

Then, once Congress enacts a bill, Carter must return to Capitol Hill with a request for the money he needs for the transfer. This will touch off more fighting over appropriations.

One Republican in the House remarks: "By the time this is over, the President is going to wish he had never heard of the Panama Canal."

#### ALASKA COMMUNICATIONS PIONEER

Mr. STEVENS. Mr. President, as many other Senators know, Alaska is a large State. If a map of Alaska is superimposed on the lower 48, Ketchikan would be over Savannah, Ga. The North Slope oil fields would be in the vicinity of Chicago, and the Aleutian Islands would extend beyond the coast of California. In a State this large modern communications are crucial.

Alaska's communications needs are enormous and the history of the industry in Alaska is a good one. Several farsighted individuals deserve the thanks of all Alaskans for bringing improved communications to Alaska. With their dedication and energy Alaska's communications industry has grown and prospered.

Among the pioneers in Alaska communications is Wally Christiansen of Ketchikan. Back in the early 1950's Wally brought cable TV to southeastern Alaska. His operation was the first in the State. A recent profile in TVC magazine featured Wally Christiansen and his work. As a testament to this Alaskan communications pioneer, I ask unanimous consent that this profile be printed in the RECORD.

There being no objection, the profile was ordered to be printed in the RECORD, as follows:

##### EDWARD "WALLY" CHRISTIANSEN

Where there's a will there's a way. And back in 1953 when Wally Christiansen decided to provide television service to the community of Ketchikan, Alaska, the fact

that the Federal Communications Commission had put a freeze on broadcast licenses nationwide didn't stop him. "I looked for a roundabout way of getting the job done," he recalls. The solution, of course, was cable, and through his pioneering efforts with R. D. Jensen, Ketchikan became the first town in the state to enjoy the benefits of CATV and Christiansen forged his way into a career which has earned him the respect of industry veterans around the country.

The process sounds uncomplicated today but the situation in Alaska was and is quite different than that of the lower 48. Ketchikan is located 650 miles north of Seattle, Washington which, at that time, harbored the closest over-the-air station. So Christiansen's venture became much more than simply picking up a signal via microwave. He had to originate all of the station's programming himself. And that he did, subsequently marking a milestone for the industry as well as opening the lines of communication for residents of the nation's 49th State.

Christiansen has worked in the technical electronics industry most of his life. He served in the U.S. Navy between 1944 and 1945 as a radar instructor and has held an FCC first class radiotelephone license with radar endorsement since that time. He is the immediate past president of the Alaska Cable Television Association, a position which he held for two years, and is a member of the Pacific Northwest Cable Communications Association, the NCTA, CATV Pioneers, and SMPTE.

Still in partnership with R. D. Jensen, Christiansen now serves as technical director for Ketchikan Alaska Television Inc., where his responsibilities include general management and the overseeing of all functions including the technical operation of a full color studio and facilities for origination on four channels simultaneously. As of late his energy has been directed towards the construction of two new earth stations in Ketchikan and Sitka, the first of which he predicts will begin operation this April.

Politically, Christiansen holds that cable deregulation at the federal level is dangerous. "Those areas that the FCC gives up will be taken over by local or state agencies to the operator's detriment," he warns. A proponent of no regulation at all, Christiansen compromises by saying that if necessary, he would "rather have regulation from as far away as possible."

He and his wife Elva have four children—Kaye Hamilton, Judi Freeman, Barbara and Roger. A man who is as enthusiastic about his personal life as he is about his work, Christiansen sports a number of hobbies including salt and fresh water fishing, boating, hunting, flying, photography and scuba diving.

#### RECESS UNTIL 11 A.M. TOMORROW

Mr. BAYH. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 11 a.m. tomorrow morning.

The motion was agreed to, and at 6:46 p.m., the Senate recessed until tomorrow, Thursday, March 15, 1979, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 14, 1979:

##### IN THE AIR FORCE

The following-named officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

##### To be general

Lt. Gen. Bennie Luke Davis, xxx-xx-xxxx  
FR, U.S. Air Force.

The following-named officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

##### To be lieutenant general

Maj. Gen. Andrew Philip Iosue, xxx-xx-x-xxx  
FR, U.S. Air Force.

##### IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

##### To be general

Gen. John Joseph Hennessey, xxx-xx-xxxx  
(age 57), Army of the United States (major general, U.S. Army).

## HOUSE OF REPRESENTATIVES—Wednesday, March 14, 1979

The House met at 3 p.m.

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

Almighty God, grant us the desire to live at peace with one another. We pray for all people, reaching out to those who live in enmity and in suspicion and in fear. May we learn to reason together and so serve the common good.

Give us peace in our hearts and in the world, and lead us always in the path of righteousness and peace for Your sake. This we pray. 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 has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

An act to help maintain peace, security, and stability in the Western Pacific and to promote continued extensive, close, and friendly relations between the people of the United States and the people on Taiwan.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2479) entitled "An act to help maintain peace, security, and stability in the Western Pacific and to

mote continued extensive, close, and friendly relations between the people of the United States and the people on Taiwan," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHURCH, Mr. PELL, Mr. GLENN, Mr. BIDEN, Mr. STONE, Mr. JAVITS, Mr. PERCY, and Mr. HELMS, to be the conferees on the part of the Senate.

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

##### S. RES. 50

Resolved, That the Senate disapproves the proposed deferral of budget authority (Deferral D79-6) to promote and develop fishery products and research pertaining to American fisheries set forth in the special message transmitted by the President to the Congress on October 2, 1978, under section

□ 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.

1013 of the Impoundment Control Act of 1974.

**H.R. 2154 AND H.R. 1301 SCHEDULED FOR SUSPENSION CALENDAR**

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

Mr. WRIGHT. Mr. Speaker, I take this time to notify the House, in conformance with the rules of the House, that it will be the purpose of the leadership to schedule two bills on suspension of rules on either Monday next or Tuesday next.

Those two bills are H.R. 2154, to revise the Strategic Materials Stockpiling Act, and H.R. 1301, concerning the international shipment of certain lottery materials.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2283, COUNCIL ON WAGE AND PRICE STABILITY ACT AMENDMENTS**

Mr. BOLLING, from the Committee on Rules, submitted a privileged report (Rept. No. 96-34) on the resolution (H. Res. 156) to amend the Council on Wage and Price Stability Act to extend the authority granted by such act to September 30, 1981, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2534, TEMPORARY DEBT LIMIT INCREASE**

Mr. BOLLING, from the Committee on Rules, submitted a privileged report (Rept. No. 96-35) on the resolution (H. Res. 157) to provide for a temporary increase in the public debt limit, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1505

**PRESIDENT DESERVES ADMIRATION FOR HIS EXTRAORDINARY JOURNEY FOR PEACE**

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

Mr. RODINO. Mr. Speaker, the President has returned home after an extraordinary journey for peace. He deserves our deepest admiration for the determination, the skill, and the patience of his mission in the Middle East.

Rarely has an American President shown as much tenacity in the pursuit of peace. President Carter persisted in his effort toward a treaty between Israel and Egypt no matter what pessimistic assessments were offered, no matter what warnings were sounded, no matter what grim setbacks occurred.

