original \$98 million request. My amendment, in line with the administration budget amendment, would simply restore to the division its requested funding.

Mr. Chairman, my amendment is necessary to assure that the new Office of Special Investigations has adequate funding to complete its cases expeditiously and professionally. Given the number of cases which need investigation, the delays already encountered, and the ages of the suspects and witnesses involved, it is imperative that the office be fully staffed and operational immediately. The addition of only \$800,000 to that amount already appropriated will permit this. It is a small price to pay for a vitally important undertaking which has been far too long in coming. I urge my colleagues to join me in adopting it unanimously.

Mr. SLACK. Mr. Chairman, would the gentlewoman yield?

Ms. HOLTZMAN. I will be happy to yield to the gentleman from West Virginia.

Mr. SLACK. The distinguished gentlewoman from New York and I have discussed this amendment. I have likewise discussed it with the gentleman from Florida (Mr. LEHMAN) and the gentleman from Illinois (Mr. YATES). I have also discussed this with the Justice Department. These funds are sorely needed and I am willing to accept the amendment of the gentlewoman from New York.

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

Ms. HOLTZMAN. I yield to the gentleman from Florida.

Mr. LEHMAN. Mr. Chairman, I rise in support of the Holtzman amendment to provide an additional \$800,000 for the Special Nazi Litigation Unit. The increase will enable the Unit, which is being transferred from INS to the Criminal Division, to carry on the work of investigating and prosecuting Nazi war criminals living in the United States.

I also want to take this opportunity to thank the subcommittee members and staff for being so helpful in a situation in which they did not have the budget estimates in time for the mark-up and for trying to reach a resolution of this issue under those circumstances.

Since the end of World War II, more than 200 individuals accused of direct complicity in genocide and other Nazi crimes have lived with impunity in America. The failure to prosecute them or to take steps to withdraw American citizenship where they have obtained it by fraud and denial of their past record is unworthy of the high human-rights ideals of our country. The allegation that some of these alleged criminals found not only refuge but also employment under the auspices of various U.S. agencies lends dramatic emphasis to the moral necessity for finally resolving this issue.

Furthermore, there is a grave danger that the history of the Holocaust will be revised or rewritten in our courtrooms due not only to the loss of the case but more seriously to the ill-prepared and ineffective performance of the prosecuting trial lawyers at denaturalization and deportation cases of alleged Nazi war criminals. This is apparently the result of bureaucratic indifference, inadequate staffing or lack of priority for prosecutions. For example, in the case of the United States versus Feodor Fedorenko, the presiding judge held that the defendant himself was "a victim of Nazi aggression" and that the eyewitnesses to his alleged atrocities at Treblinka death camp were not to be believed and in fact had conspired against the defendant.

The President's Commission on the Holocaust, on which I serve as a member, has recommended to the President that our government take steps to assure a high priority to the issue of Nazi war criminals in America and insure adequate funds and staffing for the Office of Special Investigator charged with the responsibility of investigating and prosecuting accused Nazi war criminals. Concurrent with this, experienced trial counsels should be assigned who are more able to contend successfully against defense counsels employed by alleged Nazi war criminals. In addition, all government agencies should render accessible all records and testimony related to the issue, and full diplomatic efforts be made to assure the cooperation of other governments in obtaining material relevant to ongoing investigations and trials of alleged Nazi war criminals since that information is vital to the prosecution efforts.

It is noteworthy that the U.S. Congress has taken legislative action aimed at redoubling our efforts to deal effectively with the prosecution of Nazi war criminals living in the United States, and I applaud the recent decision of the Federal Republic of Germany to abolish the statute of limitations for Nazi war criminals in West Germany under which some of the accused would be tried. For crimes of the magnitude of the Holocaust, the exercise of justice must prevail. And we are morally bound to support that effort until the job is done.

Ms. HOLTZMAN. I want to compliment the gentleman from Florida for his contribution and also commend again the chairman of the subcommittee and the subcommittee staff.

Mr. O'BRIEN. Mr. Chairman, will the gentlewoman yield?

Ms. HOLTZMAN. I yield to the gentleman from Illinois.

Mr. O'BRIEN. Mr. Chairman, I believe this amendment to be a good one and we on this side of the aisle support it.

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

Ms. HOLTZMAN. I yield to the gentleman from New York.

Mr. FISH. Mr. Chairman, I rise in support of this amendment. There have been significant recent developments regarding the prosecution of Nazi war

criminals that Members should consider. The Government of the Federal Republic of Germany recently abolished the statute of limitation on murder to enable that Government to continue its investigation and prosecution of alleged former Nazi war criminals. In addition, the membership should be aware that the U.S. Fifth Circuit Court of Appeals just last week decided a significant denaturalization case in favor of the Government reversing the district court's decision.

As the gentlelady of New York has stated, the Subcommittee on Immigration, Refugees, and International Law has persuaded the Department of Justice to reorganize their Nazi Unit and transfer its function to the Criminal Division. We expect this reorganized unit to pursue its task aggressively and we will closely oversee its activities.

Funds appropriated by this amendment, while below the level of funding which would be authorized by the Judiciary Committee bill, should be adequate at this time for the Department to carry out their assigned task. I strongly support adoption of this amendment.

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

Ms. HOLTZMAN. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I commend the gentlewoman for the introduction of this amendment. I heartily support it.

Ms. HOLTZMAN. I thank the gentleman for his comments and yield back the balance of my time.

Mr. PEPPER. Mr. Chairman, I join my distinguished colleague, Mr. LEHMAN of Florida, in strong support of the amendment offered by the able gentlelady from New York, Ms. HOLTZMAN.

Last April the Nazi Investigations Unit of the Immigration and Naturalization Service was transferred to the Criminal Division of the Department of Justice. This was just not another bureaucratic shuffling of a unit from one department to another, but an effective move to accomplish something that must be successfully finished if we are to be able to look ourselves in the mirror and call ourselves conscious human beings.

This amendment to which I refer would increase the appropriations for the investigation and prosecution of alleged Nazi war criminals by the Criminal Division of the Department of Justice by \$800,000.

It is hard to believe that 34 years since the Nuremberg trials, which I attended, began where the horrors and atrocities of the Nazi regime against the Jewish people were made public to the world we still are inflicted with the unconscionable knowledge that many of these criminals are still free from the justice that they deserve and some are at large here in the United States.

The money appropriated here today would assure the new Office of Special Investigations of adequately going forth with this most important task for not only the unit itself but mankind as well. I hope the amendment will be agreed to.

The CHAIRMAN. The question is on

the amendment offered by the gentlewoman from New York (Ms. HOLTZMAN).

The amendment was agreed to.

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

My purpose in rising, Mr. Chairman, is to clarify by colloquy a question which very much affects my own State of North Carolina and sister State of South Carolina in that it appears in the committee report that some \$3.5 million have been deleted from the funding of U.S. attorneys and marshals, reducing that appropriation to \$231,275,000. Now, the committee report is quite clear that this reduction is contingent upon legislation being enacted which would discontinue private process service by U.S. marshals, an action which has not yet been taken by this House but may have inferentially been taken by the Senate in its Department of Justice authorizations enactment earlier in the session.

My question of the chairman is this: Are there funds within the bill, in general, which would cover the continuance of this service if legislation is not enacted by the Congress in the current session to terminate the service of private process by U.S. marshals?

Mr. SLACK. Mr. Chairman, the gentleman is correct. There are funds in this bill. This reduction was made at the request, as you know, of the Justice Department. If additional funds are needed and this is enacted there will be no question about the funding. If it is funded at this time it will not reduce the effect of serving of these papers at this point.

Mr. GUDGER. Mr. Chairman, I thank the distinguished chairman for his explanation that there are supplemental resources available within the bill which would cover the contingency of a failure of enactment of legislation terminating this service authorization.

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

Mr. GUDGER. I would be glad to yield to the gentleman from Wisconsin in whose subcommittee of the Committee on the Judiciary most of these court concerns ultimately fall.

Mr. KASTENMEIER. Mr. Chairman, I will say that in oversight, the U.S. Marshal Service indicated it would ask to be statutorily relieved of service of civil process or private process. It is very problematical whether or not that legislation will pass, at least in the form requested. I would, therefore, anticipate the probability that there will be no legislation this year or possibly this coming year, which would, necessarily, relieve the U.S. Marshal Service of the responsibility of service of civil or private process.

As the gentleman from North Carolina knows, the service of process is viewed differently in different States and in different jurisdictions. Some States will insist that there is a need to continue this Federal service. It seems to me we are not close to repealing the statute at this point in time and, therefore, the gentleman's question is well taken.

Mr. GUDGER. Mr. Chairman, I sincerely thank the gentleman from Wis-

consin, the chairman of the Courts Subcommittee of the Committee on the Judiciary, for this enlightening comment.

I would like to say there are several States I believe like my own State of North Carolina where private agencies do not even exist for the service of civil process and where there would be considerable disturbance or disruption were the service to be discontinued.

I thank the gentleman and I thank the Chair for letting me bring these comments to the attention of this body.

□ 1450

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

Mr. Chairman, I am very much concerned about the problem of illegal aliens along the California and Texas border with Mexico. I am confident that a solution will be worked out where more border patrolmen will be put on duty.

Mr. Chairman, the stretch of land running along California's southern border east from Tijuana is a veritable combat zone at night, a no-man's land. This is the stretch where our Border Patrol, laughingly outnumbered, tries to check the stream of illegal aliens that cross our southern border at the rate of more than 800 a day. That is about 25,000 a month.

Daily at dusk, the Border Patrol gears up for another night of battle, and battle it is, with our forces on the losing end, beleaguered, and frustrated.

INS Commissioner Leonel Castillo has promised help, but so far, that help consists of only about 30 additional officers assigned to temporary duty in the combat zone for 30 days. Commissioner Castillo must realize that promises do not stop illegal aliens from jumping the border. Promises do not protect our Border Patrol officers. And promises do not resolve a situation that verges on total uncontrollability.

The crimes committed almost daily along that stretch of border are incredible. Alien smugglers, charging extreme prices, prey on those poor people wishing to cross the border into what they have been told is the promised land. Other aliens, posing as illegals themselves, beat, rob and even murder their fellows. Women are sexually molested.

If what I have said so far does not give you the idea that there is a problem, let me tell you this. One of the hottest selling items along the border is the bulletproof vest. Who buys them? Our Border Patrol agents buy them. With their own money.

Last year, our concern focused on the economic burden we attributed to the illegal alien. This year, we are still talking about the same thing, but the added factor of the safety of our Border Patrol agents has got to be taken into consideration. We are asking these men to do an impossible job, and we are giving them nothing to do it with. The situation is absurd. It is ridiculous, and our handling of it approaches criminality. How can we ask these men to go out there into the combat zone, night after night, 6 days a

week, while at the same time we cut back on what little support they have?

The illegal alien problem, as I have said so many, many times before is not a San Diego problem, or even a border State problem. It is a national problem. And as a nation, I believe that it is imperative that we support in every way possible those we have designated to man the firing line. I do not often advocate budgetary add-ons, but this case deserves special attention. I urge you to support increased funding and manpower for the Border Patrol.

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

Mr. Chairman, in its wisdom a few moments ago the Committee of the Whole voted a 5-percent cut in the funds for the Department of State, a reduction of about \$68 million. The vote was by an overwhelming margin of 210 constitutionally sworn Members in favor, to 199 constitutionally sworn Members against.

The House of Representatives and, therefore, the people of the United States have worked their will on that issue.

Now, under our procedure we have the right once the committee goes back into the full House to consider again any amendment that might be adopted in the Committee of the Whole and sometimes the earlier vote is reversed.

Last April 28, a 10-percent cut of the State Department authorization bill was adopted and within a matter of a few magical moments, certain congressional arms having been relocated in their sockets, the vote was reversed and eventually the House cut the bill only 5 percent.

Now, I just want to inform the House that any brave Members who have voted in favor of cutting \$68 million from the State Department may report immediately to the gentleman from Wisconsin (Mr. ZABLOCKI) or the gentleman from Florida (Mr. FASCELL) who are now working the floor to change votes once again. Those Members who did not know what they were voting on, those who were not informed about the issue, those who have since received enlightenment from on high, perhaps a call from Secretary Vance, can, of course, enlist in their cause. They only have to change roughly six votes, as I calculate it. In this body anything is possible, but I wanted any Members who wished to enlist in the legion of liberalism for spending more taxpayers money and those who enjoy voting both ways on the same day to report to those two gentlemen and deliver them their votes.

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

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

Mr. ASHBROOK. Mr. Chairman, I thank my colleague for yielding. I think the gentleman is paraphrasing an old saw, "They did it before and they can do it again."

Mr. BAUMAN. Yes; they "have done it again" to the taxpayers many times here on this floor.

Mr. ASHBROOK. I thought I was getting much more moderate, I had offered a 10-percent cut in April and that was reversed. If a 5-percent cut gets reversed, you know, we will have established what is going on around here. We just want to see what the price is. I will have to bring the cut down to a 1-percent amendment the next time and see if that can be reversed.

Mr. BAUMAN. Yes, I think we have established that it is a matter of price; I agree with the gentleman.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

FEDERAL BUREAU OF INVESTIGATION  
SALARIES AND EXPENSES

For expenses necessary for the detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use (not to exceed one thousand two hundred for replacement only) and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; \$575,608,000.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: Page 10, line 23, strike out "\$575,608,000" and insert in lieu thereof "\$585,708,000".

Mr. ASHBROOK. Mr. Chairman, I thank the chairman.

It is a strange day, I suppose, when I offer an amendment to increase an authorization or an appropriation; but in the light of action that was taken by the House and the committee earlier on July 10 and in light of the action that has already been taken in the Senate in the authorization bill, I offer this amendment to increase the FBI's appropriation by \$10.1 million.

Most of the Members were present and will recall that on the intelligence-related activities authorization on July 10, a committee amendment called for an increase in the counterterrorism bill of \$1.8 million. One point eight million would be a part of that \$10.1 million. The committee, of course, did not have that amount in there. I think we all know the authorization bill has not yet become law, but in this strange way that we are appropriating around here, we cannot hold anyone accountable for that.

Four million dollars was added in the floor of the other body for general priority crime, that would be white-collar crime and the like. The Senate in their committee increased the authorization \$2.6 million for bank robbery and \$1.7 million for general law enforcement programs, which include the training of State and local police.

I offer this amendment to increase the appropriation of \$10.1 million, not in any degree of criticism for what the Appropriations Committee has done, but in light of the recent actions in both the House and the Senate.

Mr. Chairman, the FBI has been severely damaged in recent years. In vital areas ranging from combatting espionage and subversion to fighting organized crime, the FBI has been hampered by a propaganda campaign, lawsuits, in addition to budget and manpower cuts. Morale in the Bureau is at its lowest ebb.

The newspaper *Newsday*, on Long Island, N.Y., reported on June 18, 1979, that an internal FBI memo prepared last November by two veteran agents addressed to the head of the New York office, Neil Welch, had complained that there was a "very serious" decline in intelligence gathering on organized crime. The agents complained that, "organized crime intelligence has been systematically neglected."

Other FBI agents told the newspaper that organized crime is increasing while the information obtained by the FBI is decreasing. Despite this, substantial gains have been made by the FBI in convicting organized crime figures in the courts. Nevertheless, the FBI agents are worried about the effect on future prosecutions if the intelligence gathering continues to be neglected.

Two weeks ago the Intelligence Committee heard testimony from FBI witnesses that restrictions on domestic security intelligence gathering has prevented them from investigating violence-oriented groups, including one that plans to penetrate the U.S. Army to train their members for the violent overthrow of the Government. I have spoken to the FBI agents in the field who have told me of restrictions in every important Bureau function. Budget is only one of the problems, but it is a serious one. Judge Webster has pointed out that the FBI budget is a bare bones budget.

The Senate Judiciary Authorization bill, has added much needed funds for such priority programs as "organized crime" and "foreign counterintelligence," as well as for training and bank robberies. The Senate Judiciary Committee also added \$500,000 for counterterrorism. On Tuesday this House approved an addition of \$1,800,000 to the FBI counterterrorism program in the Intelligence Authorization bill.

My amendment is consistent with the authorization bill of the Senate Judiciary Committee and the House Intelligence authorization for counterterrorism. I urge passage of the amendment.

Mr. Chairman, I urge support for this amendment.

Mr. HIGHTOWER. Mr. Chairman, I move to strike the requisite number of words. I rise in reluctant opposition to the amendment.

Mr. Chairman, the reason I say reluctant is that I am reluctant to oppose anything that is for the FBI, because I would not want to be understood as unfriendly to law enforcement; but the truth of the matter is that the subcommittee, working closely with the authorizing committee, has put into the bill the full amount that was authorize by

bill that has been reported by the Judiciary Committee.

Now, then, if this Committee of the Whole House says that we are going to spend a whole lot more than that, we can of course, do it. This is the amount that the Judiciary Committee recommends. The Subcommittee on Appropriations thought it was a proper amount.

For that reason, we do oppose the amendment and would ask the Committee to vote no.

Mr. McCLODY. Mr. Chairman, I move to strike the requisite number of words. I rise in strong support of the amendment offered by the gentleman from Ohio to add \$10.1 million to the FBI's budget. As the ranking minority member of the Judiciary Committee, in every Congress, I see legislation come our way which broadens the law enforcement responsibilities of the Federal Government. The answer to law enforcement seems to be, well, let Washington do it.

It seems to me that the FBI is the law enforcement agency which must respond when these demands are set forth.

Really, this \$10.1 million is a very modest increase for this important law enforcement agency. The \$10.1 million breaks down into several categories which are of vital importance to every man, woman, and child in America.

In the first place, let me point out that in the consideration of the Intelligence Committee's authorization legislation the other day, we did add \$1.8 million to the FBI budget in order to take care of its counterterrorism activities and responsibilities. We realized that next year we are going to have the winter Olympics in this country and we are charging the FBI with providing protection against terrorism which is rampant around the world and often directed toward Americans; so of the \$10.1 million, \$1.8 million is intended to go for the counterterrorism program.

Now, another part of the funding that is in the amendment offered by the gentleman from Ohio (Mr. ASHBROOK) relates to white-collar crime. This problem has been reported upon by the Judiciary Committee after hearings were conducted by the Subcommittee on Crime. It is a top priority item in the fight against crime in America while in this year's authorization bill, as reported, the Bureau did receive funding for 176 new positions in the area of white-collar crime; it also lost 681 other positions. Since 1975, the loss has accounted for more than 1,000 personnel positions.

The Appropriations Committee recorded its concern over this reduction in FBI resources:

While the Committee supports redirection of manpower and resources, the crime problems which have a significant national dimension to which cannot be addressed adequately at the state and local level, it questions the advisability of overall reductions imposed on the FBI in recent years.

Yet, why has the committee not acted to provide more dollars for the Bureau?

If you are truly aware of what the priorities are in this country, after the problem of inflation, you will find that

the problem of crime in America is a very top priority item. The Congress of the United States and this administration must respond.

Another item which is covered in this amendment regards bank robberies. We have tried to shift as much responsibility as we can with regard to bank robberies to State law enforcement officials and they do have a responsibility there, but they recognize that without the expertise and without the capability of the FBI, we are going to just see bank robberies on the increase. This amendment would provide \$2.6 million to increase the funding for the FBI's personal crimes program, specifically to combat the growing problem of bank robberies. In fiscal year 1978, this crime reached an all-time high, surpassing the 1977 figures by approximately 12 percent. Even more alarming, should the trend established during the first 6 months of the current fiscal year be maintained, 1979 would set yet another record high for bank robberies.

Although bank robberies usually constitute a violation of State law as well as Federal law, the FBI is generally the lead investigative agency summoned to the scene. This is an area in which the States may eventually assume primary investigative responsibility—but not yet, for they are presently less than adequately prepared for the job. As one chief of police testified before a committee in the other body last August:

We don't in the local operations have the capability to follow through for the length of time that goes on for some of these bank holdups (investigations). . . . We don't have the staffing, we don't have the expertise, and we certainly don't have the capability to follow through the dogged way the FBI does.

Mr. Chairman, I believe that the Congress would be acting irresponsibly if it rejected the gentleman's amendment, for without it, 101 present positions in the bank robbery program would be eliminated—at a time when this criminal endeavor is on the rise.

This amendment also would add \$1.7 million to the FBI's budget to continue and supplement its training program for State and local law enforcement officers. I believe that Federal funding in this area is imperative; so much so that I expect to offer a similar amendment to the Law Enforcement Assistance Administration authorization bill when it reaches the floor. At that time my amendment will attempt to reauthorize the Federal Government to pay travel expenses of State and local law enforcement personnel when they are trained at the FBI Academy in Quantico, Va.

We recently received a report from the Director of the FBI indicating a rising tide of serious, violent crime in this country. To cut back on funds for the principal law enforcement agency of the country, it seems to me, would be an act of irresponsibility on our part.

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

Mr. McCLODY. I am happy to yield to the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, I do not completely disagree with what the gentleman said. The gentleman, I believe, is the ranking member of the Judiciary Committee, is he not?

Mr. McCCLORY. I am, yes.

Mr. SLACK. Well, why was this item not taken into consideration in the authorization bill in the Judiciary Committee? We funded up to the amount included in the authorizing bill, which is all we felt we could do.

Mr. McCCLORY. Well, for whatever mysterious reasons, the authorization bill has yet to come to the floor of the House.

Mr. SLACK. Well, the authorization bill has been reported, has it not?

Mr. McCCLORY. Yes, but it has not come up on the floor of the House, and I would expect that I would naturally be supporting the same position in the authorization bill as I am in the appropriation bill.

□ 1500

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

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

Mr. ASHBROOK. Mr. Chairman, I think in light of the action of this body July 10, we clearly acted to add the \$1.8 million for counterterrorism. But, I think it is fair to say that the other amounts in my amendment would not be in the Judiciary Committee's bill. They were, however, added in the other body.

Mr. McCCLORY. We have taken action with regard to the \$1.8 million, so that is already in the authorization as far as the Intelligence Committee's action is concerned.

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

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

Mr. BURLISON. Mr. Chairman, the gentleman has been speaking of the great priority for domestic terrorism.

Is the gentleman aware that this \$1.8 million on the ZBB structure that is for the enhanced terrorism program ranks 46th out of a total number of 68?

I would submit to the gentleman that that is at the very bottom, the lower one-third of the priority list for the Federal Bureau of Investigation.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. McCCLORY) has expired.

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

Mr. McCCLORY. Mr. Chairman, I would like to respond to that by saying that the threat of terrorism has been explained by the Director of the FBI as being a very egregious; it is a very serious threat. This \$1.8 million, which seems to me to be a modest figure to fight terrorism, is important because of the fact that we are hosting the Winter Olympics next year, and the Olympics seem to have developed into a forum at which the terrorists like to launch their attacks.

That is why we are trying to prepare for this. If we can, through this modest amount, prevent acts of terrorism from taking place, we would have fulfilled our responsibilities.

What has been described as "terrorism" by some relates to the kinds of demonstrations we had during the 1960's, but I am not talking about that at all. The form that terrorism takes these days is extremely violent, extremely vicious. That is the thing to keep in mind.

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

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

Mr. HIGHTOWER. Mr. Chairman, the gentleman from Illinois (Mr. McCCLORY) talks about adding \$1.8 million for terrorism, and he makes it sound as if that is all that would be in the bill for terrorism.

The gentleman is aware of the fact that the bill already provides \$10 million for terrorism, is he not?

Mr. McCCLORY. Yes. I also mentioned that there are funds in the amendment to combat bank robberies, to provide training for local police, and for other high priority items. They are also involved in the amendment.

Mr. HIGHTOWER. But terrorism is included to the extent of \$10,605,000 already in the bill.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. McCCLORY) has again expired.

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

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

Mr. McCCLORY. I am happy to yield to the gentleman from Arizona.

Mr. RUDD. Mr. Chairman, I rise to underscore the gentleman's remarks in support of this amendment and add that this amount or this lump sum has to do with the divisions of crime the gentleman outlined, for organized crime and also for white-collar crime.

It is also for foreign counterintelligence activities, which has to do with some of the actions the gentleman talked about. According to the information received and reported here with regard to the number of people who would be assigned here by Red China amounts to 1,200, plus another 700 or 800 students. The figures I received earlier this year indicate that figure would possibly run as high as 2,000 consular officials from Red China plus 1,000 to 1,500 students.

The Director of the FBI, I believe, also testified that these people would be over here in some sort of intelligence-gathering capacity, and I think we can go a lot further than that and say that they will be assigned here specifically for the purpose of espionage activities. To counter this our Nation's security must have a sizable counterespionage corps.

Mr. McCCLORY. Mr. Chairman, the gentleman is entirely right.

In addition to that, we have the foreign visitors and we have the foreign students. Many of them are foreign agents, and if the FBI is incapable of taking care of all the investigations of all these persons, we certainly ought to at least do this much in order to assist them in trying to prevent terrorist acts, subversive acts, and other types of law

violations which are committed against our country and our people.

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

Mr. McCCLORY. I yield to the gentleman from Arizona.

Mr. RUDD. Mr. Chairman, together with this, I think the training program should be better supported by the funds that would be involved in this. This is vital.

The gentleman mentioned bank robberies. Bank robberies are more numerous this year than they ever have been in the past, and yet we have fewer funds for them. And the numbers of special agent personnel have been reduced. That should be restored.

Another danger that is vitally involved is that the convictions for bank robberies and such types of crimes during 1978 were down drastically from what they were in years past, which indicates that we need to put more funds in this area to give them more personnel so that a proper job can be done in criminal justice.

Mr. McCCLORY. Mr. Chairman, the gentleman is absolutely right. The gentleman from Arizona (Mr. RUDD) is very knowledgeable about this because the gentleman himself is a former FBI agent and a highly respectable one. He has proven himself to be knowledgeable on this subject here today.

Mr. O'BRIEN. Mr. Chairman, I rise in reluctant but deliberate opposition to the amendment.

Of all the witnesses who appeared before our subcommittee, I think the one that impressed us the most was Judge Webster, the Head of the FBI. He just seemed to exhibit the strength, the courage, and the intelligence that all of us would want in that position. It was my colleague, the gentleman from Texas (Mr. HIGHTOWER), and I who questioned him on this subject of sufficient funding. "Do you have enough? Are you going to be able to do the job? Can we help you?"

I would like to take just a moment to quote from one of the answers he made, and I think this is material to what we are discussing right now.

He said in the course of his testimony:

If there is an upsurge in terrorism beyond what we have been able to provide for, we would be in here in a minute. If bank robbery statistics shoot up—and they are going up—beyond our capacity to deal with them in our modified response that we are trying to work out with State and local law enforcement, I think I have an obligation to come back, particularly if you expect me to do so.

Mr. Chairman, as far as I am concerned, he is the head of the agency, and we encouraged any request from him that we could. We gave him what he asked for, and ultimately I think we should leave it that way. Therefore, I oppose the amendment.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. O'BRIEN) has expired.

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

Mr. Chairman, when the gentleman from Illinois (Mr. O'BRIEN) was telling

us about what the Director had testified, I think he failed to point out that the Director has testified that he has all the money that he wants and all the money that he needs for the programs as they appear in the President's budget.

Mr. O'BRIEN. Mr. Chairman, will the gentleman yield?

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

Mr. O'BRIEN. Mr. Chairman, just to correct the misstatement I made at the beginning of my remarks, I wish to point out I support the position of Judge Webster, and I oppose the amendment that would increase the appropriation.

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

In particular, I want to address myself to the \$1.8 million increase for terrorism. Statistics reveal a significant decrease in terrorism activities during the past 3 years.

Mr. Chairman, let me quote just a few of those statistics. In 1975 there were under investigation 4,868 individuals and organizations; in fiscal year 1976 this had declined to 626; in fiscal year 1977 it was down to 119; and for fiscal year 1979 it is down to 47.

Now, what about the number of informants who are employed in the terrorism program by the FBI? In 1975, the number was 1,502; in fiscal year 1976 it was 645; in fiscal year 1977 it was 90; and in fiscal year 1979 the figure was 17.

What about terrorist bombings?

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

Mr. BURLISON. I will yield when I have concluded my statement.

Mr. Chairman, the gentleman from Illinois (Mr. McCLORY) mentioned the problems of terrorism around the world. Well, the funding to confront that is not in this budget.

□ 1510

He also referred to the terrorism in this country that seems to be directed at Americans from foreign organizations.

I would say to the gentleman that that is not in the terrorism budget. It appears in the foreign counterintelligence portion of the FBI budget.

But now continuing with our statistics: On terrorist bombings in 1975, there were 108 of them in this country; 106 in 1976; 100 in 1977; and in 1979 it was down to 52. You see the clear downward trend in all of these statistics. Finally, investigative matters, total investigative matters, have dropped from 52,391 in 1975 to 24,402 in 1976, to 9,415 in 1977, down to 7,723 in fiscal year 1979.

So it becomes obvious, Mr. Chairman, that Judge Webster was totally correct when he said that the terrorist problem has been diminishing steadily throughout the country and, therefore, we need less money for terrorism, and that is why the request is down.

Mr. Chairman, before the authorizing Committee on Intelligence, Judge Webster was asked by the gentleman from Missouri:

What is the current obligation rate of funds which were authorized for the domestic security and terrorism program in fiscal 1979?

The answer was given by Mr. Groover, who was sitting at Judge Webster's right hand, and he answered the question at the request of Director Webster. He said:

We are running considerably under 1978, contrary to what we thought we would when we were here a year ago. We are running in the investigations, at about 42 percent less than the appropriated amount.

He did not say in that statement, but it is true—it appears in other testimony—that for fiscal year 1978, 30 percent of the funds for terrorism were unused.

He said, and the Members of the House have just heard from that statement, that in 1979 the surplus is going to be even greater, it is going to be 42 percent.

No wonder the administration does not want this money. Past experience shows that there is no way they can reasonably and justifiably spend the money.

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

(On request of Mr. McCLORY and by unanimous consent, Mr. BURLISON was allowed to proceed for 2 additional minutes.)

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

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

Mr. McCLORY. Mr. Chairman, the gentleman referred to the \$1.8 million for the FBI for terrorism. This is in the Intelligence Committee budget and it is in the Judiciary Committee budget. It is the same amount. It is not an additional amount. There is just one figure of \$1.8 million which I am trying to get into this appropriation bill to help fight terrorism.

Mr. BURLISON. Mr. Chairman, let me say to the gentleman that it was in the Intelligence authorizing bill but it is not in the Judiciary authorizing bill.

Mr. McCLORY. It will be.

Mr. BURLISON. The gentleman is familiar with the background of how it got into the intelligence bill, and I am not going to take precious time here to go into the mechanics of that. But it provides good reason for us not permitting it to get into this bill.

Mr. Chairman, as I have already mentioned earlier, Judge Webster said in 1978 there was 30 percent of the funds he could not use. This year, if we continue at the present rate, there will be 42 percent of these funds for 1979 that cannot be used.

He said in testimony before the State-Justice Subcommittee on Appropriations that if he needed more money in the future he would not hesitate to come back for a reprogramming.

So, in essence, Mr. Chairman, the bottom line is that Judge Webster says he does not want this money, he does not need it, he cannot reasonably spend it; if there does arise a need for it, he will not hesitate to come back and ask for it.

Mr. Chairman, this proposed \$10.1-million addition to the budget is a very unwise, very wasteful, expenditure of Government funds and should be defeated.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to echo the words of the gentleman from Illinois (Mr. O'BRIEN). I conducted these hearings both last year and this year for the FBI. Last year, when they came before the committee, we said:

Now, what do you really need in the way of resources? Do not just tell us what was approved by Justice, tell us what you really need.

They told us. We added the money that they needed for the additional agents so that they would be sure to have the resources they needed. We did not go along with the idea that they should slough off bank robberies onto the States, and some of the other things. And after we had done that, then the administration did change. This year, in submitting their budget request, the administration did not cut the FBI agency request like they did a year ago.

We have been very sympathetic to this agency. This year we asked and we solicited from Judge Webster whether they need any additional funds above the official request. He said he was very happy to live with what was in the budget request, which happens to also be what is in the Judiciary Committee authorization.

Now, if this additional sum in the amendment is so important, why did not the Judiciary Committee have the authorization out here a year ago when the bill should have been passed? The authorization is a year late.

The FBI should have had their authorization for fiscal year 1980 last October, not this October. Why did the committee wait around this long?

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I think the lateness of action on the FBI funding should be laid at the doorstep of this body, because we were late with regard to the authorization.

Mr. SMITH of Iowa. Absolutely.

Mr. McCLORY. We were late with regard to the appropriation of funds last year. The authorization bill goes before two committees before it ever comes to the floor and before the authorization process is finished. Now, I think this is a deficiency which exists right here. When the FBI does not spend all of the money which is appropriated it is sometimes because they do not have all of the money in time to spend. But it seems to me that Judge Webster is a very good guy; he goes along with the figures given to him by the OMB. But I say this, that the FBI and Judge Webster need more money and the American people need more money for their own protection. That is what we are trying to provide in this amendment.

Mr. SMITH of Iowa. Mr. Chairman, I say the expert on this is Judge Webster, and Judge Webster is satisfied with the amount we put in this bill, which is the maximum amount that is permitted under the authorization which has been reported from the committee.

It does not do anything constructive just to add money to any recommendation our committee makes. We are being responsible. We are working with the FBI closely to determine the actual needs. Judge Webster is completely satisfied with that we have recommended. Now stay with the committee on this.

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

Mr. SMITH of Iowa. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Is it not fair to say, though, that just recently before the other body Judge Webster, on this very point that my colleague, the gentleman from Missouri, was mentioning, indicated to the Senate committee that he could use \$500,000 more for FBI central office managerial needs?

Mr. SMITH of Iowa. I am not aware of that; but if that is the case, there will be no problem whatever in conference in working it out. They know we work closely with them. We will not have any problem. We do not need any amendment to that effect on the House floor.

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. HYDE. I thank the gentleman for yielding.

Mr. Chairman, I just want to comment briefly on what the gentleman from Missouri said earlier. He seemed to take some solace in the fact that the number of informants is decreasing down to a trickle. I would suggest that that is something that ought to give you pause rather than comfort. And one of the reasons for that is the Freedom of Information Act which makes the security of these informants very questionable. There are ways to find out who the informants are. More and more, people are getting their files, and that is our major problem: developing informants who are secure in doing their jobs.

I just wanted to make that comment.

Mr. SMITH of Iowa. I want to say, first of all, I agree completely. This committee is working very closely with the FBI to help them protect their informants.

Mr. BURLISON. Mr. Chairman, if the gentleman will yield, the gentleman from Illinois (Mr. HYDE) is right on his facts, but he is fallacious on his conclusions. The facts are true that the Freedom of Information Act and the Attorney General's guidelines on investigations have precluded the use of these informants. What good would it do to give the Bureau this extra money if the Attorney General's guidelines and the Freedom of Information Act and other mechanisms in the Government preclude the FBI from spending the money?

The solution for the problem of the gentleman is legislation to change the FOIA and the Attorney General guidelines, not to give additional money that cannot be prudently spent.

□ 1520

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I simply suggest that in obtaining information through informants is a much more reliable source than relying on intuition or spirit messages, which seems to be the order of the day.

Mr. SMITH of Iowa. This is an important matter. I agree with the gentleman completely. It is a real problem. I ask members to stick with the committee today on this amendment and reject it.

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

Mr. Chairman, without adding either heat or light to the argument which has been going on, I would like to point out one thing that concerns me very much about the functioning of this House in the appropriations process. I think it is about time we get around to doing something about it.

With fine impartiality on both sides of the aisle, some Members who have been debating this point, and it is a serious point, have been protesting that the authorization bill has not yet passed the House. Others have been relying upon an authorization bill which has not yet passed the House. We have been mixing up these apples and donkeys of authorization and appropriations with fine indiscriminate and absolutely no responsibility.

I do not know how on earth the Appropriations Committee can be guided by an authorization bill which has not passed the House of Representatives. Yet we are now debating an appropriations bill.

Sanctimoniously, in rule XXI, we provide that no appropriations bill can be passed unless it has heretofore been authorized. But we have not yet authorized. So we keep running up to the Rules Committee and getting these waivers of rule XXI.

Now, I do not know how we can expect the substantive committee, in this instance the Judiciary Committee, to give guidance to the Appropriations Committee by passing an authorization bill if we do not at least give them time enough to bring the bill to the floor.

With an authorization bill, if the gentleman from Illinois (Mr. McCLORY), had wished to offer an amendment to the authorization bill which would have permitted the appropriation which we have just been debating, he would have had that opportunity here on the floor, and it could have been debated fully and freely and openly; and the House could have worked its will.

But what do we do? We labor in the Judiciary Committee. We take testimony. We put together an authorization bill.

Then it goes on the top shelf in the cupboard and it sits there and sits there and sits there, because under our Budget Act we have got to get a first resolution out of here by May 15, and that takes 11 days of time on the floor just to consider it. Then we have to put out some 15 or 18, or whatever it is, appropriations bills.

I am not criticizing the work of the Appropriations Committee, or the Budget Committee, or the Judiciary Committee. They are working like mad.

What I am pointing out is that we have an obsolete system.

A few years ago we recognized how far behind we were in our procedures. So we moved the end of the fiscal year up from June 30 to September 30. The big trouble is we only went half far enough. Like a bunch of timid Tommies, we moved it up 3 months. We should have moved it up 6 months.

The work of this Government, the work of the United States, the work of this Congress, is so great that there is no way that the legislative committees can properly consider authorizations, get them on the floor, and have them considered and adopted by the House working its will, and yet provide guidance to the Appropriations Committee, when we box ourselves in to such a short time frame.

I say it is time that the leadership of this House, on both sides of the aisle, get to work and do something realistic.

We should change the fiscal year to coincide with the calendar year. Then, in 1979 we should be working on the budget for the fiscal year which would start January 1, 1980. We need a year to put this together. We cannot do it in the short amount of time available.

It is absolutely silly for these well-meaning, hard-working, talented, geniuses whom we call Congressmen trying to put together, trying to dovetail appropriations and authorizations, when neither committee has had a chance to complete its work.

I am not complaining about the legislative committee, the Judiciary Committee. I am not complaining about the Intelligence Committee. I am not complaining about the Appropriations Committee.

I am complaining about the fact that we are trying to put a No. 10 foot in a No. 8 shoe. It just does not work. Let us get on with this thing and start having some time for authorizations.

I am annoyed at the idea that the work we had to do in Judiciary to put together an authorization bill makes absolutely no contribution to the appropriations we are considering here today.

And with full respect to the distinguished gentleman from Iowa, the 95th Congress could not have authorized the 96th Congress appropriations on this particular subject matter. We adjourned sine die on the 14th day of October, after some 22 rollcalls, if I am not mistaken.

The CHAIRMAN. The time of the gentleman from California (Mr. DANIELSON) has expired.

Mr. CHARLES H. WILSON of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, before I start, may I suggest to my friend, the gentleman from California (Mr. DANIELSON), that perhaps he will join with me in trying to abolish the Budget Act. That would be the most objective thing we could do in this House of Representatives. Then we could get back to a normal procedure again.

The reason I have asked for these few moments is because I have heard discussions about the Lake Placid Olympic



games. I would like to find out if there is money in this bill or money in this amendment for the Lake Placid games. People tell me no, there is not; and yet, this has been a big point of discussion.

The reason I want to know whether or not there is money in here for Lake Placid is because Lake Placid has been milking this Congress dry with all of these requests for funds for the Olympic games, the Winter Olympic games.

Now they started with the \$49.4 million appropriations, which we generously gave to them by a close vote, when there was only 343 of us voting on one of those light days; and that thing is up to \$100 million now through reprogramings and the type of things that I understand have taken place in this particular—I think most of the people on the floor today voted with me against that bill back there in 1976—but to me this is a very important thing.

The city of Los Angeles—and I mentioned this earlier today in the 1-minute speeches—the city of Los Angeles is going to justify a \$141 million request for the Los Angeles Olympic games based upon what we are doing for Lake Placid. That will be their whole justification. We did it for Lake Placid, so we are going to have to do it for Los Angeles.

If the pattern follows, it will be a half billion dollars. Mark my words on that.

Now, can someone on the committee tell me if there is a penny in here for Lake Placid? In this amendment first, is there any money involved here regarding security for the Olympics in Lake Placid?

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

Mr. CHARLES H. WILSON of California. I yield to the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, I can assure the gentleman that there is no money in this bill for construction at Lake Placid.

Mr. CHARLES H. WILSON of California. We got that through the Judiciary bill where they built a prison up there for the housing.

Mr. SLACK. Secondly, if the gentleman would yield further, there are funds in the FBI appropriation in this bill for assisting local authorities in providing security at Lake Placid.

Mr. CHARLES H. WILSON of California. There are funds in here for the FBI for Lake Placid? In the amendment or in the bill?

□ 1530

Mr. SLACK. In the bill. The FBI is working in conjunction with the Lake Placid officials to provide security at the Olympic games that will be held in February 1980.

Mr. CHARLES H. WILSON of California. This is a rather ironic thing. The Olympic games are supposed to be peace and brotherhood, and we have to have special FBI guards there to provide security for the people. The Olympic games do not prove their purpose if we have to provide this type of security. I wonder if this is a worthwhile expenditure.

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

Mr. CHARLES H. WILSON of California. I will be happy to yield.

Mr. BURLISON. Director Webster was asked in his testimony before this Appropriations Committee specifically the question the gentleman from California is addressing. Mr. EARLY of this subcommittee asked Director Webster,

How about Lake Placid? Are you satisfied that we are doing everything in that area to prevent terrorism?

Judge Webster's answer was:

Yes, sir, we are several months away, several months farther down the road for Lake Placid. We are doing everything at this point. There will probably be more that we will be doing.

On the following page, that is page 950 of the hearings of the Appropriations Committee, the gentleman from Massachusetts (Mr. EARLY) is still questioning Judge Webster. He says:

Your Honor, I refer to your budget request for 1980 for the San Juan and the Lake Placid Olympics. Do you feel your budget request has sufficient resources to adequately cover these events while meeting the Bureau's other responsibilities?

The answer from Judge Webster was:

I do at the present time for the field. We will find the money to do whatever we need to do, if we need to do it in a hurry. We may have to come back for a reprogramming, but we won't hold back, because we are not like the Fire Department that says we don't have money for overtime, we will be there.

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

Mr. EDWARDS of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

I am the chairman of the Judiciary Subcommittee that held a series of hearings on the authorization of funds for the FBI, and I assure the Committee that in every regard the FBI is getting all the money it wanted, all of the money the Department of Justice wanted, both for terrorism and for bank robbery. I am at a bit of a loss to understand why the gentleman from Ohio, who is a member of the subcommittee, but who regrettably—I am sure he was busy on other activities—was not able to be at any of the hearings, I am at a loss to understand why he would offer this amendment. But apart from that, I just do not think we are supposed to operate like this in the Committee of the Whole. If we are going to have an orderly budget procedure in the executive branch, to come before the Committee with these random increases in appropriations after hard work by the authorizing committee and the Appropriations Committee, is just not going to work.

With regard to terrorism, there is a good reason why the FBI and the Department of Justice are not asking for more money for terrorism. My subcommittee has held a series of hearings on terrorism in the United States and overseas and has issued a report. I refer all of the Members to this very comprehensive report.

The reason the FBI does not want any more money for terrorism is that it has been going down in the United States to where it is now No. 10, I believe, in the priorities of the FBI. The incidence of terrorism, particularly terrorist bombings, in the United States is down, not up. The FBI readily acknowledges this. Indeed, last year the FBI could not even use all of the money authorized for this program. It is merely that excess that was eliminated in this year's budget.

If the FBI needs more money and wants more money, the proper way for them to get that money is to ask the authorizing committee for the money and the appropriations committee for the money. This year they asked for an amount that they felt reflected the level of activity in this country and would allow them adequate resources to respond.

I want to touch on bank robbery for just a moment. Insofar as bank robbery is concerned, my subcommittee asked for a General Accounting Office study of the FBI's activities in bank robbery, and they do a good job. But GAO wants to keep the FBI in the big bank robberies and important bank robberies. The General Accounting Office recommended and the FBI agreed that where a little old lady down the street comes in and hands to the teller a note "Give me \$50," the FBI should not send out three agents in a U.S.-taxpayer-financed automobile. That is a local crime. Bank robbery is a local crime as well as a Federal crime, and wherever possible local crime should be the matter for local police. Where Federal involvement is needed, the FBI will still be there.

Certainly we have enough sense, I assure the gentleman, Mr. Chairman, in the Judiciary Committee we are not going to denigrate the FBI's activities either in terrorism or in bank robbery.

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

Mr. EDWARDS of California. Yes, I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I merely want to point out that the Judiciary Committee authorization bill, which was referred likewise to the Intelligence Committee, has already been approved by the House and the House has added the \$1.8 million, so there is an authorization for that already.

I merely would say with regard to bank robberies and funds for training, it is true that we have eliminated a large part of the bank robbery responsibility from the FBI and we have vested that responsibility in the local and State law-enforcement agencies. But in this bill we are eliminating not only funds for bank robbery investigation and enforcement, but we are also eliminating funds for training local law-enforcement people.

It seems to me we ought to support one or the other. Indeed, I think we ought to support both, but I think it is not right to deny funds for training and also to deny funds for having the FBI do the job they have traditionally done in bank robberies.

Mr. EDWARDS of California. I thank the gentleman.

However, I would point out that we should, wherever possible, not second- and third-guess the FBI and the Department of Justice and give them a lot more money than they are asking for. That is what we are doing with this amendment.

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

Mr. EDWARDS of California. I yield to the gentleman from Arizona.

Mr. RUDD. I thank the gentleman for yielding. I would like to know how the gentleman can determine whether a bank robbery is insignificant and strictly of a local nature or not, or whether it is a big bank robbery, in any case, in order for the FBI to comply with its responsibilities it must have special agent personnel at the scene to protect FBI responsibilities and to prevent destruction of evidence at the scene of the crime.

Mr. EDWARDS of California. It is entirely appropriate for the local officers on the scene to make that determination, and generally speaking, I understand, the banks make the determination too. If it is a big bank robbery they will get hold of the FBI and, as a matter of fact, they get ahold of the FBI in any case. What we are talking about here is a level of response equal to the seriousness of the crime; that is all. The local police are invariably the first on the scene anyway. They are surely capable of determining whether they need help. If they need help, the FBI can provide it.

The legislative history of the Federal bank robbery statute makes it clear that the FBI's role was to be secondary—to provide support where the locals could not handle the situation. The FBI's budget request is simply a reflection of Congress original intent.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. McCLORY

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

The Clerk read as follows:

Amendment offered by Mr. McCLORY: Page 10, line 23, strike out "\$575,608,000" and insert in lieu thereof, "\$577,408,000".

Mr. McCLORY. Mr. Chairman, all this amendment does is to add \$1.8 million to the total appropriations for the FBI which have already been authorized by the House for the FBI's antiterrorism program. I will not debate the subject further. We have debated this subject already during our discussion of the amendment to add other funds for the FBI that have been authorized and which I think are necessary. I hope there will be agreement on both sides of the aisle to accept the present amendment.

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

Mr. McCLORY. Yes, I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank my colleague for offering the amendment and yielding.

After listening to the debate I certainly would not want to think we would take an hour on this debate. But my colleague from Iowa and the gentleman from West Virginia, the members of the committee

certainly have convinced me that they will place in the appropriation bill the amount of money that the FBI needs.

As I pointed out in my statement when I offered the amendment I was offering \$4 million that had already been added on the floor as an amendment in the other body. My amendment included \$2.6 million that had been added for bank robbery in the authorizing committee in the other body and \$1.7 million for general law enforcement training. Those will already be matters for consideration in difference in conference. But the \$1.8 million would not be before the conference and has only been offered on this side. If it were offered I certainly would accept the judgment, as we can do with this subcommittee, of our conferees in working with the other body's conferees in arriving at an appropriate figure for the FBI. I thank my colleague for offering the \$1.8 million. That would put all four items in contention in the conference.

□ 1540

Mr. McCLORY. I appreciate the gentleman's very informative statement.

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

Mr. Chairman, we have just had an amendment for a \$10.1 million increase. Most of the debate on that amendment was on the \$1.8 million increase for terrorism. If there is one portion of that \$10.1 million that is justified less than any other, it is that dealing with terrorism. I am surprised that the gentleman did not come back, if he wanted to offer a scaled back amendment, and offer to reinstate the bank robbery portion or some other.

I want to remind my colleagues that since 1975 the individuals and organizations under investigation by the FBI for terrorism activities has declined from 4,868 to 47—get that—47. The total number of investigative matters has declined from 52,000 to 7,000. The number of terrorist bombings, the most obvious and the most vivid indicia of terrorism, has declined from 108 in 1975 to 52 in fiscal year 1978.

Now, earlier I quoted the testimony from Judge Webster before the Intelligence Committee, as well as the Appropriations Committee, where he testified that in fiscal year 1978 there was a surplus of 30 percent of the terrorism money. In fiscal year 1979 there will be 42 percent of it that is not spent.

What justification can there be for now coming in here and increasing that portion of the budget for which the Director has said there is a surplus? There was last year; there will be this year. Why should we be giving him money that he does not want and cannot use?

I would submit to my colleagues that if the \$10.1 million could not be justified, even more convincing and persuasive is the argument for the elimination of the \$1.8 million.

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

Mr. BURLISON. I would be delighted to yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman. It was my understanding in the

earlier debate that the reason for defeating the amendment was that there was no authorization for these funds but there has been authorization by the Intelligence Committee, and approved on the floor of the House here. Those are the funds we are trying to get into this appropriation bill.

Mr. BURLISON. The gentleman is in error in that the rule does not preclude an appropriation because it is not authorized. The gentleman is incorrect if he says that the amendment was defeated because it was not authorized, because under the rule it did not need to be authorized. It was defeated because it was an unnecessary add-on to the budget request.

Mr. McCCLORY. But these funds were authorized. That is why we are offering this amendment.

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

Mr. Chairman, I am not really sure that these funds are needed. I want to point out that what we are talking about is about \$1.8 million. A rough calculation would indicate that would employ about 70 people of which, using the usual ratio, about 35 of them would be agents and the others backup personnel. I do not think anyone can calculate within 70 people the number of people the FBI is going to need in the coming year, so I do not really want to oppose the amendment on that basis. I think we can accept the amendment.

I do want to point out, though, that it should not be construed, in looking at this record, that this money can only be used for agents at Lake Placid. What we are talking about is an increase of \$1.8 million for personnel for the FBI, and they can use them any authorized way they need to if they need them.

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

Mr. SMITH of Iowa. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank my colleague for yielding.

It was in that spirit that I had indicated I was not going to proceed with the \$10 million amendment. This would put all four items before the conference for determination.

I would like to make one point. The ranking minority member of the House Permanent Select Committee on Intelligence, the gentleman from Virginia (Mr. ROBINSON) did propound an inquiry to the Director on May 24 regarding specifically the \$1.8 million that has been added in the committee. In an eight-page letter which I think, if Members would read it, they would find slightly at variance with what our friend and colleague from Missouri has indicated, I would particularly like to read the last paragraph, because there has been a lot of talk about the case with which the FBI could reallocate funds or reprogram if an emergency arose which required immediate funds for terrorism.

The question was asked:

Could funds for these Agents be obtained by reprogramming resources within the Bureau without doing irreparable harm to other important programs such as Organized

Crime, White Collar Crime, or Foreign Counterintelligence?

And the reply was:

Since additional funding was specifically sought for the priority areas of Foreign Counterintelligence, Organized Crime, and White-Collar Crime and approved for those areas, it would not be feasible to reallocate resources from those programs without affecting the overall program objectives of those priority areas.

I do not think \$1.8 million is very much inasmuch as the House has already voted on Tuesday to accept that increase.

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

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. EDWARDS of California. I certainly do not have any strong disagreement with what the gentleman from Ohio said. I think it is important from the point of view of precedent. We want our agencies to behave in an orderly manner insofar as their connections with this body are concerned, and with the Senate. When the authorization bill comes up it will come up in my subcommittee, and the gentleman from Illinois (Mr. HYDE) and I will offer an amendment with regard to reprogramming a certain amount of money for highly-secret matter. The FBI came over, the Department of Justice came over, and explained why this is necessary, why they needed this equipment. That is the proper way to proceed. I do not really think this amendment offered is orderly. The FBI has not asked for it; the Department of Justice has not asked for it. I think it is not appropriate. I agree that it is not a lot of money when we are talking about an appropriation of \$500 million for a year, and 20,000 employees.

Mr. SMITH of Iowa. We have been concerned about terrorism. Our committee has been very concerned. A year ago we did not go along with the Department's recommendation on terrorism. I feel that what we had in here should be sufficient. We went with the authorization level. However, since that time a lot of issues have arisen.

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. McCLORY. I would just like to point out that the funds are not earmarked for Lake Placid or any particular area. It is directed against a very serious activity, terrorism. It has been authorized by this body and by the action of the Intelligence Committee authorization bill, which was on the floor here.

Mr. O'BRIEN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. O'BRIEN. Mr. Chairman, we would be inclined to accept the \$1.8 million.

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

Mr. SMITH of Iowa. I yield to the gentleman from Missouri.

Mr. BURLISON. I do not know about the letter from which the gentleman from Ohio has just read, but I know Judge Webster and his supporting wit-

nesses testified before the Intelligence Subcommittee on the Budget, and I know what the testimony was. It was that in 1978 they had to turn back 30 percent of their funds for the terrorism program, and in 1979 they turned back 42 percent of them.

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

(At the request of Mr. BURLISON and by unanimous consent, Mr. SMITH of Iowa was allowed to proceed for 1 additional minute.)

Mr. BURLISON. I remember and have before me the sworn testimony of Director Webster and his supporting witnesses, in response to my question, and I quote:

What is the current obligation rate of funds which were authorized for the Domestic Security and Terrorism Program in fiscal 1979?

And the answer:

We are running considerably under 1978, contrary to what we thought we would when we were here a year ago. We are running in the investigations, at about 42 percent less than the appropriated amount.

□ 1550

Mr. SMITH of Iowa. I think Judge Webster is being responsible and not requesting more than he believes is needed.

This subcommittee now is intending to appropriate exactly what they need and no more or no less. That is the process we are in now and I think Members ought not increase appropriations without good reason but I do not think there is any particular reason why we could not accept this small amendment.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. McCLORY).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

IMMIGRATION AND NATURALIZATION SERVICE  
SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for solely on his certificate; purchase for police-type use (not to exceed three hundred fifty-eight which shall be for replacement only) and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; \$299,326,000, of which not to exceed \$400,000 shall remain available for such research until expended, not to exceed \$3,000,000 shall be available to install fully automated systems for processing and recordkeeping in district offices, and not to exceed \$2,100,000 shall be available to redesign, update, and maintain the nonimmigrant control system applicable to arrival and departure of aliens in and from the United States.

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

Mr. Chairman, I take this time to engage in colloquy with the chairman of

the subcommittee concerning the Immigration Service records system appropriation.

I note that the bill earmarks \$3 million for the installation of fully automated systems for processing and recordkeeping in district offices of the Immigration and Naturalization Service. I incorporate by reference my earlier floor remarks on the subject of the Immigration Service's records systems of June 26 and July 10, 1979.

Is it the gentleman's understanding that any acquisition of equipment of services for accomplishing this purpose must be in full accord with the policies and regulations promulgated pursuant to the Brooks Act, Public Law 89-306, which require, according to both Federal Management Circular 74-5 and Federal Information Processing Standards, that ADP procurements be based upon well documented studies and are fully evaluated and justified?

Mr. SLACK. If the gentleman will yield, the answer is yes. The committee fully intends that the formal evaluation and justification required for the procurement of any computer system under the policies and regulations which the gentleman refers to, be complied with.

Mr. PREYER. Is it the gentleman's understanding that the bill's language would allow the use of the earmarked \$3 million to conduct needed management studies of the agency's records processing, and studies to carefully evaluate the capability of INS's proposed nationwide automated system to meet all its recordkeeping needs, in line with the policies of the Brooks Act just discussed?

Mr. SLACK. Yes, that is the committee's intention, I would say to the gentleman.

Ms. HOLTZMAN. Mr. Chairman, will the gentleman yield?

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

Ms. HOLTZMAN. I want to thank the gentleman from North Carolina for clarifying these two points and add that the Justice Department authorization bill reported by the committee containing the same provision was intended to allow the full study and evaluation to which the gentleman referred.

Mr. PREYER. I thank the gentleman and the chairman of the committee.

Mrs. FENWICK. Mr. Chairman, I rise to strike the requisite number of words.

I would like to ask the subcommittee chairman, the gentleman from West Virginia (Mr. SLACK) or the gentleman from North Carolina (Mr. PREYER), whoever can answer, if we are doing anything about an abuse that I think we all know exists and it seems to me this is the place where it ought to be corrected.

Many come to the United States as students or as visitors and we find them getting employment and otherwise abusing the terms of their visas. They are sometimes, therefore, let go from employment when it is discovered they have no proper green card and so on.

In one case of which I happen to know, a woman was employed and it was discovered she had no green card. It was in a nonprofit convalescent home where

people were taken care of free. She had to be let go.

The woman went back to her native land, apparently, and picked up five children and came back 6 months later. The first thing that the convalescent home knew, they were slapped with an increase in their unemployment compensation—because this woman had filed for unemployment compensation.

What happened then was that the convalescent home director said, "I want her back." She said, "I will not come. I now have five children and we are living in Brooklyn." The lady was granted unemployment compensation. The thing that struck me as odd is that she should be given another visa. She must have had a visa if she had a green card. I do not see how you can get unemployment compensation without a green card.

The whole chain comes back to the Immigration and Naturalization Service. Are they allowing people to return who have abused the conditions under which they were admitted to this country? It seems to me the committee could well consider a barrier: "For 5 years, you cannot come back if you abuse the terms of the visa you were given."

We have another problem. Personnel of the supplemental security income office tell me that very often the travel agent will bring in someone who has just arrived in the United States to be with their family, and they apply for SSI. SSI is not allowed to check with Immigration and Naturalization to see whether or not they qualify. It is very difficult for the office to check and verify.

In other words, I think we should be addressing some of these problems, which continue year after year. Has the committee considered any of this?

Mr. SLACK. If the gentlewoman would yield, she has asked a very lengthy question. I have the answer but I am not sure I understand the question.

Mrs. FENWICK. You mean it was lengthy but not clear?

Mr. SLACK. That is correct.

Mrs. FENWICK. I could state it again in very short terms.

Mr. SLACK. I understand.

I call the gentlewoman's attention to page 11 of the bill where the committee has appropriated \$2,100,000 to be made available to redesign, update and maintain the nonimmigrant control system applicable to arrival and departure of aliens in and from the United States. That is the only answer I can give to the gentlewoman.

Mrs. FENWICK. Well, it is totally inadequate, if the chairman would forgive me.

Mr. SLACK. I am sorry.

Mrs. FENWICK. I say it is not adequate, if the chairman would forgive me. I read that and it was reading that section which caused me to remember the abuses I have outlined. Perhaps this is not the place for correction in an appropriation bill; but the committee should be considering what our policy is. When this \$3 million is spent, as I trust it will be to enforce the law, what policy

are they going to follow concerning those people whom they discover?

Mr. SLACK. If the gentlewoman would yield further, we have in this bill appropriated \$1,600,000 to make a thorough study of immigration and refugee policy. As I respond to your question today, I would say there is no policy. We hope by 1981, with the assistance of the Committee on the Judiciary and this new study that we will know in which direction we are going and for what purpose.

At the present time we do not understand, the Congress does not understand, the national policy on immigration.

Mrs. FENWICK. Do we not set the policy here?

Mr. SLACK. The policy should be established through authorizing legislation. We simply appropriate the dollars to carry out that policy.

Mrs. FENWICK. I am very grateful to the chairman for the extraordinary frankness of his response because it seems to me incredible that we have had an Immigration and Naturalization Service for so many years with so many grievous abuses and no policy with which to deal with them.

The CHAIRMAN. The time of the gentlewoman has expired.

(On request of Mr. O'BRIEN and by unanimous consent Mrs. FENWICK was allowed to proceed for 2 additional minutes.)

Mr. O'BRIEN. Mr. Chairman, will the gentlewoman yield to me?

Mrs. FENWICK. I yield to the gentleman from Illinois.

Mr. O'BRIEN. With reference to the case that the gentlewoman put, as I understand it, this person was deported for lacking a green card and then came back in.

Mrs. FENWICK. I do know that she was deported. She may have gone back voluntarily.

Mr. O'BRIEN. As I understand it, if you are once deported, then the State Department cannot permit you to come back in again. It goes back to the gentlewoman's basic point probably the record-keeping originally dealing with the deportation was faulty.

Mrs. FENWICK. I do not think she was deported. It may be that she went voluntarily.

Mr. O'BRIEN. In any event she did not have the green card and got in in some fashion.

Mrs. FENWICK. Yes.

Mr. O'BRIEN. I believe what the chairman says is correct, we are heading in the right direction. It does seem 1981 is a long way to establish some kind of policy in an extraordinarily confused and poorly managed agency.

Mrs. FENWICK. I thank my colleague.

The CHAIRMAN. The time of the gentlewoman has expired.

□ 1600

The CHAIRMAN. The Clerk will read.  
The Clerk read as follows:

FEDERAL PRISON SYSTEM  
SALARIES AND EXPENSES, BUREAU OF PRISONS  
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration, operation, and maintenance of Fed-

eral penal and correctional institutions, including purchase (not to exceed thirty-nine of which twenty-seven are for replacement only) and hire of law enforcement and passenger motor vehicles; \$311,600,000, and, in addition, \$9,900,000 shall be transferred to this appropriation from the appropriation entitled "Buildings and Facilities": *Provided*, That there may be transferred to the Health Services Administration such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions.

AMENDMENT OFFERED BY MR. KASTENMEIER

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

The Clerk read as follows:

Amendment offered by Mr. KASTENMEIER: On page 12, line 16 strike "\$311,600,000" and insert in lieu thereof, "\$317,348,000".

Mr. KASTENMEIER. Mr. Chairman, I would like to take this occasion to compliment the gentleman from West Virginia and the subcommittee on the State-Judiciary appropriations. They have occasion to process a good deal of our authorizing legislation and have done overall a very good job. I am sorry that the debate and the number of amendments have made the matter so protracted today, but that is in the nature of things.

The amendment I offer here is, I hope, in the nature of an improvement in the bill and provides an additional \$5,748,000 to maintain and improve medical services in the Federal Prison System. These moneys were requested by the Bureau of Prisons in their fiscal year 1980 budget request, they were approved by the Attorney General, but the request was rejected by the Office of Management and Budget which apparently believed that these chronically needed programs could wait for some time in the future. The Committee on the Judiciary reviewed this determination and without a single member objecting, these additional funds were included in the committee's authorization for fiscal year 1980.

The amendment will provide necessary funds for four essential medical needs.

The amendment will insure that the medical center for Federal prisoners at Springfield, Mo., does not lose its hospital accreditation, a distinct possibility if the amendment is not agreed to. It is clearly not appropriate for this to be permitted in such an important Federal institution while we are prepared under the recently approved H.R. 10 to insist on quality services in State institutions.

Second, the amendment will provide much needed 24 hour medical staff coverage in the 14 Federal prisons which lack such coverage. I believe that this need is essential and the lack of coverage daily places prisoners and the Bureau in danger of serious medical incidents and possible resultant law suits. Also, the amendment will permit the removal of inmates from certain staff positions involving confidential medical records, and X-ray and laboratory tests. The use of so-called prisoner "trustees" has long been criticized by the courts and others, because the practice puts

some prisoners in positions of power over others. The quality of medical services provided by prisoners is not likely to be at the level properly provided by trained professionals who could be hired under this amendment.

Finally, the amendment will fund a chronically needed psychiatric unit for women at the Lexington, Ky. institution. There are no facilities in the Federal system for the seriously psychotic female offender. The continuing increase in the number of female offenders indicates that the new unit is absolutely necessary, both to meet present needs and to anticipate future problems. This issue has been studied by a special bureau of prisons task force and the specific plans for the unit are merely awaiting funding.

The funds provided in this amendment are reasonable and needed. We can afford this amendment, but there will be no lobbyists or constituents urging you to support it. I urge you to support it because it represents a small additional commitment to an adequate Federal prison system that is truly a part of the 20th century. These moneys will be managed by a Federal agency that has an excellent record for fiscal managerial responsibility. The Committee on the Judiciary believes that these funds will be well spent on real and in some cases chronic needs. I hope you will share that belief and support this amendment today.

Mr. SLACK. Mr. Chairman, I rise in reluctant opposition to the amendment. I have a very high regard for the gentleman who just left the well. Let me say this, that in marking up the bill we attempted to exercise some fiscal restraint and to report a bill to this House under the budget request. The amount we have recommended for the Bureau of Prisons is in our judgment the full amount needed.

Our committee has historically fully supported the requirements of the Federal Bureau of Prisons and I am sure we will continue to do so. We have a very high regard for its director, Norman Carlson.

Now, we have already adopted some several amendments here today which have increased the bill's totals. Even though I reluctantly oppose this amendment, I would urge the Members of this House to hold this item to the level of the budget request and, thereby, reject this amendment.

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

The question was taken; and on a division (demanded by Mr. SLACK) there were—ayes 8, noes 16.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

For construction-differential subsidy incident to construction, reconstruction, and reconditioning of ships and acquisition of used ships under title V of the Merchant Marine Act, 1936, as amended; and for the cost of national defense features on ships, \$32,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. MURPHY OF NEW YORK

Mr. MURPHY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURPHY of New York: Page 20, line 12, strike "\$32 million" and insert in lieu thereof "\$101 million".

□ 1610

Mr. MURPHY of New York. Mr. Chairman, because of the very heavy and crowded schedule, the maritime authorization bill, instead of preceding the commerce appropriation bill, will be up tomorrow, and as a consequence we have a scheduling problem that affects the construction of three vessels.

The additional money here is for three bulk vessels that are in the authorization bill which has passed the full committee. The chairman of the comparable subcommittee in the other body yesterday introduced legislation that will include these three vessels.

The administration will have up to us—and unfortunately, because of administrative delays, it has not come yet—the request for these three vessels. This will amount to only a four-vessel program in this coming year in this legislation, and we hope that the committee will accept this amendment.

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

Mr. MURPHY of New York. I yield to my colleague, the chairman of the subcommittee.

Mr. SLACK. Mr. Chairman, the fiscal year 1980 budget did include \$101 million in new budget authority for the ship construction subsidy program. However, \$69 million, as I understand it, was linked to the enactment of the special dry bulk subsidy legislation.

As of a half hour ago, the OMB had not sent this proposal to Capitol Hill, and I think we must get on with the appropriation of these funds. The future seems to be quite uncertain with respect to these dry bulk carriers.

In view of that, Mr. Chairman, I am inclined to accept the amendment offered by the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Chairman, I thank the chairman of the subcommittee.

Mr. O'BRIEN. Mr. Chairman, will the gentleman yield?

Mr. MURPHY of New York. I am happy to yield to my colleague, the gentleman from Illinois.

Mr. O'BRIEN. Mr. Chairman, we will accept the amendment.

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

Mr. MURPHY of New York. I am happy to yield to the gentleman from California.

Mr. McCLOSKEY. Mr. Chairman, I am wondering why the Committee on Appropriations would yield and accept this amendment, and I would like to point out to the House just precisely what this situation is.

The administration asked for \$101 million in the authorization legislation to build four ships and in effect contribute 50 percent to four ships which would

cost roughly \$200 million. The Committee on the Budget cut that in half, so in the rule of the Committee on the Budget that has been adopted by the budget bill, \$50 million has been cut out. They cut it to \$50 million, in effect cutting it in half.

This committee, properly realizing that only one of the four ships the administration sought to build had been authorized, cut that to \$32 million, if I understand it correctly.

Mr. Chairman, is that my understanding? I direct my inquiry to the chairman of the subcommittee.

Mr. SLACK. Mr. Chairman, if the gentleman from New York (Mr. MURPHY) will yield, the gentleman is correct. The reason we cut it to \$32 million is because the \$69 million was linked to the special dry bulk legislative proposal, and that has not been sent to the Hill.

Mr. McCLOSKEY. Mr. Chairman, if the gentleman will yield further, was the committee aware when the distinguished subcommittee chairman presented this that the testimony before the Committee on Merchant Marine and Fisheries is that very possibly even these ships cannot be built within the 50-percent construction subsidy limitation that the law imposes because we are limited under the 1970 act to contribute no more than 50 percent of the cost of these bulkers?

There has been no testimony before either the Committee on Merchant Marine and Fisheries or the Committee on the Budget of the House or, I assume, the Committee on Appropriations that would indicate that these ships can be built within the 50-percent construction subsidy.

At this point I would like to go back and address my distinguished chairman, and I am glad to be working with him this year because I think we are going to solve this problem before the year is out.

Is it not true, I will ask the committee chairman, that there is no testimony before our committee that these ships can be built? In fact, the testimony of Mr. Hood of the Shipbuilding Council was precisely that we cannot build these ships with the 50-percent subsidy, that it would now take a 60-percent subsidy or even more to build these ships?

Mr. MURPHY of New York. Mr. Chairman, the gentleman and I have worked extensively in this area, and it was through the gentleman's initiative that the construction differential subsidy was cut back to 35 percent several years ago. At that level no one would invest in ship construction. We have now phased that up to 40, 45, and eventually 50 percent.

Of course, with the almost total demise of the dry bulk fleet of the United States, which is down to 19 vessels, with an average age of 25 years, I am hopeful that that 50 percent will be sufficient.

The CHAIRMAN. The time of the gentleman from New York (Mr. MURPHY) has expired.

(By unanimous consent, Mr. MURPHY of New York was allowed to proceed for 2 additional minutes.)

Mr. MURPHY of New York. Mr. Chairman, I am confident that in the atmos-

phere today it will be possible at the 50-percent level to construct these vessels. If not, I would say the law would prevail and we cannot have a subsidy of 50 percent and they would not be built.

But I have every confidence from information from the industry and from other information we have received that these vessels would proceed as planned.

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

Mr. Chairman, one of the great problems of this Nation has been our construction subsidy program for shipping which the distinguished chairman of the committee, the gentleman from New York (Mr. MURPHY), characterizes this year as a disaster. At the present time the committee chairman has taken the lead in proposing a comprehensive new maritime bill by which we will try to assist the maritime industry of the United States to restore a proud and a competitive and an effective U.S. Merchant Marine that is capable of carrying, and being protected by our Government in carrying, at least 40 percent of all forms of our cargo, oil, bulk, and liner cargo.

But this particular program, the construction subsidy program, should not be debated in the appropriation process; it should be debated properly in the authorization process, and we were prepared, when the maritime authorization bill, which was set for tomorrow, was to come on the floor, to debate this issue squarely.

Let me try, if I may, to point out to the Members some of the problems of the shipbuilding industry. It has been subsidized since 1936, and since 1970, when we conceived a bold new program to try to keep our shipyards in existence and build a number of ships, we found that we could not do so. Worse than that, we have found that all of the nations in the world, pursuing policies that date back to the 1930's, before World War II, are engaged in a race which parallels the arms race.

Belgium, Germany, Norway, Japan, Korea, and other nations are all trying to keep their shipyards in existence, with the end result that the testimony before our committee is that the shipyards of the free world are presently operating at about 25 percent capacity because the industrialized nations opposing the Communist bloc are exhausting their resources to try to keep shipyard employment going.

Mr. Chairman, I have asked that an easel be placed before the House to show the Members what we are talking about in the shipyard element of the seapower of the United States. If I may, Mr. Chairman, I will address the Members from this side of the House where the easel is located. Sometimes my colleagues to the left think I should be speaking on this side anyway.

In any event, these circles show the locations of the 26 major shipyards of the United States capable of constructing ships of over 800 feet in size. The red circles indicate shipyards where construction subsidies have been given to permit the construction of ships during the last 5 years.

Now, if the amendment proposed by

the chairman of the committee is adopted, there will be four ships constructed rather than one. Instead of one shipyard being given one construction subsidy for a ship, there will be two shipyards that will get construction subsidies out of the 26 total shipyards.

I am going to ask the chairman of my committee in just a minute to answer a specific question. Is it not true, I will ask the chairman, that the head of the shipbuilding industry of the United States has said that within 7 years, by 1985, if the current shipyards program continues, the total number of 26 major shipyards shown on this map will be reduced to no more than 8 major shipyards? Has that not been the testimony?

□ 1620

Mr. MURPHY of New York. The head of the shipbuilding lobby did make that statement, and it was corroborated by the Maritime Administration.

Mr. McCLOSKEY. If that is so, I want to ask my colleague on the Committee on Appropriations, at a time when we are trying to balance the budget—

Mr. MURPHY of New York. Will the gentleman yield on that point?

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

Mr. MURPHY of New York. The Budget Committee cut the ODS \$50 million, not the CDS, because it was a hangover from last year. That is the reason.

Mr. McCLOSKEY. I may be in error. It was a \$50 million cut.

But let me go back to this point. If we all concede that the number of shipyards in America are going to drop from 26 to 8 or 12 or 13, what real benefit are we accomplishing by subsidizing one additional shipyard in this particular year by the \$69 million that the gentleman from New York (Mr. MURPHY) seeks to add back?

The CHAIRMAN. The time of the gentleman from California (Mr. McCLOSKEY) has expired.

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

Mr. McCLOSKEY. Mr. Chairman, it seems to me that it is time to end the construction subsidy program. The testimony before our committee has been clear that the United States shipping industry, which we are trying to promote, considers it an albatross around its neck that it is forced to buy a ship built in the United States at twice the cost it can be built elsewhere. The most successful U.S. shipping line, Sealand, has just contracted to construct ships in Korea because they can build them for less than half of the cost of the ships in the United States. They can have them delivered in 2 years rather than 4. And a reputable shipping adviser has said that the worst burden we place on the U.S. Merchant Marine is to force American shipping companies to buy U.S. ships constructed at U.S. shipyards at over twice the cost.

I submit to the Members that, in my judgment, the Appropriations Committee was right. It was right to cut the appropriations for the construction subsidy to the level of those authorized. Even at this point in the House of Representatives there is no bill to authorize con-

struction of the three additional ships for which we would be appropriating this \$69 million. And I would ask the chairman of the subcommittee, the gentleman from West Virginia (Mr. SLACK), would not this set a precedent unknown to the House of Representatives, to appropriate money for the construction of ships in which there is not even a bill before the House to authorize those ships?

Mr. SLACK. If the gentleman will yield, we have done this on other occasions, I will say to the gentleman. We have waited a considerable length of time for the authorizing legislation to be enacted, and we cannot wait for the rest of our lives.

Mr. McCLOSKEY. That is precisely the reason why the chairman of the Committee on Merchant Marine and Fisheries yesterday unveiled a bill to adopt a new maritime policy for the United States, in recognition that this administration is incapable of reaching this kind of decision.

I submit the amendment should be defeated.

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

The question was taken; and on a division (demanded by Mr. McCLOSKEY) there were—ayes 13, noes 6.

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

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

The call was taken by electronic device.

The following Members responded to their names:

□ 1640

[Roll No. 325]

Abdnor	Bereuter	Cheney
Addabbo	Bethune	Clausen
Akaka	Bevill	Cleveland
Albosta	Blazel	Clinner
Ambro	Bingham	Copel'ho
Anderson,	Blanchard	Coleman
Calif.	Boers	Collins, Ill.
Anderson, Ill.	Boiland	Collins, Tex.
Andrews, N.C.	Boner	Conable
Andrews,	Bonior	Conte
N. Dak.	Bonker	Corcoran
Annunzio	Bougard	Gorman
Anthony	Bowen	Cotter
Applegate	Brademas	Coughlin
Archer	Breaux	Courter
Ashbrook	Brinkley	Crane, Daniel
Ashley	Brodhead	Crane, Phillip
Aspin	Bromfield	D'Amours
Atkinson	Brown, Calif.	Daniel, Dan
AuCoin	Brovhill	Daniel, R. W.
Badham	Buchanan	Danielson
Bafalis	Burener	Dannemeyer
Balley	Burlison	Daschle
Baldus	Burton, Phillip	Davis, Mich.
Barnes	Butler	Davis, S.C.
Bauman	Byron	de la Garza
Beard, R.I.	Campbell	Deckard
Beard, Tenn.	Carney	Dellums
Bede'l	Carr	Derrick
Bellenson	Carter	Derwinski
Benjamin	Cavanaugh	Devine
Bennett	Chappell	Dickinson

Dicks  
Dodd  
Donnelly  
Dornan  
Dougherty  
Downey  
Duncan, Oreg.  
Duncan, Tenn.  
Early  
Eckhardt  
Edgar  
Edwards, Ala.  
Edwards, Calif.  
Edwards, Okla.  
English  
Erdahl  
Erlenborn  
Ertel  
Evans, Del.  
Evans, Ind.  
Fary  
Fascell  
Fazio  
Fenwick  
Ferraro  
Findley  
Fish  
Fisher  
Fithian  
Filippo  
Florio  
Foley  
Ford, Mich.  
Ford, Tenn.  
Fountain  
Fowler  
Frenzel  
Frost  
Fuqua  
Garcla  
Gaydos  
Gephardt  
Glatmo  
Gilman  
Ginsrich  
Ginn  
Glickman  
Goldwater  
Gonzalez  
Goodling  
Gore  
Gradison  
Gramm  
Grassley  
Gray  
Green  
Grisham  
Guarini  
Gugger  
Guyer  
Hagedorn  
Hall, Ohio  
Hall, Tex.  
Hamilton  
Hammer-  
schmidt  
Hance  
Hanley  
Harkin  
Harris  
Harsha  
Hawkins  
Hefner  
Heftel  
Hightower  
Hillis  
Hollenbeck  
Holt  
Holtzman  
Hopkins  
Horton  
Howard  
Hubbard  
Huckaby  
Hughes  
Hutto  
Hyde  
Ichord  
Ireland  
Jeffords  
Jeffries  
Jenkins  
Jenrette  
Johnson, Calif.  
Johnson, Colo.  
Jones, N.C.  
Jones, Okla.  
Jones, Tenn.

Kastenmeier  
Kazen  
Kelly  
Kemp  
Kildee  
Kindness  
Kogovsek  
Kostmayer  
Kramer  
LaFalce  
Lagomarsino  
Latta  
Leach, Iowa  
Leath, Tex.  
Lederer  
Lee  
Lehman  
Lent  
Levitas  
Lewis  
Lloyd  
Loeffler  
Long, La.  
Lott  
Lowry  
Lujan  
Luken  
Lundine  
Lungren  
McClory  
McCloskey  
McCormack  
McDade  
McEwen  
McHugh  
McKay  
McKinney  
Maguire  
Markey  
Marks  
Marlenee  
Marriott  
Martin  
Matsul  
Mattox  
Mavroules  
Mazzoli  
Mica  
Michel  
Mikulski  
Miller, Ohio  
Mineta  
Minish  
Mitchell, Md.  
Mitchell, N.Y.  
Moakley  
Moffett  
Mollohan  
Montgomery  
Moore  
Moorhead, Calif.  
Mottl  
Murphy, Ill.  
Murphy, N.Y.  
Murphy, Pa.  
Murtha  
Myers, Ind.  
Myers, Pa.  
Natcher  
Neal  
Nedzi  
Nelson  
Nichols  
Nolan  
Nowak  
O'Brien  
Oakar  
Oberstar  
Obey  
Ottinger  
Panetta  
Pashayan  
Patten  
Patterson  
Paul  
Pease  
Pepper  
Perkins  
Petri  
Peyser  
Pickie  
Pickle  
Preyer  
Price  
Pursell  
Quayle  
Quillen  
Rahall

Rangel  
Ratchford  
Regula  
Reuss  
Rhodes  
Richmond  
Rinaldo  
Ritter  
Roberts  
Robinson  
Rodino  
Roe  
Rose  
Rosenthal  
Rostenkowski  
Roth  
Roybal  
Royer  
Rudd  
Runnels  
Russo  
Sabo  
Satterfield  
Sawyer  
Schroeder  
Schulze  
Sebellus  
Sensenbrenner  
Shannon  
Sharp  
Shelby  
Shuster  
Simon  
Slack  
Smith, Iowa  
Smith, Nebr.  
Snowe  
Snyder  
Solarz  
Solomon  
Spence  
St Germain  
Stack  
Stanton  
Stangeland  
Steed  
Stenholm  
Stewart  
Stockman  
Stokes  
Stratton  
Studds  
Stump  
Swift  
Symms  
Synar  
Tauke  
Taylor  
Thomas  
Thompson  
Traxler  
Tribble  
Ullman  
Van Deerlin  
Vander Jagt  
Vanik  
Vento  
Volkmer  
Walgren  
Walker  
Wampler  
Watkins  
Waxman  
Weaver  
Weiss  
White  
Whitehurst  
Whittaker  
Whitten  
Williams, Mont.  
Williams, Ohio  
Wilson, Bob  
Wilson, Tex.  
Winn  
Wolfe  
Wolpe  
Wyatt  
Wydler  
Yates  
Yatron  
Young, Fla.  
Young, Mo.  
Zablocki  
Zerfetti

RECORDED VOTE  
The pending business is the demand of the gentleman from California (Mr. McCloskey) for a recorded vote.  
Five minutes will be allowed for the vote.  
A recorded vote was ordered.  
The vote was taken by electronic device, and there were—ayes 135, noes 272, not voting 27, as follows:

[Roll No. 326]  
AYES—135  
Addabbo  
Akaka  
Ambro  
Anderson, Calif.  
Andrews, N. Dak.  
Annunzio  
Aspin  
Atkinson  
AuCoin  
Bailey  
Baldus  
Benjamin  
Bevill  
Biaggi  
Bingham  
Boggs  
Bonior  
Bonker  
Bowen  
Braux  
Buchanan  
Burgener  
Burton, John  
Burton, Phillip  
Chisholm  
D'Amours  
Daniel, R. W.  
Davis, Mich.  
Davis, S.C.  
Dickinson  
Dicks  
Dingell  
Dodd  
Donnelly  
Dougherty  
Duncan, Oreg.  
Duncan, Tenn.  
Early  
Edgar  
Edwards, Ala.  
Fary  
Ferraro  
Fithian  
Filippo  
Florio  
Foley  
Frost  
Garcla  
Gaydos  
Gephardt  
Glatmo  
Gilman  
Ginsrich  
Ginn  
Glickman  
Goldwater  
Gonzalez  
Goodling  
Gore  
Gradison  
Gramm  
Grassley  
Gray  
Green  
Grisham  
Guarini  
Gugger  
Guyer  
Hagedorn  
Hall, Ohio  
Hall, Tex.  
Hamilton  
Hammer-  
schmidt  
Hance  
Hanley  
Harkin  
Harris  
Harsha  
Hawkins  
Hefner  
Heftel  
Hightower  
Hillis  
Hollenbeck  
Holt  
Holtzman  
Hopkins  
Horton  
Howard  
Hubbard  
Huckaby  
Hughes  
Hutto  
Hyde  
Ichord  
Ireland  
Jeffords  
Jeffries  
Jenkins  
Jenrette  
Johnson, Calif.  
Johnson, Colo.  
Jones, N.C.  
Jones, Okla.  
Jones, Tenn.

Harris  
Harsha  
Hefner  
Hightower  
Hillis  
Holt  
Hopkins  
Horton  
Hutto  
Hyde  
Ichord  
Ireland  
Jacobs  
Jeffords  
Jeffries  
Jenkins  
Johnson, Calif.  
Johnson, Colo.  
Jones, Okla.  
Jones, Tenn.  
Kastenmeier  
Kazen  
Kelly  
Kemp  
Kildee  
Kinross  
Korovsek  
Kosmayer  
Kramer  
Lagomarsino  
Leach, Iowa  
Leath, Tex.  
Lee  
Lehman  
Leland  
Levitas  
Lewis  
Loeffler  
Lujan  
Luken  
Lundine  
Lunnen  
McClory  
McCloskey  
McCormack  
McDade  
McDonald  
McEwen  
McFuch  
McKay  
McKinney  
Maguire

Nowak  
Oakar  
Oberstar  
Patten  
Fatterson  
Peyser  
Price  
Rahall  
Rangel  
Richmond  
Rinaldo  
Roe  
Rosenthal  
Rostenkowski  
Roth  
Roybal  
Russo  
Schauer  
Shannon  
Shelby  
Slack  
Snowe  
Snyder  
Solarz  
Stack  
Stanton  
Stark  
Steed  
Stokes  
Studds  
Swift  
Tribble  
Ullman  
Van Deerlin  
Waxman  
Weaver  
Whitehurst  
Williams, Mont.  
Wilson, Bob  
Wilson, Tex.  
Wolfe  
Wyatt  
Young, Alaska  
Young, Mo.  
Zablocki  
Zerfetti

Marks  
Marriott  
Martin  
Mathis  
Matsul  
Mattox  
Mazzoli  
Mica  
Michel  
Miller, Ohio  
Mineta  
Mitchell, Md.  
Mitchell, N.Y.  
Moffett  
Montgomery  
Moore  
Moorhead, Calif.  
Myers, Ind.  
Natcher  
Nedzi  
Nelson  
Nichols  
Nolan  
O'Brien  
Obey  
Ottinger  
Panetta  
Pashayan  
Paul  
Pease  
Pepper  
Perkins  
Petri  
Pickle  
Preyer  
Pursell  
Quayle  
Quillen  
Rachford  
Regula  
Reuss  
Ritter  
Roberts  
Robinson  
Rodino  
Rose  
Royer  
Rudd  
Runnels  
Sabo  
Santini

Satterfield  
Sawyer  
Schroeder  
Schulze  
Sebellus  
Seiberling  
Sensenbrenner  
Sharp  
Simon  
Smith, Iowa  
Smith, Nebr.  
Solomon  
Spence  
St Germain  
Staggers  
Stangeland  
Stenholm  
Stewart  
Stockman  
Stratton  
Stump  
Symms  
Synar  
Taufe  
Taylor  
Thomas  
Thompson  
Traxler  
Vander Jagt  
Vanik  
Vento  
Volkmer  
Walgren  
Walker  
Wampler  
Watkins  
Weiss  
White  
Whittaker  
Whitten  
Williams, Ohio  
Wilson, C. H.  
Winn  
Wolpe  
Wright  
Wydler  
Wylie  
Yates  
Yatron  
Young, Fla.

NOT VOTING—27  
Alexander  
Barnard  
Bolling  
Brooks  
Brown, Ohio  
Broyhill  
Clay  
Convers  
Dixon  
Emery  
Flood  
Forsythe  
Hansen  
Hinson  
Holland  
Leach, La.  
Livingston  
Madigan  
Mikva  
Pritchard  
Rallsback  
Rousset  
Shumway  
Skelton  
Spellman  
Treen  
Wirth

NOES—272  
Abdnor  
Albosta  
Anderson, Ill.  
Andrews, N.C.  
Anthony  
Applegate  
Archer  
Ashbrook  
Ashley  
Batham  
Bafalis  
Barnes  
Bauman  
Beard, R.I.  
Beard, Tenn.  
Bell  
Bellenson  
Bennett  
Bereuter  
Bethune  
Blanchard  
Boland  
Boner  
Bouquard  
Brademas  
Brinkley  
Brothead  
Broomfield  
Brown, Calif.  
Burlison  
Butler  
Byron  
Campbell  
Carney  
Carr  
Carter  
Cavanaugh  
Chappell  
Cheney  
Clausen  
Cleveland  
Clinger  
Coelho  
Coleman  
Collins, Ill.  
Collins, Tex.  
Conable  
Conte  
Corcoran  
Corman  
Cotter  
Coughlin  
Courter  
Crane, Daniel  
Crane, Phillip  
Daniel, Dan  
Danielson  
Dann-meyer  
Daschle  
de la Garza  
Deckard  
Dellums  
Derrick  
Derwinski  
Devine  
Diggs  
Dornan  
Downey  
Drinan  
Eckhardt  
Edwards, Calif.  
Edwards, Okla.  
English  
Erdahl  
Erlenborn  
Ertel

Evans, Del.  
Evans, Ga.  
Evans, Ind.  
Fascell  
Fazio  
Fenwick  
Findley  
Fish  
Fisher  
Ford, Mich.  
Ford, Tenn.  
Fountain  
Fowler  
Frenzel  
Fuqua  
Gephardt  
Glatmo  
Gibbons  
Ginsrich  
Glickman  
Goldwater  
Gonzalez  
Goodling  
Gore  
Gramm  
Grassley  
Green  
Grisham  
Gugger  
Guyer  
Hagedorn  
Hall, Ohio  
Hall, Tex.  
Hamilton  
Hanley  
Harkin

The Clerk announced the following pairs:  
On this vote:  
Mr. Flood for, with Mr. Mikva against.  
Mr. Leach of Louisiana for, with Mr. Conyers against.  
Mr. Livingston for, with Mr. Hinson against.  
Mr. Pritchard for, with Mr. Hansen against.  
Mr. Emery for, with Mr. Shumway against.  
Mr. McHUGH changed his vote from "aye" to "no".  
So the amendment was rejected.  
The result of the vote was announced as above recorded.  
Mr. WAXMAN, Mr. Chairman, I move to strike the last word.  
Mr. Chairman, the amendment I planned to offer today would increase the appropriation for the facilities program for public broadcasting, under the Commerce Department's National Telecommunications and Information Administration, from \$12 million, as reported by committee, to \$23.705 million, as requested by the administration.  
I believe this amendment is necessary for several reasons.