And rarely has an American President shown as much courage in the pursuit of peace. President Carter had the

courage to be unconventional, the courage to be imaginative, the courage to risk failure in his journey.

He did not fail, because he was determined to keep trying.

He did not fail, because he remained confident always of the fundamental good will of the leaders of Israel and Egypt.

He did not fail, because he was willing, modestly, to depart from the traditional pinnacle of Presidential prestige to fly personally from place to place in his quest for peace.

I am proud of our President's achievement, and I believe that his magnificent leadership for peace in the Middle East has stirred the pride of all Americans and won the respect and admiration of all the world.

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

Mr. RODINO. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, I commend the gentleman from New Jersey (Mr. RODINO) for what he has said, and would like to associate myself with his remarks in praise of President Carter's efforts in the Middle East. There can be no doubt that without the persistence and negotiating skill of President Carter, this remarkable achievement would not have been possible.

The entire Nation—and the world—owe President Carter their gratitude.

**COMMEMORATING 100TH ANNIVERSARY OF THE BIRTH OF ALBERT EINSTEIN**

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

Mr. BROWN of California. Mr. Speaker, I asked to take this time because today it is the 100th anniversary of the birth of Albert Einstein, probably the greatest scientist of this century and possibly of any century.

I intend to place in the Extension of Remarks of the RECORD some additional material bearing on this date, but I felt that I wanted to make one or two comments about the character of this man.

During the 1930's when I was myself a youngster, an adolescent, trying to determine what my own career choices would be, I was much moved by the example of Einstein and developed my own interest in science largely as a result of his influence.

Mr. Speaker, I want to point out two characteristics of Mr. Einstein's life which I think contradict the normal stereotype society has of scientists. First, he was a man of great morality. We sometimes tend to think of scientists as Dr. Strangelove kinds of creatures, unconcerned with the social implications of their work.

□ 1515

But let me quote what he said in 1932 in Pasadena:

The more powerful the tools which the creative ability of past generations (have) delivered into our hands, the greater must be man's moral powers to use them wisely.

He said:

Man does not lack the intelligence to overcome the evils in society; what is lacking is his selfless, responsible dedication to the service of mankind.

These remarks were made long before the advent of nuclear weapons, but they could have been aimed at such developments, as well as many of the other products, of modern technology.

Second, he was a world citizen, who urged everyone to take their citizenship seriously. One of Einstein's statements about education demonstrated this. He said the aim of education in a free society "must be the training of independently acting and thinking individuals who, however, see in the service of the community their highest life problem."

**ALBERT EINSTEIN'S ADVICE**

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

Mr. BRADEMAS. Mr. Speaker, I want to commend the gentleman from California (Mr. BROWN) for what he said in tribute to this remarkable man. What he has had to say reminds me of the experience I had in 1950 upon meeting Albert Einstein at the Institute for Advanced Study at Princeton. A group of Americans was waiting in a room in that institute at a reception before we were going off abroad to study, and I had my eye on the door to see an old friend of mine from school days. When the door came open, in shuffled this man with a wool hat, a sweater, khaki trousers, and shoes without socks. We fell back as if a divinity had walked in the room because it was Albert Einstein. Dr. Frank Aydelotte, the director of the Institute for Advanced Study, turned to our guest and said as if addressing an institution, which he was, not "Professor," not "Doctor," but Professor Aydelotte said, "Einstein, what have you got to tell these boys?"

Although it is almost 30 years since, I remember still. From anybody else it would have been a cliché, but not from Albert Einstein. He said, "Well, I think the most important thing is that they should think for themselves." I think that is what I came away with as one modest contribution of this extraordinary human being.

I thank the gentleman from California.

**ALBERT EINSTEIN**

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

Mrs. FENWICK. Mr. Speaker, I would like to associate myself with the tribute to the one perhaps authentic genius of the 20th century who was happily and warmly received in my congressional district.



**PUERTO RICO IMPORTS SEEN AID-  
ING U.S. ECONOMY**

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

Mr. CORRADA. Mr. Speaker, I would like to call the attention of my colleagues to a short article which was recently printed in the San Juan Star, an English language daily published in Puerto Rico:

Puerto Rico's imports contributed 153,000 jobs and \$3.47 billion in gross income to the mainland economy in fiscal 1977, according to a recent Fomento study.

The five states which benefited most from supplying the island were the following:

New York, which earned \$355 million by exporting scientific and professional instruments, drugs and clothes.

California, which earned \$304 million with food products, canned food and transportation and communications equipment.

Texas, which profited by \$205 million from petroleum products, milled rice, chemicals and miscellaneous food products.

Illinois, which showed earnings of \$188 million from fabricated metal products, cleaning and toilet goods, food products and drugs.

Florida, which earned \$186 million with fresh fruits and vegetables, canned foods, paper and card board products.

These figures did not include a "multiplier" effect, or in other words, the other jobs an income generate when the \$3.47 billion is circulate through the economy, the report said.

The mainland economy also receives other benefits outside the scope of the study, the report explained including earnings and employment from transportation of goods and people, banking, insurance, advertising and expenditures of Puerto Rican visitors to the mainland.

**PRESIDENT CARTER'S  
FOREIGN POLICY**

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

Mr. MICHEL. Mr. Speaker, at a later time today I will insert in the RECORD my views on President Carter's overall handling of our foreign policy.

For the moment he deserves our congratulations for getting Israel and Egypt to sign a peace accord, but that does not by any means guarantee a comprehensive peace for the entire Middle East. It is only a beginning, although a significant one.

When we were briefed after the Camp David meetings, I asked the President point blank whether there were any financial commitments made at the time and the answer was a flat "no."

Two questions later the President did acknowledge his agreeing to relocate two Israeli air bases from the Sinai.

Since the President was less than candid in his answer to my question, I would be willing to bet that when all the fine print is exposed to public view, every one of President Carter's characteristic bear hugs with Sadat and Begin will cost the American taxpayer a billion dollars or more per hug.

□ 1525

**SPECIAL PROSECUTOR URGED TO  
INVESTIGATE CARTER PEANUT  
BUSINESS**

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

Mr. SHUSTER. Mr. Speaker, on May 27, 1976, Presidential candidate Jimmy Carter told an audience in Cincinnati, Ohio, quote:

I see an America that has turned her back on scandals and corruption and official cynicism and has finally demanded a government that deserves the trust and respect of her people.

I wholeheartedly agree with that vision. Therefore, I again call on the Attorney General to appoint a special prosecutor to look into charges and allegations concerning President Carter and his brother relating to the operation of the Carter peanut business in Georgia.

Columnist William Safire summed it up in a nutshell in the New York Times:

Remember, we are not dealing merely with charges against Billy Carter; we are dealing with potential fraud, conspiracy to misapply bank funds and tax evasion in a company 63 percent owned by Jimmy Carter. We are not looking merely at a trick with collateral to increase cash flow, but also into a long-delayed Federal Election Commission report, a questionable I.R.S. audit, a closely related 18 month criminal investigation, and a two year pattern of deliberate withholding of pertinent operating statements of the Carter warehouses by the Carter press secretary and counsel.

In conclusion, Mr. Speaker, I ask: "Why not the best?"