The CHAIRMAN. Three hundred eighty-four MEMBERS have answered to their name, a quorum is present, and the Committee will resume its business.

The facilities program is the backbone of public broadcasting. It funds the construction of new public television and radio stations, as well as provide grants for better transmitters and other equipment. Without the stations, the system does not exist. So if we are to have a nationwide system of public telecommunications, we need the strongest possible facilities program.

Last year, the Subcommittee on Communications, in the Public Telecommunications Finance Act of 1978, fully reviewed the facilities program.

To further centralize telecommunications planning and policy, we transferred this program from HEW to the Department of Commerce.

We strengthened the emphasis of the program on increasing ownership of public broadcasting stations by minorities and women.

We redoubled our commitment to public radio.

Most importantly, we were concerned that the program's primary purpose—to establish public television and radio stations throughout the United States—be completed as quickly as possible.

Currently, 20 percent of the American people cannot receive a public television station; 40 percent cannot hear public radio.

The system remains incomplete.

The Subcommittee on Communications determined that \$40 million per year would be necessary to do the job. The administration proposed \$24 million. And now the Appropriations Committee has recommended \$12 million—a \$6 million cut from fiscal year 1979, a \$6 million cut even though there will be nearly \$100 million in grant requests in fiscal year 1980.<sup>1</sup>

Mr. Chairman, I submit that this level of funding is insufficient to complete construction of a public broadcasting system which will reach all the American people, much less meet the other ambitious goals this Congress has explicitly endorsed.

I urge my colleagues not to repudiate those commitments.

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

Mr. WAXMAN. I would be pleased to yield to the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, let me assure the gentleman that his request will be given full consideration in the conference with the other body.

Mr. WAXMAN. I thank the chairman of the subcommittee for that assurance.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. WAXMAN. I yield to the chairman of the Communications Subcommittee, the gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Chairman, I believe my fellow Californian, Mr. WAXMAN, has raised an issue vital to the continued growth and development of our

Nation's publicly funded broadcast service.

In October of last year, Congress saw the culmination of a year-long effort to strengthen the public broadcasting system. It was a year of lengthy debate, and the results, I believe, will serve to encourage accountability and independence in public broadcasting.

At the time that bill was passed in the House—just about a year ago—I pointed out that one of six primary purposes of the legislation was to: "Assist in the planning and construction of public telecommunications services to as many citizens of the United States as possible by the most efficient and economical means."

In considering the fiscal year 1980 appropriation for the Departments of State, Justice, Commerce, and the Judiciary, we will be determining whether or not these public telecommunications services are to reach millions of Americans currently unserved. I am talking about the Public Telecommunications Facilities Program.

In authorizing funds for the public telecommunications facilities program last year, we transferred the program from the Department of Health, Education, and Welfare, to the Department of Commerce. We made this change for two reasons. First, the program had not received enough administrative support from HEW. This led to delays in the award of grants and inadequate oversight of grant recipients.

Second, in view of developments in communications technology, we thought the program could benefit from the expertise of the Commerce Department's National Telecommunications and Information Administration (NTIA).

The Commerce Department has administered the program for only a short time, but already it has demonstrated a great commitment to its success. The Department has developed and issued new regulations and solicited applications. It expects to award the 1979 grants soon.

Considering the optimistic outlook for completion of the public broadcasting system, I was disappointed to learn that the Appropriations Committee had approved only \$12 million for the facilities program for fiscal year 1980. This is \$28 million less than the amount authorized by Congress; \$6 million less than the amount available for fiscal year 1979, and only half of the \$23.7 million requested by the administration.

If enacted, this cut will mean a significant delay in expanding public broadcasting to reach all Americans. There are still millions of people who live outside the reach of a public broadcast station. Yet, all of them pay with their tax dollars to support the programs broadcast by public TV and radio. At present, citizens in Montana and Wyoming are without local public television outlets. Large areas of the States we represent—especially in the west—do without the benefit of a public television signal. Large metropolitan areas still go unserved by public television. For instance, Santa Barbara, Calif., Fort

Wayne, Ind., and Beaumont, Tex. are in markets of over 350,000 people and yet have no public television outlets.

Even larger areas of the United States are unable to receive public radio service. Nassau and Suffolk counties in New York, with a combined population of over 2.5 million people, have no public radio. Cleveland, Ohio, a major metropolitan area with over 2 million people, has no public radio. Six States—Delaware, Hawaii, Idaho, Nevada, New Hampshire, and Rhode Island—are totally without public radio stations. Nine other States have service from only one public radio station. It is unfair and unnecessary to deny the taxpayers in these areas the chance to hear and see programs that they are paying for.

Finally, I believe that the Appropriations Committee's action will actually result in increased costs to the taxpayer. We expect that the 16-year-old facilities program can be eliminated once the public broadcasting system is complete. In fact, I introduced legislation to that effect earlier this year. With construction and administrative costs rising every day, the longer it takes to complete this job, the higher the cost will be to the taxpayer.

As chairman of the Subcommittee on Communications, I strongly recommend that we finish what we started. We should restore the funding, and then look toward phasing out the program just as soon as the task is completed. This course of action will permit a rapid and economical response to the needs of millions of Americans who are currently denied access to the educational, cultural, and informational services of public broadcasting.

Mr. WAXMAN. Mr. Chairman, in light of the comments that we received, and I think the point that we have made, I will not offer this amendment and I will wait with optimism in hopes that the conference will recognize the need for additional appropriations for this facilities program. I am pleased to have the receptive comments that the subcommittee chairman has made.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

BOARD FOR INTERNATIONAL BROADCASTING  
GRANTS AND EXPENSES

For expenses of the Board for International Broadcasting, including grants to RFE/RL, Inc., \$32,990,000, of which \$2,000,000, to remain available until expended, shall be available only for fluctuations in foreign currency exchange rates in accordance with the provisions of section 8 of the Board for International Broadcasting Act of 1973, as amended: *Provided*, That not to exceed \$52,000 shall be available for official reception and representation expenses.

□ 1700

AMENDMENT OFFERED BY MR. DERWINSKI

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

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: Page 29, line 17, strike out "\$82,990,000" and insert in lieu thereof "\$85,990,000"; and on line 18, strike out "\$2,000,000" and insert in lieu thereof "\$5,000,000".

Mr. DERWINSKI. Mr. Chairman, my amendment would restore \$3 million to

<sup>1</sup> Estimate by the Joint Council on Educational Telecommunications.



the currency devaluation fund for Radio Free Europe and Radio Liberty. Seventy-six percent of RFE and RL's expenses are in West German marks, and this funding is needed to compensate for the value of the mark against the U.S. dollar. The rate of exchange has dropped from 2.10 West German marks to the dollar in October 1978, to 1.83 now. The appropriation assumes that the exchange rate will go to 1.93, but this is an unrealistic figure.

Since 1971, when Radio Free Europe and Radio Liberty became openly financed by the Congress, financial support to both has declined steadily. Congressional appropriations have never compensated fully for the devaluation of the dollar and rising costs.

In fiscal years 1978 through 1979, Congress cut a total of \$1,838,000 from the appropriation requests. One million dollars has just been cut from the fiscal year 1979 supplemental request. The \$5 million request for currency devaluation funding in this fiscal year 1980 bill has been cut by \$3 million, and I urge its restoration. According to the Board for International Broadcasting, RFE and RL would need \$100 million just to operate at the same level as 1971. The Soviets spend three times that much on jamming them.

RFE broadcasts in six languages to Eastern Europe. Radio Liberty beams programs in 15 languages to the nationalities of the Soviet Union. Both radios represent 80 percent of the total output of western broadcasts to this part of the world. In contrast, the Soviet Union has recently expanded its broadcasts in 62 foreign languages to the Middle East, Africa, South and East Asia, and Latin America.

In recent years, while the Soviets have stepped up their propaganda use of air waves, the United States has been slowly weakening its efforts. The Voice of America has restricted the political content of its programs to the Soviet bloc to such a degree that the Soviets stopped jamming VOA.

It is the strong consensus of Soviet dissidents that crippling of Radio Liberty and Radio Free Europe would deal a serious blow to the whole movement for defense of human rights within the Soviet orbit.

Radio Free Europe and Radio Liberty are important weapons in the war of truth against Soviet propaganda, and as such are truly U.S. defense assets. We must not cut back on the message of freedom. We cannot afford to lose the broadcasting battle to the Soviets.

Mr. Chairman, my amendment is needed for Radio Free Europe and Radio Liberty. These are the U.S. radio broadcasts that beam into Eastern Europe and the Soviet Union proper. The specific issue involved here is the loss of value of the U.S. dollar against the West German mark, and the purpose is to produce for the entity the necessary adjustment of the expenses, their needed expenses. They actually do not have the equivalent power of with the loss of dollar value. I understand there has been some discussion in the committee,

and before I proceed further, I wonder if the chairman or the ranking member could enlighten me as to just what consideration they have given to this problem.

Mr. O'BRIEN. If the gentleman will yield, in view of the fact that these broadcasts clear Ireland at a considerable height, the gentleman's interest surprises me. However, we have discussed his point in committee to some degree, and we believe that while we feel we have provided enough, it seems to us that there will be an opportunity to provide additional funding should the occasion of need arise.

Mr. DERWINSKI. Would that possibly be the supplemental?

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

Mr. DERWINSKI. I yield to the gentleman from West Virginia.

Mr. SLACK. I thank the gentleman for yielding.

Mr. Chairman, this bill includes \$2 million for currency fluctuations for the operation of radios in Western Europe, as my friend knows. This is the same amount that was provided for currency fluctuations in the regular annual appropriation bill for fiscal year 1978 as well as for fiscal year 1979. In the event additional requirements for this item arise during the course of 1980, let me assure the gentleman from Illinois that this matter can be handled in the supplemental appropriation bill as we have done in the past 2 fiscal years. If he would see fit to withdraw this amendment, I would assure him that this would be handled in a supplemental measure in the event it is needed.

Mr. DERWINSKI. Mr. Chairman, I thank the gentleman. I would like to point out, as a member of the authorizing committee for the Board of International Broadcasting, I feel these are truly valuable and practical programs and, I think, a good investment. But in view of the gentleman's comments, to expedite procedures, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

FEDERAL MARITIME COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; \$11,175,000: *Provided*, That not to exceed \$1,500 shall be available for official reception and representation expenses.

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

Mr. Chairman, I take this time to point out to the Members of the Committee at this point in the bill there would normally have been an appropriation provided for the Federal Trade Commission. I note that there is no appropriation for the Federal Trade Commission contained in this bill, and I want to state that it is because the chairman of the

subcommittee and the members of the subcommittee, exercised the proper responsibility of the Appropriations Committee. There is no authorization for the Federal Trade Commission and, therefore, there should be no appropriation until there has been an authorization.

During the last Congress the authorization legislation for the Federal Trade Commission was defeated. The conference report authorizing appropriations for the FTC was rejected on two occasions by overwhelming votes in this House because the other body refused to compromise and go along with a legislative veto over the rules and regulations issued by the Federal Trade Commission. I am happy to state that our Committee on Interstate and Foreign Commerce has now reported out an authorization bill for the Federal Trade Commission which will include the legislative veto provision. I hope that the House will speedily act upon that and that a conference report can come back containing the legislative veto. If not, I think we will have to see a sunset occur through lack of appropriations, because I intend again to make every effort I can to defeat any authorization that does not contain a legislative veto.

Mr. Chairman, I would like at this time, if I may, to engage the chairman of the subcommittee in colloquy. Could the chairman tell me whether or not in conversations with Members of the other body there is going to be any attempt made to put in funds for the Federal Trade Commission in this legislation when it comes back in conference?

Mr. SLACK. If the gentleman would yield, I have not discussed this matter with the other body, but I assume that they will put funds in the bill for the FTC, whether or not it is authorized.

Mr. LEVITAS. I would also like to make the observation that in that instance I know the gentleman will do this: defend the House position; but if the conference report comes back in a matter of disagreement between the House and the Senate, with FTC appropriations without authorization then it would be my purpose at that time to make every effort to uphold the House position and strike out those funds so that we will make certain that an unauthorized, in fact a defeated authorization, will not be funded, and I know the gentleman feels that way.

Mr. SLACK. If the gentleman will yield, since this bill was funded for 2 years without authorization, we feel very strongly before we move forward in this area with appropriations we must have authorization, and the congressional veto question must be settled.

Mr. LEVITAS. I thank the gentleman. I commend him and his subcommittee for this position. I think we have got to draw the line and not fund agencies on and on and on without authorization.

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

□ 1810

AMENDMENT OFFERED BY MRS. SNOWE

Mrs. SNOWE. Mr. Chairman, I ask unanimous consent to offer an amendment on page 21, line 9 of the bill.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Maine?

There was no objection.

(The portion of the bill to which the amendment relates is as follows:)

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, including not to exceed \$2,500 for entertainment of officials of other countries when specifically authorized by the Maritime Administrator; not to exceed \$2,500 for representation allowances; not to exceed \$2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion; \$64,622,000 to remain available until expended: *Provided*, That reimbursement may be made to this appropriation for expenses in support of activities for National Maritime Research Centers financed from the appropriation for "Research and development": *Provided further*, That reimbursements may be made to this appropriation from receipts to the "Federal ship financing fund" for administrative expenses in support of that program.

The Clerk read as follows:

Amendment offered by Mrs. SNOWE: On page 21, line 9, strike "\$64,622,000" and insert in lieu thereof "\$66,620,000".

Mrs. SNOWE. Mr. Chairman, I am offering this amendment to H.R. 4392 on behalf of my colleague from Maine (Mr. EMERY). It will provide \$1,998,000 (\$1.9 million) to State marine schools for the purpose of purchasing fuel for training vessels.

The Maritime Administration projects that fuel costs will increase over the next year by at least 10 percent. Given our recent experience, this is a conservative estimate, indeed. Using last year's consumption as a basis for computing the cost and multiplying that figure by the current fuel price plus 10 percent, the agency estimates that \$1,998,000 must be spent in fiscal year 1980 in order to operate the marine school training vessels. Unless our amendment is accepted, the schools will have to come up with this amount themselves.

As a member of the Ad Hoc Select Subcommittee on Maritime Education and Training, Mr. EMERY has had an opportunity to review the operation of many marine schools and has expressed his impression of the cost-effective operation of most of them. They have exhibited the ability to revise their budgets in light of increasing inflation and, yet, continue to train merchant seamen to a high level of excellence and competence. The training vessels are an integral part of a seaman's curriculum at the schools and cannot be dispensed with or minimized.

For this reason, I feel that we should appropriate \$1,998,000 for State marine schools in order that they may purchase fuel for training vessels during fiscal year 1980.

Mr. SLACK. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, first of all, there is no budget request for this item. The usual practice of our committee is to wait until the President submits a budget estimate for a program before providing funds in

an appropriation bill. This procedure provides an opportunity for us to hold hearings and examine a request in detail and then make adjustments accordingly. By offering this amendment, the gentlewoman would bypass this very important part of the appropriations process.

Second, this item is not yet authorized. Furthermore, it is not even included in the Maritime Administration authorization bill for fiscal year 1980 which has been reported to the House by the Merchant Marine Committee.

Third, the State marine schools have experienced increased fuel costs in each of the last 5 years. In 1975 the total fuel bill for the school-ships was \$576,179. In 1979 the total cost is estimated to be \$1,243,700. This amount reflects an increase of \$667,521 over the 1975 cost of fuel for the ships. I am sure that it has not been easy for these schools, but I would point out that they have been able to meet these costs out of their own budgets in every one of the last 5 years. The gentlewoman's amendment would have the Federal Government pick up the entire cost of this item for each of the schools. I do not think the American people want this Congress to approve increases of such magnitude. I think the American people are asking us to show some restraint in the growth of the Federal budget, by disapproving this type of amendment.

Fourth, our committee has been very, very generous this year with regard to the State marine school program. We included a total of \$10,285,000 in this bill for fiscal year 1980 for these schools. This amount represents an increase of \$4,915,000 above the \$5,370,000 provided for this program for fiscal year 1979. This increase is comprised of \$3,500,000 for a replacement vessel for the Massachusetts Maritime Academy as well as \$1,415,000 for a significantly increased level of maintenance and repair for the school-ships and additional cadet allowances. Surely these additional funds will provide significant help to these schools in meeting their total budgetary requirements for fiscal year 1980.

In summary, there is no budget request for this item, there is no authorization, the State marine schools have been able to meet these increased costs, and the bill provides a significant budgetary increase—81 percent above the current year level for the State marine school program. For these reasons, I urge the defeat of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Maine (Mrs. SNOWE).

The question was taken; and on a division (demanded by Mrs. SNOWE), there were—ayes 24, noes 30.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNITED STATES METRIC BOARD  
SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Metric Conversion Act of 1975 (15 U.S.C. 205), \$1,613,000.

AMENDMENT OFFERED BY MR. PHILIP M. CRANE

Mr. PHILIP M. CRANE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PHILIP M. CRANE: On page 39, strike line 6 and all through the end of line 10.

Mr. PHILIP M. CRANE. Mr. Chairman, reduced to the basics, my amendment will save 1,613,000 taxpayer dollars by eliminating all funds allocated to the unnecessary U.S. Metric Board.

The U.S. Metric Board was authorized by the Metric Conversion Act of 1975. The title of this 1975 bill was most unfortunate. It misled many into believing that the United States had made a national commitment to convert to metrics and that a Federal agency would carry out the switch. In fact, the law specifically stated otherwise. The operative language in section 3 of that act clarifies that—

The policy of the United States shall be . . . to coordinate the voluntary conversion to the metric system. (15 U.S.C. 208, emphasis added.)

Conversion, if it takes place at all, is to be totally voluntary. Each American is free to decide for himself whether or when his business would benefit from a switch to metric measurement. Each American is free to decide whether or when to learn all the conversion tables and gain a working knowledge of the metric system. Each American is free to decide what he wants and when he wants it with regard to systems of measurement.

Leaving all decisions regarding measurement systems to the individual is an act of commonsense. After all, an individual knows his needs far better than some bureaucrat who sits in an air-conditioned office in Washington, D.C. I still believe that Congress has preserved at least a smidgin of commonsense. Of course, if Congress had been truly wise, it would not have tampered with this question at all. By going to the effort of telling Americans they are free to convert or not convert to metrics, an agency somehow got formed in the process. Congress cannot even tell Americans they are free to choose without creating a Federal agency. Moreover, by stating the obvious that Americans are free to decide, we also got the unfortunate title of the 1975 act that caused many to believe the exact opposite—that is, that their Government was deciding for them again. Congress often cannot even state the obvious without creating a Federal agency and causing confusion.

In any event, that brings us to the subject of my amendment. Since Congress was sensible enough to make conversion totally voluntary, surely it is wise enough to understand that we do not need to spend \$1,613,000 for a Federal agency to influence that choice. Americans do not need to pay a Federal agency to tell them what to decide.

The Appropriations Committee was half wise. They cut the U.S. Metric Board's budget request in half. In making its reduction, the committee gave us their insight into the Metric Board's ef-

fectiveness (and empire building proclivities):

This amount is a reduction of \$1,722,000 from the budget request, but is an increase of \$38,000 above appropriations enacted to date for the Board for fiscal year 1979.

The Committee has not approved any of the 21 additional positions or other program increases requested for the Board for fiscal year 1980 because the Committee is not convinced that the Board, which has been in existence for only one year, needs an 84 percent increase in its permanent staff.

In the first place, Mr. Chairman, we have to wonder about the dire need for an agency that could not even manage to get moving until 3 years after it was authorized. And then we have to admire the guts, if not the brains, of an agency that seeks an 84 percent increase in personnel after a single year in operation. By the way, the committee did use its committee report to give added weight to the Comptroller General's study on the metric conversion:

The Comptroller General has recommended that the Metric Board initiate a program to inform the American people that conversion to the metric system is strictly voluntary and that the national policy as mandated by the Congress does not favor the metric system over the customary system or vice versa. The committee is concerned that the Board, in its policies and actions, is becoming an advocate of the metric system and is giving the impression that our official national policy is to convert to the metric system albeit voluntarily.

Congress should now proceed to complete the job left half-done by the Appropriations Committee, that is, cut the rest of the funds for this useless Federal agency.

Mr. Chairman, since the Appropriations Committee mentioned the GAO study, let us look at that next. The Comptroller General's October 20, 1978, study confirms that conversion is to be voluntary:

The 1975 Act and its legislative history show the national policy is not to prefer one system over the other but to provide for either to be predominant on the basis of the voluntary actions of those affected. . . . Despite opinions and statements to the contrary, it is not the United States' policy to convert to the metric system.

This should not be news. Voluntary conversion has been U.S. policy since 1866 when the metric system was authorized. In 1975, Congress only echoed what Americans had understood for over a hundred years.

Once again we come to the undeniable conclusion that Americans do not need to spend \$1,613,000 to have a Federal agency make their decision for them. They are perfectly capable of weighing the alternatives and reaching their own conclusion. This \$1,613,000 would be spent for speechwriters, toll-free telephone lines, automated communications systems (computerized typewriters), and more secretaries and assistants for the U.S. Metric Board. To what avail? Any switch to metric is to be the product of voluntary choice, not the persuasion or coercion of an expensive Federal agency.

Mr. Chairman, because my amendment is based on commonsense, I anticipate objections from some Members of this House. Therefore, I would like to address

those objections before they are even made.

The first objection will be "we have already decided by a conclusive vote of Congress to create this agency and cannot just eliminate the funds to sustain its existence." In the first place, the 300-63 margin of passage for this agency is more evidence of a mistake than of merit. When Congress makes mistakes, it usually does so by a conclusive margin. In any event, we should not allow a mistake to continue simply because we do not want to admit that we made it. This House has not hesitated in the past to reverse an authorization decision by eliminating its funding. Let me cite a few examples: In 1977, the legislative appropriations bill eliminated funding for an authorized (and unwarranted) pay raise for Congressmen. The President's ill-fated amnesty program for draft evaders was authorized but denied funds. The Trexler Lake public works project was underway in Pennsylvania when the House cut its funding. Five additional B-1 bombers were authorized for construction when the House reversed itself and weakened our defense by cutting the appropriations. The House does not need to feel squeamish about correcting a past mistake by eliminating the funds for the unnecessary U.S. Metric Board.

Another objection we will hear is that "if we abolish the Metric Board, our trade with metric nations will be damaged." This objection misses the point completely. Americans have their freedom to choose. If it is profitable and beneficial to convert to metrics for international trade, you had better believe that our enterprising American businessmen will effect the change tomorrow. But if it is not profitable, no Federal agency has or should have the power to force a change. If conversion is to take place at all, it should come naturally, as demanded by the marketplace, not in response to pressure from a Federal bureaucracy. Moreover, Congress should not decide for everyone when or if to convert, individuals and businesses can decide for themselves. America's businesses can decide to convert if they feel their trade is being harmed.

Before we pass this last objection, however, a glance at what our studies say on this topic of trade damage would be helpful. Under Public Law 90-472, the National Bureau of Standards conducted a \$1.3 million study into the need for metrication. They checked this trade question closely and concluded:

The notion that the U.S. is losing exports to metric countries because its products are not designed and manufactured in metric units and standards appears to be ill-founded. U.S. exports of MSS (measurement sensitive) products to metric countries are more than double the exports to nonmetric countries. Furthermore, some of the fastest growing markets for U.S. MSS products are the metric countries. For example, shipments to both Japan and EEC markets grew faster than total exports of MSS products. In the period 1965-69, exports of MSS products to metric countries grew 48.3 percent compared with a 44.6 percent growth to nonmetric countries.

U.S. exporters and importers rank the measurement factor very low, indicating it affects U.S. trade only slightly. Exporters in-

dicate that the top three factors promoting sales abroad of MSS products were reliability and reputation, superior technology, and high quality of product. These three factors account for over 60 percent of total rankings. As to promoting exports, the measurement system used to design and manufacture U.S. products (either U.S. customary or metric) received only 1.6 percent of the total rankings. The measurement system received only 3.3 percent of the total ranking of export deterrent factors.

The only instance where the measurement factor was cited as having an important effect on trade was in the importation of wood and lumber products and primary metal products. Importers in these produce categories stated that because these products are generally designed and manufactured in U.S. customary units and engineering standards, their sales in the domestic market were greatly enhanced.

The Comptroller General reached the same conclusion just recently:

The effects of metrication in promoting or deterring trade appear to be relatively insignificant and companies in the forefront of metrication appear to be pursuing conversion for reasons other than a favorable impact on trade.

The trade loss objection lacks a sound foundation.

Others will object that "without the Metric Board, conversion to the metric system will be disruptive, disjointed, and uncoordinated." At this objection, I must chuckle a little. Since when has the Federal Government been noted for smooth and efficient management. Can a government which claims the speed of the Postal Service, the fairness of the Internal Revenue Service, and the efficiency of Amtrak really presume to prevent disruption? Nonetheless, someone is sure to stand up as soon as I am seated and swear that we need a Federal agency to "coordinate" the nationwide conversion process. By the way, I hasten to add that there is no national commitment to metrication. We do not need a Federal agency to coordinate a national commitment we have not made.

Mr. Chairman, let me add one more point while we are discussing whether the Federal Government is needed to participate in conversion to metrics. One of our major industries, the automobile industry, had substantially converted to metrics long before we even had a Metric Board. That voluntary conversion occurred without major disruptions. Moreover, 60 percent of the Fortune 500 companies had made some commitment to metrics voluntarily without a metric agency. Freedom of choice works. If the Metric Board does for conversion what the Department of Energy has done for oil production, maybe the opponents of any conversion should oppose my amendment in the hope that the Government will get involved and nothing will ever happen.

In conclusion, let me just invoke for you the visions of an expanding Federal Government. Every new agency and bureau wants to do something to help Americans. Instead, they are making the decisions Americans must make for themselves. After all, our constituents know their own needs better than some law graduate sitting in Washington, D.C. Let me also invoke the picture of a

budget in the red. Senseless spending has put it in the red and, unless we start cutting marginal spending projects like this, it will stay in the red.

Finally, Mr. Chairman, let me invoke for you the picture of America's farmers going to the feed store to buy fertilizer for so many kilograms per hectare. If you can convince that farmer that a Federal agency is needed to help him choose to convert voluntarily to metrics and that his Congress should appropriate \$1,613,000 for that purpose, let me know. I would like to visit with that gentleman.

□ 1720

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

I agree with the gentleman that the Metric Board has gotten off to a bad start and has not carried out its program in the way that the Congress intended. However, the gentleman's amendment goes too far. It would eliminate funding for the Board entirely. Consequently, no resources would be available to carry out the Metric Conversion Act of 1975 which established the Metric Board and gave it significant responsibilities in assisting those groups, industries, and other segments of our society which want to convert voluntarily to the metric system. If the gentleman disagrees with the basic purpose of that legislation—which I might add was overwhelmingly approved by this House in a vote of 300 to 63—then he should work for repeal of the act. If that is the gentleman's position, he should work with the authorizing committee to amend or repeal the basic legislation and should not try to accomplish his objective in an appropriation bill by simply cutting off all funding for this program.

I think our committee has taken a much more responsible approach to try to straighten out the direction of this program. The budget request for fiscal year 1980 for the Metric Board was \$3,335,000. The bill before you includes \$1,613,000 for the Board, a reduction of \$1,722,000 or about 52 percent from the request. This reduction reflects the committee's disapproval of 21 additional positions requested, as well as all of the requested increase for travel. The committee's recommendation would hold the Board to essentially its current level of operations, including 25 positions, adjusted for certain nondiscretionary cost increases. By eliminating all program increases the committee intends that the Board reexamine and redesign its programs and policies to insure that they adhere strictly to the intent of Congress as stated in the Metric Conversion Act. In addition, the committee intends that the Board in all of its programs reemphasize that conversion to the metric system is entirely voluntary.

In summary, I think that the recommendation of the committee contained in this bill is the responsible approach to reshaping the program of the Metric Board. The committee recommendation provides the Board with the minimum level of resources. It provides for a limited number of personnel. But most important, the committee recommendation provides the direction and guidance

needed to carry out the intent of Congress as expressed in the basic legislation for this program. I would therefore urge that the committee recommendation be accepted and that the gentleman's amendment be defeated.

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield?

Mr. HIGHTOWER. I would be happy to yield.

Mr. PHILIP M. CRANE. Mr. Chairman, the gentleman makes a point that is well taken, that the House overwhelmingly passed the legislation creating this agency; but mistake and merit have to be distinguished from one another.

I would argue that we made a profound mistake in doing that and we have a chance here to remedy our past errors.

I would laud the Appropriations Committee for at least denying this empire-building agency the chance to expand by 21 members; but this is not unprecedented action that I am proposing.

You know, we have had authorizations in the past, including congressional pay raises. But this body has subsequently decided not to appropriate the money to carry through with the authorizations that have been made. There are many other examples of that nature I could cite.

I think the most important thing to keep in mind is that when it is economically in any business' interest, and it is in many, when it is economically in their interest, they will make the conversion. The auto industry made this conversion to metric before the Metric Board was ever created, much less before it began to take any position action.

For those reasons, I think we stand a chance here at this time in history when Americans are understandably concerned over how their tax dollars are being spent to save a modest \$1,613,000.

As my distinguished former Senator from Illinois, Everett Dirksen, used to say:

You know, a billion here, a billion there, it begins to add up to real money.

As a result, while we are dealing here with a relatively modest amount of money, we nevertheless can take this positive action to guarantee that the taxpayers will enjoy some relief.

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

Mr. Chairman, I rise in firm opposition to the amendment offered by my colleague from Illinois (Mr. PHILIP M. CRANE). The issue he raises today is not a new one, and previous attempts to reduce or delete funding for the U.S. Metric Board have been overwhelmingly defeated by this body.

Indeed, since the passage of the U.S. Metric Conversion Act in 1975, the House of Representatives has repeatedly demonstrated its strong support for the process of voluntary conversion to the metric system. The Metric Conversion Act passed this body in 1975 by a vote of 300 to 63. The first appropriation for carrying out the provisions of this act under the auspices of the U.S. Metric Board was approved by a margin of 302 to 75. Almost a year ago to date, the

gentleman from Illinois (Mr. PHILIP M. CRANE) offered a similar amendment to a supplemental appropriations bill to delete funds for the Metric Board which was rejected by a vote of 302 to 75.

Since today's discussion focuses on the nature of exactly what constitutes a voluntary conversion to the metric system rather than the obvious benefits of metrics, I will not review the well-known benefits that the simple, yet scientific, system of metric measurement provides. I will not review the fact that the United States is the only major industrial country in the world which does not make general use of the metric system. I will not review the fact that many U.S. corporations are converting to metrics in order to enhance the marketability of their goods overseas and to make their products compatible with foreign plant equipment.

The colleague letter circulated by the gentleman from Illinois in support of the pending amendment raises questions as to the nature of a voluntary conversion and contends that—

It is foolish to spend \$1.613 million for a Federal agency to influence that voluntary choice.

In that regard, I would like to emphasize that the function of the U.S. Metric Board as mandated in the 1975 legislation is not to influence that voluntary choice, but to coordinate a voluntary private sector shift toward the metric system. Through the informational and educational functions of the Board, any potential confusion and misunderstanding on the part of the public, business, or labor can be minimized. There can be no dispute that all of the conversion activities are strictly voluntary and I have seen no evidence which indicates that the metric board is forcing an unwanted system of measurement on our society.

In deliberating on the proper policy to be pursued by the Metric Board and in debating the pending amendment, it is wise to weigh the thoughts of our former colleague, the gentleman from Texas, Olin Teague, past chairman of the Committee on Science and Technology, as expressed in a letter to Louis F. Polk, chairman of the U.S. Metric Board. In discussing the proper policy of the Metric Board, he states:

That policy is to facilitate the conversion to Metric use in our country in order to reduce the total cost and inconvenience to our people. The intent of the Act is that the Metric Board should seek to reduce the time needed to make the conversion activities and to coordinate conversion activities, so as to achieve the benefits of Metric use sooner and reduce the cost and inconvenience arising from an unduly prolonged period of dual use. Furthermore, the policy is based on the principle of voluntary participation and for that reason the Act specifically states that the Metric Board shall have no compulsory powers, but it is expected to give positive guidance to any and all who voluntarily convert to Metric.

Mr. Teague continues:

I would emphasize that the fact that the process is voluntary does not mean that the role of the Board should be a passive one. The Board, in its public education activities should try to reach every American both

directly and indirectly . . . In its coordination activities the Board should actively seek out the members of every sector in our society which may be affected by conversion to Metric with the aim of identifying those who wish to participate in the Board's coordination work.

The U.S. Metric Board functions to aid and assist a broad base of industry, labor, business—including small business, agriculture, educational institutions, State, and local governments, the consumer, and the general American public who voluntarily move toward utilization of the metric system and their recognition of the advantages it offers. I urge my colleagues to defeat this unsound amendment.

□ 1750

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield for a question? Is the gentleman, when he refers to study preceding our acceptance of metrics, talking about the period before 1866?

Mr. McCLORY. I want the gentleman to have the benefit of a little history so he will be able to debate more definitively on the subject.

Mr. PHILIP M. CRANE. I want to find out if the gentleman is talking about studies prior to 1866, or something more recent.

Mr. McCLORY. I am talking about a study which originated, I believe, in about 1965 or 1966.

Mr. PHILIP M. CRANE. I see. One of the more recent studies?

Mr. McCLORY. That is the study which culminated then in a 1972 report, I believe. This report and recommendations, which were based upon a broad cross section of interrogatories and investigations, including studies of the metric conversion programs of other nations, some of which have already been completed while we are still working on this voluntary program.

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. Mr. Chairman, first I want to explain to the gentleman the purpose of this legislation so that he will understand how economical and how efficient and how wise it is for us to proceed with this program, even with this modest appropriation. What this Metric Conversion Board can do is to provide a mechanism whereby the private sector can voluntarily organize for a voluntary and coordinated conversion to the metric system of weights and measures, a system which has been adopted by every other industrial nation in the world, including several other nations which are in the course of completing their conversion to the metric system.

There are committees of such groups as the petroleum and natural gas industry, the steel and metals industry, the structural and agricultural equipment industry, the instruments industry, and the medical devices industry that are working today with the Metric Conversion Board, and I could go on and on.

Mr. PHILIP M. CRANE. Mr. Chair-

man, will the gentleman yield on that point?

Mr. McCLORY. These are all separate industrial or business units which are working with the Metric Conversion Board in order that they themselves can provide for these conversion programs in an orderly and efficient way. Without this mechanism, without this device of this 17-member board of private citizens representing a broad cross section of the men and women of this Nation, we do not have an agency which can help in this program.

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. Mr. Chairman, let me just add this one thing first: The nations which have gone forward without this kind of mechanism have been the ones that were the losers. Japan is one. They went forward, and then they went back. Even England suffered great expense because of falling back.

The fact that we did not have a metric conversion board appointed for about a 2½-year period is the thing that resulted in our losing momentum in the metric conversion program.

Mr. PHILIP M. CRANE. Mr. Chairman, will my colleague, the gentleman from Illinois, yield?

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

Mr. PHILIP M. CRANE. Mr. Chairman, there are a number of instances in which my esteemed neighbor, the gentleman from Illinois (Mr. McCLORY), refers to conversions that have been made in cooperation with this Metric Board. I submit to the gentleman that most of them were making conversions to metric before the Board came into existence.

I have cited the automobile industry. The automobile industry basically made the conversion before the Board was ever brought into creation, and in the case of some businesses, it obviously has merit.

Mr. McCLORY. Mr. Chairman, let me just answer the gentleman on that one point.

It is true that the automobile industry opposed any kind of study program for a long time, but they finally recognized that this was inevitable, that metric conversion was coming. It is coming, and they recognized that. Consequently, they got behind the study program which was the basis for this legislation which we have now and which is enabling the private sector and the educational community to convert voluntarily.

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

Mr. Chairman, I rise to speak against the amendment, which I think is unrealistic in the extreme, and also to speak also to the wording in the report by the subcommittee on the legislation we are considering today.

First of all, let me say that I think the remarks of the gentleman from Illinois (Mr. Bob McCLORY) are well taken. The gentleman has worked for many years with the Committee on Science

and Technology, helping to prepare this legislation, creating a Metric Board. The legislation, which is Public Law 94-168, was enacted under the chairmanship of Congressman Tiger Teague of the Science and Technology.

I wish to read for the RECORD the policy statement of the law, and I wish to emphasize for the RECORD that this is the law:

It is therefore declared that the policy of the United States shall be to coordinate and plan the increasing use of the metric system in the United States and to establish a United States Metric Board to coordinate the voluntary conversion to the metric system.

Mr. Chairman, the point that must be made for the RECORD at this time is that conversion to the metric system is the policy of this country under the law. The voluntary portion of it applies to every individual or corporation. But it is the policy of this country, under the law, to convert to the metric system. This is important for us to understand.

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I will not yield at this time; I will yield after I have finished making my point, if I have time.

Mr. Chairman, in November 1978 Congressman Teague, who was then chairman of the Committee on Science and Technology, wrote to the Chairman of the Metric Board concerning the GAO report which is quoted in the subcommittee's report today. Chairman Teague said the following:

It has come to my attention that the recently issued GAO report on the Metric System may have caused some misunderstanding of the legislative intent embodied in Public Law 94-168, the Metric Conversion Act of 1975. I want therefore to provide to you and your associates on the U.S. Metric Board, who are charged with carrying out the letter and intent of this law, a clear indication of what the Congress intended when it enacted this Act.

The most notable aspect to keep in mind, and the aspect which the GAO entirely fails to reflect, is that the legislation which was sent to the President in December 1975 was the result of a lengthy legislative consideration stretching over several Congresses. Because there were sharply differing views on this subject, ranging from those who favored a conversion mandated by the Government within a fixed time period to those who favored no legislation at all which would mean a continuation of the uncoordinated changeover in effect since 1866, the Metric Act is a compromise in the best sense of that word.

But, contrary to the analysis in the GAO report and some of the news stories which have accompanied its release, this compromise does, in fact, set forth a clear policy for Metric conversion in the United States. That policy is to facilitate the conversion to Metric use in our country in order to reduce the total cost and inconvenience to our people. The intent of the Act is that the Metric Board should seek to reduce the time needed to make the conversion and to coordinate the conversion activities so as to achieve the benefits of Metric use sooner and reduce the cost and inconvenience arising from an unduly prolonged period of dual use. . . .

And the letter goes on.

Mr. Chairman, I wish to make this point very clear: That the policy of the

law is to convert to the metric system in this country. The voluntary aspect of this law applies only to individuals and corporations. Any individual or any corporation may convert over to the metric system at his or its discretion and in his or its own time; but it is the policy of this country under the law to convert to the metric system.

Therefore, the GAO report is completely inconsistent with the law. Unfortunately, the subcommittee report confuses this matter, and attempts to make policy which is in direct contradiction to the law. This cannot be allowed to stand unchallenged.

The committee report, for instance says:

The Committee, therefore, expects the Board to implement the recommendations of the Comptroller General and review its policies and programs to ensure that it provides complete information about the metric system and about all aspects of the conversion process.

However, for the Metric Board to abide by this wording in the subcommittee report would be to reverse the purpose and meaning of the law, because the recommendations of the Comptroller General are explicitly in contradiction to the law.

The CHAIRMAN. The time of the gentleman from Washington (Mr. McCORMACK) has expired.

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

Mr. McCORMACK. Mr. Chairman, I wish to point out for the RECORD that this statement in the report of the subcommittee is inconsistent with the law, and any attempt to modify the policy of this Government for conversion to metric by words in this report, saying that the Metric Board should comply with the recommendations of the GAO report, has no validity.

I have nothing but respect for the chairman and the members of the committee, but I submit that they have been drawn into a misinterpretation of the law which cannot be accepted by inference or by silence at this time.

Mr. Chairman, I point out to the Members that the recommendations of the Comptroller General include the following:

We recommend that the U.S. Metric Board: Inform the American people that conversion is strictly voluntary and that our national policy does not favor the metric system over the customary system, or vice versa. Ensure that its policies and actions do not advocate or discourage the use of one system over the other. . . .

□ 1740

That is contrary to the law. The law says that the policy of the Government is to advocate conversion to the metric system and provide educational programs to do so.

Understanding that fact, it is obvious that we should reject the amendment offered by the gentleman from Illinois (Mr. PHILIP M. CRANE) and go ahead with funding of the Metric Board.

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield?

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

Mr. PHILIP M. CRANE. Mr. Chairman, I just want to remind the gentleman from Washington (Mr. McCORMACK) of the operative language that I referred to in section 3 of the act, which clarifies the policy. I am putting emphasis on the word "policy."

"The policy of the United States shall be to coordinate the voluntary conversion to the metric system."

That is the policy.

Mr. McCORMACK. That is correct. The responsibilities of the Board include coordination of voluntary activities by any individual or entity, as this country converts to the metric system, under its policy as established by the law.

Mr. PHILIP M. CRANE. The policy is voluntary conversion.

Mr. McCORMACK. The word voluntary applies only to individuals and corporations. The policy of the Nation is to convert to the metric system.

Mr. PHILIP M. CRANE. What is the Nation? The Nation is all of us individuals.

Mr. McCORMACK. The policy of the Government is to convert to the metric system. That is the law.

Mr. SLACK. Mr. Chairman, we have discussed this amendment at quite some length. We have been on this bill since 10:30 this morning.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto cease at 5:50 p.m.

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

Mr. GOLDWATER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. SLACK. Mr. Chairman, I move that all debate on this amendment and all amendments thereto cease at 5:50 p.m.

The motion was agreed to.

The CHAIRMAN. Members standing at the time the motion was agreed to will be recognized for 30 seconds each.

The Chair recognizes the gentleman from Pennsylvania (Mr. ERTEL).

Mr. ERTEL. Mr. Chairman, I had a prepared speech concerning my opposition to deleting the Metric Board funds, which I will submit for the Record, but I would like to indicate that the chairman of the full committee, the gentleman from Florida (Mr. FUQUA), also opposes this amendment, and he has made it very clear that this program is voluntary in a letter to Dr. Louis Polk, U.S. Metric Board. He wrote to him and stated: "Our policy includes the important principle that the conversion is voluntary."

Mr. Chairman, I rise in opposition to the amendment by the gentleman from Illinois, which would delete all funds for the U.S. Metric Board.

I want first to commend the chairman and the members of his subcommittee for the work they have done on this bill. Given the severe fiscal restraints we are facing today and the resulting need to

balance the many competing claims, they have produced a good bill.

In a few small areas the bill would provide funds which, through the reduction of a few million dollars, would have the effect of reducing the programs in question by more than one half.

One such program is the U.S. Metric Board. This Board was established by the 1975 Metric Act which passed this body almost exactly 4 years ago, on September 5, 1975. Due to delays in the nomination of the Board membership, it was 3 years later that the Board was formally constituted and held its first meeting just last August following confirmation of the membership by the other body.

The Metric Act of 1975 was the result of nearly 15 years of work by the Science and Technology Committee, an effort that was begun by former Chairman GEORGE MILLER and completed by former Chairman Olin "Tiger" Teague.

When the bill was brought to this floor, our committee stated in its report that the expected costs of administering the act would be \$2 million for the first year and \$3 million annually thereafter (H. Rept. 94-369).