**DOW CHEMICAL REPORTS ON EF-  
FECT OF FEDERAL REGULATION**

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

Mr. PAUL. Mr. Speaker, the Dow Chemical Co., one of the largest employers in my district, has just issued a startling report on the cost of Government regulations.

This study shows that compliance with multitudinous Federal regulations cost Dow \$268 million in 1977, up 82 percent from 1975.

The quarter-billion-dollar price tag of dealing with the 80 Government agencies that harass it does nothing but raise prices, cost jobs, and make us less competitive in the world market.

Only Congress can do something about cutting the entangling web of Federal regulations, and as a start, I have introduced legislation to abolish OSHA.

Combined with the unconscionable Federal policies of runaway inflation and runaway taxation, runaway regulation can strangle our free and productive economy, unless Congress lives up to its constitutional mandate to provide for the general welfare, and ends these three destructive activities.

**PROVIDING FUNDS FOR EXPENSES  
OF INVESTIGATIONS AND STUDIES  
BY COMMITTEE ON AGRICULTURE**

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution (H. Res. 117) to provide funds for the expenses of the investigations and studies to be conducted by the Committee on Agriculture, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 117

Resolved, That, effective January 3, 1979, the expenses of the investigations and studies to be conducted by the Committee on Agriculture, acting as a whole or by subcommittee, not to exceed \$1,100,000, including expenditures for the employment of investigators, attorneys, clerical, stenographic, and other assistants, for specialized training, pursuant to section 202(j) of such Act, as amended (2 U.S.C. 72a(j)), of committee staff personnel performing professional and nonclerical functions, and for the procurement of services of individuals or organizations, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$2,000 of the total amount provided by this resolution may be used to provide for specialized training, pursuant to section 202(j) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(j)), of staff personnel of the committee performing professional and nonclerical functions but this monetary limitation for specialized training shall not prevent the use of such funds for any other authorized purpose.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Agriculture shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 3. Funds authorized by this resolution shall expire immediately prior to noon on January 3, 1980.

SEC. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

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

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

There was no objection.

**COMMITTEE AMENDMENT**

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the resolving clause and insert: That, effective January 3, 1979, the expenses of the investigations and studies to be conducted by the Committee on Agriculture, acting as a whole or by subcommittee, not to exceed \$1,025,000, including expenditures for the employment of investigators, attorneys, clerical, stenographic, and other assistants, for specialized training, pursuant to section 202(j) of such Act, as amended

(2 U.S.C. 72a(j)), of committee staff personnel performing professional and non-clerical functions, and for the procurement of services of individuals or organizations, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$2,000 of the total amount provided by this resolution may be used to provide for specialized training, pursuant to section 202(j) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(j)), of staff personnel of the committee performing professional and nonclerical functions but this monetary limitation for specialized training shall not prevent the use of such funds for any other authorized purpose.

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Sec. 3. Funds authorized by this resolution shall expire immediately prior to noon on January 3, 1980.

Sec. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

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

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

There was no objection.

The SPEAKER. The gentleman from Indiana (Mr. BRADEMAS) is recognized for 1 hour.

Mr. BRADEMAS. Mr. Speaker, House Resolution 117 provides \$1,025,000 for investigations and studies to be conducted by the Committee on Agriculture.

Mr. Speaker, the amount approved by the Committee on House Administration is \$115,000 more than they received last year but is \$75,000 less than the committee requested.

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

Mr. BRADEMAS. I yield for the purpose of debate only to the gentleman from California (Mr. DANNEMEYER).

Mr. DANNEMEYER. I thank the gentleman for yielding.

Mr. Speaker, the information which we got from the Agricultural Committee office was that in 1978 they spent \$774,200. I notice that the Committee on House Administration has authorized a recommendation for 1979 of \$1,025,000. That is an increase of 32.4 percent in one year, for 1979, over what was spent by this committee in 1978.

Considering that our President has asked the American people to limit increases in prices and wages to no more than 7 percent and, indeed, that the President has recommended to the Congress that wage increases of Federal employees be limited to no more than 5.5 percent, what justification do we have

for a recommendation to the House that we authorize an expenditure level for this committee which is 32.4 percent more than what they spent last year?

□ 1535

Mr. BRADEMAS. I might say to the gentleman that Mr. WAMPLER, the gentleman's colleague, who is the ranking minority member of the committee and who stands in strong support of the resolution, might best be able to respond to the gentleman's question. I would, before yielding to him however, yield to the distinguished chairman of the Committee on Agriculture, the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank the chairman of the subcommittee. I think the gentleman from California has a false analogy. This committee has not paid its employees even the rates permissible under existing law. We do not have the highest level, grade 4 level, on this committee. We have had a lower level of staffing for a subcommittee than any major committee in the House. I think the gentleman will know by experience how many subcommittee staff are existing on subcommittees. We do not even have two subcommittee staff persons per subcommittee, considering both Democrats and Republicans—and this committee has always had a one-third minority staffing.

The fact that we turn back money, as the gentleman suggests, that should be used against this committee because it tried to be frugal and careful in the expenditure of its budget, is a sad reflection of what has happened all too often in the executive branch of Government where it is common knowledge that many agencies try to expend the maximum amount of their appropriation every year for the very reason that they do not want someone like the gentleman standing up and saying, "Why do they need more money? They have not spent what they had last year."

It is very easy for Mr. WAMPLER, and myself, who control the budget of this committee between us, to see to it that every penny authorized and appropriated by this Congress is expended and, in fact, that the committee goes into some debt and comes and asks for a supplemental appropriation and supplemental authorization. If that is what the gentleman would like, I would be happy to see that that is done. I do not think the gentleman wants that. I think he wants this committee and all committees to spend what they have carefully and frugally, and when we have a chance to spend less than we are authorized, we are proud that we are able to come back and demonstrate effective management of this committee by turning money back.

But, we do have a problem. Members like the gentleman come back and say, "Why do you need more staff when you are turning money back?" We have had a very small staffing. In fact, our whole investigative budget is the second lowest of all the major committees of this House next only to the Armed Services Committee.

Mr. BRADEMAS. Mr. Speaker, I thank the gentleman from Washington for his observations. I share them.

Mr. Speaker, I yield to the distinguished ranking minority member of the Committee on Agriculture, the gentleman from Virginia (Mr. WAMPLER).

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

Mr. Speaker, let me say to my colleague from California that I commend him for his concern of fiscal responsibility. There are many of us in this House who for many years have tried to vote that way. Let me assure him that in working with the distinguished chairman of the House Committee on Agriculture in preparing this budget, we were frugal. As the gentleman from California might well know, the Committee on Agriculture has very broad jurisdiction and, like most committees of this House, I hope that this will be the year of oversight in which our committee expects to look into a number of programs affecting American agriculture and the American consumer.

I would point out that every year, I believe, that I have been ranking minority member of this committee we have turned back to the Treasury unexpended balances of our budget. One might ask, why then do we present a budget that goes over the actual expenditures? My conception of a budget is that it is something that is realistic, that we think we need, and then by operating in a very frugal manner we are within our budget and are making an effort to return money to the Treasury every year. I wish every agency of the Federal Government would do the same.