The Canadian Metric Commission has a budget of \$7 million and a staff of 97 with a country one-tenth the population of the United States.

Those were 1975 dollars. We all know what has happened to the purchasing power of the dollar in the 4 years that have passed since then. Yet we find that the Board and the administration is staying closely to the figures which we forecast at that time.

Furthermore, the \$3.3 million figure which is in the budget request reflects the considered opinion of the President and his administration. It is a figure which survived the needle eye of the OMB at a time when unusually severe scrutiny of all budget items, and especially of all budget increases, was taking place.

The President requested the sum of \$3,335,000. The committee bill would reduce this by more than half, or by 51 percent, to \$1,613,000. This is essentially the fiscal year 1979 level which enables the Board to have a staff of only 25. I think my colleagues will agree that this is not much more staff than a single Member of the House has at his or her disposal, and that it is not adequate to cover the public education activities for 225 million Americans, let alone to cover the coordination of ongoing metric conversion activities in every sector of American life.

When the Metric Act was passed 4 years ago the choice was not whether to go metric or not. As we are all becoming more aware every day, an increasing number of firms, school boards, and other organizations throughout the country are now going metric.

So the choice today is, as it was then, whether to continue that conversion process in an entirely uncoordinated manner, or whether the Metric Board should assist in the broad coordination of the changeover process so that the costs in terms of dual parts inventories, et cetera, will be reduced. That is the mission of the

Metric Board. I believe it should be continued and strengthened.

I also think that we must recognize that American science and American scientists uniformly use the metric system. Furthermore, in our foreign trade and in our many other contacts with our friends abroad we must deal in the metric system. The people of the country must have a working knowledge of the metric system, and this is especially important for the younger generation. We must face the fact that all Americans need the public education work of the Metric Board.

I am well aware of the need to exercise budgetary restraint. But I am also aware of the large costs which are facing us if the current, ongoing metric conversion is continued without the coordination which the Metric Board will provide. That coordination is to be based entirely on voluntary participation, and the U.S. Metric Board has no powers of enforcement whatsoever.

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

(By unanimous consent, Messrs. O'BRIEN, SYMMS, PHILIP M. CRANE, and COLLINS of Texas yielded their time to Mr. EDWARDS of Oklahoma.)

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

Mr. EDWARDS of Oklahoma. Mr. Chairman, I rise in support of this amendment to eliminate the appropriations for the U.S. Metric Board. I am entitled to speak for 5 minutes—or 118 seconds Celsius—but I will not take that long. The 1975 Metric Act called for the establishment of the U.S. Metric Board "to coordinate the voluntary conversion to the metric system." I stress the word "voluntary." As has been quite obvious, the conversion, while voluntary, has not been without the implicit approval and pressure of the Federal Government. And, the \$1.6 million asked for by the Metric Board reflects a tremendous effort for a plan that is described as "voluntary." It may be the policy of this country to encourage conversion, but policy is just a little shy of gospel and it can be changed by the Congress.

How much conversion to the metric system have we seen since 1975? The change has not been overwhelming. The reason for this lack of change is that there is a great deal of resistance to conversion by the American people. Many manufacturers fear that they may alienate their customers if they change to the metric system. Millions of Americans do not understand weights and measures in metric terms and refuse to buy products figured in metric sizes.

Because metrics are being taught today in schools, that generation of Americans may be more willing to purchase products described in metric terms. Future voluntary conversion may be more feasible than it is today. These are times of great budget deficits and unacceptable rates of inflation. Why should we be spending \$1.6 million on a voluntary program that is having little effect?

The Metric Board seems to dwell on the fact that the United States is a virtual island of English measure in a sea

of metric. They emphasize cost savings to manufacturers as a result of metric conversion. Yet, if this is the case, if the United States is isolated by the use of English measure, and that there are potential cost savings available to manufacturers, then manufacturers will eventually change their products when international trade and cost pressures are great enough to bring about this change. At some future date, consumer acceptance may demand a switch to metric, but there is no reason for manufacturers to change at this time.

America is the world's largest exporter. American businessmen are not ignorant of the costs and benefits of metric. When they feel it will be beneficial to change, they will do so. And that will be at a time when consumers will no longer be confused or misled by metric measures. Now is not the time to spend nearly \$2 million to try to speed up metric conversion and I urge you to support this amendment.

I think the gentleman from Illinois (Mr. PHILIP M. CRANE), made a very beautiful point. Our businessmen in this country understand what is going on. If it is economically beneficial to them, if it is beneficial to this country to convert to metric, then Americans, who are the world's largest exporters, who are not ignorant of the costs and benefits of metric conversion, can change when they are voluntarily ready to do it. The American people do not understand metric.

Mr. PHILIP M. CRANE. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Oklahoma. I yield to the gentleman from Illinois.

Mr. PHILIP M. CRANE. Mr. Chairman, I would like to just confirm the point the gentleman makes. Sixty percent of the Fortune 500 companies in this country made a voluntary conversion—and that documents the point—before the Metric Board was created. The Comptroller General reached the conclusion recently, "The effect of metrification in promoting or deterring trade appeared to be relatively insignificant."

Mr. EDWARDS of Oklahoma. Let me say to the gentleman that there is one point that has not been mentioned, one point only, and that is that the reason there has not been more conversion during this preceding time is because there is a resistance by the American people to conversion to metric. Millions of Americans do not understand weights and measures in metric, they refuse to buy products that are measured in metric, they do not understand it when the newscasters or the weathermen on television tell them what the temperature is in Celsius. If this conversion is so great a policy, then I submit the American people are going to embrace it and grab it up themselves without us spending \$1.6 million.

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

Mr. GOLDWATER. Mr. Chairman, I rise in opposition to the amendment of my dear friend and close friend, the gentleman from Illinois (Mr. PHILIP M. CRANE), who has been probably one of the most effective Members of the Con-

gress in trying to reduce the size of this burdensome Government and the taxes that have to be raised. But in this case, I have to differ with my friend. The function of the Board is to devise and implement a broad program of education and coordination. Going metric is a national program that will take this kind of coordinated effort in order to answer questions, to give guidelines, and, certainly, to work with the private sector in achieving a metric system in this country.

(By unanimous consent, Mr. BAILEY yielded his time to Mr. McCORMACK.)

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

Mr. McCORMACK. Mr. Chairman, I just want to say that I hope all of those people who are boycotting the metric system will abstain from using .35-millimeter film.

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

Mr. RITTER. Mr. Chairman, I would just like to state to my colleagues that this \$1.6 million represents an excellent investment in a whole series of companies that need some assistance in going through the redtape of getting involved with their measurements, their weights and their products in going metric. It can help our exports immeasurably and I think it is a very wise move for the Members of this body to support this \$1.6 million.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. Mr. Chairman, this is a very well-thought out program which has resulted from extensive hearings of the Science Committee. We have already been over this ground before. The measure, when it came to the floor here, was overwhelmingly supported by the Members. Last year, when we had a similar amendment offered by the gentleman from Illinois (Mr. PHILIP M. CRANE), it went down overwhelmingly, and we are going over the same ground again.

This is very useful, helpful legislation for benefit of all Americans, every segment of our society, not only big business, but many small business, retailers, consumers, and people in education.

□ 1750

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. PHILIP M. CRANE).

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

RECORDED VOTE

Mr. PHILIP M. CRANE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 122, noes 280, not voting 32, as follows:

[Roll No. 327]

AYES—122

Abdnor	Bedell	Burgener
Albosta	Bethune	Carney
Applegate	Bevill	Cavanaugh
Archer	Blaggi	Cheney
Bafalis	Bowen	Clausen
Bauman	Brinkley	Cleveland
Beard, R.I.	Broomfield	Collins, Tex.

Corcoran  
Crane, Daniel  
Crane, Phillip  
D'Amours  
Daniel, Dan  
Daniel, R. W.  
de la Garza  
Deckard  
Derwinski  
Devine  
Dickinson  
Dougherty  
Duncan, Tenn.  
Edwards, Okla.  
English  
Evans, Del.  
Evans, Ind.  
Fithian  
Florio  
Fountain  
Fowler  
Gaydos  
Gingrich  
Goodling  
Gramm  
Grassley  
Gudger  
Guyer  
Hagedorn  
Hall, Tex.  
Hammer-  
schmidt  
Hance  
Hansen  
Harsha

Heckler  
Hefner  
Hopkins  
Hubbard  
Hughes  
Hutto  
Ireland  
Jeffries  
Jenkins  
Johnson, Colo.  
Kelly  
Kramer  
Lagomarsino  
Latta  
Leath, Tex.  
Lee  
Lewis  
Loeffler  
Lott  
McDonald  
Madigan  
Marlenee  
Mathis  
Montgomery  
Moorhead,  
Calif.  
Mottl  
Murphy, Pa.  
Myers, Ind.  
Neal  
Nichols  
Obey  
Pashayan  
Paul  
Quayle

Robinson  
Rose  
Roth  
Rudd  
Runnels  
Satterfield  
Schulze  
Sebellus  
Sensenbrenner  
Sharp  
Shuster  
Smith, Nebr.  
Snyder  
Solomon  
Spence  
Stangeland  
Steed  
Stenholm  
Stockman  
Stump  
Symms  
Taylor  
Trible  
Walgren  
Walker  
Watkins  
Weaver  
Whittaker  
Williams, Ohio  
Wyatt  
Yatron  
Young, Alaska  
Young, Fla.

Patterson  
Pease  
Pepper  
Perkins  
Petri  
Peyster  
Pickle  
Preyer  
Price  
Pursell  
Quillen  
Rahall  
Rallsback  
Rangel  
Ratchford  
Regula  
Reuss  
Rhodes  
Richmond  
Rinaldo  
Ritter  
Roberts  
Rodino  
Roe  
Rosenthal  
Rostenkowski  
Roybal  
Royer

Russo  
Sabo  
Santini  
Sawyer  
Scheuer  
Schroeder  
Seiberling  
Shannon  
Shelby  
Simon  
Slack  
Smith, Iowa  
Snowe  
Solarz  
St Germain  
Stack  
Staggers  
Stanton  
Stewart  
Stokes  
Stratton  
Studds  
Swift  
Synar  
Tauke  
Thomas  
Thompson  
Traxler

Udall  
Ullman  
Van Deerin  
Vander Jagt  
Vanik  
Vento  
Volkmer  
Wampler  
Waxman  
Wells  
White  
Whitehurst  
Whitley  
Whitten  
Williams, Mont.  
Wilson, Bob  
Wilson, C. H.  
Wilson, Tex.  
Wirth  
Wolf  
Wolpe  
Wright  
Wyder  
Wylie  
Yates  
Young, Mo.  
Zablocki  
Zeferetti

Amendment offered by Mr. MILLER of Ohio: On page 40 after line 5 insert the following new section.

Sec. 605. Of the total budget authority provided in this Act, for payments not required by law, two per centum shall be withheld from obligation and expenditure: *Provided*, That of the amount provided in this Act for each appropriation account, activity, and project, for payments not required by law, the amount withheld shall not exceed five per centum: *Provided further*, that this section shall not apply to budget authority or funds in this Act which have been reduced or withheld from obligation or expenditure by any other provision of this Act.

The CHAIRMAN. The gentleman from Ohio (Mr. MILLER) is recognized for 15 minutes in support of his amendment.

Mr. SLACK. Mr. Chairman, will the gentleman yield to me?

Mr. MILLER of Ohio. I will yield to the chairman of the subcommittee.

Mr. SLACK. Mr. Chairman, we have been on this bill since 10:30 this morning. The hour is getting late.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to the bill end at 6:30 p.m.

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

There was no objection.

Mr. MILLER of Ohio. Mr. Chairman, this is the usual 2-percent reduction that has been offered so many times on the appropriation bills. Only, in this particular instance, language has been added to this amendment that would exempt the Department of State, title I, from the 2-percent reduction. As the Members know, earlier in the session today a 5-percent reduction was approved for title I, covering the Department of State.

The total in the bill is \$7.646 billion. The nonmandatory section is \$7,157 million. If we exempt the \$1.3 billion that already has a 5-percent reduction, we come up with the nonmandatory section of the bill being \$5.8 billion. The 2-percent reduction amounts to \$116 million.

We must keep in mind that there are other items that will be added to this particular bill, because there are about \$1 billion worth of items that are at the present time not authorized. So, that means there is another \$1 billion worth to be added later.

I believe that we can find the 2-percent reduction of \$116 million. It is hard to tell our people back home that we did not vote for a reduction in spending when we stop to think about the national debt that we have today, and the more than \$52 billion that we are paying in interest annually on that national debt. That comes to \$144 million a day interest. It is hard to explain to the people back home why we did not vote for at least some small reduction.

Mr. Chairman, I would hope that the Members would vote for the amendment reducing this bill by 2 percent.

Mr. EARLY. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, this amendment would reduce each appropriation in this bill by 2 percent except for those items of a mandatory nature and those items in the

NOES—280

Addabbo  
Akaka  
Ambro  
Anderson,  
Calif.  
Andrews, N.C.  
Andrews,  
N. Dak.  
Annunzio  
Anthony  
Ashley  
Aspin  
Atkinson  
AuCoin  
Badham  
Balley  
Baldus  
Barnes  
Beard, Tenn.  
Bellenson  
Benjamin  
Bennett  
Bereuter  
Bingham  
Blanchard  
Boggs  
Boland  
Boner  
Bonior  
Bonker  
Bouquard  
Brademas  
Breaux  
Brodhead  
Brown, Calif.  
Broyhill  
Buchanan  
Burlison  
Burton, John  
Burton, Phillip  
Butler  
Byron  
Campbell  
Carr  
Carter  
Chappell  
Chisholm  
Clinger  
Coelho  
Coleman  
Collins, Ill.  
Conable  
Conte  
Corman  
Cotter  
Coughlin  
Courter  
Danielson  
Dannemeyer  
Daschle  
Davis, Mich.  
Davis, S.C.  
Dellums  
Derrick  
Dicks  
Diggs

Dingell  
Donnelly  
Dornan  
Downey  
Drinan  
Early  
Eckhardt  
Eigar  
Edwards, Ala.  
Edwards, Calif.  
Erdahl  
Erlenborn  
Ertel  
Evans, Ga.  
Fary  
Fascell  
Fazio  
Fenwick  
Ferraro  
Findley  
Fish  
Fisher  
Foley  
Ford, Mich.  
Ford, Tenn.  
Frenzel  
Frost  
Garcia  
Gaulor  
Gibbons  
Gillman  
Ginn  
Glickman  
Goldwater  
Gonzalez  
Gore  
Gradison  
Gray  
Green  
Grisham  
Guarini  
Hall, Ohio  
Hamilton  
Hanley  
Harkin  
Harris  
Hawkins  
Heffel  
Hightower  
Hillis  
Hollenbeck  
Holt  
Horton  
Howard  
Huckaby  
Hyde  
Ichord  
Jacobs  
Jeffords  
Jenrette  
Johnson, Calif.  
Jones, N.C.  
Jones, Okla.  
Jones, Tenn.  
Kastenmeier  
Kazen

Kemp  
Kildee  
Kindness  
Kogovsek  
Kostmayer  
LaFalce  
Leach, Iowa  
Lederer  
Lehman  
Leand  
Lent  
Levitas  
Lloyd  
Long, La.  
Long, Md.  
Lowry  
Lujan  
Lukens  
Lundine  
Lungren  
McClory  
McCloskey  
McCormack  
McDade  
McEwen  
McHugh  
McKay  
McKinney  
Maguire  
Markey  
Marks  
Marriott  
Martin  
Matsui  
Mattox  
Mavroules  
Mazzoli  
Mica  
Michel  
Mikulski  
Mikva  
Miller, Calif.  
Miller, Ohio  
Mineta  
Minish  
Mitchell, N.Y.  
Moakley  
Moffett  
Mollohan  
Moore  
Moorhead, Pa.  
Murphy, Ill.  
Murphy, N.Y.  
Murtha  
Myers, Pa.  
Natcher  
Nedzi  
Nelson  
Nolan  
Nowak  
O'Brien  
Oakar  
Oberstar  
Ottinger  
Panetta  
Patten

NOT VOTING—32

Duncan, Oreg.  
Emery  
Flipppo  
Flood  
Forsythe  
Fuqua  
Gephardt  
Hinson  
Holland  
Ho'tzman  
Leach, La.

□ 1800

Messrs. DE LA GARZA, GRAMM, and BETHUNE changed their vote from "no" to "aye."

Messrs. DONNELLY, CAMPBELL, BEARD of Tennessee, and SAWYER changed their vote from "aye" to "no."

So the amendment was rejected. The result of the vote was announced as above recorded.

Mr. SLACK. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

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

Mr. BAUMAN. Mr. Chairman, reserving the right to object, I do so only to ask the gentleman from West Virginia what the legislative program is for the remainder of the evening.

Mr. SLACK. Mr. Chairman, if the gentleman will yield, hopefully, with the completion of this bill, there will be no further business today.

Mr. BAUMAN. The leadership has told the gentleman if we finish this bill, then that will be the last business for tonight?

Mr. SLACK. I have been so advised.

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

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

There was no objection.

The CHAIRMAN. Are there any points of order against the remaining portion of the bill? If not are there amendments?

□ 1810

AMENDMENT OFFERED BY MR. MILLER OF OHIO

Mr. MILLER of Ohio. Mr. Chairman, I offer an amendment.  
The Clerk read as follows:



bill already reduced by other provisions of the act. I am opposed to this general, indiscriminate approach to reducing budget requests. Our committee held comprehensive hearings on this bill over many months. We have very carefully reviewed each item in this bill and made reductions on individual items that we thought were appropriate. These reductions totalled \$321 million or about 4 percent. While we have accepted some amendments this afternoon, the bill, in total, is still substantially below the budget request. Therefore, I see no need for this amendment, it is not the way to exercise budget restraint, and I urge its defeat.

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

The question was taken; and on a division (demanded by Mr. MILLER of Ohio) there were—ayes 45; noes 84.

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

The CHAIRMAN. The Chair will count. The Chair has determined a quorum is present.

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

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: On page 39, after line 10 add the following:

INTERVENOR FEES

None of the funds appropriated or otherwise made available by this title shall be available to pay the expenses of parties intervening or otherwise participating in any regulatory proceeding or of any person acting as a witness, expert, or advisor for or upon the behalf of any organization appearing before any agency receiving appropriations under this title.

Mr. ASHBROOK. Mr. Chairman, this amendment is offered largely because of the interesting parliamentary situation in which we find ourselves. As I understand it, the Federal Trade Commission appropriation which would normally be in the title we are considering of independent agencies was deleted by the subcommittee. I think we all recognize there is a strong possibility that an FTC appropriation would be offered in the Senate. We would find ourselves in the position of the Senate having money in the bill in conference and the House not having money in the bill in conference. This amendment, of course, is in an area and subject about which the conferees themselves last year expressed grave concern. I quote directly. The 1979 appropriations conference report contained the following language:

The conferees wish to emphasize the job participation funds authorized by 15 U.S.C. 57A should be used in a fair and balanced manner to develop a full and accurate record on such matters.

Even a casual perusal of the actions of the FTC in the past year indicates 95 percent of all the tax money awarded by

the FTC has gone to those appearing in support of FTC rulemaking decisions.

I offer this amendment largely as a bargaining chip so that when the conferees go to conference, if the Senate places an FTC appropriation in their bill, our conferees will have this matter before them so it can be a matter in deference for consideration.

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

Mr. SLACK. I rise in opposition to this amendment.

Mr. Chairman, while this amendment is technically germane since there are interveners appearing before agencies that are funded in this bill, we all know that this amendment is aimed at the Federal Trade Commission for which no funds are provided in this bill. We have properly deferred consideration of the FTC budget until the authorization is enacted. This amendment, then, would really have no effect on the FTC, and I would therefore urge defeat of the amendment.

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

The amendment was rejected.

The CHAIRMAN. Are there additional amendments?

AMENDMENT OFFERED BY MR. COLLINS OF TEXAS

Mr. COLLINS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLINS of Texas: Page 40, line 6; add the following new section:

"Sec. 605. No part of any appropriation contained in this Act shall be used by the Department of Justice to bring any sort of action to require directly or indirectly the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education as a result of being mentally or physically handicapped."

Mr. COLLINS of Texas. Mr. Chairman, every few months we again raise the busing issue on the House floor. Time and again, individuals, States, and the Congress have clearly raised their voices in protest to forced busing. However, the courts and the Federal agencies continue to turn a deaf ear to the public's plea to stop this practice which disrupts neighborhoods, promotes instability in the schools, and has done nothing to improve educational standards.

Today, I am offering an amendment to H.R. 4392, the State, Justice, and Commerce appropriation bill, which will preclude funds from being used by the Justice Department for court-ordered busing. As a result of recent events, a new duty has been added to the Department of Justice's responsibilities. This function concerns direct intervention by the Justice Department to bring busing cases before the court rather than through administrative procedures originally handled by the Department of Health, Education, and Welfare.

Since 1977, Congress has prevented HEW from taking administrative action against school districts which refused to bus their students. The Biden-Eagleton amendment has been included in the Labor-HEW appropriations every year since that time, and was a recent provi-

sion in the HEW appropriations for 1980. Although HEW has been relieved of its responsibility for bringing busing suits to court, the power to enforce busing has now been transferred to the Department of Justice. HEW's approach is now to turn over the cases where they believe that busing is required to the Department of Justice to seek busing by means of a court order. This fact is clearly evidenced by what is now happening in Marion County, Fla.

In the Florida case, HEW attempted to get the school district to institute a voluntary busing plan, but the negotiations between HEW and the school district reached an impasse. When the school district refused to submit a voluntary busing plan after a 10-day period, the matter was referred to the Justice Department which in turn filed suit against the school district under title 6 of the Civil Rights Act. The district judge subsequently turned the case out of court on the basis that the U.S. Attorney General does not have the authority to sue under title 6. The case has since been moved to the Fifth Circuit Court of Appeals in New Orleans where it is currently pending for further action. The authority of the Federal Government to force mandatory busing plans on local school systems rests in the decision on this case.

My amendment would prevent this suit from ever coming to court by eliminating the funds the Justice Department uses to activate these suits. My amendment will prevent funds from being authorized for the Department of Justice to bring suit against any school district to require the transportation of any student to a school other than the school which is nearest to the student's home. My amendment will not effect those who are bused as a result of being physically or mentally handicapped.

The States have taken their own actions to prevent court-ordered busing. Massachusetts has approved by a 3-to-1 margin an antibusing measure that would prohibit assignment of children to a school on the basis of race. In the State of Washington, the voters approved by a two-thirds margin a ban on the compulsory transfer of pupils to any school but the school nearest the pupils' homes. In California, court ordered busing in Los Angeles is causing a large-scale exodus of white families and some middle-class black families according to a New York Times report.

Last fall, I completed a study on forced busing and the changes which have occurred between the periods of the school years 1970-71 and 1977-78. Nine major metropolitan areas were polled by contacting the director of pupil transportation for the respective school board. Requests for information included: First, numbers of students bused versus the total student population; second, numbers of fleet miles traveled; third, total fleet gallons consumed; fourth, numbers of buses; and fifth, average daily student mileage.

The survey showed that busing for desegregation has increased 96.9 percent since 1970 and now accounts for

approximately 63 percent of all fuel used in transporting public school children. This is a dramatic discovery in light of HEW's U.S. Civil Rights Commission's claims that busing for desegregation does not constitute more than 1 to 3 percent of all busing. The increased level of busing is readily indicated by the fact that the nine polled cities have purchased 2,639 buses since 1970 or an average of 293 per city.

My analysis showed the busing patterns vary widely across the country and that some areas realize better equipment usage than others. For example,

Los Angeles operates one bus for every 36 students transported while Shelby County, Tenn., transported 154 students for each bus owned.

The average student bused travels 144.4 miles per year, but many of the school district transportation directors we spoke to admitted that students are often sent 40 miles per day to schools participating in cross-city, cross-county busing plans. I found it significant that in these desegregation plans the average fuel expenditure was \$305,514 per city, with Boston spending the greatest amount at \$448,000 for bus fuel.

Furthermore, approximately 80 percent of the school buses currently in use are less efficient gasoline users. Only the very newest programs have the more efficient diesel equipment.

I have included a table for your reference that details the number and percent of students bused in respect to the total enrollment, the percentage increases in numbers of students transported, the average yearly miles a student is bused, the percent of fuels used for desegregation plan busing, and the percent change in the number of buses since 1970.

	Number of students bused			Average yearly fleet miles per student bused	Percent of fuel used in desegregation plan	Percent change in number of buses
	1978	Percent of all students	Percent change since 1970			
Boston, Mass.	38,000	54.2	100	156.9	100.0	100.0
Charlotte, N.C.	45,915	58.1	108	138.1	54.8	123.9
Chicago, Ill.	15,000	3.2	114	340.0	6.2	142.9
Fort Worth, Tex.	30,000	42.9	566	162.7	77.9	600.0
Los Angeles, Calif.	50,000	8.6	42	172.0	29.4	84.0
Louisville, Ky.	74,000	52.9	100	130.9	100.0	9.0

  

	Number of students bused			Average yearly fleet miles per student bused	Percent of fuel used in desegregation plan	Percent change in number of buses
	1978	Percent of all students	Percent change since 1970			
Memphis, Tenn.	29,378	25.6	100	101.1	100.0	50.0
Mobile, Ala.	30,000	44.8	114	66.0	100.0	114.0
Shelby County, Tenn.	20,700	90.0	29	31.7	20.0	(25.0)
Averages	36,999	42.3	96.9	144.4	63.2	77.6

<sup>1</sup> Estimated.  
<sup>2</sup> Adjusted for Fort Worth figures.

<sup>3</sup> This number may actually be much higher; where a 2 mi rule is in effect a student will travel 4 mi a day times 180 days or 720 mi in a school year.

In an effort to update last fall's figures in my study, I found that the Los Angeles school district, the second largest school district in the Nation, is the only one of the 10 which had completed their 1979 figures on busing. Prior to 1978-79, Los Angeles was under a "Permit With Transportation" voluntary program of minorities being transported to white schools. This past year, Los Angeles put in an expanded program which has increased their PWT plan by 10,000 students, implemented a magnet voluntary program which involves another 10,000, and includes a mandatory reassignment of whites and minorities which takes in another 40,000 students. According to the Los Angeles Unified School District Board of Education, this plan has raised the total number of students bused in Los Angeles to 70,000; increased the total bus fleet to 2,400; and skyrocketed the cost of the total busing program to a projected figure of \$41.9 million.

It is easy to see from these astronomical figures why the citizens of this area have reacted by leaving their neighborhoods and homes for a better lifestyle and education for their kids. According to the New York Times article, many parents have angry reactions. Said one father:

I moved because it was ridiculous for a 9-year-old girl to have to get up so early she'd have to be on a corner at 6:30 a.m. to meet a bus that would carry her all over the (San Fernando) valley, across freeways, to a strange neighborhood.

Said a mother of five:

Busing is destroying the neighborhoods in Los Angeles. If my kids had taken part in the program, I would have had them attending four different schools scattered all over the city. I think neighborhood schools have a great value; they give kids a sense of security. We feel like we're being shoved out of Los Angeles.

Even James Coleman, "the father of busing," now admits that busing is an

enormous mistake and should be stopped. Although Coleman argued in the 1960's that integration would bring about achievement benefits, he was quoted last year as saying:

It has not worked out this way in many of the school desegregation cases since that research . . . Thus, what once appeared to be fact is now known to be fiction.

In an interview with the Washington Post last fall, Coleman said that he still strongly opposed segregation and strongly favors integrated schools. However, he said that mandatory busing in many cities has been counterproductive, because it has been followed by an extensive loss of white students.

My amendment will insure that the bureaucracy will no longer be able to play games with this crucial issue by passing it from one agency to another. My amendment will prevent the Justice Department from going to court and asking for involuntary busing.

My amendment will not prevent the Department of Justice from participating in court procedures on this issue. They simply will not be able to ask that a court implement busing requirements. The Department of Justice will be able to ask for any other remedy for integration purposes that they want or the court wishes to impose.

My amendment will not affect court ordered busing plans which are already in effect. The amendment is applicable prospectively, but not retrospectively.

My amendment will not affect "the power of the courts to issue busing orders." The only effect of my amendment is to prevent the Justice Department from bringing action against a community. A private individual or group of individuals could still bring suit and the court could order busing as a remedy to racial imbalance.

My amendment will not affect the handicapped, the disabled, the gifted, or

the talented child. These groups could still receive transportation at Government expense.

My amendment will insure that the Department of Justice is not authorized responsibilities that HEW has been precluded from administering.

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

Mr. COLLINS of Texas. I will be glad to yield to the gentleman from California.

Mr. PANETTA. I thank the gentleman for yielding. Is it not a fact that the Department of Justice does not bring actions that in fact result in busing? The Department of Justice brings actions against school districts that are discriminating. Is that not the reality with which we are dealing?

Mr. COLLINS of Texas. Of course, discrimination is still open anywhere. All this amendment does is get into the matter of unnecessary school desegregation where it is not necessary.

Mr. PANETTA. Is the gentleman preventing the Department of Justice from going into a school system where it feels discrimination is the case through this amendment?

Mr. COLLINS of Texas. It is not a matter of discrimination. This is a matter of unnecessarily taking children beyond the school nearest their homes.

Mr. PANETTA. I know, but I think the consequence of the gentleman's amendment is to in effect stop the Department of Justice from bringing actions against school districts that they feel are discriminating, and I feel that is bad.

Mr. COLLINS of Texas. My amendment in effect simply stops the Department of Justice from getting involved in something that does not concern them, that is specified in the Constitution and the law of the land.

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

Mr. COLLINS of Texas. I yield to the gentleman from Kansas.

Mr. GLICKMAN. I thank the gentleman for yielding.

I think I heard the gentleman from Texas wrong; I hope I did. He said integration did not work out. Is that what the gentleman meant to say?

Mr. COLLINS of Texas. Integration got into this matter of trying to move students around based on busing. Busing has not achieved anything for either black or white. In other words, this has been proved statistically everywhere. What they have tried to do is solve it. All of the statistics show that the greatest achievement in education comes from source of greatest achievement. Busing will not achieve it.

Mr. GLICKMAN. The implication is the gentleman is opposed to integration.

Mr. COLLINS of Texas. We solved integration in 1954.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, I oppose the amendment.

The amendment is ambiguous. If it means that the Department of Justice cannot file lawsuits where there has been a violation of the 14th amendment by a board of education, then the amendment contravenes article II, section 3, of the Constitution which states that the Chief Executive "shall take care that the laws be faithfully executed." For as the author of the amendment indicates, with the passage of this amendment, there will be no Federal department or agency capable of enforcing the 14th amendment in this respect.

If the amendment means that the Department of Justice can file equal protection lawsuits but cannot petition for busing as a remedy, then the amendment is unworkable and meaningless. For it is not the Department of Justice that orders busing; that is the function of school boards—or of the courts.

If the amendment merely means that while the Department of Justice may prove that the Constitution has been violated in a particular case, it is still within the discretion of the courts to do what is just and proper, then the amendment will prove—fortunately—quite ineffectual.●

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

Mr. Chairman, I rise in opposition to the amendment offered by my genial colleague, the gentleman from Texas. The gentleman is asking the Department of Justice not to enforce the law. The chairman of the House Committee on the Judiciary has a bill to amend the Constitution to deal with the busing issue. I understand a discharge petition is to be considered by the House later this month. In view of that, I feel it would be appropriate to defer consideration of this busing issue until that bill is considered. I would respectfully request, in view of that, that my friend withdraw his amendment. If not, I ask for its defeat.

Mr. EDWARDS of California. Mr.

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

Mr. Chairman, I rise in opposition to this amendment. It is quite simply, unconstitutional. Its passage will result in costly and time-consuming litigation, that is to say, a waste of precious Government resources.

I have read the gentleman's "Dear Colleague" in support of this amendment. Let me suggest that certain of his allegations are not accurate; apparently obtained from sources known only to him.

First, his suggestion that "63 percent of all fuel used in transporting schoolchildren is for busing to achieve racial balance," is not true. Approximately 55 percent of all public school students are bused to their schools but only 2 to 7 percent of that 55 percent are bused for purposes of desegregation.

Second, his suggestion of a conspiracy between the chief law enforcement agency, the Department of Justice, and the Department of Health, Education, and Welfare to circumvent congressional intent is again misleading and inaccurate.

The Eagleton-Biden amendment, passed in the 95th Congress, prohibits HEW from fashioning administrative plans which require busing of students to achieve desegregation of public schools. The clear intent of that amendment, as stated by its authors (CONGRESSIONAL RECORD 21262, June 28, 1977), was to require judicial determinations as to the appropriateness of busing as a remedy in such cases, rather than administrative decisions.

The authors were wise enough to understand that a total ban on busing would be unconstitutional. Indeed, the matter has been litigated and a decision rendered by Judge Sirica in *Brown v. Califano*, D.C. D.C., C.A., No. 75-1068, July 17, 1978.

Plaintiffs in that case challenged the constitutionality of congressional restrictions on HEW as set forth in the Esch and Eagleton/Biden amendments. In upholding their constitutionality, Judge Sirica stressed the litigation option available to the Department of Justice. He stated that—

Should further proceedings in this case reveal that the litigation option left undisturbed by these provisions cannot, or will not, be made into a workable instrument for effecting equal educational opportunities, the Court will entertain a renewed challenge by plaintiffs on an as applied basis. (Pages 12-13.)

At the heart of his finding is the legal principle that where there is a right, there must be a remedy. The Collins amendment would leave the constitutional right of equal protection under law without a remedy. This is unconstitutional.

For this reason, I urge a "no" vote to the Collins amendment and ask that the analysis of the Civil Rights Commission be inserted in the Record at this time.

□ 1830

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. COLLINS).

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

#### RECORDED VOTE

Mr. COLLINS of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 190, not voting 35, as follows:

[Roll No. 328]

#### AYES—209

Abdnor	Gingrich	Murphy, Pa.
Albosta	Ginn	Murtha
Ambro	Goldwater	Myers, Ind.
Annunzio	Goodling	Myers, Pa.
Anthony	Gradison	Natcher
Applegate	Gramm	Neal
Archer	Grassley	Nedzi
Ashbrook	Grisham	Nelson
Ba'ham	Guyer	Nichols
Bafalls	Hagedorn	Pashayan
Bauman	Hall, Ohio	Paul
Beard, Tenn.	Hall, Tex.	Pickle
Bennett	Hammer-	Pursell
Bethune	schmidt	Quayle
Bevill	Hance	Quillen
Blanchard	Hanley	Regula
Bonior	Hansen	Rhodes
Bouquard	Harsha	Rinaldo
Bowen	Hefner	Ritter
Breaux	Hightower	Roberts
Brinkley	Hollenbeck	Robinson
Brodhead	Holt	Roth
Broomfield	Hubbard	Royer
Broyhill	Huckaby	Rudd
Burgener	Hutto	Runnels
Burison	Hyde	Russo
Butler	Ichord	Santini
Byron	Jeffries	Satterfield
Campbell	Jenkins	Sawyer
Carney	Jones, Okla.	Schulze
Carter	Jones, Tenn.	Sensenbrenner
Chappell	Kazen	Shelby
Cheney	Kelly	Shuster
Causen	Kemp	Snyder
Cleveland	Kindness	Solomon
Coleman	Kramer	Spence
Colins, Tex.	Lagomarsino	Stangeland
Corcoran	Latta	Stanton
Coughlin	Leach, Iowa	Stenholm
Courter	Leath, Tex.	Stockman
Crane, Daniel	Lederer	Stump
Crane, Philip	Lee	Symms
D'Amours	Lent	Taylor
Daniel, Dan	Levitas	Thomas
Daniel, R. W.	Lloyd	Traxler
Dannemeyer	Loeffler	Trible
Davis, Mich.	Lott	Vander Jagt
de la Garza	Lujan	Walker
Deckard	Luken	Wampler
Derwinski	Lungren	Watkins
Devine	McDade	White
Dickinson	McDonald	Whitehurst
Dingell	McEwen	Whittaker
Donnelly	McKay	Whitten
Dornan	Madigan	Williams, Ohio
Dougherty	Marlenee	Wilson, Bob
Duncan, Tenn.	Marriott	Wilson, Tex.
Early	Martin	Wright
Edwards, Okla.	Mathis	Wyatt
English	Mattox	Wylder
Evans, Del.	Mica	Wylie
Evans, Ga.	Mikulski	Yatron
Evans, Ind.	Miller, Ohio	Young, Alaska
Fary	Minish	Young, Fla.
Ferraro	Mitchell, N.Y.	Young, Mo.
Fl'han	Moakley	Zablocki
Florio	Mollohan	Zeferetti
Ford, Mich.	Montgomery	
Fountain	Moore	
Frost	Moorhead,	
Gaydos	Calif.	
Gibbons	Mottl	

#### NOES—190

Addabbo	Balley	Boland
Akaka	Baldus	Boner
Anderson,	Barnes	Bonker
Calif.	Beard, R.I.	Brademas
Andrews, N.C.	Bedell	Brown, Calif.
Andrews,	Bellenson	Buchanan
N. Dak.	Benjamin	Burton, John
Ashley	Bereuter	Burton, Phillip
Aspin	Biaggi	Carr
Atkinson	Bingham	Cavanaugh
AuCoin	Boggs	Chisholm

Clinger	Hughes	Rahall
Coelho	Jacobs	Rallsback
Collins, Ill.	Jeffords	Rangel
Conable	Jenrette	Ratchford
Conte	Johnson, Calif.	Reuss
Corman	Johnson, Colo.	Rodino
Cotter	Jones, N.C.	Roe
Danielson	Kastenmeier	Rose
Daschle	Kildee	Rosenthal
Davis, S.C.	Kogovsek	Rostenkowski
Dellums	Kostmayer	Roybal
Derrick	LaFalce	Sabo
Dicks	Lehman	Scheuer
Diggs	Leland	Schroeder
Downey	Lewis	Sebelius
Drinan	Long, La.	Seiberling
Duncan, Oreg.	Long, Md.	Shannon
Eckhardt	Lowry	Sharp
Edgar	Lundine	Simon
Edwards, Ala.	McClory	Sack
Edwards, Calif.	M-Closkey	Smith, Iowa
Erdahl	McCormack	Smith, Nebr.
Erlenborn	McHugh	Snowe
Ertel	McKinney	Solarz
Fascell	Maguire	St Germain
Fazio	Markey	Stack
Fenwick	Marks	Staggers
Findley	Matsui	Steed
Fish	Mavroules	Stewart
Fisher	Mazzoli	Stokes
Ford, Tenn.	Mikva	Stratton
Fowler	Miller, Calif.	Studds
Frenzel	Mineta	Swift
Garcia	Moffett	Svnr
Gialmo	Moorhead, Pa.	Tauke
Gilman	Murphy, Ill.	Thompson
Glickman	Murphy, N.Y.	Udall
Gonzalez	Nolan	Ullman
Gore	Nowak	Van Deerlin
Gray	O'Brien	Vanik
Green	Oberstar	Vento
Guarini	Obey	Volkmer
Gudger	Ottinger	Walgren
Hamilton	Panetta	Waxman
Harkin	Patten	Weaver
Harris	Patterson	Wells
Hawkins	Pease	Whitley
Heckler	Pepper	Williams, Mont.
Heftel	Perkins	Wilson, C. H.
Hills	Petri	Wirth
Hopkins	Peysner	Wolf
Horton	Preyer	Wolpe
Howard	Price	Yates

NOT VOTING—35

Alexander	Flood	Mitchell, Md.
Anderson, Ill.	Foley	Oakar
Barnard	Forsythe	Pritchard
Bolling	Fuqua	Richmond
Brooks	Gephardt	Roussetot
Brown, Ohio	Hinson	Shumway
Clay	Holland	Skelton
Conyers	Holtzman	Spellman
Dixon	Ireland	Stark
Dodd	Lesch, La.	Treen
Emery	Livingston	Winn
Flippo	Michel	

□ 1840

Messrs LLOYD, BURLISON, and ROYER changed their vote from "no" to "aye."

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. SLACK. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Brown of California, 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. 4392) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the

fiscal year ending September 30, 1980, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SLACK. Mr. Speaker, I demand a separate vote on the so-called Ashbrook amendment to title I of the bill, which added the following:

SEC. 104. No more than 95 percent of the funds appropriated by this title shall be expended.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. DICKS. Mr. Speaker, I demand a separate vote on the so-called Collins of Texas amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. BAUMAN. Mr. Speaker, I demand a separate vote on all of the amendments adopted to this bill. We all can play the game.

□ 1850

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: On page 2, line 20, strike "\$709,700,000" and insert in lieu thereof "\$712,700,000".

The SPEAKER. The Chair will state for the benefit of the Members that this is the so-called Conte amendment.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. BAUMAN) there were—yeas 173, nays 62.

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

A recorded vote was refused.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: On page 4, line 6, strike out "\$370,300,000" and insert in lieu thereof "\$411,500,000".

The SPEAKER. The Chair will inform the Members that this is the so-called Slack amendment.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. BAUMAN) there were—yeas 176, nays 96.

RECORDED VOTE

Mr. BAUMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 197, not voting 39, as follows:

[Roll No. 329]

YEAS—198

Addabbo	Aspin	Bellenson
Akaka	AuCoin	Blagel
Ambro	Bailey	Bingham
Anderson,	Baldus	Blanchard
Calif.	Barnes	Boggs
Annuazio	Beard, R.I.	Boland
Ashley	Bedell	Bonior

Bonker	Harkin	Perkins
Bowen	Harris	Peysner
Brademas	Hawkins	Pickle
Brodhead	Heftel	Preyer
Brown, Calif.	Hightower	Price
Buchanan	Howard	Rahall
Burlison	Hutto	Rallsback
Burton, John	Jacobs	Rangel
Burton, Phillip	Jeffords	Ratchford
Carr	Jenrette	Reuss
Cavanaugh	Johnson, Calif.	Rodino
Chappell	Kastenmeier	Roe
Chisholm	Kildee	Rose
Clinger	Kogovsek	Rosenthal
Coelho	Kostmayer	Rostenkowski
Collins, Ill.	LaFalce	Roybal
Conte	Leach, Iowa	Russo
Corman	Lederer	Sabo
Cotter	Lehman	Scheuer
Coughlin	Leland	Schroeder
D'Amours	Lloyd	Seiberling
Danielson	Long, La.	Shannon
Daschle	Long, Md.	Sharp
Davis, S.C.	Lowry	Simon
Dellums	McCormack	Slack
Derrick	McEwen	Smith, Iowa
Dicks	McHugh	Solarz
Downey	McKay	St Germain
Drinan	McKinney	Stack
Duncan, Oreg.	Maguire	Staggers
Early	Markey	Steed
Eckhardt	Marks	Stewart
Edgar	Matsui	Stokes
Edwards, Calif.	Mavroules	Studds
Erlenborn	Mica	Swift
Ertel	Mikulski	Synar
Fary	Mineta	Thompson
Fascell	Minish	Traxler
Fazio	Moakley	Udall
Ferraro	Moffett	Ullman
Findley	Mollohan	Van Deerlin
Fisher	Moorhead, Pa.	Vanik
Fithian	Murphy, Ill.	Vento
Florio	Murphy, N.Y.	Walgren
Ford, Mich.	Murtha	Waxman
Ford, Tenn.	Myers, Pa.	Weaver
Fowler	Neal	Weiss
Frost	Nedzi	White
Garcia	Nolan	Williams, Mont.
Gialmo	Nowak	Wilson, C. H.
Gibbons	O'Brien	Wirth
Glickman	Oakar	Wolf
Gonzalez	Oberstar	Wolpe
Gore	Obey	Wright
Gray	Ottinger	Yates
Green	Panetta	Young, Mo.
Guarini	Patten	Zablocki
Hall, Ohio	Patterson	Zerfetti
Hamilton	Pease	
Hanley	Pepper	

NAYS—197

Abdnor	Daniel, Dan	Hance
Albosta	Daniel, R. W.	Hansen
Andrews, N.C.	Dannemeyer	Harsha
Andrews,	Davis, Mich.	Heckler
N. Dak.	de la Garza	Hefner
Anthony	Deckard	Hillis
Applegate	Derwinski	Hollenbeck
Archer	Devine	Holt
Ashbrook	Dickinson	Hopkins
Atkinson	Dingell	Horton
Badham	Donnelly	Hubbard
Bafalis	Dornan	Huckaby
Bauman	Dougherty	Hughes
Beard, Tenn.	Duncan, Tenn.	Hyde
Benjamin	Edwards, Ala.	Ichord
Bennett	Edwards, Okla.	Jeffries
Bereuter	English	Jenkins
Bethune	Erdahl	Johnson, Colo.
Bevill	Evans, Del.	Jones, N.C.
Boner	Evans, Ga.	Jones, Okla.
Bouquard	Evans, Ind.	Jones, Tenn.
Breaux	Fenwick	Kazen
Brinkley	Fish	Kelly
Broomfield	Fountain	Kemp
Broyhill	Frenzel	Kindness
Burgener	Gaydos	Kramer
Butler	Gilman	Lacomarsino
Byron	Gingrich	Latta
Campbell	Ginn	Leath, Tex.
Carney	Goldwater	Lee
Carter	Gooding	Lent
Cheney	Gradison	Levitas
Clausen	Gramm	Lewis
Cleveland	Grassley	Loeffler
Coleman	Grisham	Lott
Collins, Tex.	Gudger	Lujan
Conable	Guyser	Luken
Corcoran	Hagedorn	Lungren
Courter	Hall, Tex.	McClory
Crane, Daniel	Hammer-	McCloskey
Crane, Phillip	schmidt	McDade

McDonald Rhodes Stratton  
Madigan Rinaldo Stump  
Marlenee Ritter Symms  
Marriott Roberts Tauke  
Martin Robinson Taylor  
Mathis Roth Thomas  
Mattox Royer Tribble  
Michel Rudd Vander Jagt  
Miller, Ohio Runnels Volkmer  
Mitchell, N.Y. Santini Walker  
Montgomery Satterfield Wampler  
Moore Sawyer Watkins  
Moorhead, Calif. Schulze Whitehurst  
Mottl Sebellus Whitley  
Murphy, Pa. Sensenbrenner Whittaker  
Myers, Ind. Shelby Whitten  
Natcher Shuster Williams, Ohio  
Nelson Smith, Nebr. Wilson, Bob  
Nichols Snyder Wilson, Tex.  
Pashayan Solomon Wyatt  
Paul Spence Wylder  
Petri Stangeland Yatron  
Pursell Stanton Young, Alaska  
Quayle Stenholm Young, Fla.  
Regula Stockman

NOT VOTING—39

Alexander Flood Mikva  
Anderson, Ill. Foley Miller, Calif.  
Barnard Forsythe Mitchell, Md.  
Bolling Fuqua Pritchard  
Brooks Gephardt Quillen  
Brown, Ohio Hinson Richmond  
Clay Holland Rousselot  
Conyers Holtzman Shumway  
Diggs Ireland Skelton  
Dixon Leach, La. Spellman  
Dodd Livingston Stark  
Emery Lundine Treen  
Flippo Mazzoli Winn

□ 1910

The Clerk announced the following pairs:

Mr. Foley with Mr. Anderson of Illinois.  
Mr. Mazzoli with Mr. Emery.  
Mr. Mitchell of Maryland with Mr. Quillen.  
Ms. Holtzman with Mr. Shumway.  
Mr. Ireland with Mr. Treen.  
Mr. Brooks with Mr. Winn.  
Mr. Dodd with Mr. Hinson.  
Mr. Dixon with Mr. Forsythe.  
Mr. Flippo with Mr. Brown of Ohio.  
Mr. Fuqua with Mr. Livingston.  
Mrs. Spellman with Mr. Pritchard.  
Mr. Stark with Mr. Rousselot.  
Mr. Leach of Louisiana with Mr. Mikva.  
Mr. Richmond with Mr. Miller of California.  
Mr. Conyers with Mr. Flood.  
Mr. Diggs with Mr. Barnard.  
Mr. Alexander with Mr. Clay.  
Mr. Gephardt with Mr. Holland.  
Mr. Lundine with Mr. Skelton.

Messrs. DERWINSKI, ROTH, McCLOSKEY, and ANDREWS of North Carolina, Mrs. SNOWE, and Mrs. FENWICK changed their vote from "yea" to "nay."

Mr. ROSE and Ms. OAKAR changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. DICKS. Mr. Speaker, I withdraw my demand for a separate vote on the so-called Collins of Texas amendment.

Mr. SLACK. Mr. Speaker, I understand that the gentleman from Maryland will withdraw his demand for separate votes on the remaining amendments if we do the same on this side.

With that assurance, Mr. Speaker, I withdraw my demand for a separate vote on the so-called Ashbrook amendment.

Mr. BAUMAN. Mr. Speaker, I withdraw my demand for separate votes on the remaining amendments.

The SPEAKER. The requests for separate votes are withdrawn.

Is a separate vote demanded on any of the remaining amendments? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

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

Mr. BAUMAN. 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 299, nays 93, not voting 42, as follows:

[Roll No. 330]

YEAS—299

Abdnor Donnelly Johnson, Calif.  
Addabbo Dougherty Johnson, Colo.  
Akaka Downey Jones, N.C.  
Albosta Drinan Jones, Tenn.  
Ambro Duncan, Oreg. Kazen  
Anderson, Tenn. Kildee  
Calif. Early Kindness  
Andrews, N.C. Eckhardt Kogovsek  
Andrews, N. Dak. Edgar Kostmayer  
Annunzio Edwards, Ala. LaFalce  
Anthony Edwards, Calif. Leach, Iowa  
Ashley Ertel Leath, Tex.  
Aspin Evans, Del. Lederer  
AuCoin Evans, Ga. Lee  
Bailey Fary Lehman  
Balduz Fascell Leland  
Barnes Fazio Lent  
Beard, R.I. Fenwick Levittas  
Beard, Tenn. Ferraro Lloyd  
Bedell Findley Loeffler  
Bellenson Fish Long, La.  
Benjamin Fisher Long, Md.  
Bennett Fithian Lowry  
Bethune Florio Luken  
Bevill Foley Lundine  
Biaggi Ford, Mich. Lungren  
Bingham Ford, Tenn. McClory  
Blanchard Fountain McCormack  
Boland Fowler McDade  
Boner Frost McEwen  
Bonior Garcia McHugh  
Bonker Gaydos McKay  
Bouquard Gialmo McKinney  
Bowen Gibbons Madigan  
Brademas Gilman Magulre  
Breaux Gingrich Markey  
Brinkley Ginn Marks  
Broomfield Glickman Martin  
Brown, Calif. Goldwater Matsul  
Broyhill Gonzalez Mavroules  
Buchanan Gramm Mica  
Burgener Grassley Michel  
Burlison Gray Mineta  
Burton, John Green Minish  
Phillips Grisham Mitchell, N.Y.  
Butler Guarini Moakley  
Byron Gudger Moffett  
Carr Hall, Ohio Mollohan  
Carter Hall, Tex. Moore  
Cavanaugh Hamilton Moorhead, Pa.  
Chappell Hammer Murphy, Ill.  
Chisholm Schmidt Murphy, N.Y.  
Clausen Hanley Murtha  
Cleveland Harkin Myers, Pa.  
Clinger Harris Natcher  
Coelho Hawkins Neal  
Coleman Heckler Nedzi  
Collins, Ill. Hefner Nelson  
Conable Heftel Nichols  
Conte Hillis Nolan  
Corman Hopkins Nowak  
Cotter Horton O'Brien  
Coughlin Howard Oakar  
D'Amours Hubbard Oberstar  
Danielson Huckaby Obey  
Davis, Mich. Hutto Ottinger  
de la Garza Hyde Patten  
Dellums Jacobs Patterson  
Derwinski Jeffords Pease  
Diggs Jenkins Pepper  
Dingell Jenrette Perkins

Petri  
Peyster  
Pickle  
Preyer  
Price  
Quayle  
Rahall  
Rallsback  
Rangel  
Ratchford  
Regula  
Reuss  
Rhodes  
Rinaldo  
Roberts  
Rodino  
Roe  
Rose  
Rosenthal  
Rostenkowski  
Roybal  
Royer  
Russo  
Sabo  
Santini  
Sawyer  
Scheuer  
Sebellus  
Seiberling

Shannon  
Sharp  
Shelby  
Simon  
Slack  
Smith, Iowa  
Smith, Nebr.  
Snowe  
Solarez  
Solomon  
St Germain  
Stack  
Stagers  
Stanton  
Steed  
Stenholm  
Stewart  
Stokes  
Stratton  
Studds  
Synar  
Tauke  
Thomas  
Thompson  
Traxler  
Udall  
Ullman  
Van Deerlin  
Vander Jagt

NAYS—93

Applegate  
Archer  
Ashbrook  
Atkinson  
Badham  
Balfalls  
Bauman  
Bereuter  
Brodhead  
Campbell  
Carney  
Cheney  
Collins, Tex.  
Courter  
Crane, Daniel  
Crane, Phillip  
Daniel, Dan  
Daniel, R. W.  
Dannemeyer  
Daschle  
Deckard  
Derrick  
Devine  
Dickinson  
Dicks  
Dornan  
Edwards, Okla.  
English  
Erdahl  
Evans, Ind.  
Frenzel  
Goodling

Gore  
Guyer  
Hagedorn  
Hance  
Hansen  
Harsha  
Hollenbeck  
Holt  
Hughes  
Ichor  
Jeffries  
Jones, Okla.  
Kastenmeier  
Kelly  
Kemp  
Kramer  
Lagomarsino  
Latta  
Lewis  
Lott  
Lujan  
McDonald  
Marlenee  
Marriott  
Mathis  
Mattox  
Miller, Ohio  
Montgomery  
Moorhead, Calif.  
Mottl  
Murphy, Pa.

Myers, Ind.  
Panetta  
Pashayan  
Paul  
Pursell  
Ritter  
Robinson  
Roth  
Rudd  
Runnels  
Satterfield  
Schroeder  
Schulze  
Sensenbrenner  
Shuster  
Snyder  
Spence  
Stangeland  
Stockman  
Stump  
Swift  
Symms  
Taylor  
Tribble  
Volkmer  
Walker  
Watkins  
Weaver  
Wylie  
Young, Fla.

NOT VOTING—42

Alexander  
Anderson, Ill.  
Barnard  
Boggs  
Bolling  
Brooks  
Brown, Ohio  
Clay  
Conyers  
Corcoran  
Davis, S.C.  
Dixon  
Dodd  
Emery

Erlenborn  
Flippo  
Flood  
Forsythe  
Fuqua  
Gephardt  
Hightower  
Hinson  
Holland  
Holtzman  
Ireland  
Leach, La.  
Livingston  
McCloskey

Mazzoli  
Mikva  
Miller, Calif.  
Mitchell, Md.  
Pritchard  
Quillen  
Richmond  
Rousselot  
Shumway  
Skelton  
Spellman  
Stark  
Treen  
Winn

□ 1930

The Clerk announced the following pairs:

Mrs. Boggs with Mr. Anderson of Illinois.  
Mr. Mitchell of Maryland with Mr. Emery.  
Mr. Ireland with Mr. Hinson.  
Mr. Holland with Mr. Erlenborn.  
Mr. Davis of South Carolina with Mr. Corcoran.  
Mr. Fuqua with Mr. Forsythe.  
Mr. Brooks with Mr. Livingston.  
Mr. Alexander with Mr. Brown of Ohio.  
Ms. Holtzman with Mr. Rousselot.  
Mr. Skelton with Mr. Winn.  
Mrs. Spellman with Mr. Treen.  
Mr. Mikva with Mr. Shumway.  
Mr. Dodd with Mr. Quillen.  
Mr. Leach of Louisiana with Mr. Pritchard.  
Mr. Mazzoli with Mr. McCloskey.

Mr. Dixon with Mr. Miller of California.  
Mr. Richmond with Mr. Stark.  
Mr. Clay with Mr. Conyers.  
Mr. Barnard with Mr. Gephardt.  
Mr. Hightower with Mr. Flipppo.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

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

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

There was no objection.

#### PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT ON H.R. 4514, CETA AMENDMENTS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on the bill (H.R. 4514) to amend title III of the Comprehensive Employment and Training Act to provide for the assessment of manpower needs for the full development of domestic energy resources.

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

There was no objection.

#### FINANCING OF THE OLYMPICS IN THE UNITED STATES

(Mr. CHARLES H. WILSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CHARLES H. WILSON of California. Mr. Speaker, in 1976, on a day when there were only 323 Members present and voting in the House, the first authorization bill for the Lake Placid Olympics was passed by less than 30 votes. That bill was for \$49.4 million. Today the Government has obligated close to \$100 million to the Lake Placid Olympic games. This money is going to be the excuse for the city of Los Angeles to come to the Congress and ask for \$141 million to start their 1984 Olympics.

I predict that if the pattern holds true, there will be one-half billion dollars asked for by the city of Los Angeles to try and finance the 1984 Olympics. I am opposed to this type of Federal funding for such events.

This morning I am putting into the Record the first of a series of articles that I will introduce having to do with the financing, the Federal financing, of Olympic games activities.

Mr. Speaker, the Congressional Research Service of the Library of Congress has recently prepared a report on the

financing of the Olympic games in this country. I would like to share this information with my colleagues:

#### REPORT ON FINANCING OF THE OLYMPIC GAMES

##### SUMMER OLYMPICS AT ST. LOUIS IN 1904

The 1904 Olympics were held in St. Louis, Missouri, as part of the "physical culture" exhibit of the Louisiana Purchase Exposition being held in celebration of the purchase of the Louisiana Territory from France in 1803.

The Olympic games were a secondary event to the Exposition, rather than the major international sporting event we have become accustomed to in recent years. In fact, few foreign athletes competed at all.<sup>1</sup> The lack of foreign competitors and the unusual nature of some of the sporting events made this Olympics something of an embarrassment for many in the Olympic movement.<sup>2</sup>

One such embarrassment was a competition called "Anthropology Days", in which "a group of aborigines, gathered from various points, most of them, it is said, from the side shows of the Exposition, participated in athletic contests of a fundamentally simple nature."<sup>3</sup> The aborigines competing in these events ran foot races, such as a 100 yard dash, won by an American Indian in 11½ seconds with an African Pygmy bringing up the rear in 14½ seconds.<sup>4</sup> The Pygmies lost many such competitions, but did succeed in pleasing the judges with their ability to "dodge and throw" during the "Mud Fight" competition.<sup>4</sup>

Financing for the Exposition came from three main sources: a Federal Government loan of \$4,600,000; the city of St. Louis issued bonds for \$5,000,000; and the Exposition Corporation provided the remaining funds to cover the \$21 million total cost.<sup>5</sup> What part of the \$21 million was actually spent on the Games is unavailable.

##### SUMMER OLYMPICS AT LOS ANGELES, CALIFORNIA 1932

The 1932 Summer Games in Los Angeles, California, were more in line with present day Olympic standards of competition and celebration.

Although Congress and the President were supportive of the idea of holding the Olympic competitions in the United States, no Federal financial support was appropriated.

##### State of California

The exact amount spent by the State of California for the Summer Games is unclear, but it is known that the State issued bonds in excess of \$1 million dollars to pay for the construction of an Olympic village, to increase the seating capacity of the Olympic stadium, and to construct a swimming pool.<sup>6</sup> Some of this expense was very likely offset by revenues from ticket sales, but exact figures are unavailable.

##### American Olympic Committee

The American Olympic Committee, (the forerunner to the present U.S. Olympic Committee) using donated funds, did contribute about \$82,000 dollars for the care, clothing, and transportation cost of the American teams and athletes competing at Los Angeles.<sup>7</sup>

##### LAKE PLACID WINTER OLYMPICS OF 1932

The 1932 Winter Olympics held at Lake Placid, New York, received no funding from the Federal Government. Principal financing was provided by the community of Lake Placid with some assistance from the State of New York.

##### Lake Placid

The financing of the Games resulted from the sale of bonds amounting to \$375,000. This debt was said to be a "real burden for the Community in 1932," since it came at the lowest economic point of the Great Depression.<sup>8</sup>

The State of New York built the bobrun at an undisclosed cost and the community of Lake Placid constructed the Olympic arena.<sup>9</sup> The bonds sold to finance the Games were ultimately paid in 1967 at a total cost to the Lake Placid community of \$1 million dollars. A detailed breakdown of expenses is not available for this report.

##### American Olympic Committee

The Committee expense for the 1932 Winter Games was slightly in excess of \$25,000. Monies were allocated for clothing, transportation, and athlete selection trials.<sup>10</sup>

##### WINTER OLYMPICS AT SQUAW VALLEY, CALIFORNIA, 1960

##### Federal Support

Authorization for Federal participation in the Winter Olympics at Squaw Valley was provided by Public Law 85-365 (see attachment B), which was enacted April 3, 1958. Federal participation was concentrated in two areas of support: financing the construction of a sports arena, built on Forest Service land and leased to the State of California, and the Defense Department providing the services of mountain, and cold weather trained military personnel for snow compaction, communications, and avalanche control.<sup>11</sup>

The Federal appropriation for the sports arena was \$3,500,000 and for the military service personnel, \$800,000 (P.L. 86-166).<sup>12</sup> The total appropriated by Congress for both areas of Federal support was \$4,400,000 of which \$4,300,000 was actually spent.

##### States of California and Nevada

The State of California provided approximately \$8,000,000 from State sources. In addition, the State of Nevada contributed \$200,000.

##### U.S. Olympic Committee

The U.S. Olympic Committee contributed \$2,500,000 to the event.

The total cost of the Winter Olympic at Squaw Valley was \$15,000,000. Construction of facilities such as a sports arena, administration building, two large spectator centers, a 125 acre parking lot, a press building, ski slope and road improvements, and numerous other structures consumed \$11,000,000. Administration costs accounted for the remaining \$4,000,000.

##### FOOTNOTES

<sup>1</sup> Henry, Bill. An Approved History of the Olympic Games. New York, C.P. Putnam's Sons, 1976. p. 53.

<sup>2</sup> Ibid. p. 53.

<sup>3</sup> Ibid. p. 56.

<sup>4</sup> Ibid. p. 57.

<sup>5</sup> Francis, David R. The Universal Exposition of 1904. St. Louis, Mo. The Louisiana Purchase Exposition Company. 1913. p. 684-690.

<sup>6</sup> Reibien, Frederick W. ed. Report of the American Olympic Committee, New York, 1934. p. 37.

<sup>7</sup> Ibid. p. 283.

<sup>8</sup> U.S. Congress. House. Committee on Interstate and Foreign Commerce. Subcommittee on Transportation and Commerce. 1980 Winter Olympic Games, 1976. Hearings, 94 Congress, 2nd session on H.R. 8906 March 3-4, 1976. Washington, U.S. Govt. Print. Off., 1976. p. 53.

<sup>9</sup> Ibid. p. 53.

<sup>10</sup> Reibien, Frederick W. ed. Report of the American Olympic Committee, New York, 1934. p. 283.

<sup>11</sup> U.S. Congress. Senate. Committee on Armed Services. Hearing on Miscellaneous bills. Washington, D.C., U.S. Govt. Print. Off., February 27, 1958. p. 3.

<sup>12</sup> H.R. 7454—Appropriations, Defense Department 1960. Reported from the House Appropriations Committee, May 28, 1969; Rept. 408. Approved Aug. 18, 1959.

### DOE ISSUES NEW GAS ALLOCATION RULES AND PROPOSED RULE FOR PRICE REGULATIONS

(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, long gasoline lines are a painful symbol of our Nation's dependency on foreign oil and the complexity and often contradictory nature of the rules which regulate the distribution of supply.

We all know the allocation rules work poorly at best. The regulations often pit regular branded dealers who have been in business for years, against convenience stores and self-serve facilities which have sprung up almost overnight. We need good, healthy competition, but too often, these rules have given an unfair advantage to convenience outlets, to the detriment of the established dealers. This is not right. Although this contradiction was not necessarily intended, it is nevertheless a cruel fact.

This week, Energy Secretary James Schlesinger issued a new set of gasoline allocation rules, effective July 15. In part, the rules limit the number of new gasoline outlets which can open. The rules will not hurt the free enterprise system, and certainly this is not our goal or desire. But this new clause means more gasoline may go to the regular, established dealers. There are too many "willing suppliers" who operate on paper, creating questions of where the gasoline goes.

My colleague, Bob ECKHARDT, and I met with Secretary Schlesinger this week and were encouraged that industry will get added supplies and most refineries will attain approximately 90 percent capacity.

The Department of Energy is also issuing a proposed rule for new price regulations. The point of this proposal is to enable consumers to know exactly what they are paying for a gallon of gasoline and why. The rule also would cut out much of a dealer's paperwork.

Prices seem to increase even while we wait in gas lines. With such price disparities in the same State, city, or even neighborhood, the people rightfully question whether they are victims of price gouging. Everyone deserves to know the full story. I hope the Department will quickly evaluate this rule and the comments and implement a new, easier to understand policy.

Mr. Speaker, added emphasis in the allocation process should be placed on growth, to allow more gasoline in areas which have experienced rapid growth.

There is no shortage of gas stations—just a shortage of gasoline. I hope these new steps from the Department of Energy will be helpful. They do not go far enough, but they head us in the right direction, and I commend the Secretary for taking this decisive action.

MOTOR GASOLINE ALLOCATION BASE PERIOD AND ADJUSTMENTS (ISSUED)

[Docket No. ERA-R-79-23 et al.]

Agency: Economic Regulatory Administration, Department of Energy.

Action: Notice of Intent to Issue a Final Rule.

#### SUMMARY

The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) intends to adopt on July 15 final rules amending the mandatory allocation regulations for gasoline in the following respects:

(1) The base period for gasoline allocation will be established as November 1977 through October 1978.

(2) The rules regarding the size of allocations to new gasoline retail sales outlets will be changed to limit assigned volumes to either the typical sales volume for outlets of the same type or the average sales volume for all retail outlets nationally during the base period year, whichever is less. The rule will apply to all new outlets for which no assigned base period volume had been made by July 6, 1979 and in which an investment in the capital costs of the outlet (excluding real estate) has not exceeded 25 percent of total capital costs on July 6, 1979. All other new outlets will be covered by the existing rule.

DOE has determined not to adopt the proposal made by some commenters in the rulemaking that purchasers be allowed to choose between 1972 adjusted or November 1977-October 1978 base period volumes, whichever is larger. Such an adjustment would have the effect of reducing allocation fractions of all suppliers and reducing total available supplies to the substantial number of marketers of gasoline who have increased their sales volumes since 1972. The effect of such a rule would in general be to shift gasoline supplies away from geographical regions that have experienced substantial growth and to areas that have not experienced such growth, thus exacerbating the present shortage in high growth areas. The reasons for this decision will be described in further detail in the notice to be issued on July 15.

Prior to July 15, DOE will further review the comments received in the rulemaking and will make such additional changes as the information presented in the comments warrant.

#### RETAILER PRICE RULE FOR MOTOR GASOLINE (PROPOSED)

[Docket No. ERA-R-79-32]

Agency: Economic Regulatory Administration, Department of Energy.

Action: Notice of Proposed Rulemaking and Public Hearing.

#### SUMMARY

The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives notice of a proposed rulemaking and public hearing regarding proposed amendments to the retailer price regulations for motor gasoline. Specifically, ERA proposes the following four amendments to the retailer price rule for motor gasoline.

1. The maximum lawful selling price for each type or grade of gasoline would equal the most recent acquisition cost plus a fixed cents per gallon markup plus certain Federal, state and local taxes.

2. The carry forward of unrecovered increased product costs ("banks") would be eliminated and the passthrough of previously accumulated increased product costs would be prohibited.

3. The cost of acquiring product would be calculated on the basis of the most recent acquisition cost rather than on the weighted average cost of product in inventory.

4. Retailers would be required to post on the face of each gasoline pump the acquisition cost, the allowable markup, applicable taxes, and the maximum lawful selling price.

The purpose of the proposed amendments is twofold. First, the proposed amendments would simplify the present rules, thereby easing administrative burdens on retailers

and facilitating ERA audit and enforcement activities. Second, DOE wants to identify the appropriate margins for retailers in light of reduced allocations of gasoline and increases in non-profit costs due to inflation.

In addition to the proposed amendments, ERA is requesting comments on three alternative regulatory schemes.

1. Continuation of the present regulatory scheme, except current and prospective "banks" would be eliminated, and the limitation on nonproductive cost increases would be adjusted.

2. Adoption of the proposed amendments but with a maximum fixed percentage of acquisition cost markup rather than a fixed cents markup.

3. Establishment of a single maximum price for gasoline or type of gasoline at a national or regional level for all retail sales. This price would be adjusted periodically to reflect increased costs.

#### LEGISLATION ON DEVELOPMENT OF DOMESTIC ENERGY RESOURCES SHOULD HAVE PROMPT CONSIDERATION BY HOUSE

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

Mr. PERKINS. Mr. Speaker, today the Committee on Education and Labor files its report on H.R. 4514 for the development of domestic energy resources, and recommends that the bill as amended do pass.

This bill addresses the gravest danger the United States has faced since World War II. It deserves the prompt consideration of the House, and it is my hope that the Committee on Rules will schedule it for a hearing at the earliest possible date.

We are today dependent upon inter-rutable sources of foreign petroleum for half of our liquid energy needs. It is tragically true that some of the nations upon which we rely for this vital need are potentially hostile to us, or are themselves subject to potential domination by nations unfriendly to us.

This is a threat to the national security of the United States. Moreover, it robs of us of our freedom of action in developing and conducting foreign policy in the best interests of the American people.

But most immediately, Mr. Speaker, it holds the potential for bringing the American economy down in ruins—and half of the economic power of the Western World down with it.

We are subject to the whim of oil ministers whose chief priorities do not include the economic well-being and security of the United States.

Every Member of this Congress knows the damaging effects upon our economy when we pour out into other treasuries some \$60 billion a year for petroleum purchases. That outflow is the real engine that drives inflation. And inflation has reached into the paychecks of the working people, eats away at the savings of our people, and drives the old and the poor to the edge of despair.

H.R. 4514 addresses this problem with a proposal to create an American synthetic fuel industry based upon natural resources amply available within our own

borders. It would rid us of dependence upon foreign sources of petroleum.

It would lift this threat to our national security.

It would put our economy back on a stable basis, and it would stop the evaporation of American jobs that occurs every time the OPEC ministers raise the price of oil again.

The Committee on Education and Labor did not start out to produce a comprehensive synthetic fuel production bill. We began by considering the manpower and training needs of such an industry should it come into being.

We brought in experts from all parts of the Nation—some distinguished scientists and engineers, some representatives of major industries, some Government officials, some knowledgeable retired military men.

The picture they painted in their testimony was one of danger to the United States if we do not embark upon synthetic fuels production now. We cannot dally longer with experimentation and symposia.

The danger with which this hour is fraught is real. It will not go away. It has not been dissipated simply because one of our foreign suppliers has offered to increase its production, or because the imposition of rationing by high prices and odd-even sales systems have somewhat reduced lines at gas pumps.

We are in military and economic jeopardy. And the early and massive production of synthetic fuels from coal, shale, lignite, peat, biomass, and any other available materials and technologies offers us the quickest way out of our problem.

Our committee would not have amended the manpower bill as it did had there been any indication that other committees of the House were proceeding on the scale required to protect the Nation.

There was no such movement discernible, and the Committee on Education and Labor felt duty bound to place something before the House. And that is the genesis of H.R. 4514.

The mechanism for beginning synthetic fuels production is simple.

We propose the creation of a Government Corporation to either undertake construction and operation of synthetic fuels plants itself, or to contract with private industry to do the job.

Time after time during the hearings, we asked the most knowledgeable people we could find what incentives do we need to get private industry involved.

Their informed responses were included in this bill, and I am sure the Members will want to study their underlying bases in the committee report.

The corporation would be governed by a Board of Directors appointed by the President with the advice and consent of the Senate. Only three of the members could be from the same political party, and the committee expresses the hope that the President would name to this Board the ablest, best qualified managers available in a country rich in managerial talent and experience.

We set a target of 5,000,000 barrels equivalent of oil, and we provide bond-

ing authority for the corporation to the extent of \$200 billion outstanding at any one time.

We firmly believe that after the initial stages of establishment, synthetic fuels production will be self supporting, and, indeed, profitable.

We affirm that the corporation should, to the maximum extent possible, rely upon the private sector to produce the required energy fuels.

Mr. Speaker, the Committee on Education and Labor has proposed a huge undertaking. It may well be an expensive one.

But the alternative of doing nothing would be ruinously costly.

I urge the Rules Committee to bring this measure to the floor at an early date so that Members of this body may have an opportunity to work the Nation's will, and to make any corrections that may in the House's judgment be required.

#### □ 1020

#### THE POLITICS OF SUGAR

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

Mr. LEDERER. Mr. Speaker, in the unfortunate event that H.R. 2172, the consumer sugar rip-off bill of 1979, comes to the Floor of the House for a vote, I would like to share with this body an article by our colleague, Representative PETER PEYSER, which was printed in the Wednesday, July 11, 1979, New York Times:

#### THE POLITICS OF SUGAR

(By Peter Peyser)

WASHINGTON.—When the Sugar Act of 1764 was passed by the British Parliament, imposing strict enforcement of taxes on sugar and molasses imported to North America, it so angered the colonists that they attacked and burned British vessels patrolling for colonial sugar smugglers.

It was considerably ironic, then, that the first Congress, in 1789, imposed, as one of its earliest acts, a sugar tariff to raise revenues for the new Government.

Sugar has been embroiled in American politics ever since.

At the present time, the Government adds 5.5 cents a pound to the price of sugar through import fees and duties, costing consumers more than \$2.6 billion a year in higher sugar prices.

Now, the Administration, a few Congressional leaders, many corporate farmers and major sugar associations have been quietly pushing legislation that would sharply increase price supports for sugar, and provide direct subsidies to sugar growers.

Their efforts, while benefiting a handful of major corporations and several thousand American farmers, would have a devastating effect on American consumers by hiking prices in the marketplace and adding to the spiral of inflation. Every product using sugar, including processed foods and breads, would be affected.

Thomas M. Lenard, a senior economist with the Council on Wage and Price Stability, told a Congressional committee last year that increasing sugar price supports "would, in our view, be inconsistent with the nation's anti-inflation effort."

But while economists in the White House were opposing the sugar bill, politicians there evidently were supporting it. The politicians won, and the economists were forced to play cat-and-mouse when pressed on the issue.

Alfred Kahn, the President's inflation adviser, at first termed this year's proposal "unthinkable." Apparently, so was Mr. Kahn's comment. He has since refrained from discussing the issue. "I guess there is a point at which a member of the President's inner body of advisors has to keep his mouth shut," he said. "Let the record show an embarrassed silence."

Elsewhere in the Administration, the battle raged. The Agriculture Department had proposed a level of price support increases which the State Department considered unacceptable, since it posed a serious threat to negotiations with sugar-exporting nations.

The fight has now been carried to the Congress. When the sugar legislation was introduced in February, it was to be the centerpiece of this year's agricultural subsidy and price support program—the first bill to reach the floor and the one to set the tone for all the other bills to follow.

The sugar bill was first scheduled for floor action before Easter, but has been repeatedly put off, mired first in the Agriculture Committee and now in Ways and Means, despite the two committee chairman's being the principal sponsors of the legislation. It has apparently been replaced by the milk parity legislation as the premier agricultural bill.

Those of us who opposed the bill last February were given a slim chance of succeeding in our efforts to kill it. Since then, we have strengthened our ranks, while proponents have broken theirs. Some who had once supported the bill, such as Hawaiian sugar growers and the Sugar Users Group, are now firmly opposed.

Like the rebellious colonists before them, today's consumers are balking at the new hikes. Organizations such as Common Cause, Ralph Nader's Congress Watch, the Consumer Federation of America, the Community Nutrition Institute, the National Council of Senior Citizens and the American Association of Retired Persons have banded together into a powerful consumer lobby called Citizens Against Sugar Hikes (CASH).

The sugar bill is clearly bad economics. Price supports have already increased by more than 11 percent in one year, far above the President's guideline. The proposal would increase it still more, while adding the direct subsidy to sugar growers. But it is "political rather than economic considerations," even the Agriculture Department admits that usually shape our sugar policy.

The lines are now clearly drawn. I am convinced that this battle can be won. However, there is still a need for the people to express their outrage to the Congress, as our founding fathers once did to the British.

#### FREDRIC R. MANN

Mr. LEDERER. Mr. Speaker, I would like to pause in the business of the House to share with my colleagues a Philadelphia Bulletin newspaper article about one of my city's most famous, colorful, and self-deprecating citizens, Fredric R. Mann:

"TOUGH" FREDDIE MANN: UNLIKELY CULTURE VULTURE

(By Jim Barniak)

Last week, when word got back to Fredric R. Mann that the city of Philadelphia was going to change the name of Robin Hood Dell West to the Mann Music Center, 75-year-old Freddie took a long draw on his cigar and uttered a brief expression of distress that sounded so much like "oh spit."

Immediately, he began to worry about how the public might react to the news. There would be some people, he figured, who would object to the fact he was still alive. After all, you usually have to be dead in order to have your very own monument.



And, then, since the Dell, er, the Mann Center is so dependent on federal, state, city and private funds—well, how was it going to look being named after somebody other than Abraham Lincoln or John F. Kennedy or Mario Lanza even.

"I better get myself out of town when they make the announcement," rasped Mann, this time not bothering to remove the cigar.

Freddie Mann will not be out of town, of course. No way. He wouldn't miss this next week for anything. The ceremonial name change of the outdoor concert hall is only part of it. The Dell, or Mann Center, or whatever you want to call it, is going to celebrate its 50th anniversary. For that occasion, there should be only one soloist—Old Freddie, the foster father of the place. He'll be in tears.

Mann took over running the Dell in 1948, at a time when the facility was in its then-familiar belly-up position. He was a millionaire paper-box tycoon at the time and so had the clout to start the old bowl on the comeback trail. He hammered next at outside agencies for additional support and won them over when he developed a program that essentially allowed free admission to anyone who wanted to enjoy a Dell Concert.

In 1976, an expanded, more modern and technically superior Dell was constructed in Strawberry Mansion across the Schuylkill River from the original. Improvements have been made steadily ever since, so that Philadelphians now enjoy maybe the finest outdoor concert facility in the world.

All for free, for the most part. It is also Freddie Mann's "baby," no arguing that. Were he suddenly to pass away, it would have to be written that he is survived by his wife, Silvia, five daughters and one concert hall.

There appears no need to be concerned about obituaries, however. Freddie suffers periodically from high blood pressure. Otherwise, he roams through the cultural, social and political circles of Philadelphia and the world like a fully ignited open hearth.

He is on a first-name basis with all of the great classical musicians of the world and on a last-name basis with all of the various leaders of the Philadelphia community.

Concerning the latter, he merely has to bark a last name into a telephone in order to command immediate attention. And, as one of the most loyal Sugar Daddys of the country's Democratic Party, he can take his act long distance with equal effect. Beneath all of that, however, is a soul who is almost a total contradiction to the image he projects.

New acquaintances first must endure the performer in him. His voice, which has been shredded by a half century of cigars, usually about 10 per day, is also loud and not unlike that of a man trying to talk with a mouthful of steel wool. His speech patterns are brief and the language often coarse. He is quick to jump on a listener, and like an impassioned trial lawyer, appears to revel in putting you on the defense.

Outwardly, at least, Freddie Mann is what you would get if you taught some old gangland chieftain how to bang out a piano concerto and pronounce names like Debussy and Piatigorsky.

For him, a typical workday begins about 10:30 A.M. He first positions himself behind a cigar, then calls for the morning mail. The mail immediately drives him to the telephone, or telephones. Usually, he looks like a Mexican outlaw, with the telephone wires crisscrossing over his chest like a couple of bandoliers. Then, it goes like this. . . .

"Crawford (to recreation director Bob Crawford), for God sakes, can't we get the cops off their butts. We've got a \$9-million facility that's standing idle out there on Saturday nights because the cops won't chase

the neckers home. Take care of it, Crawford, or I'm going to call O'Neill."

And, then, when an associate from New York calls to apologize for being tardy with the details of a business deal, Fred snaps, "Listen, I'm going to be in New York on Wednesday and let's get it done, do you understand, No, I won't have lunch. You're not fit to eat with."

A secretary interrupts to say that George Jessel is on the line.

"Yeath, what is it?" Fred barks into the phone. "I'm fine. Is that all you want to know. Well, I'm fine. You should feel so good, you old coot. Listen, I'll talk to you later. . . ."

To an eavesdropper unfamiliar with the ways of Freddie Mann, the man's actions might seem appalling. Those around him every day merely get a chuckle out of it. He has a keen interest in just about all the folks he deals with and a genuine fondness for most. He may bark and snarl, but deep down, he is a giant softy just looking, often begging, to be squeezed.

Shortly before noon, he is forewarned that a man from Scotland will be arriving, hoping to sell Mann on the idea of promoting a youth cultural festival at the Dell in 1982.

Fred is told that the man may also be looking for some big-bucks backers, to which he snarls, "We solicit funds, we don't provide them. Why don't he tap one of his own Scotch outfits? Nah, that's no good. You can't have a Johnnie Walker Youth Festival, can you? Send him in."

The man from Scotland made a detailed and noble presentation, something about a bunch of kids from all over the world competing in classical musical competitions, and Fred took it all in. In his inimitable, curt fashion, he barked about costs, the nonprofit philosophy of the Dell and the fact that he would have nothing to do with fast-buck operators. To test the man's credibility, he rattled off a list of his highly placed Scottish and English friends and carefully gauged the man's reactions.

It all went well, however. In a matter of minutes, Fred was able to cut through all the fat and gristle, strip off the meat of the matter and leave only the bone. While he made it clear that he would have no part in any financing, he made it quite apparent, too, that he and the Dell would be most eager to do all else necessary to pull off such a festival. The man from Scotland was enthralled.

"I got no time for wheeler-dealers," he said later, "but, if I sense somebody is out for nothing more than to accomplish something worthwhile, I'll listen. Hell, I'll not only listen; I'll turn into a pussycat. I'm the biggest soft touch around."

And certainly the most active. Lunches are almost always eaten at the Locust Club, where he also will spend a good part of this afternoon either conducting business or playing gin with a few cronies.

During the summer, he spends most evenings at the Dell, administering to every detail and personally attending to the comforts of his star soloists and freebie patrons alike. During the actual concert, he spends most of his time in the remotest reaches of the grassy amphitheater asking his nonpaying clients if they are enjoying themselves.

"My objectives with the Dell have always been threefold," Mann explains. "Number one, I wanted to make the music available to the masses. This was accomplished when the city agreed to match the funds we were able to collect from our private donors. As a result, anyone can come to a concert simply by clipping out a coupon in the newspapers and sending it in for a ticket. Up to 10,000 people a night can come in that way.

"And, secondly, I wanted to support the Philadelphia Orchestra. The Dell provides

it with a summer outlet. Or, in plain words, another eight weeks of employment. Although I am most proud of the free-admission thing, I think the survival of the Dell has also meant the survival of the Philadelphia Orchestra, at least as far as staying in Philadelphia is concerned.

"And third, well, the Dell is providing the community with another worthwhile leisure-time activity."

Through it all, the guy has had to endure a goodly measure of criticism. His original Dell on the east side of the river was rapped for its poor parking, slummy environment, and the fact that sometimes you couldn't hear the oboes for the expressway traffic.

Later, when the new Dell was opened over on St. Georges Hill, the music critics knocked the acoustics while various social commentators were appalled over the way the "paying" customers sat in covered luxury while the freebies rolled in the grass.

Fred was running a modern-day version of the Old Vic, the critics said. Mostly, though, Fred is always getting rapped for passing off the Dell as his own private domain. And now that it is about to become the Mann Center, that is just like putting gasoline on the fire.

To criticize him is to find his Achilles Heel. Utter one derogatory word about his, yes *his*, concert facility and you can puncture that tough, hard-nosed exterior just as a surgeon wields his scalpel. He'll fight back in those blustery, raucous tones of the baseball dugout, but, deep down, you've hurt him significantly.

"There can be no question that it is *his* Dell," says Bob Crawford, the recreation commissioner. "Without him, I don't see how it could exist."

It is probably impossible even for Fred Mann himself to estimate how much of his own wealth he has pumped into the Dell down through the years. He has made considerable direct contributions, has paid for full advertising campaigns out of his own pocket and has paid the fees and expenses for musicians countless times.

And because of him, many of the world's greatest musicians perform here strictly out of loyalty and many for no fees at all. The late Lauritz Melchior, for example, would often appear as long as Fred could come up with two five-pound lobsters and a case of National Bohemian beer. And there are dozens of performers who work here to repay a favor. Many of them, for example, received their training and education because it was Fred who picked up the tab.

To keep the greats happy and eager to return, Fred treats them first class. He provides them with luxury accommodations or, if they choose to stay with him in his spacious apartment in The Barclay, super-luxury accommodations. He provides a limousine and opens his own home to them for rehearsals. While such amenities are rather common for the stars of the rock music industry, they are genuine treats for classical performers.

But even among his dear friends, the musicians, Fred often emerges as a James Cagney among a pack of Boy Scouts.

"Fred really doesn't know how to be a bad guy, maybe that's why he tries to act like one sometimes," says a close associate. "He reminds me of my Jewish grandfather who would holler and scream at me about playing in the street and then, when the tears started to form, he'd take me out and buy me a giant ice cream cone."

Freddie Mann's harsh voice is inherited from his mother, Ginny, who is also responsible for steering him into classical music.

"She wanted to be a stage mother, I think," says Mann. "She was the boss and, so, when she said we've got to buy the boy a piano, my father had no choice but to go

out and buy a piano. We were living in New Haven (Conn.), and by the time I was 12 I was commuting to New York for lessons. She had great expectations."

Whatever Fred's skills at the piano, they were pretty much dashed when he was severely injured when a bicycle he was riding was struck by an automobile. His arms were so badly torn up that, for years, he could barely move his fingers to reach the keys and the extreme ends of the piano.

"A blessing in disguise," Mann says now of the injury. "It was a time to take stock of myself. The truth was that I didn't have great talent. At best, I would have ended up playing a little jazz or something in a bar. Anyway, my folks sent me off to college and I was able to do a lot better for myself."

First to Yale, then later at Penn's Wharton School; then a first marriage and entry into the booming paper-container industry. The marriage fizzled, but that was not the case with Fred's business drive. "Suddenly," he recalls, "industry needed boxes. It was a marvelous period in time to be someone able to supply them."

Fred became a Philadelphia city representative and the ambassador to Barbados, among scads of other things, all the while keeping his nose and checkbook in close proximity to Robin Hood Dell.

During his heyday, he belonged to five country clubs and numerous social clubs, and dashed off to Paris as though it were a stop on the Paoli local. When Israel called, he responded, most notably with the building of the country's first major concert hall, now appropriately called the Fredric R. Mann Auditorium.

Lately, Freddie has dropped his country club memberships from five to one; otherwise there's been little let-up in his daily routine. Once or twice a week he attends sporting events: The Phillies in summer, the 76ers or Flyers in winter.

His days end around three in the morning or when the last good late show flickers off the TV screen. He watches late movies religiously. Seven hours later he is on the way to his office to begin another day of snarling.

"My father was 91 and still going strong when he died an accidental death," he says, "so it runs in the family. It's like Eugene Ormandy says. Maybe the only smart thing he has ever said, in fact. 'When you retire, you die in six months.' Anyway, it's all numbers. I'm 75, but I feel 50. Maybe 60."

Periodically, Freddie must check himself into a special diet program at the Duke University Medical Center in Durham, N.C. Just the other day, he was on the phone making plans for his next visit.

"I need a better accommodation than the last time and, listen, the service down there wasn't so hot last time either," he snarled. "Who's going to take care of me? Who's he? Well, what about a rental car? Yeah, a rental car. I go stir crazy if I'm around you people all day long. What's that? You've got a what? Hey, that's really something!"

"Freddie the Terrible" hung up the phone and paused for a moment. Then he said, "Well, I'll be a son of a gun. They've got a Lincoln Continental down there for me."

He was almost in tears.