So, I assure my colleague from California and all Members of the House that I perceive this as being a realistic budget. I want to assure the gentleman that to the extent I have any participation in the levels of these funds, we are going to spend them very carefully. Hopefully, this year we will do what we have done in the past years, that is, turn back the unexpended balance.

□ 1540

Mr. BRADEMAS. Mr. Speaker, I thank the gentleman from Virginia (Mr. WAMPLER) for his contribution.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. BRADEMAS. Mr. Speaker, I move the previous question on the resolution, as amended.

The previous question was ordered.

The SPEAKER. The question is on the resolution, as amended.

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

Mr. DANNEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.



**PROVIDING FUNDS FOR INVESTIGATIONS AND STUDY OF WELFARE AND PENSION PLANS BY COMMITTEE ON EDUCATION AND LABOR**

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution (H. Res. 114) providing funds for the expenses of a welfare and pension plans task force under the jurisdiction of the Committee on Education and Labor, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 114**

*Resolved*, That the expenses of a special study and investigation of welfare and pension plans to be conducted by the Committee on Education and Labor, acting as a whole or by subcommittee, not to exceed \$360,000 including expenditures for the employment of attorneys, actuaries, investigators, individual consultants, or organizations thereof, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$15,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

Such \$360,000 shall be available and allocated to the Subcommittee on Labor-Management Relations in connection with the ongoing study and investigation of the impact and effect of the Employee Retirement Income Security Act of 1974 on private pension and welfare plans and public employee pension and welfare plans pursuant to sections 3021 and 3031 of that Act, and related bills. Particular need has been demonstrated to continue a professional study of vesting, funding, portability, benefit insurance, fiduciary responsibility, adequate disclosure, and other aspects related to the expansion and full effectuation of private and public pension and welfare plans as a meaningful supplement to the social security system.

The Subcommittee on Labor-Management Relations, through the Committee on Education and Labor, shall report to the House as soon as practical during the present Congress the results of its investigation and study with such recommendations as it deems advisable.

SEC. 2. Except as provided by sections 3021 and 3031 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1231), no part of the funds authorized by this resolution shall be available for expenditure in connection with the study of any subject which is being investigated for the same purpose by any other committee of the House; and the chairman of the Committee on Education and Labor shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

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

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

There was no objection.

**COMMITTEE AMENDMENT**

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the resolving clause and insert:

That the expenses of a special study and investigation of welfare and pension plans to be conducted by the Committee on Education and Labor, acting as a whole or by subcommittee, not to exceed \$167,500 including expenditures for the employment of attorneys, actuaries, investigators, individual consultants, or organizations thereof, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$15,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

Such \$167,500 shall be available and allocated to the Subcommittee on Labor-Management Relations in connection with the ongoing study and investigation of the impact and effect of the Employee Retirement Income Security Act of 1974 on private pension and welfare plans and public employee pension and welfare plans pursuant to sections 3021 and 3021 of that Act, and related bills. Particular need has been demonstrated to continue a professional study of vesting, funding, portability, benefit insurance, fiduciary responsibility, adequate disclosure, and other aspects related to the expansion and full effectuation of private and public pension and welfare plans as a meaningful supplement to the social security system.

The Subcommittee on Labor-Management Relations, through the Committee on Education and Labor, shall report to the House as soon as practical during the present Congress the results of its investigation and study with such recommendations as it deems advisable.

SEC. 2. Except as provided by sections 3021 and 3031 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1231), no part of the funds authorized by this resolution shall be available for expenditure in connection with the study of any subject which is being investigated for the same purpose by any other committee of the House; and the chairman of the Committee on Education and Labor shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 3. The authorization granted by the resolution shall expire immediately prior to noon on January 3, 1980.

SEC. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

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

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

There was no objection.

The SPEAKER. The gentleman from Indiana (Mr. BRADEMAS) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 114 provides \$167,500 for a special study and investigation of pension plans to be conducted by a pension task force under the jurisdiction of the Committee on Education and Labor.

Mr. Speaker, the Committee on House Administration reduced the task force's 2-year, \$360,000 request to a single-year allocation of \$167,500.

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

Mr. BRADEMAS. I yield to the gentleman from New Jersey, for purposes of debate only.

Mrs. FENWICK. Mr. Speaker, I thank my colleague for yielding.

I think all of us on this side of the aisle were impressed and heartened and I may say amazed, in a way, to hear the fine report as to the staffing, from the point of view of the minority, on the Committee on Agriculture, which the distinguished chairman has just revealed to us.

I wonder whether the gentleman could tell us what proportion of the staff of the minority will be involved with this committee?

Mr. BRADEMAS. Mr. Speaker, I may say to the gentleman from New Jersey that the gentleman from New Jersey (Mr. THOMPSON) is the father of the one-third rule, a position which has caused a certain amount of grief for him on this side.

However, before yielding to him, I will yield to the gentleman from Illinois (Mr. ERLBORN), for purposes of debate only.

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

In answer to my colleague's question, the Pension Task Force which we are seeking to have refunded at this time was suggested by me to our former colleague, John Dent, during consideration of the legislation which finally was enacted in 1974, the private pension legislation known as ERISA.

We had a fine bipartisan approach at the time ERISA was enacted and in the activities of the Pension Task Force since September of 1974, when that bill was signed into law. The minority is well represented on the task force. As a matter of fact, at the present time the actuary, who is a minority appointee, has been with the committee for a long time. The counsel, a majority appointee, professional appointee, has just joined the task force. The highest paid employee on the task force at the present time happens to be the minority appointee.

As the ranking member of this subcommittee and having been on the task force since its creation, I want to say that the minority has been well represented. We have had a very nonpartisan or bipartisan approach to this legislation.

Mr. Speaker, if the gentleman will yield further, in anticipation of a question as to the amount of this appropriation, those of us who were in the Con-

gress in the last 2 years know that our colleague, now retired, John Dent, was stricken about 2 years ago with difficulties which led finally to the removal of one of his eyes and the possibility of trouble with the remaining eye. As a result, he was hospitalized for a long period of time.

Because of the technicalities involved in ERISA—and it is a rather esoteric subject—and the inability of our colleague, John Dent, to be here to lead the task force in its activities, the activities of the task force were greatly reduced.

□ 1545

In the last Congress, as a matter of fact, when the majority appointee of the task force, the counsel of the task force, finally left, he was not replaced because of the low level of activities. We anticipate a resumption of a full schedule of activities of the task force in this year. For comparison purposes, in the 94th Congress the annual expenditures of the task force were \$149,000. The amount in this resolution is \$167,500, so that on an annualized basis the increase has been approximately 3 percent per year. I would say that that compares most favorably with the request.

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

Mr. BRADEMÁS. I yield to the gentleman from New Jersey.

Mrs. FENWICK. I thank my colleague for yielding.

I think that is a very fine report. I just want to ask the gentleman, has this committee the additional \$1½ million for staff by statute?

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

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

Mr. ERLÉNORN. I thank the gentleman for yielding.

This is not a standing committee but merely a task force serving one of the subcommittees. This is the only money available to the task force.

Mrs. FENWICK. If the gentleman will yield further, I think that is a very fine record, and I congratulate the committee.