#### **ACROSS-THE-BOARD REDUCTION IN TAX RATES WOULD STIMULATE ECONOMY AND CURE BOTH INFLATION AND RECESSION**

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

Mr. KEMP. Mr. Speaker, it is increasingly apparent the official mascot of the Carter administration's economic pol-

icymakers is the "scapegoat." According to the Director of the Council on Wage and Price Stability, the administration blames inflation on "the American people." Now we are to understand that OPEC is to blame for singlehandedly causing our recession.

Both inflation and recession, in fact, are caused only by misguided Federal economic policies. Put briefly, the Government is devaluing the dollar. This dollar inflation coupled with steeply progressive tax rates results in a huge tax increase which is a main cause of our economic decline. Current 13.4-percent inflation is pushing all Americans into higher tax brackets and increasing income taxes at a rate of 21.4 percent in 1979 and God only knows for 1980 and 1981.

The Congressional Budget Office today released the "updated" economic forecast we have been hearing so much about in the press. It confirms what my constituents already knew—we are in recession, and a lot of working Americans are about to lose their jobs.

The CBO forecasts that under current economic tax and monetary policies, probably 1.7 million and possibly as many as 2.3 million American workers will lose their jobs by next year. To my friends from New York City, I would point out the tragic human consequences of more unemployment.

As I pointed out during the debate on the first budget resolution for 1980, such a rise in unemployment would widen the budget deficit by \$32 to \$42 billion. In other words, unless we act quickly to prevent the rise in unemployment, we will have a \$55 to \$65 billion deficit on our hands next year, and we can kiss the balanced budget goodbye.

In 1963, a Democratic President went before the American people in a similar situation and said that "the main roadblock to full employment without inflation is an unrealistically heavy burden of taxation. The time has come to remove it."

President Kennedy proposed a deep, across-the-board reduction in the tax rates of all Americans.

As a matter of fact, when the cuts were enacted, there were no "transitional deficits." In the course of a 30-percent cut in tax rates over 2 years, never at any time did the deficit increase. More people working meant more revenue and less spending on unemployment and inflation went down, not up.

Once again we need at least a 30-percent, across-the-board cut in tax rates. The bulk of these cuts must go to both labor and capital in the form of lowered marginal income tax rates. Unlike tax rebates or tax credits which merely stimulate demand, marginal tax rate reduction, in President Kennedy's words, provides the powerful supply side "incentive of additional return for additional effort."

If we wish to fight inflation, avoid recession, and balance the budget, there is only one way to do all three—with incentives for employment, saving, investment, and production to get this country moving again toward prosperity. En-

couraging supply and production reduces inflation, and holding down unemployment will enable us to balance the budget.

Unless we act now, it will soon be too late, specially for 2 million soon-to-be-unemployed American working men and women. Unemployment is no answer to inflation. Sound monetary policy coupled with lower tax rates on workers and investors will help America produce its way out of both inflation and recession.

#### **RESOLUTION INTRODUCED TO PROMOTE SOLAR DOMESTIC POLICY**

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

Mr. OTTINGER. Mr. Speaker, in his April 5 energy message, and again on June 20 with the release of his policy initiatives on the Solar Domestic Policy Review, President Carter proposed additional tax credits for solar energy investments. It is clear that such credits will help move solar energy's usage forward quickly, particularly at the 20-percent levels now proposed.

Congress must act quickly on this matter—especially as the problems of petroleum supply and prices continue to worsen—and must act to make the tax credit retroactive to April 5.

By making the credits retroactive, people making investment decisions over the next few months would have substantially more certainty; this approach is comparable to our approach to the tax credits contained in the National Energy Act, where they were retroactive to April 20, 1977, when the President first proposed them.

With the goal of increasing interest in the solar tax credits and of pressing for early action by the Ways and Means Committee, a number of my Science and Technology Committee colleagues, including our distinguished chairman, Mr. FUQUA, have joined with Ways and Means member JOE FISHER in introducing today a resolution expressing the sense of the House that early action is essential.

We will be adding names to the cosponsors' list through next Wednesday, July 18, and I hope that my colleagues will give serious consideration to joining with us in our efforts to get action on the solar tax credits.

#### **H. RES. 355**

Whereas solar energy is an essential part of the Nation's energy future; and

Whereas the solar energy tax credits proposed by the President on April 5, 1979 are necessary to encourage the use of such systems; and

Whereas uncertainty over such credits, when they might be enacted, and their effective date if enacted, will impede investments in solar energy; now therefore be it

Resolved That it is the sense of the House of Representatives that the Congress should promptly enact legislation providing solar energy tax credits with such credits to be available for expenditures made after April 5, 1979, the date upon which the President proposed such credits to the Congress.

#### COMMORATING THE TRIALS OF SHCHARANSKY AND PETKUS

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

Mr. FASCELL. Mr. Speaker, a year ago this week, an outraged world protested the travesty of justice that was occurring in the U.S.S.R.—the simultaneous trials and convictions of human rights activists Anatoly Shcharansky, Aleksandr Ginzburg, and Viktoras Petkus. That our protests were not in vain was evidenced by the early release of Moscow Helsinki Monitor Aleksandr Ginzburg, who was included in the April prisoner exchange between the United States and the Soviet Union. While we are deeply gratified that Ginzburg is no longer imprisoned in the U.S.S.R., we deeply regret that his colleagues in the Helsinki Monitoring Groups still languish in the Soviet Gulag. On this, the first anniversary of their trials, I want to reiterate my concern as well as the determination of the American people and the Congress to seeing Petkus and Shcharansky freed.

Recent reports on the situation of these two men indicate the necessity to continue and, indeed, intensify the struggle for their freedom. Shcharansky's health is deteriorating to the point where his mother fears that he is in danger of losing his eyesight. Petkus, who is incarcerated in Chistopol prison in the same cell as Shcharansky, is also suffering from a variety of ailments, brought on by the deplorable conditions under which both men must live and work. While the Soviet authorities have only allowed Shcharansky one visit from his mother in nearly a year, Petkus has no close relatives to visit him and, thus, is completely isolated.

The details of the activities of these two courageous men which led to their arrest and imprisonment need not be repeated here. My colleagues are already familiar with the selfless actions Jewish refusenik Anatoly Shcharansky performed in behalf of fellow refuseniks, human rights activists, and other oppressed minorities. The work of Viktoras Petkus, a leader in the Lithuanian Catholic movement, is also well-known. That the efforts of Shcharansky and Petkus, founding members of, respectively, the Moscow Lithuanian Helsinki Monitoring Groups should be deemed "anti-Soviet" by the Soviet courts is, in itself, a telling indictment of the sorry state of human rights in the U.S.S.R.

It is necessary, however, to emphasize the widespread sympathy and concern the plight of these two men has evoked here and abroad. That this concern will not dissipate with the passage of time must be made clear to the Soviet authorities. I urge my colleagues to take every opportunity to remind the Soviet Government of our ongoing interest in the fate of Shcharansky and Petkus, as well as the other imprisoned Helsinki Monitors. Such actions will help to reassure the families and friends of Viktoras Petkus and Anatoly Shcharansky that they will not be abandoned.

#### EMMA HART WILLARD, 1787-1870

(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, in the Jacksonian era, there was great emphasis on democracy. Males were encouraged to get an education and become more responsible voters. Since women could not vote, education for females continued to be ignored.

When she was 17, Emma Willard began to dream of a school of her own—a school for girls. Her plan horrified many people who were certain that if women tried to learn the same subjects young men did, their health would be ruined and they would not be good wives and mothers.

Throughout most of the 19th century, women's education lacked significant public support. The education of women at the secondary and junior college level was largely undertaken by female seminaries. In 1819 Emma Willard presented to Governor Clinton of New York her "Plan for Improving Female Education," which included her plan for a girls' seminary. In 1821 she opened the Troy Female Seminary in Troy, N.Y.

Emma Willard was an effective pioneer in a tremendous revolution—creating educational opportunities for young women.

#### TRIBLE INTRODUCES DEATH PENALTY BILL

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. TRIBLE) is recognized for 10 minutes.

Mr. TRIBLE. Mr. Speaker, we all remember the headline: "Judge in Drug Case Murdered in Texas."

It happened on May 29. A Federal judge, John H. Wood, Jr., was shot to death in the parking lot of a fashionable condominium complex in San Antonio.

Judge Wood was known for the tough sentences he imposed on narcotics smugglers. He was preparing to try one of the major suspected American smugglers of South American cocaine and marihuana.

Judge Wood's murder was clearly premeditated. Premeditated murder is usually punishable by death. However, if his killer is ever prosecuted by Federal authorities, the severest sentence he could receive is life imprisonment.

The murder of a Federal judge is a Federal crime, but there is no effective Federal law to impose capital punishment. That was struck down by the U.S. Supreme Court on July 2, 1976. Although the capital punishment laws of several States—including my own State of Virginia—have been judged to be constitutional, a workable Federal death penalty statute has yet to be tested.

Today I have introduced such a bill. My bill provides for the death penalty for the Federal crimes of murder, treason, espionage, and sabotage.

Briefly stated, my bill would establish a constitutional procedure by which persons convicted of a Federal

capital crime could be sentenced to death by a judge. Once a person plead guilty to or was convicted of a Federal capital crime, this legislation would require the judge who presided at the trial to hold a special hearing to determine if the defendant should be executed or receive some lesser sentence. (Unlike S. 114, this bill would not delegate to the jury the responsibility for passing sentence on the defendant. This responsibility would be vested solely in the judge—as it is with all other Federal crimes.) Establishment of this special hearing would be an addition to the present Federal sentencing procedure. Persons cannot be sentenced to death by Federal courts today because the Federal criminal code does not provide for such a special hearing. Enactment of my legislation would fill this gap.

At the hearing, the attorneys for the Government and the defendant would be allowed to introduce any evidence which might be relevant to the sentencing of the convict without regard to the Federal rules of evidence. Since this hearing would be a proceeding in which both sides would be allowed to present evidence and arguments, no presentence report would be filed. However, to assure that the defendant is given every consideration, this bill would require the attorney for the Government to present any evidence of which he is aware that is relevant to any of the statutory mitigating factors set forth in the bill. (This safeguard is not included in S. 114.)

Further, this bill would dispense entirely with the sentencing hearing and the possibility of a death sentence if the attorney for the Government stipulates that none of the statutory aggravating factors established by this bill are present in the case in question. (This safeguard is likewise absent from S. 114.) In presenting their arguments to the judge, both parties would bear the same burden of proof in establishing the existence of aggravating factors (in the case of the Government) and of mitigating factors (for the defendant). (This equal burden of proof is another significant difference between the Tribble bill and S. 114, which makes the Government bear the burden of proof beyond a reasonable doubt.)

Before the judge can sentence a person to death, the judge must make two affirmative findings. First, the judge must decide that at least one statutory aggravating factor applies to the defendant. Second, the judge must affirmatively find that any aggravating factors that are relevant to the sentencing of the defendant outweigh any mitigating factors that are relevant to the sentencing. (Unlike S. 114, if the judge makes an affirmative finding that an aggravating statutory factor is present and fails to find that any mitigating factors are present, the judge must sentence the defendant to death.)

As a procedural safeguard, this bill would require that the sentencing judge file with the clerk of the court a memorandum of decision stating the reasons for any sentence imposed. (S. 114 does not contain such a requirement.)

This bill establishes specific factors which the sentencing judge should con-

sider as aggravating or mitigating factors in setting sentence for the defendant. In addition, this bill allows the judge to supplement these factors with any aggravating or mitigating factors that the judge may find to be present in the case, although they are not listed as aggravating or mitigating factors in this bill. In fact, the judge could find in a particular case that the one or more statutory aggravating factors are present (thus fulfilling the first affirmative requirement for a death sentence) and decide against sentencing the defendant to death because nonstatutory mitigating factors outweigh the aggravating factors (statutory and nonstatutory) that are applicable. (S. 114 makes no provision for the jury or judge to consider nonstatutory aggravating or mitigating factors in sentencing—a possible constitutional problem.)

The bill would establish several aggravating factors from which the judge must draw in satisfying the affirmative requirement that a statutory aggravating factor is present. These factors include: Prior capital and felony convictions of the defendant, murder for hire, paying for a murder, substantial risk of death to others, heinous or cruel manner of the crime, extent of premeditation, intent to kill two or more persons, and murder of a Federal judge, candidate for Federal office, elected Federal official, or a foreign official. (S. 114 does not include as a factor intent to kill two or more persons—mass murder—and does not include murder of a candidate for Federal office—a new capital offense established by this bill. (S. 114 does include the additional factor of death occurring while attempting to escape from a correctional institution or while committing treason, kidnaping, explosion of interstate commerce, or skyjacking. All of these matters are covered in one way or more in the other factors and to include them again might constitute an unconstitutional double consideration of the same factor and the person next in the order of Presidential succession.)

In mitigation of the death sentence, the judge is required to consider the following statutory factors and any others which the judge may consider relevant: The defendant was less than 18 years of age, the mental capacity of the defendant was impaired at the time of the offense but not enough to constitute a defense to the crime, the defendant acted under duress, the defendant's participation in the crime was minor, and the defendant was unable to foresee the consequences of his actions. (The primary difference between S. 114 and the Tribble bill is the specific direction that the judge may consider factors other than those listed in the bill—S. 114 leaves this ambiguous and most likely in favor of no consideration of nonstatutory factors. In addition, S. 114 requires the court to consider the "youthfulness" of the defendant instead of fixing a specific age as a mitigating factor.)

The Tribble bill creates new capital offenses for persons convicted of killing a candidate for Federal office, sabotage where death results, and murder of a foreign official in the United States on

official business. (S. 114 adds only the latter crime to the present list of capital crimes.)

To protect the rights of the unborn, this bill would stay the execution of a pregnant woman.

If a judge does sentence a person to death, the sentence is subject to automatic review by the Court of Appeals (S. 114 makes such review discretionary). To assure that the appeal is not unduly delayed, this bill would require that the mandatory review be given priority over all other appeals except other appeals of a federally imposed death sentence. This appeal is in addition to any other appeal which the defendant may have as a consequence of the original trial, which appeal shall be consolidated with the mandatory appeal of sentence. (S. 114 makes consolidation of the appeals discretionary.)

This bill would require the appellate court to affirm the district court sentence unless it determines that: The procedures used in sentencing were contrary to law; the sentence was influenced by passion, prejudice, or any other arbitrary consideration; a clearly erroneous finding of an aggravating factor or non-existence of a mitigating factor affected the sentence; or the sentence is excessive. (S. 114 reverses the review procedure.)

The court of appeals must affirmatively find that the negative of all of the above were present in the sentencing of the defendant. This is the rough equivalent of requiring a completely new sentencing hearing at the appellate level. If the court of appeals finds the district court erred on any of the above points other than whether the sentence was excessive, the sentence is vacated and a new sentencing hearing must be held. The defendant may be freed from an original death sentence by a court of appeals only if the court of appeals finds that the original sentence was excessive. Otherwise, the defendant must proceed to a new sentencing hearing where all of the evidence would be considered again. (S. 114 would require reconsideration by the district court in all circumstances—no provision is made for the case where the appeals court determines the sentence would be excessive.)

To assure that appropriate records are maintained, the Tribble bill would require that the judicial conference maintain information on all capital sentencing cases for future reference (S. 114 makes no such requirement).

The Tribble bill amends existing statutes which would permit the death penalty in cases where death does not result. Among these offenses are the following: Espionage, treason, rape, bank robbery, and skyjacking.

That in summary is the Tribble bill.

As you can see, this bill is carefully constructed to protect the rights of both the defendant and society. For too long, we have centered our attention on the rights of the criminal and ignored the rights of the innocent, law-abiding citizen. My bill strikes a balance between the two.

I am convinced that the Tribble death penalty bill will stand the constitutional tests required by the U.S. Supreme Court,

because it is based on past court decisions and legislative attempts to fashion an effective capital punishment statute. If enacted into law, the bill would also serve as a model for similar laws to be adopted by the States. ●

#### LIMITING ENVIRONMENTAL SUITS AT NEW ENERGY PLANTS

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. WAMPLER) is recognized for 5 minutes.

● Mr. WAMPLER. Mr. Speaker, I think most all of us would agree that two energy crises—the present and the 1973 Arab oil embargo—have convinced us that we must reestablish our own domestic energy production system from our own natural resources. We must not make ourselves vulnerable to an oil cutoff or subject our people to outlandish energy prices imposed by people or countries outside our boundaries.

We have the natural resources to gain satisfactory control over our own national destiny and I believe we of the Congress are prepared to provide for new energy initiatives to accomplish what is necessary to attain these goals.

But, Mr. Speaker, there is a roadblock that could, has been, and is being imposed by a small minority that could thwart this effort. I refer to those who have, are, and will utilize our environmental laws and regulations to delay, hinder, and halt any proposal the President may send down to us from Camp David.

Mr. Speaker, I wrote the President yesterday to include in his national energy program similar provisions that Congress had to take to allow the building of the trans-Alaskan oil and gas pipeline.

The text of my letter to the President follows:

COMMITTEE ON AGRICULTURE,  
Washington, D.C., July 10, 1979.

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

DEAR MR. PRESIDENT: This is a follow-up to my letter of June 15 suggesting that you call an urgent Summit of National Leaders to develop a new energy policy for the country. I was pleased to learn from Frank Moore's reply of June 19 that you are taking this recommendation under consideration.

During my trip over the 4th of July work period to the 9th Congressional District which I represent, I became even more convinced that people are demanding a solution to the energy crisis gripping this nation.

I am also convinced that success in this endeavor can best be achieved from a program which balances on the one hand a rapid increase in production of all forms of domestic energy resources (oil, natural gas, coal, synfuel, nuclear, gasohol, solar, etc.) with, on the other hand, a reasonable program of conservation in the use of these energy resources, especially imported fossil fuels.

As you well know, the biggest drawback to any successful energy policy lies not with the will of the people to get behind a meaningful program, but rather with a few, well-intentioned individuals who utilize to the fullest the laws of the land, the mountains of regulations and the courts to thwart such efforts. Similar problems developed, as you may recall, with the Alaskan pipeline prior to

enactment of the Trans-Alaskan Oil and Gas Pipeline Authorization Act (Title II, Public Law 93-153). In that case, however, Congress limited the National Environmental Policy Act of 1969 and the judicial review of all other actions pertaining to the construction and completion of that vital pipeline. As a result, the pipeline was completed.

To preclude undue delays in the development of specific projects to increase domestic energy production which might be contained in your recommendations to the Congress—such as converting electric power plants from oil to coal, opening new coal mines, citing and building new syn-fuel plants, constructing gasahol plants, increasing capacity at existing oil refineries or bringing already approved nuclear power plants on line after new safety laws are adopted and implemented—I respectfully recommend that your new national energy program include similar provisions to Title II of Public Law 93-153. I would also recommend that any such provisions, which would severely restrict judicial review and the environmental laws, be limited to the period of the emergency required to set our domestic energy production house in order—that is not more than ten years.

We can—and we must—achieve the energy independence you have called for, Mr. President, and I am convinced this is the only way to do it.

Sincerely,

WILLIAM C. WAMPLER,  
Member of Congress.●

#### ENERGY NOW AND IN THE FUTURE

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 10 minutes.

● Mr. FINDLEY. Mr. Speaker, an energy policy for the United States must look into the future while it provides for the present. America must prepare for the inevitable day when the oil wells of the world run dry and have alternative energy sources ready. At the same time, we must see that our people have adequate supplies of petroleum now at fair prices. In the years immediately ahead oil will continue to be the best source of energy for many uses in an industrial society with a high standard of living. Our national energy policy must be forward looking and visionary while simultaneously current and practical.

With those goals in mind, Mr. Speaker, I am offering for the consideration of my colleagues several important steps that can be taken to expand energy production and availability and conserve what we already have. I realize that other Members of Congress are also developing energy policies, as are the congressional committees assigned to this subject and the administration. Yet energy is certainly important enough to warrant careful consideration by every public official. Thinking through the energy problem has focused my attention on difficulties and opportunities and helped prepare me for the decisions I will have to make as energy questions come before the House.

My research and analysis leads me to the conclusion that a national energy program with any hope of meeting both present and future needs must contain these five action directives:

First. Diplomatic activity to assure

adequate supplies of foreign oil at fair prices.

Second. Increased domestic oil exploration and development to reduce U.S. dependence on foreign oil.

Third. A strengthened competitive private market for oil in the United States to hold prices down.

Fourth. Reasonable energy conservation measures.

Fifth. Development of nonpetroleum energy sources to lessen our need for, and eventually end our dependence on, oil.

Mr. Speaker, I would like to take a look at each of these recommendations, reviewing the nature of the problem, what has been done to date, and what needs to be done.

#### THE DIPLOMATIC FRONT

Our current energy crisis stems from a sudden reduction of imports from the oil-producing countries of the Middle East, particularly Iran. But declining production and skyrocketing prices go back to 1973.

Import reduction and high prices are directly related to the United States foreign policy in the Mideast. Our oil trade with the Organization of Petroleum Exporting Countries (OPEC) has become intensely politicized. What was previously a purely economic matter involving only the buying and selling of oil has, since the 1973 October war in the Middle East, become embroiled in the powder-keg politics of that area.

The oil embargo of 1973 gave Americans their first taste of long lines at gas stations. Arab states stopped selling oil, because the United States airlifted weapons to Israel while Israel fought to keep the Arab land it captured in the 1967 war.

As soon as U.S. jets began landing in Israel, the OPEC nations imposed an oil embargo against the United States. Before the airlift oil supplies were abundant and the prices of oil were reasonable.

In June 1973, Arabian light oil sold for \$2.90 a barrel. By January 1974, just 6 months later, that price skyrocketed to \$11.65 per barrel—a 400-percent increase. Thereafter, it has steadily increased to \$12.70 in July 1977, \$13.34 in January 1979, \$14.55 in May, and \$18 to \$24 at present.

Arabs are preoccupied with the plight of the Palestinians and Israel's willingness to return lands occupied in the 1967 war. This has had a profound impact upon their oil pricing and supply policies. And, so far, the United States has not been able to cope with the economic and political problems this has presented.

The OPEC countries have recognized that, despite their upward pricing policy, the United States has been unable to limit consumption, conserve energy, and cut back our oil imports. In fact, at a time when domestic oil production is dropping, our consumption of oil has continued to soar from approximately 14 million barrels a day in 1973 to over 19 million barrels a day in 1979.

All that increase must come from abroad, most from OPEC members and

much from the Arab countries. Thus, for the Arab oil-producing countries, oil has become a very effective politico-economic weapon, in some ways as effective as U.S. military might.

Sheik Yamani of Saudi Arabia contends that the most recent price increase had nothing to do with the signing of the Egyptian-Israeli peace treaty, yet he did emphasize that Saudi Arabia favored a "total solution" to the Middle East crisis and that the peace accord did not fill this requirement. After 6 years of high prices and ever tightening supplies, it should now be clear to Americans that a change in our Mideast policy will encourage the oil producing Arab States to continue sending us oil.

Clearly, if our energy problem is to be solved, we must pursue a just settlement of the Middle East problem, one that allows Palestinians to determine their own future. To date, we have steadfastly supported the Israeli occupation of Arab lands taken with U.S. military weapons (tanks, aircraft, ships, and guns) in 1967.

More than a million and a half Palestinians were made homeless. These people must be allowed to return to their land and, together with those Palestinians still in the occupied areas, determine their own future.

A comprehensive settlement in the Middle East is also in the best long-run interest of Israel. Surrounded and outnumbered by Arabs, Israel will not always be able to count on military superiority. The earlier the peace, the better for Israel. The human and material costs of maintaining itself as an armed camp amounts to a tremendous strain on the Israeli economy.

In recent years I have met with various Arab leaders, including the Palestine Liberation Organization's chairman, Yasser Arafat. I have noted a growing willingness among Arabs to accept Israel as a permanent state in the Middle East.

At a Damascus meeting I had with Chairman Arafat and two other PLO officials in November 1978, the chairman said that if Palestinians were allowed to form a state on the West Bank and Gaza with a connecting corridor, the PLO would not try to increase the territory of the Palestinian state through the use of violence.

Chairman Arafat did say that he would want to be free to use democratic and diplomatic means, but even so, his statement showed a flexibility one would hardly have expected from the PLO leader just a few months earlier. In the event of the creation of a Palestinian state, Israel should not have to rely for its security on promises. The United States can help guarantee Israeli security by treaty and the establishment of a base in or near Israel, if this is agreeable to the principal parties.

My conversations with Mr. Arafat convince me that the United States should begin discussions with this representative of the Palestinian people. We could make important progress toward a peaceful settlement. Without participation of the PLO, and without self-determination for the Palestinians, I am con-

vinced that the bloodshed and loss of life in the Middle East will only increase.

That would be bad enough. But also, unless the Palestinian problem is solved, no Arab nation will be enthusiastic about helping the United States solve its energy problem. It is as simple as that, and it is time Americans wake up to that reality.

#### DOMESTIC OIL DEVELOPMENT

The United States has already found and tapped most of the easy-to-drill oil under our land and coastal areas. Proven domestic crude oil reserves have declined from 39 billion barrels in 1970 to 27.8 billion barrels today. If we were to rely on domestic oil with no oil imports and no new oil discoveries, at our present consumption rate of about 19 million barrels a day we would find ourselves out of oil in just a little over 4 years.

That dismal projection shows that the United States will continue to need foreign oil in the foreseeable future. The shortage of known domestic oil reserves also means we must locate and exploit new sources of domestic crude oil to purchase valuable time for developing nonpetroleum sources of energy.

The economics of oil exploration are well known and established. Drillers can never be sure oil lies under the ground or ocean bottom until they drill for it and bring it to the surface. Exploration wells are expensive, and 8 out of 9 end up dry. Wildcat drillers and large companies alike drill only because they know that one good gusher can pay for all the dry holes and still yield a profit.

The major incentive to oil explorers is still the profit motive. The price of oil in a free market must be sufficient to stimulate enough new oil finds to keep supplies strong enough to meet demand. The President has begun gradually removing domestic crude oil price controls. That should result in price incentives that will encourage exploration. The Congressional Budget Office estimates that price decontrol will increase production by 405,000 barrels of oil per day by 1985.

It is important, however, to take a close look at a related administration policy—a windfall profits tax on the oil industry. A windfall tax tends to diminish the incentive that removing price controls would create. Windfall taxes also take away capital from the oil industry that could be used for oil exploration.

A windfall profits tax should definitely not apply to new oil that is discovered and brought into production in the future. Removing the profit motive would significantly discourage the vigorous exploration for new oil we so desperately need.

Congress could use the tax system in other ways to help solve our energy problem. A great incentive for energy production and conservation would result if Congress would provide an accelerated writeoff for any capital investment which would have the effect of boosting oil production, finding new sources, or conserving existing energy supplies. I suggest that a full writeoff be allowed within 2 years.

Selective policies which stimulate, or at least do not inhibit, production should be the key to taxation of the oil industry. Used carefully and wisely, I am convinced such policies will help us deal effectively with our Nation's energy shortage.

#### COMPETITION WITHIN THE OIL INDUSTRY

To increase competition in the oil industry I have introduced H.R. 4585 to require that crude oil and refined products be sold through Government supervised public auctions. Under my bill all crude oil used in the United States, regardless of origin, would have to be sold in a commodity market auction, similar to those used for agricultural products. The first sale by refiners of their gasoline and other finished petroleum products would also be by public auction.

This would mean that Exxon, Shell, and all other crude oil producers and importers would have to sell all of their crude through competitive markets open to all bidders. Refiners, whether Exxon, Shell, or one of the independents, would have to buy all of the crude they make into gasoline and fuel oil entirely through these auction markets and sell the gasoline and fuel oil they produce in the same way.

Major oil companies and independent distributors—in fact virtually anyone—would be able to buy gasoline and other petroleum products at the auction. This would assure that all dealers, whether affiliated with major oil companies or independent, would have an equal chance to buy fuel for their service stations.

Under my bill the auction markets would be regulated, like other commodity markets, by the Commodity Futures Trading Commission.

Frankly, the purpose of my bill is to strengthen competition in the oil business. Many people, believing that a few big oil companies have a monopolistic stranglehold on the industry, are calling for divestiture—a Government-ordered breakup of the big firms.

Divestiture would mean that companies drilling and shipping crude oil could not also refine and retail it. However, divestiture is a long agonizing legal process that could take decades to accomplish.

My bill would have all the advantages of divestiture and none of its disadvantages. Public auction markets could be set up swiftly with minimum inconvenience to the industry.

An even more extreme measure that some people favor is nationalization of the oil industry—Government takeover, ownership, and management. The inefficiency of the postal system should be answer enough to that proposal. The Federal Government should not take over the oil business.

The chief advantage of a public auction market for oil and its refined products would be to insure everyone equal access to supplies of gasoline, diesel fuel, and other oil products. This would encourage new business enterprises to organize in all aspects of the petroleum industry.

Today many Americans simply do not believe the oil shortage is real. They as-

sume that the oil companies have withheld crude oil and gasoline in order to take advantage of higher prices later on.

In many areas gas stations have shortened hours, because they cannot get enough gasoline to sell. Lines have gotten longer during the few hours they remain open, and frustration is mounting.

It is clear that the Department of Energy has been unable to solve the problem or even to explain it to the satisfaction of most people. Evidence suggests that Energy Department regulations may have actually made a bad situation worse.

The auction market for gasoline and other refined oil products would help dramatically. Every corner gas station would be able to get through the auction market its fair share of the gas that refineries produce.

Auction markets for crude oil and refined products would insure all refiners and distributors equal opportunity to secure the supplies they need.

These auctions would place industry operations before the full view of the U.S. Government and the American people. As it now stands, most of the oil drilled in the United States or purchased overseas is controlled by eight major companies until company dealers sell it at the pump. Most of the information we have about that oil and its products comes exclusively from those companies.

These major companies are vertically integrated. A single company like Exxon drills for oil, transports it, refines it, and then distributes it to contracted retail dealers or company-owned stations. It would be the same if the big three auto makers not only built and sold cars but also dug the iron ore and made the steel for their cars. Vertical integration allows monopoly profits and control of supplies.

Public auction sales, on the other hand, would generate reliable data on prices and volumes, both before and after refining. And the Government would gather information to estimate future production to facilitate the trading in futures which occurs on commodity markets.

Such information would make it relatively easy to detect attempts by large oil companies to take advantage of their monopoly.

I first proposed a public auction market for oil during the shortages caused by the oil embargo in 1973. It was a timely idea then, but it is even more urgently needed now, in view of the administration's decision to deregulate the price of domestic oil.

Under present price controls, a complicated entitlement program requires the major oil companies to share crude oil with independent refiners. As price controls are removed, a mandatory public auction market for oil will assure access to supplies for independent refiners at fair prices, without the need for Government directed allocations.

Summed up, establishing mandatory public auction markets for oil and oil products would assure competition within the oil industry conducted in full public view. Consumers would be assured they were paying for gasoline and heat-

ing oil what is required by the economics of the marketplace.

#### REASONABLE CONSERVATION

A national energy program must include reasonable oil conservation measures. But we cannot look to conservation as a primary, long-term solution to our energy shortage.

Abundant oil and other forms of energy have allowed the United States to provide the highest standard of living in the history of the world. Take the automobile, for instance. We burn over a hundred billion gallons of gasoline a year to keep our cars going. Yet the automobile provides us with a degree of personal freedom and mobility never dreamed of by our ancestors and unparalleled in any other country.

Millions of Americans live in comfortable suburban and country homes with spacious yards. Our cars make this dispersion of our population from crowded cities possible by giving us a convenient way to get to work, schools, stores, and entertainment events.

Automobiles open to everyone parks, historical sites, and recreational opportunities from coast to coast. Additionally, an industry of restaurants, motels, and amusement centers that provides millions of jobs developed because of the automobile and our modern highway network.

Our lives are greatly enriched, because the average American has a means of individual, personal transportation. Small wonder we take great pride in our automobiles. We may have to curb automobile use somewhat for a while, but our national goal should be to preserve and increase our standard of living and transportation, not to lower it.

For that reason gasoline rationing must be avoided, except during a grave national emergency. Gasoline rationing is not really an energy policy. Rather, it would mark the failure of a national energy policy.

Temporary gasoline conservation measures short of rationing may play a limited role. Cutting the hours service stations are open, assigning drivers alternate days to fill up, restricting tank topping, and closing stations on weekends have all been suggested by the Carter administration. These inconveniences disrupt our work and private lives. They should be only temporary until adequate gasoline supplies can be restored. In a sense, like gas rationing, their prolonged use marks the failure of a national energy policy.

We should, of course, take reasonable, long-term conservation steps. Americans can consolidate their trips to town and use car and van pools to get to work. And automobile manufacturers can be encouraged to develop lighter, more fuel-efficient cars.

Parallel steps to conserve fuel oil also are possible. To counter short-term heating oil shortages we can lower thermostats in the winter and run air conditioners less in the summer. But comfortable indoor temperatures are as much a part of our living standard as is the automobile. Better insulation promises a more reasonable, long-term answer

to conserving energy in homes and buildings.

I introduced legislation providing a tax credit for home insulation early in 1977. Congress finally passed such a bill last year. Under it, homeowners can take a credit on their Federal income tax for 15 percent of the cost of insulation and other energy-saving improvements, up to a maximum credit of \$300. The law also allows a credit for the cost of installing solar heating devices—30 percent of the first \$2,000 and 20 percent of the next \$8,000, up to a maximum credit of \$2,200.

An especially needed step to encourage conservation would be to require an energy impact statement for each new proposed Federal regulation on energy use. This would be similar to the environmental impact statements already required.

Environmental impact statements force officials to take a hard look at any adverse effects on the environment a proposed project may have. By the same token, Federal regulators should be required to take just as hard a look at whether their rules force the use of more energy or shift use from an abundant, nearby source to a scarce or far-away source. I am sure many proposed regulations would be dropped or modified if the energy consequences were brought to light. That would help conserve scarce energy.

It would be too optimistic to expect reasonable energy conservation measures actually to roll back national oil use, but they can help stem the rapid growth in our use of oil. Since the 1973 oil embargo, for instance, American oil consumption jumped from 14 million barrels of oil a day to the present rate of 19 million barrels a day. Conservation can help slow our climbing energy needs, but the real answers must come through securing the additional oil we need in the short run while developing alternate sources of energy for the long run.

#### ALTERNATIVE ENERGY SOURCES

A greater use of coal offers the most immediate and promising alternative to oil as an energy source. Known coal reserves in the United States are estimated at 438.3 billion tons, large enough to last for 200 or 300 years.

The first step to greater coal development is to encourage the use of coal instead of oil in generating electricity and running factories. To that end I wrote the President in April and urged him to order the U.S. Environmental Protection Agency to abandon proposed new air quality standards that would have made much of the coal in the United States and most of Illinois unusable.

If the EPA action were to go unchecked, I told the President, a valuable energy resource would be threatened and thousands of coal miners would be thrown out of work. The EPA proposal would have lowered the standard for sulfur dioxide emission from new powerplants and factories from 1.2 pounds per million Btu's on an annual average to 0.55 pound. That would have meant that more than 60 percent of the

coal reserves in my congressional district would have become useless, because of their higher sulfur content.

The proposed regulations would have required the city of Springfield, Ill., to ship coal into Illinois by truck and train, despite the fact that the largest coal mine in the United States is located just a few miles from Springfield. Since western coal is more expensive to start with and shipping cost would increase the price still further, the new EPA regulations would have added more than \$100 a year to individual consumer electric bills in my district. In addition, requiring the unnecessary shipment of western coal to Illinois would have wasted scarce liquid fuel necessary to power the trains at a time when we should be doing everything we can to conserve such fuel.

Fortunately EPA backed down and the new standards announced May 25 proved reasonable. Coal industry spokesmen feel that most high-sulfur U.S. coal will remain usable. The new EPA standards retain the requirement of no more than 1.2 pounds of sulfur dioxide per million Btu's. They add a requirement that new plants using high-sulfur coal must reduce sulfur dioxide emission by 90 percent and those using low-sulfur coal by 70 percent. Expectations are that the EPA standards will allow us to use coal effectively while still giving reasonable protection to our environment.

Another initiative to keep Federal environmental standards realistic and reasonable is my bill to prevent the Environmental Protection Agency from classifying fly ash and slag as hazardous wastes until detailed studies on the safety of these materials are completed. My bill will promote the recycling of such combustion byproducts generated from burning coal.

EPA admits it lacks information on the degree of hazard, if any, posed by fly ash and slag, and acknowledges that any potential hazards are relatively low. Yet EPA persists in writing regulations that would add \$1 billion over a 3-year period to the cost of producing electricity, costs which will be passed along to consumers. This would discourage utilities from using our abundant coal to produce electricity.

Currently, large quantities of fly ash, bottom ash, and slag, created by the burning of coal and other fossil fuels, are used extensively as a concrete additive. As a supplement, they can reduce the cement content between 10 and 30 percent, thereby lowering costs. In addition, these materials contribute to the strength, water tightness, and durability of concrete.

In several areas of the country, including my district, substantial quantities of ash are used in road work to construct pavement bases and subbases. Fly ash can also be used:

In brick manufacturing to replace clay.

In the manufacture of roofing felt.

To absorb oil spills.

For grouting.

As a filter medium for water purification.

In 1978, it is estimated that 68.2 million tons of ash and slag material was generated and that by 1985 this figure will reach 90 million tons.

EPA is misguided in trying to regulate these byproducts in the same manner as those wastes that undeniably pose an immediate and substantial danger to the health and safety of people and the environment. In the public interest EPA should abandon its plan.

To improve the long-range prospects for coal development I sponsored legislation to create the beginnings of a synthetic liquid fuel industry in the United States. The bill passed the House of Representatives on June 26. It authorizes \$2 billion in guarantees to stimulate the production from coal and shale oil of enough liquid fuel to meet all of our defense needs.

If the Senate and the President agree, we will soon have the nucleus of synthetic fuel industry that could be expanded to meet totally from domestic resources our minimum liquid fuel needs in time of emergency. And the presence of a U.S. synthetic fuel industry, even in embryo form, will serve as a damper on future OPEC hikes in the price of oil.

There is no doubt that this legislation is a high national priority.

Another approach to providing needed liquid energy is gasohol. A mixture of 90 percent gasoline with 10 percent alcohol, gasohol can power automobiles with no adjustment to engines or carburetors.

Gasohol promises to make good use of agricultural surpluses. Production on a large scale would reduce oil imports, improve farm income, and create a new industry with many new jobs.

In 1977, I personally tested gasohol in my mobile office, a 1973 Chevrolet station wagon. The results were a slight improvement in miles per gallon and a significant reduction in carbon monoxide and hydrocarbon exhaust emissions. In that same year I urged that one of four federally sponsored pilot gasohol plants be located in the Midwest and use our abundant grain as a raw material. I have also sponsored legislation to provide an additional \$180 million in guaranteed loans so that more plants can be built.

When I talked with Secretary of Agriculture Bob Bergland to urge him to approve a grain alcohol plant in the Midwest, he indicated that he recognized the need.

In 1978, I sponsored legislation to exempt gasoline from the 4-cent Federal fuel tax if it contained at least 10 percent alcohol. This provision became Federal law that year, and the result has been a significant increase in gasohol production. In Illinois dozens of stations offer gasohol to drive-in customers at only a few cents more than the cost of no-lead gasoline.

Also last year I joined with other Members of Congress to urge the U.S. Environmental Protection Agency to grant gasohol a permanent waiver from its ban on certain gasoline additives, including alcohol. Fortunately, EPA found that gasohol pollutes less than straight gasoline and extended the waiver. That action opened the way for stations then selling gasohol to continue to do so and

for new stations to begin carrying the gasoline-alcohol blend.

We should not neglect nuclear power as a present and promising nonpetroleum energy source, though it has problems that must be solved.

Already about 12.5 percent of the electricity generated in the United States comes from 72 nuclear powerplants. Under construction or in planning are an additional 125 reactors. In my home State of Illinois 58 percent of the electricity comes from nuclear plants.

By Department of Energy estimates, without the nuclear electricity generating capacity now in operation we would require an additional million barrels of oil a day. The recent shutdown of five nuclear plants, because of design problems boosted our national oil consumption by about 100,000 barrels a day.

A big concern is safety, as the well-publicized threat of a meltdown at the Three Mile Island nuclear powerplant in Pennsylvania illustrated. Fortunately no disaster occurred, but the incident demonstrated the need for extreme care in safe design and operation.

Much can be learned from the 25 years of experience with nuclear reactors by the U.S. Navy under Adm. Hyman G. Rickover. The Navy program has operated without a single accident.

What stands out most about the Rickover approach to nuclear safety is thorough, tough training for the personnel operating nuclear reactors. Since most of the problem at Three Mile Island can be traced to human error, the importance of excellently trained personnel cannot be stressed too much.

Radioactive waste presents another problem with present nuclear plants which use a process called fission. Fission reactors create heat by splitting a uranium isotope into lighter fragments. These radioactive byproducts remain dangerous for hundreds or thousands of years. And we have not fully solved the problem of how to dispose of them in such a way that they will never get into the environment.

Fortunately a new technology for nuclear power production seems very promising. It is called fusion. Instead of splitting uranium isotopes, fusion combines hydrogen isotopes into a heavier element, helium. Fusion leaves very little radioactive waste. And the fuel supply for fusion is virtually unlimited.

Already the Department of Energy has spent about \$2 billion on fusion research and hopes to demonstrate scientific feasibility by the early to mid-1980's. The Federal timetable projects commercial fusion plants sometime after the year 2020.

The total Federal price tag will reach an estimated \$18 billion. That compares with the \$25 billion costs to put a man on the Moon. The practical advantages of nuclear fusion makes it well worth the substantial investment.

Remaining for consideration are natural energy sources—solar, wind, geothermal, and others. They have the advantages of being ready to tap and of not requiring combustion or other processes which threaten the environment.

Disadvantages limit their usefulness, however. Each requires expensive equipment and construction. Nor does the Sun always shine or the wind always blow when needed most. And geothermal energy is not well distributed.

Despite these drawbacks a small but significant portion of our energy needs can be supplied from natural sources. Research for cheaper ways to tap this energy needs to continue. And the Federal Government can encourage the use of available technology sponsoring pilot projects and through tax incentives. Already homeowners can claim an income tax credit for installing solar heating units.

#### CONCLUSION

Just as developing natural sources of energy cannot be a complete answer to our needs, neither can any other single policy. A national energy program must attack all aspects of the problem. We must assure a favorable climate for future imports of foreign oil while improving incentives and competition in domestic production. We must adopt reasonable energy conservation measures while continuing to develop non-petroleum energy sources.

The logic dictating our future course of action has become clear. We need only the courage and determination to take the necessary steps.●

#### DEPARTMENT OF ENERGY WEEKLY PETROLEUM STATUS REPORT

The SPEAKER. Under a previous order of the House, the gentleman from Kentucky (Mr. SNYDER) is recognized for 5 minutes.

● Mr. SNYDER. Mr. Speaker, yesterday afternoon I took another look at the June 29, Department of Energy Weekly Petroleum Status Report and I noticed something interesting about the format that might give us an idea about where DOE puts its priorities.

I noticed that the first page discussed world oil supplies and the impact of Iranian cutbacks. The next page and a half contained the "highlights" of the oil situation. Then came four pages on oil prices, three pages discussing domestic petroleum demand, and two pages on imports. Then came two summary pages with an overview of oil supply and demand, followed by 13 pages of facts and figures on stocks and prices of various petroleum products and on refinery utilization.

They are all very important topics and I for one, appreciate having the information.

But, Mr. Speaker, it struck me a bit odd that in those 27 pages about oil, there was not one single page devoted to something that—to me—would seem to be vital to our review of the oil situation—domestic production. Domestic production was mentioned in three lines in the "highlights" section and in several lines in each of the two summary pages. But that is it.

Apparently DOE does not think domestic production is very important, and maybe that is what our problem is.●



## KING CRIME

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, I take this opportunity to again remind the House, the Congress, and the Nation that there are as yet no arrests in the unprecedented murder of Federal District Judge John W. Wood, and the prior attempt to murder the assistant Federal district attorney, James W. Kerr. It is significant, and I think it needs to be emphasized, that this once again brings into focus the urgency of the Nation controlling what I call "king crime." Rather, it looks as if the reign of "king crime" continues supreme.

The fact is that the troubling aspect in this particular case is that it is a direct assault on not only the judiciary of our country, but on the organized aspects of our society. The fact is that there are not even any leads, much less arrests, in either case. The attempted assassination of James Kerr happened last autumn, in October, and the murder of Judge Wood occurred in the waning days of the month of May.

It seems to me that the problem essentially is the inability of the law enforcement forces, the forces of good, the forces that we ourselves have chosen to enforce the laws forged and passed by the Congress, in their inability to penetrate this highly organized mass of crime that reigns supreme in our country; the lack of coordination which was the motive that impelled me to communicate with the President and in turn with his domestic chief counsel involving the main Federal law enforcement agencies, continues to be a cause of great concern.

As I pointed out after the attempt on James Kerr's life, there is absolutely no coordination, or has not been up to now, between, say, the Drug Enforcement Administration, the Immigration and Naturalization Service, the Border Patrol, or the Justice Department. It seems unbelievable, but I discovered last autumn that our agencies were acting as if they were separate entities or nationalities instead of dependencies of the same Federal Government.

I have pointed out repeatedly that there is absolutely reason to know and believe, and good probable cause to know, that there is a relationship between the mysterious death of Sante Bario, the drug enforcement officer who was administering the Mexico City office, whom they had while in custody charged with bribery, with the charges being based on those made by a higher level informer who had been the source of his great coups when he undid the French Connection up in the New York area, and the other exposé of crime up in New York.

□ 1940

There is a connection between the two, and yet I do not know and cannot be assured that anything has been done to try to get the information now obtainable through the Drug Enforcement Agency and the probability of that in-

formation having relevancy to the murder of Judge Wood and the attempted murder of James W. Kerr. I have made a request of the Department of Justice that they look into this possibility. I said I do not know what reaction I will have to that request.

Mr. Speaker. I yield back the remainder of my time.

## AMTRAK REORGANIZATION ACT OF 1979

The SPEAKER. Under a previous order of the House, the gentleman from Oregon (Mr. AuCOIN) is recognized for 5 minutes.

● Mr. AuCOIN. Mr. Speaker, very shortly Congress will determine the geographical balance of the Nation's passenger rail system. This is a critical moment for Oregon's passenger rail service, as well as America's. With the final vote on the Amtrak Reorganization Act, the Congress will dictate the fate of future generations in their choices for rail travel.

Hard decisions on energy plague Americans in every aspect of our lives, from scheduling when to fill the gas tank to investing time and hope in synthetic fuel development. To maximize the benefits of the fuel we consume, it is imperative to support mass transportation. Given the stark facts of energy today, we cannot ignore this.

But it appears that the Department of Transportation is asking Americans to do just that with its present reorganization plan for Amtrak.

The entire route system—drastically reduced in breadth—virtually disregards the growing demand for passenger rail service in the Western States. For example, the Pioneer train, running from Salt Lake City to Seattle, boasts impressive gains in ridership which confirm a strong passenger need.

Yet the Department's ax has fallen to sever this run from the national rail system as it has numerous other western routes. I am convinced that the people of Utah, Idaho, Oregon, and Washington have spoken clearly—through their dramatically increased ridership on the Pioneer—to protest that cutback. I add my voice to that cry of protest in the name of regional balance for the Nation's rail system. My involvement in this issue goes back several months. It predates America's long gas lines. It came in advance of the Transportation Department's own belated recognition of its flawed policy.

My first protest, a letter to Secretary Adams in March of this year, emphasized that human needs must counter the hard analysis of cost efficiency in such a policy decision. Ridership increases on the Pioneer were accelerating impressively. My colleagues, Congressmen GUNN MCKAY and AL ULLMAN, joined me in this appeal to extend the Pioneer's operation for 1 more year. We never received an answer from the Department of Transportation.

On April 11, I submitted testimony relating to the Pioneer to Chairman FLORIO of the Subcommittee on Trans-

portation and Commerce which was holding hearings on the Amtrak Reorganization Act. Subsequent ridership increases later that month warranted additional testimony, for that month's figures for the number of passengers traveling per mile on the train (PM/TM) revealed that the Pioneer had already achieved DOT's expected performance level for the entire fiscal year 1979. More important, I discovered that DOT had placed the Pioneer at an even greater statistical disadvantage by calculating the Pioneer's expected PM/TM level on the assumption that it runs efficient superliner equipment as do most long-haul trains. However, the line has only four or five of those cars—the major portion of its equipment is Amfleet—far less attractive and efficient for long-haul trains.

Silence from the Department—and increasing alarm from the people of Oregon—then motivated my cosponsorship of Congressman WYCHE FOWLER's motion of disapproval of the Amtrak reorganization. Eastern Oregonians expressed such distress over their eventual total rupture from the urban centers of the West that they sent a representative to testify before the Subcommittee on Transportation of the Appropriations Committee. I supported their appeal with a floor statement of support. I did so because it was important to speak up for those who will feel the prejudicial pinch of this long-term transportation decision.

The inefficiencies that plague trains today result from decades of neglect. Throughout this century, the Federal Government has subsidized highways, and therefore the automobile, to the tune of \$1 trillion. And what degree of support did rail transportation enjoy before Amtrak in 1971? A comparatively insignificant \$65 million. As I again asked the Department of Transportation on June 15, is there any question why the American passenger rail system has not yet attained cost-efficiency?

At a time when the gas shortages and the recent airline strike have demonstrated how people are willing to convert their transportation habits to riding the rails, this is not the moment to dismantle a balanced national passenger rail service. Preliminary ridership figures I just received for May indicate the Pioneer's ridership is up 21.2 percent over last May's figures. How can we solve energy and transportation problems by abandoning such promising possibilities? We cannot. I continue to remain not only the Pioneer's advocate but also an advocate of a balanced national rail system. The people want more than what DOT has been willing to give. The words of the Tokyo energy summit will ring hollow if Congress accepts an inadequate mass transportation system. ●

## TO BRING SOME ACCOUNTABILITY TO THE DEPARTMENT OF ENERGY

The SPEAKER. Under a previous order of the House, the gentlewoman from Col-

orado (Mrs. SCHROEDER) is recognized for 5 minutes.

● Mrs. SCHROEDER. Mr. Speaker, I am today introducing a resolution calling for the resignation of James Schlesinger as Secretary of the Department of Energy and a bill calling for an immediate review of the operations, funding, and personnel management practices of the Department of Energy.

In my opinion, there has been an appalling lack of leadership at DOE since its creation. The Department has been poorly run, employee morale is at rock bottom, one-third of the positions lack approved descriptions and classifications, key positions remain unfilled, and there is a general sense that nobody knows what is going on. In short, there is mismanagement at the top, disorganization in the middle, and chaos at the bottom.

As chairwoman of the Subcommittee on Civil Service, I held hearings on DOE's personnel management practices in March of this year. These hearings only served to highlight the serious problems that are plaguing DOE. It is questionable whether the Department is organized well enough to handle its day-to-day work, let alone confront a major energy crisis.

Since it was established in 1977, DOE has cost the taxpayers over \$10 billion and has not yet come up with a satisfactory short- or long-term national energy plan. Even the President had to cancel his speech last week and light out for an "energy summit" at Camp David because DOE could not provide him with any useful proposals.

Specifically, the Department of Energy has failed to promote comprehensive conservation measures in the transportation, industrial, residential, and governmental sectors of our society. It has not aggressively pursued the development of alternative energy sources. And it is not much further along today in developing a central data collection and analysis system to reduce the Federal Government's dependency on energy production and supply data provided by the oil companies than it was in 1977. Moreover, we are now importing more oil from OPEC than when the Department was created.

I cannot understand how 19,000 people—the number of personnel at DOE—armed with over \$10 billion could accomplish so little in 2 years. The Congress must find out. The bill I am introducing today can serve as a vehicle for getting the answers.

I hope my colleagues will join me in this effort to bring some accountability to the Department of Energy. If any of my colleagues would like to cosponsor either the resolution on Secretary Schlesinger or the bill on the review of DOE, I would be happy to have them on board.●

#### STANDING FIRM ON OUR COMMITMENT TO THE ELIMINATION OF HUMAN RIGHTS VIOLATIONS

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. FERRARO) is recognized for 5 minutes.

● Ms. FERRARO. Mr. Speaker, earlier today the distinguished gentleman from New York (Mr. BIAGGI) offered an amendment to prohibit the use of any funds in the fiscal year 1980 State-Justice-Commerce and Judiciary appropriations bill from being used for the sale or shipment of defense articles to Great Britain for use in Northern Ireland or by the Northern Ireland police authorities. The amendment was withdrawn when the chairman of the House Foreign Affairs Committee (Mr. ZABLOCKI) assured Mr. BIAGGI and this House that the Foreign Affairs Committee would hold hearings on this important matter.

Because I was introducing a witness at hearings of the Subcommittee on Oversight and Review of the Public Works Committee, I was unable to be on the floor of the House during the debate on that amendment. I would, however, like to go on record at this time in support of the sentiment of the Biaggi amendment. I would also like to join my colleagues who spoke earlier today of the commitment of Mr. BIAGGI to peace in Northern Ireland.

The citizens of Northern Ireland, both Protestant and Catholic alike, are experiencing their 10th year of violence and bloodshed. The past decade has been sadly marked by the loss of 2,000 lives. Despite ongoing promises by the British Government to bring about a peaceful solution to the conflict, there is no end in sight.

Our State Department has stated on a number of occasions that it pursues a nonpartisan posture in this conflict. The Department's approval of the sale of 3,000 magnum handguns, and 500 automatic rifles to the Royal Ulster Constabulary makes a mockery of that neutral posture. Cloaked by the fact that the RUF is the legally constituted police force in Northern Ireland, the State Department continues to maintain that this commercial arms sale in no way reflects partiality. I take sharp disagreement with that rationale.

While it may be the legally constituted police force, it is also a police force that has been cited by a number of organizations, including Amnesty International, for gross violations of human and civil rights. The record of this police force does not substantiate impartiality—and our support of it negates any neutral posture that we may have assumed in the past. Beyond that, there remains the inevitable fact that the use of American weaponry will only lead to an escalation of the hostilities.

The President and the Congress have made the pursuit of human rights throughout the world the cornerstone of this Nation's foreign policy. That policy should be pursued indiscriminately and equitably. Our pursuit of those goals should be continuous and even-handed. The outward manifestations of human rights policy should not be arbitrary and capricious. Our commitment must be total.

While Great Britain has been a longtime ally of the United States, the time has come for us to take a stand in the name of peace and justice. That stand can be taken by merely recognizing that

this arms sale has a potential human rights impact and by standing firm on our commitment to the elimination of human rights violations.

I look forward to early hearings on this issue, as promised by Chairman ZABLOCKI, and I commend Mr. BIAGGI for bringing this important issue to the attention of the House.●

#### THE WM. JENNINGS BRYAN DORN VETERANS' HOSPITAL

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. ROBERTS) is recognized for 5 minutes.

● Mr. ROBERTS. Mr. Speaker, on June 14, thousands of people attended the dedication of the new Wm. Jennings Bryan Dorn Veterans' Hospital in Columbia, S.C. Many Federal, State, and local officials attended the dedication. Friends of Bryan Dorn throughout the State of South Carolina witnessed the dedication of this magnificent new facility and the naming of such facility for Mr. Dorn.

Mr. Speaker, my colleagues know of the tremendous dedication of Bryan Dorn and the work he did for so many years in the Congress on behalf of our Nation's veterans. For many years he served as chairman of the Subcommittee on Compensation, Pension, and Insurance and during the 93d Congress Bryan served as chairman of the full committee. This dedicated American has always placed the health care of our Nation's veterans as our No. 1 priority. He long advocated a quality medical and prosthetic research program whose budget now exceeds \$127 million per year. Bryan was instrumental in getting the new medical school at the University of South Carolina established and he is now a lecturer on the university staff.

Mr. Speaker, I was unable to attend the dedication ceremony naming the Columbia facility for my good friend from Greenwood, S.C.; however, several of us did convey our thanks to Bryan by way of telegrams for his many accomplishments, not only for South Carolina veterans but for all veterans throughout the country. Those who attended the ceremony have indicated to me that it was one of the most impressive dedication ceremonies ever conducted by the Veterans' Administration. Of course, much credit for its success is due to the dynamic personality and effective leadership of the director of the Columbia VA facility, Mrs. Joan S. Kershner. She is one of the Department of Medicine and Surgery's outstanding hospital directors. Much credit should also go to the assistant hospital director, Mr. Ray T. Williams, for the many hours he devoted to the success of the program.

Mr. Speaker, thanks to Bryan, the State of South Carolina has one of the most impressive medical complexes in the entire Southeast. With the establishment of this new medical facility to be affiliated with the newly created medical school at the University of South Carolina, the modern VA hospital in Charleston and its affiliation with the excellent medical school of Charleston, and the

VA Outpatient Clinic at Greenville, S.C., veterans will have quick access to excellent facilities that are equipped to provide quality medical care on a timely basis.

Mr. Speaker, I want to join the thousands that have already paid tribute to Bryan for his efforts on behalf of our Nation's veterans and their families.●

#### MOST-FAVORED-NATION TREATMENT FOR ROMANIA SHOULD CONTINUE

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

● Mr. VANIK. Mr. Speaker, on Wednesday, July 18, the House will consider House Resolution 317, disapproving the President's recommendation to extend most-favored-nation treatment to Romania for another year under the Trade Act of 1974.

I urge you to vote no on the resolution. There are unresolved problems in our relationship with Romania, but in my judgment they can be better resolved if we maintain our trade relationship which has provided significant progress. MFN cannot be turned on and off. To deny MFN to Romania could permanently push that country into a closer relationship with the rest of Eastern Europe. This would be tragic.

On July 10, the Subcommittee on Trade ordered that House Resolution 317, disapproving continuation of most-favored-nation treatment for Romania, be reported unfavorably to the Committee on Ways and Means. The subcommittee's action was taken following 2 days of public hearings during which 50 witnesses were heard or filed statements for the record. By an overwhelming margin of 3 to 1, testimony favored continued MFN as necessary to improve economic and political relations with Romania. The full committee reported the resolution unfavorably today.

In reaching a decision on continuation of MFN, the subcommittee considered several important elements in United States-Romanian relations, most importantly Romania's adherence to the freedom of emigration requirement of the Trade Act of 1974, upon which extension of MFN to non-market-economy countries is based.

First, with respect to adherence to the emigration requirements of the Trade Act of 1974, there has been an upward trend in emigration to the United States in the 4 years the Romanian agreement has been in effect. Emigration to the United States for the first 11 months of fiscal year 1979 increased by more than 50 percent over the same period in fiscal year 1978 from 1,064 to 1,629.

Although Jewish emigration to Israel has declined, it is important to note that the Jewish community of the United States has endorsed without qualification continued MFN for Romania. They testified that concrete assurances were received from Romanian authorities that, in the spirit of the Trade Act's emigration requirement, hopefully will remove remaining impediments to the freedom of Jews to emigrate. These impediments

include intimidation and harassment, as well as procedural measures which were cited by a number of the witnesses during the subcommittee's hearing.

Second, our trade with Romania, which has been stimulated by the granting of MFN 4 years ago, is expected to reach \$1 billion in 1980. This year, imports are likely to reach \$350 million, and our exports to Romania will probably approach \$400 million. Although we had a deficit with Romania of \$30 million in 1978, it is encouraging to note that so far in 1979 the balance has reversed to a \$83 million surplus for the United States.

Third, Romania continues to conduct its foreign relations in a manner which indicates independence not shown by other members of the Warsaw Pact. For example, Romania does not participate in pact military maneuvers, nor does it permit Soviet troops to be stationed within its borders; Romania has established broad economic ties with the West and is the only Warsaw Pact member to have joined the World Bank and the International Monetary Fund; Romania has strongly and actively supported an Arab-Israeli peace; and finally, Romania has directly aided the United States by not participating in the OPEC oil embargo.

I would also like to note that I have received a report from the Commission on Security and Cooperation in Europe, chaired by our colleague, Congressman DANTE FASCELL. The Commission supports extension of the MFN waiver authority for another year, noting the upward trend of emigration to the United States, the high success rate of casework, and also the impressive trade picture. The Commission's support, however, is qualified by concern with declining Jewish emigration to Israel and what appears to be a tightening of emigration procedural policies.

With respect to casework referred to by the Commission, I am pleased to confirm the high success rate during the years MFN has been in effect. For example, 98.5 percent of the cases on the official December 1976 U.S. representation list have been resolved.

With respect to emigration procedures, I would again draw attention to the American Jewish community's statement regarding assurances received from the Romanian Government about these very same problems.

In conclusion, I want to state my firm conviction, that for the reasons I have outlined, most-favored-nation treatment for Romania should be continued. It is clearly in our national interest to do so both for economic and political reasons. Romania has made an effort to cooperate with our requirements. It has also steered a precarious course of independence in Eastern Europe, one which we hope will encourage other Eastern Bloc countries to follow.

I urge my colleagues to vote against House Resolution 317 and continue MFN to Romania.●

#### DECISIONS ON ENERGY

The SPEAKER. Under a previous order of the House, the gentleman from

Massachusetts (Mr. BOLAND) is recognized for 5 minutes.

Mr. BOLAND. Mr. Speaker, the events of recent weeks have made it increasingly clear that the United States has reached a crossroads in its energy policy. Tight supplies of crude oil, which have caused long gasoline lines in many areas, have demonstrated once again the folly of our continued reliance on foreign sources of petroleum. We have reached the point where we must make some exceedingly difficult choices on energy. These choices will have to be made in a relatively short time, so that we can begin to implement an energy program that will reduce our reliance on foreign imports. We no longer have the option of delaying the making of these choices.

President Carter, as we all know, has been at Camp David for a week in an attempt to formulate a program for a new direction on energy. I hope that a major energy initiative results from his deliberations and consultations. Any energy program, no matter who puts it together, will have to involve a mix of short-term and long-term components. In the short term, our best hope for dealing with our current reliance on foreign oil supplies lies in a major conservation effort. This effort will have to involve all segments of our country. I believe that a standby gasoline rationing plan is an essential component of any conservation effort, and I hope that the House has an opportunity in the near future to reconsider such a plan.

While conservation will result in fuel savings which will allow us to better manage our crude oil supplies, any long-term solutions to our energy problems will require substantial additional action. I believe that any effective long-term solution will have to include a synthetic fuel program. In addition, I believe that the creation of an energy mobilization board to identify key energy projects and expedite the decisionmaking process on them is absolutely essential. A bill introduced by Congressman UDALL, which I was pleased to cosponsor, would establish the procedure for the creation of such a board.

There are a number of other potential components to a "long-term package." Weighing the relative merits of such options as increasing the use of coal, nuclear power, solar, and biomass will occupy the attention of this House and the Nation in the days ahead. The Boston Globe recently published a series of eight excellent editorials, entitled "Search for an Energy Policy," which made some persuasive arguments for several of these options. I would like to insert one of those editorials, "New Fuels for the 1980's" in the RECORD at this point. I intend to insert several of the other editorials into the RECORD in the next few days, and I commend them to the attention of my colleagues. I believe they accurately convey not only the urgency of the task ahead of us but also the collective effort that will be required to successfully accomplish it. As the Globe said in "A Challenge We Can Meet," the last editorial in the series: "For generations the country has produced an ever-rising

living standard to pass on to its children. A great abundance of natural resources has played a role to be sure, but an even larger role has been played by an equally great abundance of will, commitment, and ingenuity—by a continuing ability to make use of those resources with which the country has been graced. The task today is to make what we have work more efficiently. The effort will require millions of individual decisions from millions of Americans who want to keep the American dream alive for their children."

#### NEW FUELS FOR THE 1980'S

We are running out of available oil; this country cannot rely on additional imports. Meanwhile there are serious drawbacks to increased production of either coal or nuclear power. And conservation, which could produce real savings, must not take place at the expense of jobs or our standard of living.

In such an energy environment the United States needs to start immediately on the development of new sources—synthetic fuels that can run our cars and trucks, operate our factories and heat our homes.

Luckily the country, rich in resources, is even richer in technological and problem-solving skill to exploit them.

But if some commitment is not made shortly, the new fuels will not be ready when we need them in the latter part of the 1980s.

This technology must be provided by both the private and public sectors. And we will need improved technology in using all energy with greater efficiency.

One of the first orders of business is the development of the very large reserves of oil now locked in huge formations of shale in the West.

By the most conservative cost appraisals, shale holds the equivalent of more than 500 billion barrels of oil. At still higher costs the total amount of oil in shale may amount to about 1.8 trillion barrels.

Last month the Organization of Petroleum Exporting Countries established a range of prices for crude oil, based on location and quality, ranging from \$18 to \$22.50 a barrel. That is very close to industry's estimate of about \$22 a barrel for shale oil, and the Administration has recommended an additional \$3 subsidy. Congress is considering this and other forms of assistance for shale oil development.

There are, to be sure, major problems. The residue from surface-processed shale is about 115 percent of the bulk of the original rock. Finding acceptable places to bury that powdered surplus will be a challenge, even in the spacious stretches of Wyoming and Colorado where the shale is mostly concentrated.

In addition, the process depends on very large quantities of water, which is in short supply in the western states. The problem is not impossible to solve but it may be necessary to build pipelines from more plentiful supplies in the Mississippi-Missouri valley.

Another solution may be to fracture the rock explosively without moving it. The shale is then heated, allowing oil to seep through the rock to collection pools at the base of the beds. This technology, which has been developed by Occidental Petroleum, avoids some of the water and disposal problems but is less efficient than surface processing.

Because of the high start-up costs (\$50,000 per barrel per day by some estimates), Congress may have to provide protection for shale plants against ruinous competition from foreign sources, even OPEC, that might undercut them.

One way out of that dilemma would be creation of a federal corporation to construct and operate plants for shale development. That would avoid placing too heavy a bur-

den on private investment and guarantee that the benefits of federal expenditures are returned directly to the people. Federal participation would also give officials a clearer picture of the issues confronting their private counterparts, which is important if there is to be a regulatory function in private shale development.

Coal, converted to gas or liquid fuel, has great potential as a new energy source. With existing technologies, it can provide synthetic oil at a cost of about \$30 a barrel. This is even more expensive than shale extraction. But, again, research must be encouraged. And a federal presence in this field, as in shale, may be desirable to protect both the public interest and the threat to investment by cheaper foreign fuels.

On another energy front, natural gas has resurfaced as a highly attractive solution to many of our energy and environmental problems. Its primary virtue is availability and the fact that it can often be used in place of imported oil.

Industry experts have estimated that as many as 1100 trillion cubic feet of natural gas may yet be discovered. And there are tantalizing prospects of far more in deep sediments, down as far as 20,000 feet, under portions of Mississippi, Louisiana and Texas.

But this geopressurized gas, as it is known, will be quite expensive to develop. So far, we have had little direct experience in dealing with the enormous pressures involved or with the possible need to reinject large amounts of water into the earth to prevent cave-ins as the natural gas is withdrawn.

Some experts forecast production costs of about \$5 per thousand cubic feet. This is about three times the current price of natural gas and is the equivalent of an oil price of about \$30 a barrel. That price is high. But new technology might cut the costs and they should be given the fullest possible support.

There are other possibilities.

In the case of geothermal energy—rocks or steam deep below the surface that can be tapped for heat to drive electric generating plants—technology must still provide us with new methods of extraction and, in the case of some highly volatile brines, for reinjecting the products of the wells back into the earth. We must also have assurance that these geothermal projects represent no threat to the seismic stability of the regions being tapped.

Beyond the issue of new resources, we must find ways to improve efficiency in practically every aspect of our energy use.

One of the more promising experiments has been the development of a technique for generating electricity directly from combustion of a fuel, side-stepping the need to use turbines and generators. This technology, called magnetohydrodynamics, has been known and worked with experimentally by both American and Soviet engineers but moving beyond the experimental to the practical has so far been impossible. This work should be pursued vigorously since it offers chances of improving the efficiency of fossil-fired plants well above the current maximum of about 40 percent.

Exxon claims it has developed energy-saving control devices for the running of electric motors and it wants to acquire a major electric motor manufacturer, Reliance Electric, so it can put its ideas to work as soon as possible. These improvements should be pursued for their own sake. But they will be most consequential if they lead to reductions in the consumption of oil—which could also be achieved by converting oil-fired power plants to other fuels, notably coal.

Fusion power is the greatest single challenge for the foreseeable future. If we can learn how to fuse the nuclei of heavy hydro-

gen—deuterium and tritium—in a controlled situation, we will have an essentially inexhaustible supply of energy. Two basic, quite different techniques are being pursued by both Soviet and American scientists. But fusion has been an elusive target.

Competing American fusion projects at Princeton and at Livermore are expensive. Funding in the 1980 budget will amount to about \$364 million, bringing the total outlay to about \$1 billion. The Department of Energy plans ultimately to select one or the other project for a demonstration plant.

Technology is just one player in the whole energy game. Its contributions can be very large but must be heavily supplemented by conservation, subsidy and above all by patience. But technology, despite the fact that it has been given a black eye at Three Mile Island, remains an indispensable element of our national energy program and deserves the fullest possible public support.

The task of harnessing American resources—money, technology, know-how and ingenuity—to the production of new domestic energy sources can be compared to the magnitude of the Apollo project. The urgency is even greater. At the center of the effort is not merely national pride—the desire to compete in space with the Russians. At issue is national security.

A concerted effort at energy conservation will reduce the growth in future energy demand. Natural gas to the extent it is available, coal to the extent it is environmentally acceptable, nuclear power to the extent it is absolutely necessary, can help us meet that demand while still reducing OPEC oil imports. But if we are truly to free our selves from OPEC—and its stranglehold on our economy, its power to shape our very lives—new alternative energy sources and new synthetic fuels will be required.

Their development will require a bold venture. In financial terms it will surely prove sometimes to be a risky venture. There will be mistakes. Promising technologies will fail to fulfill their promises. But properly conceived and executed, a concerted American effort to develop new domestic energy sources can only succeed in the long run. It will help generate new American jobs, new American enterprises, a renewed sense of American purpose and, ultimately, new resources to meet the nation's energy needs.

#### OUR CHOICES

1. Limit OPEC imports.
2. Ration gasoline.
3. Subsidize conservation.
4. Tax windfall profits.
5. Limit expansion of nuclear.
6. Expedite synthetic fuels.
8. Develop biomass and solar.

#### TEN COMMANDMENTS ON ENERGY SURVIVAL IN THE NATION'S CAPITAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 5 minutes.

● Mr. ALEXANDER. Mr. Speaker, earlier today I shared with my colleagues 10 commandments which I have suggested to the President as a possible solution to our energy dilemma.

Several members of my staff have taken another approach to this matter, albeit in a lighter vein, which I wish to also share with my colleagues. I ask that my colleagues take into account the sweltering heat conditions in the Cannon Building under which these "Ten Commandments on Energy Survival in the Nation's Capital" were born.

The commandments follow:

Thou shalt worship no member of the Organization of Petroleum Exporting Countries;  
 Thou shalt not take the name of the seven sisters in vain;  
 Thou shalt keep holy the fill-up day;  
 Honor thy Secretary of Energy;  
 Thou shalt not steal odd license plates to go with even ones;  
 Thou shalt not covet thy neighbor's gasoline;  
 Thou shalt carpool to work;  
 Thou shalt ban three-piece suits and distribute hand fans in House Office Buildings;  
 Thou shalt move into the District and use Metro; and  
 Thou might as well take away our parking places.●

#### TRIBUTE TO ARTHUR FIEDLER

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

● Mr. O'NEILL. Mr. Speaker, all flags in the city of Boston are flying at half-mast today, and they will remain at half-mast throughout this week to mark the untimely passing of Boston's most illustrious citizen, Arthur Fiedler.

It is with a deep sense of personal loss that I rise on this occasion to salute the man known as the heart and soul of the "Boston Pops" Orchestra. For more than 50 years Arthur Fiedler warmed the hearts of Bostonians and delighted the souls of millions throughout our country and the entire world. Through his yearly Fourth of July concerts and vibrant personality, Arthur Fiedler epitomized the patriotic spirit of our great Nation.

The master composer's career spanned a half-century and made Arthur Fiedler the most famous maestro in world history. He conducted American and international orchestras including the Boston Symphony Orchestra, the San Francisco Orchestra, the New York Philharmonic, World Symphony Orchestra, BBC Symphony of London, and the Tokyo Symphony Orchestra. His Christmas and New Year's concerts were broadcast nationally from Boston Symphony Hall. He was the most successful and best selling classical artist in recording history. His beloved "Boston Pops" Orchestra sold more than 50 million recording copies, reaching more people throughout the world than any other single orchestra.

Arthur Fiedler was not only a symbol of Boston, he was a world famous institution, and he was a vigorous performer. Just in the past 2 years he conducted throughout the world 328 concerts at the age of 83. In 1967, he was the first American conductor every to lead a foreign orchestra, the 100-piece Yomiuri Nippon Symphony of Tokyo. By 1970, he was conducting nearly 200 concerts throughout the world.

Perhaps the highlight of Arthur Fiedler's glorious career, at least to the millions of Americans who witnessed it, was his exhilarating Bicentennial performance at the Esplanada. I shall never forget that striking scene along the

banks of the Charles River. Although his outdoor concerts at the Esplanada—begin July 4, 1929 and maintained over the past 50 years—had become a national institution, on the evening of our Bicentennial, the usual crowd of close to 10,000 swelled to nearly 500,000. It was the largest crowd ever assembled along the banks of the Charles River. Fifty million more Americans viewed the performance on television as the teaming throng revelled to the glorious sounds of the "Pops" and exalted in the magic of the moment that marked the 200th anniversary of the birth of our Nation. As the "Boston Pops" orchestra gave a superb rendition of the "Stars and Stripes Forever," as the bombs burst in the air over the Charles River, and people joyously waved American flags, the hearts of half a million Americans ebbed and flowed with the beat of the maestro's baton.

Recently asked what accomplishment in his long and distinguished career was the most meaningful to him, Arthur Fiedler stated, "Of the things I've done in my life, the thing of which I'm most proud is the Esplanade concert. It was my own creation, my own baby. I felt that, since literature and art were open to the public, music should be made available to all people as well. Music is another, and a universal, language."

No other conductor has ever equalled the skill, enthusiasm, taste, and entertaining qualities of communicating and blending serious and light concert music. Arthur Fiedler played for the public he loved—the citizens of Boston, of the Nation, and of the world. The people loved him and returned his devotion with sincere affection and a loyalty rare in any age.

On August 9, 1979, there was to be a concert here on the Capitol grounds conducted by the master composer himself. Since Arthur Fiedler has gone to his reward the concert will be dedicated to his memory and to his talent.

I shall always remember Arthur Fiedler at the podium before his beloved "Boston Pops" Orchestra enthusiastically leading them in a fiery rendition of the "1812 Overture," and the audience thundering with applause. Arthur Fiedler was a true friend, a great and distinguished American, and Arthur Fiedler was, "Mr. Boston."

My wife, Millie, joins me in expressing our sincere sympathy to the family and many friends of Arthur Fiedler.

#### CONGRESS MADE AN ERROR 26 YEARS AGO

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PERKINS. Mr. Speaker, 26 years ago, the Congress made a grievous error when it sustained an administration effort to kill an Interior Department program that was producing synthetic fuels from coal and oil shale.

As one of those who participated in the fight to save this modest program, I want to share with the Members who have arrived here since that time another view of the controversy over energy policy.

We lost our fight to save synthetic fuels from coal and shale then, but I believe the day is nearing when that fight will be won.

Synthetic fuels provide the surest and quickest way of making ourselves energy independent.

Mr. Speaker, I include this excerpt from the RECORD of April 28, 1953, at this point:

#### EXCERPT

Mr. JENSEN. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, there has been a lot of talk about this Louisiana, Mo., plant, and one would think to hear the statements made by those who propose to put this money back in the bill for the Louisiana plant that experiments now going on to process oil out of coal would stop completely if this amendment offered by the gentleman from Missouri (Mr. Cannon) were not adopted. Here are the facts in just a few words: There is a new hydrogenation process which is known as the one-step process, which has been developed, and experimentation with it is going on at Bruceton, Pa., and Morgantown, W. Va. The new process makes the old process now in operation at Louisiana, Mo., obsolete.

We have allotted \$767,600 for the new method of processing which is being carried on at Morgantown and Bruceton. That is the full amount which the Department of the Interior in the newly revised budget requested for that purpose. They have recommended that the Louisiana, Mo., plant be put in a standby status for the present time. Hence the committee had no other recourse than to delete the request for this money for the Louisiana, Mo., plant from the original budget estimate, as did the Eisenhower budget. I say again that it would be a waste of money to appropriate this sum for the Louisiana, Mo., plant because of the fact that it has been found, without question of doubt, that the process there used is obsolete and that the one-step hydrogenation process carried on at Bruceton and Morgantown will be much more effective, much cheaper. Therefore this committee cannot be justified in expending this huge sum of money to carry on the Louisiana, Mo., plant.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I would like to ask the gentleman if he has any figures as to the amount of shale oil that is to be found in the Utah-Colorado area?

Mr. JENSEN. I may say there is no limit to the amount of oil shale that can be processed in the Western States.

Mr. DAWSON of Utah. I understand there are millions of acres available.

Mr. JENSEN. Yes; millions and millions of acres.

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

Mr. JENSEN. I yield to the gentleman from Kentucky.

Mr. PERKINS. First, I want to state that the laboratories at Bruceton, Pa., and at Morgantown, W. Va., are quite different from the plant at Louisiana, Mo., and that the plant in Louisiana, Mo., is not obsolete. It has proven successful, and more progress has been made at the Louisiana, Mo., plant in the last year than in all previous years.

Can the gentleman tell the committee whether or not any scientist has recommended the closing down of the plant at Louisiana, Mo.?

Mr. JENSEN. If there are scientists in the Government employed in the Interior Department, then, certainly, there has been such a record established for the benefit of the Department of the Interior.

Mr. PERKINS. Can the gentleman tell us why the scientists did not testify?

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

Mr. ELLIOTT. Mr. Chairman, I offer an amendment to the substitute.

The Clerk read as follows:

"Amendment offered by Mr. Elliott's to the substitute amendment offered by Mr. Cannon: Strike out '\$15,842,222' and insert '\$15,977,622.'"

Mr. ELLIOTT. Mr. Chairman, the purpose of my amendment is to add \$135,400 with which to carry on the experimentation in underground coal gasification at Gorgas, Ala., which experimentation has been going on since about 1949.

Mr. Chairman, the United States Government, acting through the Department of the Interior and the Bureau of Mines, has spent \$1,348,000 at Gorgas, Ala., on this experiment. In addition, the Alabama Power Co., cooperating in the experiment, has spent another quarter of a million dollars. They have gone to a great deal of trouble to gather a fine scientific team with which to carry on this experiment. They have learned to control to some extent the burning of coal under ground; they have learned how to extract a gas from the burning coal which can be used for the manufacture of chemicals, for the manufacture of gasoline, or for the production of electric power. There are possibilities that the knowledge which they have gained may be used to aid the depressed coal industry in many ways, in addition to adding to our fund of scientific knowledge.

I have had the privilege since coming to Congress to be in close touch with this experiment and to have visited it and observed it on many different occasions. The scientists and officials there tell me, Mr. Chairman, that they have made very, very great progress with this experiment or, more correctly, with this series of experiments at Gorgas, Ala. They need another year, perhaps a year and a half, and at the outside 2 years, in which—to use their language—to establish the engineering factors on which those same scientists can calculate the costs of the various steps in the process of underground gasification by the various methods used, to the end that we may approach a result which can be used by the Government in times of national emergency, and which can be picked up by private industry and turned into good account in developing a stronger economy.

Now to close down this experiment at this time will have the effect of more or less casting aside the knowledge which has been gained through 5 years of experimentation; it will dissolve and dissipate the experimental team that has been gotten together and this knowledge will be lost.

Mr. Chairman, this unwise action comes at a time when we should certainly keep in mind that the Russian Government is going full speed ahead with its experiments in underground coal gasification. The little information that seeps from behind the Iron Curtain indicates that the Russians are probably much ahead of us in this field and that they are now operating several large electric power-generating plants with the gas that they make through their process of underground gasification of coal.

This, Mr. Chairman, is the only experiment of its kind now being operated in the entire free world and, as I see it, it is a great mistake and very disadvantageous to our country to shut the experiment down when we have \$1,348,000 invested in it and when no provision is being made, as was so well pointed out in a recent editorial in the Washington Post, that the important research work will be carried on by private sources. Success in this experiment is near. The fields have been plowed, planted, fertilized, cultivated, and harvest time is near.

I have made some inquiry but have found no inkling whatsoever that any private source

is now ready to pick up the threads of this experiment and carry it to its logical conclusion.

Mr. Chairman, the coal industry is depressed throughout the United States. Demand for production of coal has been falling for some years. The coal industry in the Warrior coal field, where this experiment is located, is particularly depressed. This experiment is a ray of hope to those who must depend on coal for their sustenance.

I share the hope of all Members of the House that we may be able to balance our budget and reduce taxes. If my amendment is defeated we will thereby cut \$135,400 from our spending in the next fiscal year. However, I wonder if we will make any actual saving in so doing. Someone has pointed out that this country is blessed with a supply of coal to last us thousands of years. We will have much coal left when we have used every drop of our natural petroleum.

Should we become involved in an all-out war our known reserves of natural petroleum could not be called upon sufficiently to roll the war machine, and fly the planes which we and our allies would have to put into the field and in the air.

Mr. Chairman, I ask the House to adopt this amendment and let this great experiment go forward. This is not a matter, or at least should not be a matter of partisan politics. Scientific advancement knows no partisanship.

Carried to a successful conclusion, underground gasification of coal will do much to give us an alternate supply of energy for the benefit of mankind.

Mr. BRAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. BRAY. Mr. Chairman, our entire country has become dependent upon gasoline and oil. We all remember the inconvenience and downright injury to our economy during the last war when the war effort caused rationing of gasoline. Our civilian economy is even more dependent upon gasoline now than it was at that time. Our war economy has now become even more dependent upon oil than it was during the last war.

I believe that any well-informed person today realizes that another war of the magnitude of the last one would so tax our oil supply that the civilian use of automobiles would of necessity be critically curtailed. This would be true even if the seaways remained open. If submarines prevented the oil of the Near East and South America from reaching us, even our war effort could be dangerously handicapped.

However, a standby solution to this danger is available if we care to use it. Our Government wisely prepared for the day when we must have more oil than is available from the oil wells. All of us know that this day will come within a relatively short span of years.

We have in America coal to last 2,000 years and a productive capacity to supply the world with coal. Oil can be made from coal. Our Government now has six small plants experimenting with this. The most important of these is located at Louisiana, Mo. Seventy-five million dollars have been spent on these plants. The cost of continuing this work is relatively small. Our Government in the operating of these small plants is not competing with natural oil. The plan merely increases the knowledge of how to quickly, economically, and efficiently commence the commercial making of oil from coal and shale when the need arises.

Our Government has, in these projects, brought together a small group of scientists and technicians who are exploring the

best methods of producing oil from coal and shale. They have already made progress in this field, but we are still far from perfection. I have discussed the progress in this field with unbiased experts on the subject. I only very recently discussed it with Dean Ericsoe of Indiana University. If these projects are discontinued at this time, these scientists and technicians will naturally go into other fields, and then the progress which is sorely needed in this field will be curtailed. Then, when the time comes that we must rapidly produce more oil, years of time will be lost. We will spend billions of dollars in a frantic effort to repair the damage which our shortsightedness had caused. Our civilian economy will suffer greatly. The family car which means so much to America will be grounded and our war potential could be gravely damaged.

We had a similar situation which took place at the beginning of World War II. Although our Government had been repeatedly warned to be ready to make synthetic rubber in the event the rubber supply from the West Indies and Malaya would be denied to us, we adopted a "penny-wise, pound-foolish" attitude in carrying out our synthetic-rubber program. Because of necessary haste and no previous preparation millions of dollars of our taxpayers' money went uselessly down the drain, and necessary rubber was denied to our civilian economy and our war effort was impeded.

We are at present confronted with a similar but more serious situation. A shortage of oil could injure our civilian and war economy far greater than the shortage of rubber. This shortage need not happen if we will use common sense, and not a "penny-wise, pound-foolish" philosophy. We must restore to this appropriation bill the necessary funds to permit for this so badly needed research in the making of oil from coal and shale.

Let us see that our Government continues the worthwhile work in the experimentation that has been going on at these pilot plants that are trying to discover better and more economical methods of producing oil from coal and shale.

Mr. FENTON. Mr. Chairman, I rise in opposition to the amendment to the substitute.

Mr. Chairman, I dislike very much to oppose the amendment that is offered by the gentleman from Alabama. I know something about that experiment down there; in fact, I was there a few years ago and crawled into the mines where they had just completed a test. I think I know something about it.

Being a professional man, I am of course more or less research-minded. However, last night I talked to the Bureau of Mines, as I did on the Rifle proposition, and they told me that they did not want this project continued at this time. While I am research-minded, I do not possess such ability as to cast my opinion against theirs.

I know the gentleman from Alabama, Milton Fles, is very much interested in this experimental work at Gorgas, Ala. He is a great fellow. I like him. He has done a good job. But as to my supporting this project at this time, I must say that I cannot go along until we get the "go" sign from the people who are responsible for assisting in that research; that is, the Bureau of Mines. ●

#### ANOTHER LOOK AT THE ENERGY SITUATION

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PERKINS. Mr. Speaker, for the past 2 weeks I have been recalling a great controversy that raged in this House in 1953. At that time, the Nation had a program of making synthetic fuels from

coal and shale. The new administration that came to power in 1953 wanted to kill it, and did.

I do not recall this debate in an effort to show who was right and who was wrong back there 26 years ago, but to afford those of us in the House now a valuable perspective on the whole energy situation.

I include the following excerpt from the House debate on April 28, 1953, in the RECORD at this point:

## EXCERPT

Mr. FENTON. Mr. Chairman, yesterday this item was discussed at considerable length. You will recall that during the discussion it was brought out that certain funds were eliminated for the demonstration plant at Rifle, Colo.; at the same time funds were eliminated to put in standby the plant at Louisiana, Mo.

During the debate I recalled that there was considerable merit in the argument advanced that maybe we did go a little bit too far as far as Rifle is concerned. The administration and the Bureau of the Budget had allowed some funds for the continuation of Rifle. The committee, however, in their deliberations in the markup of the bill, taking into consideration the argument of the administration and the Bureau of Mines that the reasons for putting Louisiana in a standby condition was simply because they had reached that stage in research, felt that it was no longer necessary to go to the additional expense of that great plant, that had done so much in research for developing oil from coal.

However, the committee was told that the plant at Rifle had advanced even further in their research of developing oil from shale, so we thought that plant, too, could be put in standby and we allowed funds for that plant to be put in standby. I took it up with the Secretary of the Interior and asked him whether or not they were really anxious to keep that program going at Rifle for a year or two longer and they, of course, said they were. They thought it would be a great disservice to discontinue it at this time. So, I am simply restoring the amount that the administration wishes for the functioning of that plant for this coming fiscal year.

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

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

Mr. CANNON. I ask for information. The gentleman proposes to restore money for the operation of what plant?

Mr. FENTON. Rifle, Colo. So, it is the committee wish to reinstate this item, and it has the consent of all the membership of the subcommittee.

Mr. CANNON. Mr. Chairman, I rise in support of the substitute for the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, I am glad to see that the committee on reconsideration realize they have gone too far. Of course they have gone too far, and it is to be hoped they will not become weary of well doing and stop half way on the way back.

Oil is the most indispensable commercial commodity in the world today. It is as a matter of fact merely a matter of time, war or no war, before the great reservoirs of oil will be exhausted. Already in every oil-field wells are being pumped dry, and the demand for fuel grows.

In order to meet this situation the Government established a number of plants, only two of which need be mentioned here. One was the plant at Rifle, Colo., which the gentleman proposes to reinstate. It deals only with shale. It does not deal with coal. He merely wishes to continue the study of oil processed from shale at the Rifle plant and abandon the study of coal at the

Louisiana plant, the Government simultaneously established a plant which is studying the processing of oil from coal, low-grade coal, much of it ineligible for commercial quotation. So he is presenting the rather remarkable proposition here of discontinuing the processing of coal for oil and substituting the processing of shale for oil. Of course, so far as oil is concerned, the source of it is not material. Oil from either shale or coal is.