Mr. BRADEMÁS. I thank the gentleman from New Jersey and the gentleman from Illinois.

Mr. Speaker, I yield now to the gentleman from New Jersey (Mr. THOMPSON), the distinguished chairman of the Committee on House Administration and the Chairman of this task force.

Mr. THOMPSON. I thank the gentleman for yielding.

First of all, Mr. Speaker, I want to thank the Chairman and the members of the subcommittee, and extend thanks to my distinguished colleague, the gentleman from Illinois (Mr. ERLÉNORN) who in response in that colloquy answered very much of what I was going to say. I have only to add this, that there are virtually innumerable requests existing now made by Members for highly technical answers to pension questions. This task force, I believe, is the only unit in existence with the capability of answering these questions.

I might point out as well that we are faced with a deadline of enormous im-

portance, and that is July 1, which is coming very rapidly. In 1974 when we passed ERISA, we enacted a self-funding insurance system for guaranteeing pension benefits of participants whose employees terminated plans with insufficient assets to pay benefits. In 1977 we postponed mandatory coverage under this system until July 1 of this year for 8 million workers throughout the United States who are participants in multi-employer pension plans. It is of the utmost importance that State, county, municipal, private, and public pension plan participants be covered.

I might point out that there are in existence nearly \$500 billion of pension funds which this law must protect. We will undertake to do that. It is a very small, very highly trained staff, Mr. Speaker. I certainly hope that this modest amendment will be approved.

Mr. BRADEMÁS. I thank the gentleman.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. DANNEMEYER), for debate only.

Mr. DANNEMEYER. I thank the gentleman for yielding.

I notice in 1978 this committee expended on an annualized basis approximately \$109.5 thousand, and the recommendation of the Committee on House Administration for this year 1979 is \$167.5 thousand, which represents an increase of some 53 percent in 1 year over what they spent last year. Can the gentleman explain to this House why we should vote to approve an increase in expenditure of a magnitude of better than 50 percent in just 1 year for this one committee?

Mr. BRADEMÁS. I would be glad to do so by yielding to the gentleman from Illinois (Mr. ERLÉNORN).

Mr. ERLÉNORN. I thank the gentleman for yielding.

Let me just repeat to my colleague that in the 94th Congress the expenditures were \$149,000 per year. I would again repeat, because of the illness of the Chairman of the committee the task force was inactive to a certain extent during the last Congress. If we were to compare this with the expenditures in 1975 and 1976, the increase asked for now would be less than 3 percent a year. That is a record of which I think we can be proud.

Mr. BRADEMÁS. Mr. Speaker, I thank the gentleman from Illinois for his observations.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. BRADEMÁS. Mr. Speaker, I move the previous question on the resolution as amended.

The previous question was ordered.

□ 1550

The SPEAKER. The question is on the resolution, as amended.

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

Mr. DANNEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. DANNEMEYER. Mr. Speaker, I

object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 336, nays 73, not voting 23, as follows:

[Roll No. 39]

YEAS—336

Abdnor	Downey	Jones, Tenn.
Addabbo	Drinan	Kastenmeier
Akaka	Duncan, Oreg.	Kazen
Albosta	Duncan, Tenn.	Kemp
Ambro	Early	Kildee
Anderson, Calif.	Eckhardt	Kindness
Andrews, N.C.	Edwards, Ala.	Kogovsek
Andrews, N. Dak.	Edwards, Calif.	Kostmayer
Annunzio	Edwards, Okla.	LaFalce
Anthony	Emery	Leach, La.
Applegate	English	Leath, Tex.
Ashbrook	Erlenborn	Lederer
Aspin	Ertel	Lehman
Atkinson	Evans, Del.	Leland
AuCoin	Fary	Lent
Badham	Fascell	Levitas
Bailey	Fazio	Lewis
Baldus	Fenwick	Livingston
Barnard	Ferraro	Lloyd
Barnes	Findley	Long, La.
Beard, R.I.	Fish	Long, Md.
Beard, Tenn.	Fisher	Lowry
Bedell	Fithian	Luken
Bellenson	Filippo	Lundine
Benjamin	Florio	McCormack
Bennett	Foley	McDade
Blaggi	Ford, Mich.	McEwen
Bingham	Ford, Tenn.	McHugh
Blanchard	Forsythe	McKay
Boggs	Fowler	Madigan
Boland	Frost	Maguire
Bolling	Fuqua	Markey
Boner	Garcia	Marks
Bonior	Gaydos	Marriott
Bonker	Gephardt	Matsul
Bouquard	Giaino	Mattox
Brademas	Gilman	Mavroules
Brodhead	Gingrich	Mazzoli
Brooks	Ginn	Mica
Broomfield	Goldwater	Michel
Brown, Calif.	Gonzalez	Mikulski
Brown, Ohio	Goodling	Mikva
Broyhill	Gore	Miller, Calif.
Buchanan	Gradison	Miller, Ohio
Burlison	Gramm	Mineta
Burton, John	Grassley	Minish
Burton, Phillip	Gray	Mitchell, Md.
Butler	Guarini	Mitchell, N.Y.
Byron	Gudger	Moakley
Campbell	Guyser	Mollohan
Carr	Hagedorn	Moorhead, Pa.
Carter	Hall, Ohio	Murphy, Ill.
Cavanaugh	Hall, Tex.	Murphy, N.Y.
Chappell	Hamilton	Murphy, Pa.
Cheney	Hammer-	Murtha
Chisholm	schmidt	Myers, Pa.
Clausen	Hanley	Natcher
Clay	Harkin	Neal
Cleveland	Harris	Nedzi
Clinger	Harsha	Nichols
Coelho	Hawkins	Nolan
Collins, Ill.	Heckler	O'Brien
Conable	Hefner	Oaker
Conte	Hefel	Oberstar
Corcoran	Hightower	Obey
Corman	Hillis	Ottinger
Cotter	Hinson	Panetta
Coughlin	Holland	Patten
Courter	Hollenbeck	Patterson
D'Amours	Holtzman	Pease
Daniel, Dan	Horton	Perkins
Danielson	Howard	Peyser
Daschle	Hubbard	Pickle
Davis, Mich.	Huckaby	Preyer
Davis, S.C.	Hughes	Price
de la Garza	Hutto	Pritchard
Dellums	Hyde	Pursell
Derrick	Ichord	Quillen
Devine	Ireland	Rahall
Dicks	Jacobs	Rallsback
Dingell	Jeffords	Rangel
Dixon	Jenkins	Ratchford
Donnelly	Jenrette	Regula
Dougherty	Johnson, Calif.	Reuss
	Johnson, Colo.	Rhodes
	Jones, N.C.	Richmond