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

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

Mr. ELLIOTT. Does the gentleman's amendment also restore the funds to continue the experimental work at Gorgas, Ala., in underground coal gasification?

Mr. CANNON. This proposes to carry on simultaneously the study of oil processed from shale and oil processed from coal. Certainly we should not overlook this possibility of providing a great industry with natural resources.

I may say also in connection with this that in addition to oil we provide something that has not been mentioned before but something that is very essential. All through the Central West there has been a famine of electric power.

We had at this plant at Louisiana a standby generator. This one generator was capable of developing power sufficient to supply many cities. It was not intended for commercial service. It was a spare tire to be used only in case of emergency. But power was greatly needed through the area. After considerable discussion we got through the committee a proposition to start up this generator, and sell the power wholesale to both private and public power agencies, with no distinction. It has been supplying the last 2 or 3 years this much needed amount of electric power. It has been marketed and the Government has received a very substantial sum, whereas the generator would otherwise have lain idle rusting out and the people over a vast area would have been without sufficient power.

This situation which has proven of such benefit to the United States Treasury and to the consuming public in need of power, will have to be discontinued if the pending amendment is defeated. The bill authorizes a continuation of production and distribution of current by the plant but the funds necessary to keep the revolving fund at work and keep the generator running have been taken out by the committee and cannot be restored unless you approve this amendment.

It should not be difficult to reach a decision on this amendment. On one side, it provides oil in limitless quantities both for peace and war. In the second place, it rehabilitates a great industry and starts the mines and provides employment for the miners. In the third place it brings into the Treasury a large amount of revenue it would never get. And last, it provides power and light for a great famine area where electric energy is needed for both public and private utilities and by both resident families and large business enterprises.

Mr. Chairman, I trust the amendment to the amendment will be agreed to.

Mr. FENTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Missouri.

Mr. Chairman, had the gentleman been here yesterday during general debate, during the entire time, because I know he was here during part of it, he would not have missed my remarks on this particular bill. I believe, if he will recall, that the reason advanced by the administration and by the Bureau of Mines for putting in standby position the plant at Louisiana, Mo., was a very good reason, in my opinion. They have been experimenting there with two types of re-

search. It has been found that they have reached the point with those two particular types of research that they have pretty nearly come to the commercial price of gasoline and oil. So they have discovered another type of research which they call the one-step research method. I believe it is the Pell-petz process, and they can go right down the line at less expense. Certainly, it is more modern. Of course, we do not want to continue types of research that will be becoming more or less obsolete. That is the only reason that the administration is asking that this plan be put in a standby status for the time being. Certainly, the gentleman has no reason to worry about the government continuing its research and development of oil from coal. I happen to come from the coal fields and I am very much interested in the coal mines, and in the development of oil from coal. So I hope the gentleman will not infer that anyone on this committee, or infer that I, particularly, am trying to throttle research and development of synthetic fuel.

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

Mr. FENTON. I yield.

Mr. CANNON. The gentleman says we have almost reached the point where oil can now be produced and sold at the current price of gasoline. Is not that the reason why we should go ahead and finish the work and reach the point of actual competition? Why should we stop just short of success and let these private industries who are anxious to control this plant get the patents? Why should we not go ahead and let the Government finish it and hold the patents? It is a question of who is going to control this monopoly—the private industries or the people?

The gentleman has proposed only one plant that confines the recovery of oil to one source. It does nothing for the coking coal industry. It deals only with shale.

Mr. FENTON. Of course, the gentleman knows that private industry certainly would not want to get obsolete patents. So I hope Mr. Chairman, that the committee will vote down the amendment offered by the gentleman from Missouri and support the committee.

Mr. PERKINS. Mr. Chairman, I rise in support of the substitute amendment, and I ask unanimous consent that I may proceed for an additional 5 minutes.

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

Mr. JENSEN. Mr. Chairman, the gentleman spoke on this amendment several times yesterday. Certainly the gentleman has had plenty of time. He can develop his argument in 5 minutes.

The CHAIRMAN. Is there objection?

Mr. JENSEN. I object, Mr. Chairman.

Mr. BENDER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BENDER. It is now 5 minutes after 5. We passed daylight saving time yesterday.

The CHAIRMAN. The gentleman's point of order is not well taken at this time.

The Chair recognizes the gentleman from Kentucky (Mr. Perkins).

Mr. PERKINS. Mr. Chairman, you will note that the gentleman from Pennsylvania [Mr. Fenton] proposes to restore funds to operate the Rifle, Colo., plant—oil shale to oil plant. The gentleman has changed his mind in this connection since yesterday. The oil shale in this country is very much concentrated. In fact, 1 State has one-half of the total, 2 States 80 percent, and 5 States 98 percent. Colorado, Utah, Wyoming, and Nevada are the States where the shale is concentrated. We find some oil shale down in Indiana and Kentucky.

I have nothing against scientific research in this field. In fact, I feel that the funds

should be restored for the Rifle, Colo., plant. On the other hand, coal is our most abundant mineral fuel, and scattered throughout the United States. In fact, the coal reserves are so abundant that they have more than 100 times the energy value of all known petroleum and natural-gas reserves combined.

I cannot go along with this line of reasoning. Here we are willing today to restore funds to operate the plant, making oil from oil shale. On the other hand, we have the plant in Louisiana, Mo., which has proved successful in making oil from coal that is being closed.

Where would we get our oil in the event of an all-out war and all of our supplies were cut off from the Near East? We cannot afford to let any selfish group endanger the defenses in this country. Yesterday I asked the committee the question whether any assurance could be given that the Communists are also scuttling their research programs. We can with profit recall that it was not until the German scientists had perfected the synthetic ammonia process to take nitrogen from the abundant supplies in the air to make explosives, thus freeing them from the faraway Chilean nitrogen deposits, that they were ready to start World War I.

I regret to see this committee scuttle the coal-to-oil program here today. This proposal to put the plant on a standby basis is all a camouflage. The Department has the authority to dispose of the plant, and undoubtedly will dispose of it. Let us not destroy our progress made at this plant. Let us support the amendment to the amendment offered by the gentleman from Missouri. The United Mine Workers of America are vitally interested in the welfare of the coal industry just like numerous Members of Congress here today. The continuation of this demonstration process will contribute immensely to the welfare of the coal industry.

I now yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I thank the gentleman. I cannot quite understand the statement of the gentleman from Pennsylvania (Mr. FENTON) to the effect that the research into the reduction of oil from coal is proceeding. Now, where is the plant that is making it?

Mr. PERKINS. It is not proceeding; they are destroying it. They eliminated the funds, and they are going to dispose of this plant.

Mr. EBERHARTER. That is what I want to make plain. ●

#### PILOT PROGRAM ON SYNTHETIC FUELS SHOULD NEVER HAVE BEEN STOPPED

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PERKINS. Mr. Speaker, for the past several days, appended to my remarks here have been excerpts from a debate in this House in April 1953 over funds for a promising synthetic fuels bill.

In the current effort to create a synthetic fuels industry to make our country energy-independent and to prevent the ruin of our economy, I think it is important that we know how long this effort has taken.

Had we permitted the pilot program to continue in operation back there 26 years ago, we would not today be in the sorry fix we are in with respect to energy. There would not be any of these long gasoline lines. There would not be this potential blackmail by foreign oil producers who supply us with half of our liquid fuels.

I keep bringing up these events of a quarter century ago not in a spirit of "I told you so" but in the hope that we will be able move ahead to real energy independence in this country.

Mr. Speaker, I include the following excerpts from the debate of April 28, 1953, at this point:

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, the longer this debate proceeds the more evident does it grow to those who are observing that if this process is completed, and it is on the point of being brought to completion, it will be competitive with the natural oil industry of this country.

Yesterday I made the statement, and I want to reiterate it now, that as a boy in high school I learned one of the immutable laws of nature: That liquids always find their own level. Here we find ourselves in the process of reversing the laws of nature, and we find crude oil creeping out of the cleavages between the strata of upper levels of the administration competing with those in the lower level; and the level of the liquid has risen so high that it has flooded all of the soft-coal mines in the State of West Virginia.

That is the issue here: Shall these processes go into private hands and into the hands of those who do not want it to become competitive with natural oil?

The CHAIRMAN. The Chair recognizes the chairman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, Walter S. Hallanan's Petroleum Council set up to counsel the Interior Department, recommended in February this year that the coal-to-oil plant at Louisiana, Mo. should be closed. Mr. Hallanan is head of the Plymouth Oil Co. of Pittsburgh, and is the Republican national committeeman from West Virginia. This gentleman, as we all recall, was chairman of arrangements of the Republican National Convention in Chicago last July.

I do not think we should make a decision for oil or coal but that we should proceed with our demonstration processes in both fields without being discriminatory. We have a process that has proved successful and has reached the point of being commercially competitive with crude oil. Yet, because of that fact, we want to destroy that process in favor of the oil lobby, and at the same time, endanger the defenses of this country. That is all we are doing.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, this has been a most enlightened afternoon; we have all understood what is before us; there is no confusion in our minds regarding this issue. I suggest we now vote.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? There was no objection.

Mr. BYRD. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Alabama [Mr. ELLIOTT]. His amendment would restore funds sufficient to provide for the continuation of production of synthetic fuels from coal and oil shale at experimental plants of the Bureau of Mines.

It would seem to be a sound conservation policy and in the national interest to go forward with the development of this program which would shift as much demand as possible from our limited petroleum supplies to our very large coal reserves. The development of synthetic-fuel processes offers a means of doing this.

Coal has not held its output level since 1920. Instead of sharing very much in the new markets, it has lost its old markets, such

as ships, railroads, and homes. In many areas the coal industry is in a depressed state, some mines are working only a few days a week, and in other cases shut down.

In the years ahead coal can provide the answer to America's liquid-fuels problem, and I believe that in view of the remarks which have been offered here today the fundamental research that has been conducted paves the way toward the consummation of this objective.

We would, therefore, in my opinion, be pennywise and poundfoolish to discontinue funds at this time providing for the continuation of a program which promises within a few short years to perfect processes whereby synthetic fuels and valuable chemicals may be derived from a raw material virtually unlimited in its supply.

I hope that the gentleman's amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. PHILLIPS].

(By unanimous consent Mr. PHILLIPS and Mr. JENSEN yielded their time to the gentleman from Pennsylvania [Mr. FENTON].)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FENTON], and in accordance with the Chair's calculations he is entitled to be recognized for 5 minutes.

Mr. FENTON. Mr. Chairman, much as I dislike to oppose a lot of amendments offered by my very good friends, at the same time I think we will have to do that at this time. Something has been said here about our defenses going to be throttled by the relinquishment of certain of these facilities for research. Nothing could be further from the truth. We know that the Secretary of the Interior is a member of all of these great defense committees that have to do with our fuels, gas, oil, metals, and all that sort of thing.

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

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

Mr. PRICE. Has the Secretary of the Interior ever informed your committee that this matter was discussed with the National Security Council?

Mr. FENTON. No; I do not think the Secretary went that far but certainly we have to have some confidence in our administration. I do not think that the Secretary of the Interior would take it unto himself to do away with some very, very important functions of government at the expense of our defense. The Secretary of the Interior has the welfare of our country at heart, as well as I have the welfare of the country at heart. We certainly would not want to do anything that would scuttle or endanger our national defense.

Mr. PRICE. The gentleman knows I consider this a matter of interest to our national defense. Does he not think it would have been advisable for the committee to have asked for a recommendation by the National Security Council?

Mr. FENTON. Of course, we might have gone to that extent, but having confidence in our Bureau of Mines and the Secretary of the Interior we did not think it was necessary to go that far.

Mr. Chairman, that is all I have to say at this time.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. KELLEY of Pennsylvania. In the gentleman's opinion does he believe that under the present cost of oil, private industry would take it up or buy it from the Government? They would if the price were competitive, but now you leave it hanging in the air.

Mr. FENTON. I may say to the gentleman from Pennsylvania that certainly it is not the



intention of the Government to do research to the point that we are going to drive private industry out of business.

Mr. KELLEY of Pennsylvania. You would not do that because you do not have the facilities to produce that.

Mr. FENTON. I think the functions of Government is to go so far and no further.

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. CHENOWETH. Mr. Chairman, I wish to thank the distinguished gentleman from Pennsylvania, Dr. FENTON, for offering this amendment which will provide for the continued operation of the oil shale experimental plant at Rifle, Colo. It is recognized that this plant has done a splendid job in perfecting the process of producing synthetic fuel from oil shale. This is a project in which the people of Colorado are very much interested. We are indeed gratified over the action taken by the committee in offering this amendment.

I wish also to mention that Colorado has large deposits of coal, and we are intensely interested in the experiments that have been carried on to produce synthetic fuel from coal. I am happy to hear the chairman of the committee [Mr. JENSEN] assure this House that the experiments will be continued. We have been following the experiments up to this time with keen interest.

We feel in Colorado that we have excellent sites for the location of a synthetic fuel plant for the use of coal. My home county is the largest producer of coal in the State. There has been a great deal of discussion over the possibility of locating a plant in southern Colorado. I certainly hope that this committee will continue to make the necessary funds available for this experimental work to continue, so that the time may be hastened when private industry will look with favor upon the production of synthetic fuel and byproducts from coal.

The Colorado State Legislature has had a special committee working on this matter for some years. At the session of the legislature this year this committee was continued. Every effort is being made to interest private industry in locating a coal synthetic fuel plant in Colorado. We have the coal and our people are anxious to cooperate in every way possible.

Mr. Chairman, I again wish to express my appreciation to the committee for continuing the oil shale plant at Rifle, Colo., and to Dr. FENTON for offering his amendment, which should receive the unanimous approval of the House.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Alabama [Mr. ELLIOTT] to the substitute amendment offered by the gentleman from Missouri [Mr. CANNON].

The amendment to the substitute was rejected.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Missouri [Mr. CANNON] to the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The amendment was agreed to. ●

#### LIQUID FUEL FROM COAL AND SHALE

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PERKINS. Mr. Speaker, nearly 30 years ago, this country had operating a synthetic fuels program producing liquid fuels from coal and shale. The administration then in power junked it as contrary to a policy of relying on petroleum for our energy needs.

Now we have to import half of the liquid petroleum we use. Now we are dependent upon sometimes unfriendly and always potentially hostile nations to supply us with the energy to make our economy run.

One of those who fought to save that little program was a young Congressman from Illinois. His name was MEL PRICE, and he is with us today as the distinguished chairman of the Committee on Armed Services. I believe he is as far-sighted today as he was then.

Mr. Speaker, I include the following excerpt from the House debate of April 28, 1953, relative to closing a synthetic fuel plant in Colorado, at this point in the RECORD:

Mr. EBERHARTER. Mr. Chairman, it has not been made clear to me, or at least it has not been categorically answered, whether or not this so-called one-step process proposes to continue these investigations into the utilization of coal in the production of oil. That has not been answered. If I could have a categorical answer to that, I think it might help toward a compromise on this matter, but so far nobody has said that this so-called one-step process will continue experimentations into the utilization of coal for the purpose of producing oil.

Mr. EBERHARTER. Mr. Chairman, it has Mr. FENTON. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. FENTON. We have the word of the scientists and the Bureau of Mines that they have this experiment already in operation and they are functioning and they are going to continue to function, and it is on coal.

Mr. EBERHARTER. And there will be sufficient money for them to continue the experiments for the coming fiscal year?

Mr. FENTON. They received every nickel they asked for, I will say to the gentleman.

Mr. EBERHARTER. Then why was it necessary to cut down on the request of the Secretary of the Interior. That is the point: The Secretary of the Interior is not being allotted the money that he first requested.

Mr. FENTON. He is getting everything that he wants on coal.

Mr. EBERHARTER. On coal he is getting everything he wants?

Mr. FENTON. Yes.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. KELLEY). (By unanimous consent, the time allotted to Mr. BYRNE of Pennsylvania was given to Mr. KELLEY of Pennsylvania.)

Mr. KELLY of Pennsylvania. Mr. Chairman, there is nothing in this report regarding this one-step process. I wonder if the gentleman from Pennsylvania will tell me what is the name of that process?

Mr. FENTON. I will be glad to. The name is the Pelipetz process.

Mr. KELLEY of Pennsylvania. Why is there no mention in the report about it? You pay great tribute to the work accomplished at Rifle and also at Louisiana, Mo., and yet you say nothing about this new process. How far have the experiments gone? Have they been able to determine whether they can produce this cheap enough to compete?

Mr. FENTON. I want to say to the gentleman in answer to his query, on page 20 of the report you will find this language:

"In addition, the committee has disallowed other funds programed for the syn-

thetic liquid fuel program with the exception of \$767,600 needed for laboratory and pilot plant research on a new refinement in the hydrogenation process which is reported to hold great promise for the future in production of synthetic liquid fuels."

That is the process they referred to.

Mr. KELLEY of Pennsylvania. How far has the process gone?

Mr. FENTON. It is in the laboratory state.

Mr. KELLEY of Pennsylvania. In the laboratory state. It will probably take years to accomplish anything.

Mr. FENTON. Well, I do not know how long.

Mr. KELLEY of Pennsylvania. It has taken many, many years to develop the hydrogenation process to this point. Many, many years ago the Germans started this hydrogenation process, the Bergius process.

Now, after all the years of experimentation, since the beginning of the war, we have developed the process where it can be produced at almost competitive prices. There was a joint committee set up during the war, when we were losing so many oil tankers, to make this investigation. The joint committee recommended that we take up experimentation in order to assure ourselves that we would have a source of oil and gasoline, and this is the result of it. I hope the committee does not think you could market these plants with the price not competitive. Nobody would buy them.

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

The Chair recognizes the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I would like to ask the chairman of the subcommittee, or the gentleman from Pennsylvania, whether or not there are any funds carried in this bill to take care of placing this plant at Louisiana, Mo., in a standby position.

Mr. FENTON. Yes. There is \$250,000.

Mr. PRICE. It was testified before the committee that it would take from \$600,000 to \$1,000,000 to place it in a standby position. It would take just about the same amount to continue the operation of the plant for a year.

I would also like to point out that the subcommittee was just as vigorous in its defense of its position yesterday on the plant at Rifle, Colo., as it is this afternoon with reference to the plant at Louisiana, Mo. Of course, I think they acted wisely in agreeing to place funds back into the bill for the Rifle plant. It is a very successful operation. The Louisiana plant is a successful operation.

I think the gentleman from Pennsylvania [Mr. KELLEY] hit the nail on the head, when he answered the gentleman and stated that the Bruceton proposition was still in the laboratory stage. The laboratory stage is very, very far from a demonstration plant. It will be many, many years before it gets to the point of a demonstration plant. Perhaps 20 or 25.

As I have pointed out the subcommittee was wrong yesterday in its defense of the closing of the oil shale plant at Rifle, Colo. In my opinion, it is just as wrong now in its defense of the closing of the Louisiana, Mo., coal-to-oil demonstration plant.

I am glad the subcommittee today acknowledges its error in judgment in regard to the Rifle project. I wish it would be just as honest in conceding its error in connection with the coal-to-oil project.

The fact remains that the subcommittee had called for the closing of the Rifle oil shale demonstration plant without so much as hearing the regional director of the Bureau of Mines in whose area the plant was operated. News of the attempt to close it hit him like a bombshell and he frankly told the Colorado press the action looked like false economy.

Federal experts believe they are close to proving that oil shale and coal can even-

tually compete successfully with the petroleum industry. For this reason the projects should be continued to the successful conclusions indicated by demonstrations up to date. They are important to our natural resources. Just when they are to the point of furnishing concrete information. Congress seeks to end the demonstrations. This most certainly is false economy.

More than that, it is failure to recognize the importance of these projects to our national security. In the interest of national defense these experiments should be continued. This certainly is no time to throw them out the window without thinking of the consequences.

To say the Louisiana, Mo., plant is obsolete is sheer nonsense. Nowhere in the hearings does the Bureau of Mines substantiate a position. Nothing is shown in the hearings to indicate that the Louisiana plant has been other than a very successful operation, and if allowed to continue, can produce additional evidence of the feasibility of developing oil and gas from coal.

The House should adopt the amendment of the gentleman from Missouri [Mr. Cannon].

The CHAIRMAN. The time of the gentleman from Illinois has expired. ●

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. SPELLMAN (at the request of Mr. WRIGHT), for July 12 and 13, on account of illness.

#### 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. COURTER) to revise and extend their remarks and include extraneous material:)

Mr. LEACH of Iowa, for 10 minutes, today.

Mr. TRIBLE, for 10 minutes, today.

Mr. WAMPLER, for 5 minutes, today.

Mr. FINDLEY, for 10 minutes, today.

Mr. COLLINS of Texas, for 15 minutes, today.

Mr. SNYDER, for 5 minutes, today.

(The following Members (at the request of Mr. LEATH of Texas) and to revise and extend their remarks and include extraneous matter:)

Mr. WEAVER, for 10 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. CAVANAUGH, for 15 minutes, today.

Mr. AU COIN, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Mr. PEPPER, for 10 minutes, today.

Ms. FERRARO, for 5 minutes, today.

Mr. ROBERTS, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today.

Mr. BOLAND, for 5 minutes, today.

Mr. ALEXANDER, for 5 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PERKINS, and to include extraneous matter.

Mr. BEVILL, and to include extraneous matter.

(The following Members (at the request of Mr. COURTER) and to include extraneous matter:)

Mr. SHUSTER in two instances.

Mr. WYLIE.

Mr. EVANS of Delaware in two instances.

Mr. DERWINSKI in two instances.

Mr. TAUKE.

Mr. LEACH of Iowa.

Mr. COLLINS of Texas in three instances.

Mr. GILMAN.

Mr. FINDLEY in two instances.

Mr. DANNEMEYER.

Mr. DORNAN in two instances.

(The following Members (at the request of Mr. LEATH of Texas) and to include extraneous material:)

Mr. EDWARDS of California in two instances.

Mr. GARCIA in two instances.

Mr. VENTO in two instances.

Mr. STARK in two instances.

Mr. DERRICK in five instances.

Mr. NOLAN.

Mr. BROWN of California.

Mr. CONYERS in two instances.

Mr. CARR.

Mr. MOAKLEY.

Mr. MAVROULES in two instances.

Mr. McDONALD in five instances.

Mr. MURTHA.

Mr. WOLPE.

Mr. SANTINI.

Mr. MAZZOLI in two instances.

Mr. GAYDOS.

Mr. ROSE.

Mr. OTTINGER in two instances.

Mr. ALBOSTA.

Mr. MATSUI.

Mr. BONKER.

Mr. MAGUIRE.

Mrs. SCHROEDER.

Mr. WEISS.

#### ENROLLED BILL SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3978. An act to amend the Federal Trade Commission Act to exempt savings and loan institutions from the application of certain provisions contained in such Act.

#### ADJOURNMENT

Mr. LEATH of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Friday, July 13, 1979, at 10 o'clock a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2004. A letter from the Secretary of the Treasury, transmitting the audit report of the Student Loan Marketing Association for calendar year 1978, pursuant to section 439

(k) of the Higher Education Act of 1965, as amended; to the Committee on Education and Labor.

2005. A letter from the Assistant Secretary of Health, Education, and Welfare for Management and Budget, transmitting a report on the Department's matching programs; to the Committee on Ways and Means.

#### 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. JOHNSON of California: Committee on Public Works and Transportation. H.R. 3995. A bill to authorize appropriations for the Noise Control Act of 1972 for the fiscal years 1980 and 1981; with amendment (Rept. No. 96-202, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H.R. 3807. A bill to amend subtitle IV of title 49, United States Code, to codify recent law and improve the code without substantive change (Rept. 96-332). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BONKER:

H.R. 4759. A bill to amend title 39, United States Code, relating to the mailing of absentee ballots cast in elections or referendums free of postage; to the Committee on Post Office and Civil Service.

By Mr. WYLIE:

H.R. 4760. A bill to promote the development and production of gas turbine vehicles and the equipment and technology to allow existing vehicles to convert to the use of nonpetroleum derived fuels; jointly, to the Committees on Interstate and Foreign Commerce, Science and Technology, and Ways and Means.

By Mr. COELHO:

H.R. 4761. A bill to provide that the U.S. Postal Service shall use the mail transportation services provided by Amtrak if such use does not result in deterioration of mail services or increased costs to the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. COUGHLIN:

H.R. 4762. A bill to add 682.4 acres to Valley Forge National Historical Park, Pa.; to the Committee on Interior and Insular Affairs.

By Mr. EVANS of Delaware:

H.R. 4763. A bill to amend the Internal Revenue Code of 1954 to provide individuals a limited exclusion from gross income for interest on deposits in certain savings institutions; to the Committee on Ways and Means.

By Mr. HEFNER (by request):

H.R. 4764. A bill to amend title 38 of the United States Code to permit disclosure of names and addresses and other information maintained by the Veterans' Administration to a consumer reporting agency for certain debt collection purposes; to the Committee on Veterans' Affairs.

By Mr. JACOBS:

H.R. 4765. A bill to amend the Motor Vehicle Information and Cost Savings Act to require EPA automobile fuel economy tests to be based upon actual road conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. McKAY:

H.R. 4766. A bill to amend title 28 of the United States Code to make the United States liable for damages, arising from certain nuclear tests at the Nevada Test Site, to individuals residing for a year in the affected area, and having cancer, to individuals present at the site during a test, and to certain sheep herds; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself, Mr. SCHEUER, Mr. BONIOR of Michigan, Mr. MILLER of California, Mr. GUARINI, Mr. MITCHELL of Maryland, Mr. BINGHAM, Mr. O'BRIEN, Mr. HOWARD, Mr. PEPPER, Mr. CARR, Mr. HORTON, Mr. GUYER, Mr. MINETA, Mr. HAWKINS, Mr. OBERSTAR, Mr. PANETTA, Mr. AUCOIN, Mr. BURGNER, Mr. KOGOVSEK, Mr. DOUGHERTY, Mr. VENTO, Mr. BRADENAS, Mr. KILDEE, Mr. BROYHILL, Mr. HEFTEL, Mr. MCCORMACK, Mr. LOWRY, Mr. GRAY, Mr. GUDGER, Mr. WEISS, Mr. CORRADA, and Mr. SIMON):

H.R. 4767. A bill to amend the Internal Revenue Code of 1954 to provide for individuals a refundable tax credit for amounts paid or incurred for television subtitle equipment for use by hearing-impaired individuals; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 4768. A bill to amend the Federal Election Campaign Act of 1971 to reduce multi-candidate political committee contribution limits; to the Committee on House Administration.

By Mr. MURPHY of New York (for himself, Mr. SNYDER, and Mr. McCLOSKEY):

H.R. 4769. A bill to revitalize maritime policy, reorganize certain Government agencies, and reform regulation of maritime affairs in the United States; referred to the Committees on Merchant Marine and Fisheries, Ways and Means, Government Operations, and the Judiciary for consideration of such portions of the bill as fall within their respective jurisdictions.

By Mr. NATCHER:

H.R. 4770. A bill to clarify the circumstances under which territorial provisions in licenses to manufacture, distribute, and sell trademarked soft drink products are lawful under the antitrust laws; to the Committee on the Judiciary.

By Mrs. SCHROEDER:

H.R. 4771. A bill to require an immediate review of the operations, funding, and personnel management practices of the Department of Energy; jointly, to the Committees on Armed Services, Interior and Insular Affairs, Interstate and Foreign Commerce, Post Office and Civil Service, and Science and Technology.

By Mr. SEIBERLING (by request):

H.R. 4772. A bill to provide that the 1972 revision in the social security benefit computation formula for men shall fully apply with respect to individuals who retired in or before 1972 as well as with respect to individuals retiring after that year; to the Committee on Ways and Means.

By Mr. TAUKE:

H.R. 4773. A bill to amend title 39, United States Code, to provide that absentee ballots and certain other voting materials pertaining to absentee ballots may be mailed free of postage; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON (for himself, Mr. ASHBROOK, Mr. ERLBORN, Mr. DUNCAN of Oregon, Mr. STUMP, Mr. QUILLEN, and Mr. CLAUSEN):

H.R. 4774. A bill to amend the National Labor Relations Act to provide that any employee who is a member of a religion or sect historically holding conscientious objection to joining or financially supporting a labor organization shall not be required to

do so; to the Committee on Education and Labor.

By Mr. TRIBLE:

H.R. 4775. A bill to amend title 18, United States Code, to establish a constitutional procedure for imposing the sentence of death, and for other purposes; to the Committee on the Judiciary.

By Mr. MOFFETT:

H.R. 4776. A bill to make improvements in the weatherization program conducted by the Department of Energy; jointly, to the Committees on Banking, Finance and Urban Affairs, and Interstate and Foreign Commerce.

By Mrs. SCHROEDER:

H. Con. Res. 161. Concurrent resolution to call for the immediate resignation of James Schlesinger as Secretary of the Department of Energy; jointly, to the Committees on Armed Services, Interstate and Foreign Commerce, Interior and Insular Affairs, and Science and Technology.

By Mrs. HOLT:

H. Res. 354. Resolution providing for the immediate consideration of the bill H.R. 466 to limit the jurisdiction of the Supreme Court of the United States and of the district courts to enter any judgment, decree, or order, denying or restricting, as unconstitutional, voluntary prayer in any public school; to the Committee on Rules.

By Mr. OTTINGER (for himself, Mr. FISHER, Mr. FUQUA, Mr. ROE, Mr. MCCORMACK, Mr. HARKIN, Mr. LLOYD, Mrs. BOUQUARD, Mr. BLANCHARD, Mr. WALGREN, Mr. FLIPPO, Mr. GLICKMAN, Mr. GORE, Mr. YOUNG of Missouri, Mr. PEASE, Mr. WOLPE, Mr. NELSON, Mr. ANTHONY, Mr. ERTEL, Mr. HANCE, Mr. WINN, Mr. FISH, Mr. DORNAN, Mr. WALKER, Mr. FORSYTHE, Mr. KRAMER, and Mr. DAVIS of Michigan):

H. Res. 355. Resolution expressing the sense of the House of Representatives that the President's proposal for solar energy credits should be enacted and made retroactive to April 5, 1979; to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 4777. A bill for the relief of Seung Sue Cua; to the Committee on the Judiciary.

By Mr. PATTERSON:

H.R. 4778. A bill for the relief of Seung Ja Kim and Lada Kim; to the Committee on the Judiciary.

By Mr. SOLARZ:

H.R. 4779. A bill for the relief of Chava Miriam Deutch, Shaina Dina Deutch, Chaim Zvi Deutch, and Chaya Gittel Deutch; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. BROOMFIELD, Mr. CARNEY, Mr. CARTER, Mr. COLEMAN, Mr. COURTER, Mr. DANNEMEYER, Mr. DAVIS of Michigan, Mr. DECKARD, Mr. DUNCAN of Tennessee, Mr. FINDLEY, Mr. FISH, Mr. HANSEN, Mrs. HECKLER, Mr. HOLLENBECK, Mr. LUJAN, Mr. McDADE, Mr. MCKINNEY, Mr. MARKS, Mr. MICHEL, Mr. MITCHELL of New York, Mr. QUAYLE, Mr. QUILLEN, Mr. RHODES, Mr. SHUSTER, Mr. SOLOMON, Mr. STANTON, Mr. VANDER JAGT, Mr. WYDLER, and Mr. WYLIE.  
H.R. 571: Mr. McCLORY.  
H.R. 811: Mr. ROTH.

H.R. 996: Mr. CONABLE.

H.R. 1129: Mr. MINETA, Mr. ANDERSON of California, Mr. BURGNER, Mr. CORRADA, Mr. DELLUMS, Mr. DIXON, Mr. DRINAN, Mr. EDWARDS of California, Mr. HAWKINS, Mr. HEFTEL, Mr. HUGHES, Mr. JOHNSON of California, Mr. McHUGH, Mr. MITCHELL of Maryland, Mr. OTTINGER, Mr. PATTERSON, Mr. SIMON, Mr. SOLARZ, Mr. STARK, Mr. STOKES, Mr. WAXMAN, Mr. WEISS, and Mr. BOB WILSON.

H.R. 1297: Mr. GAYDOS, and Mr. BROWN of California.

H.R. 2077: Mr. CORCORAN.

H.R. 2472: Mr. FINDLEY.

H.R. 2737: Mr. BEVILL.

H.R. 3028: Mr. DANNEMEYER, and Mr. WALKER.

H.R. 3102: Mr. MAGUIRE, and Mr. WOLPE.

H.R. 3383: Mr. BROOMFIELD.

H.R. 3480: Mr. SOLOMON, Mr. GUYER, Mr. FRENZEL, Mr. GLICKMAN, Mr. EDGAR, Mr. GRAMM, Mr. ROE, Mr. HUBBARD, Mr. HOPKINS, Mr. GINN, Mr. ROUSSELOT, Mr. CHENEY, Mr. ERTEL, Mr. VENTO, Mr. DICKINSON, Mr. YOUNG of Missouri, Mr. DAVIS of South Carolina, Mr. HAGEDORN, Mr. CLINGER, Mr. COLLINS of Texas, Mr. PATTEN, Mr. VANDER JAGT, Mr. STUMP, Mr. KINDNESS, Mr. STOKES, Mr. CLEVELAND, Mr. STANTON, Mr. EVANS of Delaware, Mr. MARLENEE, Mr. LIVINGSTON, Mr. FAZIO, Mr. FRENZEL, Mr. CHARLES WILSON of California, Mr. ENGLISH, Mr. MINETA, Mr. HOLLAND, Mr. STOCKMAN, Mr. CORCORAN, Mr. CARR, Mr. PASHAYAN, Mr. BOWEN, Mr. EMERY, Mr. STENHOLM, Mr. ERDAHL, Mr. WINN, Mr. HANLEY, Mr. BUTLER, Mr. EDWARDS of Alabama, Mr. McDONALD, Mr. DUNCAN of Tennessee, Mr. WYATT, Mr. LEWIS, Mr. GRASSLEY, Mr. DASCHLE, and Mr. COURTER.

H.R. 3574: Mr. ABDON, Mr. DANIEL B. CRANE, Mr. DAN DANIEL, Mr. DERWINSKI, Mr. GRISHAM, Mr. GUDGER, Mr. HAGEDORN, Mr. HUTTO, Mr. JEFFRIES, Mr. LOTT, Mr. MURPHY of New York, Mr. PASHAYAN, Mr. PAUL, Mr. ROE, Mr. STUMP, Mr. WHITEHURST, Mr. WHITTAKER, Mr. BOB WILSON, Mr. YOUNG of Missouri, and Mr. ZEPERETTI.

H.R. 3697: Mr. CAMPBELL and Mrs. HECKLER.

H.R. 3958: Mr. WHITEHURST, Mr. COELHO, Mr. CONYERS, Mr. ST GERMAIN, Mr. MOAKLEY, Mr. SKELTON, Mr. PANETTA, Mr. RANGEL, Mr. VENTO, Mr. ERDAHL, Mr. YATRON, Mr. YOUNG of Missouri, Mr. DOWNEY, Mr. KOGOVSEK, Mr. FROST, Mr. BONIOR of Michigan, Mr. BEDELL, Mr. GILMAN, Mr. EVANS of Georgia, Mr. MIKVA, Mr. CORRADA, Mr. HARRIS, Mr. MOTT, Mr. UDALL, Mr. EDWARDS of California, Mr. FAZIO, Mr. LAGOMARSINO, Mr. MILLER of California, Mr. BEVILL, Mr. GRAY, Mr. MOORHEAD of Pennsylvania, Mr. LONG of Maryland, Mr. GLICKMAN, Mr. DELLUMS, Mr. ALBOSTA, Mr. TRAXLER, Mr. SABO, Mr. NOLAN, Mr. GEPHARDT, Mr. MARKEY, Mr. MURPHY of Pennsylvania, Mr. LEDERER, Mr. SANTINI, Mr. WEAVER, Mr. GUDGER, Mr. CHARLES H. WILSON of California, Mr. FTTHIAN, Mr. LLOYD, Mrs. CHISHOLM, Mr. ROTH, and Mrs. HECKLER.

H.R. 4128: Mr. DRINAN, Mr. GUARINI, Mr. HOLLENBECK, Mr. HUGHES, Mr. MAGUIRE, Mr. MILLER of California, Mr. MINISH, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOTT, Mr. MURPHY of Pennsylvania, Mr. PEPPER, Mr. ROSENTHAL, Mr. SABO, Mr. SEIBERLING, Mr. STUDDS, Mr. WEAVER, Mr. HARRIS, and Mr. STOKES.

H.R. 4185: Mr. STANGELAND, Mr. STOKES, and Mr. MONTGOMERY.

H.R. 4188: Mr. MICHEL, Mr. DEVINE, Mr. MCKINNEY, Mr. HAGEDORN, Mr. FISH, and Mr. CLEVELAND.

H.R. 4294: Mr. McKAY.

H.R. 4314: Mr. STENHOLM, Mr. KOGOVSEK, and Mr. WILLIAMS of Montana.

H.R. 4329: Mr. DORNAN, Mr. HANCE, and Mr. STOCKMAN.

H.R. 4367: Mr. ROBERT W. DANIEL, JR., Mr. WYATT, Mr. LIVINGSTON, Mr. GUARINI, Mr. GUDGER, Mr. HAGEDORN, Mr. HALL of Texas, and Mr. LUNGREN.

H.R. 4400: Mr. COLLINS of Texas, Mr. DORNAN, Mr. GRASSLEY, Mr. HALL of Texas, Mr. ROUSSELOT, and Mr. VANDER JAGT.

H.R. 4563: Mrs. SMITH of Nebraska, Mr. BEVILL, Mr. FAZIO, Mr. BONIOR of Michigan, Mr. MCCORMACK, Mr. COURTER, Mr. ETEL, Mr. NICHOLS, and Mr. ANDREWS of North Dakota.

H.R. 4747: Mr. FROST.

H.J. Res. 213: Mr. CAMPBELL.

H.J. Res. 336: Mr. ANDERSON of Illinois, Mr. BROOMFIELD, Mr. CAMPBELL, Mr. CARR, Mr. COELHO, Mr. COLLINS of Texas, Mr. CORCORAN, Mr. DASCHLE, Mr. DORNAN, Mr. EMERY, Mr. EVANS of Indiana, Mr. EVANS of Delaware, Mr. GINN, Mr. GOLDWATER, Mrs. HOLT, Mr. JENNETTE, Mr. KELLY, Mr. KEMP, Mr. KRAMER, Mr. LATTI, Mr. LEDERER, Mr. LOEFFLER, Mr. LONG of Louisiana, Mr. LUJAN, Mr. McDONALD, Mr. McHUGH, Mr. MOAKLEY, Mr. MONTGOMERY, Mr. GAYDOS, Mr. MURPHY of Illinois, Mr. MURTHA, Mr. MYERS of Pennsylvania, Mr. PAUL, Mr. PATTEN, Mr. PERKINS, Mr. PETRI, Mr. RODINO, Mr. SCHEUER, Mr. SWIFT, and Mr. THOMAS.

H. Con. Res. 50: Mr. DASCHLE.

H. Con. Res. 149: Mr. VENTO, Mr. GUARINI, Mrs. SCHROEDER, Mr. STUDDS, Mr. WAXMAN, Mr. HUGHES, Mr. WEAVER, Mr. CARR, Mr. BELLELL, and Mr. WALGREN.

### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

171. By the SPEAKER: Petition of the National Sheriffs' Association, Washington, D.C., relative to bail procedures in criminal cases; to the Committee on the Judiciary.

172. Also, petition of the City Council, Cambridge, Mass., relative to assistance to the boat people of Southeast Asia; jointly, to the Committees on Foreign Affairs, and the Judiciary.

### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3996

By Mr. JENNETTE:

—Page 89, after line 16, insert the following new section:

COMMITTEE ON AMTRAK ANCILLARY REVENUES  
SEC. 128. (a) The President of the National Railroad Passenger Corporation (hereinafter the "Corporation") shall, no later than 90 days after the date of enactment of this Act,

establish a Committee on Amtrak Ancillary Revenues (hereinafter the "Committee"). The Committee shall consider and evaluate possible means for the Corporation to increase its revenues from the transportation of mail for the United States Postal Service, from the transportation of package express, and from such other non-passenger revenue sources as the Committee considers appropriate.

(b) (1) The committee shall be composed of 13 members, appointed by the President of the Corporation as follows:

(A) Six members who are officers or employees of the Corporation.

(B) Five members who are not officers or employees of the Corporation and who have knowledge of or experience in (i) rail transportation, (ii) the transportation of mail, or (iii) the transportation of package express. Members and staff of the Congress who meet the criteria of the preceding sentence shall be eligible for appointment under this subparagraph.

(C) One member who is not an officer or employee of the Corporation and who represents the interests of consumers.

(D) One member who meets the criteria set forth in either subparagraph (A) or (B) of this paragraph.

(2) The President of the Corporation shall appoint one member of the Committee to serve as Chairman.

(3) Members of the Committee shall be appointed for the life of the Committee. Any vacancy in the Committee shall be filled in the manner in which the original appointment was made.

(4) (A) Except as provided in subparagraph (B) of this paragraph, members of the Committee shall be entitled to receive the daily equivalent of the minimum annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including travel time) during which they are engaged in the actual performance of duties of the Committee.

(B) Members of the Committee who are officers or employees of the Corporation shall receive no additional pay by reason of their service on the Committee.

(C) While away from their homes or regular places of business in the performance of services for the Committee, members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Federal Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(c) The Committee shall meet at least once each quarter for purposes of carrying out its duties under this section.

(d) (1) The Committee shall, no later than 18 months after the date it is established, submit a report to the President, to each House of the Congress, and to the President of the Corporation setting forth its recommendations with respect to possible means for the Corporation to increase its revenues from the sources described in subsection (a) of this section.

(2) The Committee shall cease to exist after it submits its report under paragraph (1) of this subsection.

H.R. 4393

By Mr. DORNAN:

—Page 32, after line 2, add the following new section:

SEC. 509. None of the funds available under this Act may be used to carry out any revenue ruling of the Internal Revenue Service which rules that a taxpayer is not entitled to a charitable deduction for general purpose contributions which are used for educational purposes by a religious organization which is an exempt organization as described in section 170(c) (2) of the Internal Revenue Code of 1954.

H.R. 4440

By Mr. ALEXANDER:

—Page 12, line 8, strike out "\$35,000,000" and insert in lieu thereof "\$120,000,000".

—Page 21, insert after line 18 the following:

#### TERMINAL DEVELOPMENT PROGRAM

For necessary expenses to carry out section 21 of the Urban Mass Transportation Act of 1964; \$20,000,000, to remain available until September 30, 1980.

#### INTERCITY BUS SERVICE

For necessary expenses to carry out section 22 of the Urban Mass Transportation Act of 1964; \$15,000,000, to remain available until September 30, 1980.

By Mr. DINGELL:

—Page 33, after line 21, insert the following new section:

SEC. 317. (a) None of the funds provided in this Act may be used to implement or enforce any standard or regulation which requires any motor vehicle to be equipped with an occupant restraint system (other than a belt system).

(b) Nothing in this section shall be construed to prohibit the use of funds provided in this Act for any research and development activity relating to occupant restraint systems.

H.R. 4473

By Mr. RINALDO:

—Page 19, line 13, insert "Afghanistan," before "Angola".

## EXTENSIONS OF REMARKS

### SUNSET PROVISION OF DEPARTMENT OF EDUCATION ACT

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1979

● Mr. CLINGER. Mr. Speaker, I deeply regret that the sunset amendment offered by my colleague, Mr. BEARD, failed in this House today.

I am concerned, as I am sure that many others are, about the possibility of the Department of Education becoming a

second Department of Energy in terms of size, inefficiency, and cost.

Unlike with the Department of Energy, we had a chance to insure that if this happens with the Department of Education, we could dismantle it.

Many here and elsewhere have expressed concern about what this new Department might, over the course of time, become: whether the limitations on staff size will be effective, or whether they will be bent; whether the act's requirements that the Department preserve the traditional independence of State and local governments in education will be

heeded; whether the creation of this new Department will increase the regulatory burden now borne by our schools and colleges; whether it will increase the Federal presence in our classrooms; whether it will serve as a pressure point for the lobbying activities of special interest groups, enlarging and politicizing the Federal role in education; whether in fact this legislation will do what it is intended to do, that is, to put in place an effective management structure conducive to the more efficient delivery of services to the States, local governmental agencies, and public and nonpublic edu-