Rinaldo	Smith, Iowa	Walgren
Roberts	Snowe	Walker
Robinson	Snyder	Wampler
Rodino	Solarz	Watkins
Roe	Spence	Waxman
Rose	St Germain	Weaver
Rosenthal	Stack	Weiss
Rostenkowski	Staggers	White
Roth	Stanton	Whitehurst
Rousselot	Stark	Whitley
Roybal	Steed	Whitten
Rudd	Stewart	Williams, Mont.
Russo	Stockman	Wilson, Bob
Sabo	Stokes	Wilson, C. H.
Satterfield	Stratton	Wilson, Tex.
Sawyer	Studds	Wirth
Scheuer	Swift	Wolff, N.Y.
Schroeder	Synar	Wolpe, Mich.
Seiberling	Taylor	Wright
Sensenbrenner	Thompson	Wyatt
Shannon	Traxler	Wydler
Sharp	Treen	Wylie
Shelby	Udall	Yates
Shuster	Ullman	Yatron
Simon	Van Deerlin	Young, Alaska
Skelton	Vander Jagt	Young, Mo.
Slack	Vento	Zablocki

## NAYS—73

Archer	Hance	Nelson
Bafalis	Hansen	Pashayan
Bauman	Holt	Paul
Bereuter	Hopkins	Quayle
Bethune	Jeffries	Ritter
Breaux	Jones, Okla.	Runnels
Brinkley	Kelly	Santini
Burgener	Kramer	Schulze
Carney	Lagomarsino	Sebelius
Coleman	Latta	Shumway
Collins, Tex.	Leach, Iowa	Smith, Nebr.
Crane, Daniel	Lee	Solomon
Crane, Philip	Loeffler	Stangeland
Daniel, R. W.	Lott	Stenholm
Dannemeyer	Lujan	Stump
Deckard	Lungren	Symms
Derwinski	McClory	Tauke
Dickinson	McDonald	Thomas
Erdahl	Marlenee	Trible
Evans, Ind.	Martin	Vanik
Frenzel	Montgomery	Volkmer
Gibbons	Moore	Whittaker
Glickman	Moorhead,	Winn
Green	Calif.	Young, Fla.
Grisham	Myers, Ind.	

## NOT VOTING—23

Alexander	Dornan	Moffett
Anderson, Ill.	Edgar	Mottl
Ashley	Evans, Ga.	Nowak
Bevill	Flood	Pepper
Bowen	Fountain	Spellman
Conyers	McCloskey	Williams, Ohio
Diggs	McKinney	Zerfretti
Dodd	Mathis	

□ 1605

Mrs. SCHROEDER and Mr. YOUNG of Missouri changed their vote from "nay" to "yea."

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

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## FURTHER LEGISLATIVE PROGRAM

(Mr. PEYSER asked and was given permission to address the house for 1 minute.)

Mr. PEYSER. Mr. Speaker, I would like to announce that the third funding resolution on House Information Systems will not be taken up this afternoon, but will be taken up on Monday. The Committee on Committees report dealing with that committee will also be taken up on Monday.

Mr. Speaker, there will be no votes on Monday, and all votes will be delayed.

## GENERAL LEAVE

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

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

There was no objection.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF INVESTIGATIONS AND STUDIES BY COMMITTEE ON THE JUDICIARY

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-36) on the resolution (H. Res. 86) to provide for the expenses of investigations and studies to be conducted by the Committee on the Judiciary, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF INVESTIGATIONS AND STUDIES BY COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-37) on the resolution (H. Res. 123) to provide for the expenses of investigations and studies to be conducted by the Committee on Post Office and Civil Service, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF INVESTIGATIONS AND STUDIES BY COMMITTEE ON AGING

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-38) on the resolution (H. Res. 128) to provide for the expenses of investigations and studies to be conducted by the Committee on Aging, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FUNDS FOR INVESTIGATIONS AND STUDIES FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-39) on the resolution (H. Res. 132) providing funds for investigations and studies for the Committee on Merchant Marine and Fisheries, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF INVESTIGATIONS AND STUDIES BY COMMITTEE ON SCIENCE AND TECHNOLOGY

Mr. PEYSER, from the Committee on House Administration, submitted a priv-

ileged report (Rept. No. 96-40) on the resolution (H. Res. 134) to provide for the expenses of investigations and studies to be conducted by the Committee on Science and Technology, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF INVESTIGATIONS BY COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-41) on the resolution (H. Res. 137) to provide funds for the expenses of investigations to be conducted by the Committee on Interstate and Foreign Commerce, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF STUDIES AND INVESTIGATIONS BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-42) on the resolution (H. Res. 139) to provide funds for the expenses of studies and investigations to be conducted by the Committee on Interior and Insular Affairs, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR EXPENSES OF INVESTIGATIONS, STUDIES, OVERSIGHT, AND FUNCTIONS BY COMMITTEE ON GOVERNMENT OPERATIONS

Mr. PEYSER, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-43) on the resolution (H. Res. 140) to provide for the expenses of investigations, studies, oversight, and functions to be conducted by the Committee on Government Operations, which was referred to the House Calendar and ordered to be printed.

## DEATH KNELL FOR SMALL BUSINESS PROGRAMS FORECAST

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

Mr. ADDABBO. Mr. Speaker, my admiration for Ambassador Robert Strauss has increased with every year I have known him, and it therefore grieves me to disagree with him. Nevertheless, Mr. Strauss—acting on behalf of the White House—is embarked on a mission that could have simply disastrous consequences for small and minority-owned business firms in this Nation, could cause any number of industries to be closed down and would certainly impact badly on the Nation's high unemployment areas.

I am referring to the proposed trade treaty with members of the European

Common Market and some eight other nations around the world. This treaty, if implemented as designed, would remove all protective laws within this Nation which were passed to protect U.S. companies and workers from unfair foreign competition.

To implement this treaty, the administration would ask Congress to pass an implementing bill which could not be amended or debated. The net effect of this bill would be to repeal small business set-asides, minority enterprise set-asides—this is the 8-a program—the labor surplus procurement program and the Buy American Act.

Mr. Strauss justifies repealing these acts because the United States is asking the other involved nations to make concessions in their protectionist laws so that American companies can bid for foreign contracts just as foreign firms would then be allowed to bid for U.S. Federal procurement contracts. That sounds nice enough. But the reality is that small and minority enterprise programs, as well as the other programs I have mentioned, will be undermined completely because U.S. firms have to comply with U.S. laws concerning minimum wage, safety and pollution standards, retirement and insurance benefits, and all of the other assorted regulations we insist upon—and the foreign companies do not. That is not free trade except in name alone.

Nevertheless, what is most important is that if the administration concludes its negotiations, the House will be the final judge of this issue when the implementing bill comes before us.

I urge the Members to take a hard look at the ultimate effect that such a treaty will be on those companies large enough to be multinational. I further suggest that the big losers will be the small companies and the people who work for them, the minority-owned businesses and those other have-nots who are struggling so hard to become part of our free enterprise system, and those large pockets of high unemployment which would be left to drift further toward decay and hopelessness.

Mr. Speaker, this morning I put out a comprehensive statement on this issue, and I include that in the RECORD:

**DEATH KNELL FOR SMALL BUSINESS PROGRAMS FORECAST**

Small Business programs as well as other programs to protect American workers from unfair competition from imported goods will be effectively destroyed if the Carter Administration follows through with trade negotiations presently under way, Congressman Joseph P. Addabbo said today.

Addabbo (D.-N.Y.) added that almost all of the gains so painstakingly made over the last 10 years to protect American industry and on behalf of minority enterprise will be lost "in one fell swoop, if this trade agreement is signed as the Administration plans to do."

Negotiations are nearly ended now between U.S. Ambassador Robert Strauss and foreign nations which include members of the European Common Market, Canada, Japan, Sweden, Switzerland, Mexico, Brazil, Taiwan and Korea. The White House has already conducted preliminary discussions with members of congressional committees regarding required legislation to implement the treaties.

"The goal of the Administration is admirable," Addabbo said, "but the net effect of this proposed treaty would be to place in jeopardy everything that has been gained for the small business and have-nots of our nation while the only apparent U.S. winners would be the large, multinational corporations."

Most nations, including the U.S. have laws which favor domestic businesses when they sell products to their respective governments. Here in the U.S., government purchasing policies must also take into consideration the Buy American Act, the Small and Minority Business Set-Aside Programs, and the Labor Surplus Area Procurement Program, all of which are designed to funnel billions of dollars each year of government procurement to segments of America where extra help is necessary. Without these programs, large segments of American industry would be driven out of business by cheaply-produced imported goods, minority enterprise programs would have withered away and huge pockets of unemployment areas would have no hope of recovery.

The trade agreement now being considered by the White House would remove most, if not all, of these protections. That means, according to Congressman Addabbo, "... that foreign firms which are not subject to U.S. laws that require minimum wage, OSHA, pollution control standards or tax requirements, would be able to compete unequally with U.S. firms for government contracts."

"This is to be done in the name of fair competition," Congressman Addabbo notes, "but to force our businesses into head-to-head competition with foreign companies who use cheap labor and may be government subsidized is not my idea of fair competition. This is either a classic example of good intentions going awry or a serious misinterpretation of the eventual consequences of this treaty."

Noting that the certain consequences of signing this proposed treaty would be the further loss of American jobs, the loss of contracts by small and minority-owned companies and the inability to channel a percentage of federal procurement contracts to high unemployment areas, Addabbo observed that "this is directly contrary to the President's stated commitment of help to the cities which resulted in his Urban Message of a year ago."

Among the laws the President would ask Congress to repeal so that the trade treaty could be implemented would be:

**Small business Set-Asides**—allowing federal agencies to "set-aside" or restrict competition on certain contracts to small businesses only; **Minority Enterprise Set-Asides (8(a) Program)**—authorizing Small Business Administration contracts with federal agencies which then subcontract for actual performance to minority-owned companies on a sole source basis;

**Labor Surplus Procurement Program**—Allowing federal agencies to "set-aside" or restrict competition on certain contracts to firms which will perform a substantial proportion of the production under the contract in a high unemployment area;

**Buy American Act**—applies to an offer submitted by a foreign firm for a federal contract and "tacks on" to that offer a fixed percent of the offered price and only then is the foreign offer compared to other offers received from domestic firms.

There is a limited list of particular products which the Government buys and which are to be excluded from the terms of the trade agreement. In addition, contracts under \$190,000 in amount will not be covered. Representative Addabbo stated:

"If the Administration dares to offer a bill which, in any way, limits the scope of the Buy American Act, or the small, minority business or labor surplus area programs, it ought to go down to sure defeat on the Floor

of the House. I sincerely hope that the Administration will reevaluate its position before we are forced to reject the entire trade agreement and thereby cause the Administration embarrassment both here and in the international community."

**AGRICULTURE PROBLEMS AGGRAVATED BY WHITE HOUSE INDECISION**

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

Mr. HIGHTOWER. Mr. Speaker, as you, and other Members of Congress have heard me say before, we have many problems in agriculture.

Time and timeliness mean the difference between success and disaster in farming. If a producer does not plow and plant, buy and sell at the right time, a year's labor and a year's income can be lost.

My greatest frustration is trying to get decisions affecting farmers out on a timely basis. I give the people at the Department of Agriculture a hard time on getting decisions out when they need to be announced. The people at the Department of Agriculture, however, do an outstanding job compared to what happens when the proposals go down the street to Pennsylvania Avenue. Let us give you an example.

There is a provision in the 1977 Farm Act that provides for the Secretary of Agriculture to allow wheat producers to graze-out up to 40 percent of their wheat instead of harvesting the wheat for grain. Now that is not a decision of Earth shattering dimensions. If it had been announced last fall when the rest of the wheat program was announced it would have allowed producers to contract for cattle or lease out part of their grazing. We have had a hard winter in the Great Plains area this year and winter forage is in short supply. This decision would be of great benefit to many producers.

The Department of Agriculture has approved this decision and sent it across the street for final approval after a short comment period. It is my understanding that the comments ran almost 300 to 1 in favor of the provision. The cattle market needs the additional grazing to keep cows and heifers from going in the feedlots and to encourage rebuilding of herds and we already have 411,291,025 bushels of wheat under loan and we are looking at a very strong wheat crop. Estimates are running around 26 percent over last year's crop.

In the meantime, this decision that could help a large group of financially troubled farmers is tied up in Mr. Kahn's shop because some think it might be inflationary. If the 25 to 30 million acres that this program might pull out of the spring harvest are pulled it will not amount to 1 cent of an increase in the cost of a loaf of bread. In the meantime, every day of delay means fewer farmers will be able to take advantage of this program.

The group down at the White House cannot seem to make up their minds on what to do on this issue. Statements and



stories appear that are attributed to the inflation fighting task force that refer to "possibilities" of planting soybeans on set-aside acres and opening the beef imports up again even though there is not any beef available to come into this country. Some decisions based on the needs of this country could do a lot more for inflation than all of the newspaper stories and media plays in the world.

Making those decisions when they need to be made could go a long way in restoring this country's faith in their Government. If every decision that comes out of any department must still go through the many councils over at the White House, why do we have the agencies?

□ 1510

#### EXPRESSING PRIDE IN PRESIDENT CARTER'S ACHIEVEMENT IN THE MIDDLE EAST

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

Mr. GLICKMAN. Mr. Speaker, I am glad to say I was among the Members of the Congress who went to Andrews Air Force Base early this morning to greet the President on his return from the Middle East. I wish that every Member of this body and, in fact, every American had had that opportunity. I am sure they would have shared my pride in the President's achievement. He showed strength, wisdom and perseverance, and he showed that the United States remains without equal, that this Nation of ours is indeed the great peacemaker of the world, and that our efforts around the world are worthy of respect.

During these lengthy negotiations, there have from time to time been expressions of doubt as to President Carter's personal commitment to the security of Israel. I want to make the point that I do not in any way doubt the sincerity of the President's commitment to the well-being of the State of Israel. While I have obviously not yet reviewed the provisions of a final agreement, I am confident that adequate provisions will be included to protect the security of this critically important ally.

My support for the President in his efforts for peace in the Middle East is unequivocal. He deserves credit for having brought Israel and Egypt to the verge of peace, and that is something that all too many have thought would never be possible.

#### CAN WE BUILD A TOWER INTO BUDGETARY HEAVEN?

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

Mr. LONG of Louisiana. Mr. Speaker, in this first Congress elected in the aftermath of proposition 13, political heaven for most Members, I suspect, would be to create a Federal Government that is both efficient and operates on a balanced budget. That is my vision of heaven, as

well. Aware of the congressional and public sentiments toward these lofty aims, the new Subcommittee on the Legislative Process of the Committee on Rules held its organizational meeting this week. This new subcommittee, which I have the honor to chair, carries forward the work begun by the Subcommittee on the Rules and Organization of the House which I chaired in the 95th Congress.

Our primary legislative goal for this Congress is to develop a practical procedure for systematic program review by the Congress. For if political heaven is indeed more efficient and less costly Government, then such systematic review can be a tower into that heaven.

I fear, however, that like our biblical ancestors in Babel, we may have a language problem. Everyone involved has the same end goal in building this new tower of oversight, but each speaks his own language when asked how to construct it. Some call it sunset, others call it sunrise. Some call for review every 5 years, others say every 10. If we do not communicate and exercise care in how we design this new procedure, we could all end up, like Babel's Tower, in rubble.

The role of our subcommittee is to find a common language—to focus Members' desire for better and more systematic oversight in a way that produces meaningful review without obstructing the legislative process at the same time. A requirement for program review can organize our mandated responsibility for conducting oversight, or it can become a procedural nightmare that keeps us from performing our other legislative functions. It can reinstall public confidence in Congress, or it can further disillusion that public.

In the coming months, our subcommittee will weigh all the alternatives for program review and after careful study, we will make legislative recommendations. I will soon be announcing hearings on this subject, and I hope that many Members will come forward with their views and advice to help us in this complicated matter.

Success in improving congressional oversight will require a sound and experienced collective judgment with broad and bipartisan support. I remind you: we are all in this together.

#### CITIZENS' POSTAL RATE RELIEF ACT OF 1979

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

Mr. FORD of Michigan. Mr. Speaker, I am today introducing legislation to provide each American with the option of a first-class deferred level of mail service. Under the Citizens' Postal Rate Relief Act, the rate for this could be as low as 11 cents, compared to the regular first-class rate of 15 cents. Most importantly, however, it would give the individual citizens of our country an option on postal rates—an option that is glaringly absent from the current postal rate structure, especially since every

other class of mail enjoys a variety of rates from which to choose.

Only last month, the Postal Service released "the Report of the Joint Industry/Postal Service Alternative Delivery Task Force." This contained 75 recommendations on improving the service for second-, third-, and fourth-class mailers. Individual first-class mailers are not mentioned.

While I vigorously applaud and fully support the efforts of the present Postmaster General to retain diminishing mail volumes and to attract new volume, I would be remiss if I did not point out that the role of the Postal Service is not one dedicated exclusively to the mail of commerce. It has the responsibility to provide affordable mail service for everyone in this Nation. It was this concept—the universality of our Nation's mail system—which led the Postal Service, the administration support, to propose a citizens' rate in 1977. But to this date, with all the proposed and actual rate options for all other classes of mail, the individual has none.

As I stated upon introducing similar legislation on June 1, 1977:

In carrying out its role in commerce, the Postal Service should not forget the private citizens who write their Congressman, the child who sends a greeting to a distant friend, or the young adults who take the time and care enough to write some loved ones.

The American people must be afforded the means to communicate at a price which is reasonable and fair. The present situation is unfair and must be remedied. My bill will provide that long overdue remedy and relief. It will result in a Postal Service that is responsive to the needs of all mailers and to its legal commitment to "bind the Nation together."

The text and analysis of the Citizens' Postal Rate Relief Act of 1979 follow:

H.R. 2973

A bill to amend title 39, United States Code, to establish a reduced rate of postage for certain mail matter of private individuals

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Citizens' Postal Rate Relief Act of 1979".

Sec. 2. (a) Subchapter II of chapter 36 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"S 3329. Reduced rate for certain mail matter of individuals

"(a) Notwithstanding the provisions of this subchapter or of subchapter III of this chapter, the rate of postage established under such subchapters for each ounce or less of qualified mail matter (as defined in subsection (d) of this section) shall not exceed the minimum per piece rate for regular rate third-class bulk mail (exclusive of any special discount for presorting) established in accordance with this subchapter pursuant to the Mail Classification Schedule approved and ordered into effect by the Board of Governors of the United States Postal Service on June 2, 1976 or in such later Schedule as may be adopted by the Board for that type of mail, plus an amount equal to the difference between the rate for ordinary single-piece first-class mail sealed against inspection and the discounted rate for such mail when presorted, as established pursuant to such Schedule or Schedules, except that such rate

shall be rounded to the next highest whole cent.

"(b) The rate referred to in subsection (a) of this section shall become effective on the effective date of the first temporary or permanent rate increase authorized pursuant to this subchapter, or subchapter III of this chapter, following enactment of this Act.

"(c) (1) Except as authorized by this section, no person shall mail any matter at the rates prescribed pursuant to subsection (a) of this section.

"(2) Any person who violates paragraph (1) shall be subject to a civil penalty not to exceed \$500 for each violation.

"(3) The Postal Service shall have authority to assess a civil penalty under paragraph (2). The Postal Service shall provide any person alleged to have violated paragraph (1) with written notice of the decision to impose a civil penalty and the charges upon which such penalty is based. The Postal Service may, and upon timely request by the person alleged to have violated paragraph (1) shall, order a hearing on the charges pursuant to sections 554 and 555 of title 5.

"(4) The decision of the Postal Service to impose a civil penalty, whether or not pursuant to a hearing under paragraph (3), shall be final and conclusive unless it is appealed to any court of appeals of the United States within 15 days after service of the decision upon the person. The court to which it is appealed shall have jurisdiction to review the decision in accordance with section 706 of title 5, and chapter 158 and section 2112 of title 28, except that the facts underlying a decision to impose a civil penalty shall not be subject to trial de novo by the court. Issues which become final and conclusive because no appeal was taken to a court of appeals, and issues which were raised or might have been raised in a court of appeals, may not be raised as a defense to a suit by the Postal Service for collection of a civil penalty.

"(d) For purposes of this section, the term 'qualified mail matter' means domestic letter mail—

"(1) of the class that is maintained under section 3623(d) of this title for the transmission of ordinary letters sealed against inspection;

"(2) prepared in accordance with such reasonable mail preparation requirements as the Postal Service may prescribe by regulation;

"(3) sent by an individual; and

"(4) which is subject to the same service standard as third-class bulk mail.

For purposes of this subsection, the term 'individual' does not include a corporation, company, business, association, partnership, professional entity, proprietorship, institution, or governmental unit or any similar entity."

(b) The table of sections for subchapter II of chapter 36 of title 39, United States Code, is amended by adding at the end thereof the following new item:

"§ 3629. Reduced rate for certain mail matter of individuals."

SEC. 3. The amendments made by the foregoing provisions of this Act shall apply to any qualified mail matter, as defined in section 3629 of title 39, United States Code, as added by section 2 of this Act which is mailed on or after the effective date of such regulations as are prescribed pursuant to subsection (d) (2) of such section 3629, but not earlier than the effective date specified in subsection (b) of such section 3629.

#### ANALYSIS: CITIZENS RATE MAIL

The Citizen's Postal Rate Relief Act of 1979 is designed to allow citizens to obtain the benefits of a lower cost of deferred first-class mail service. It should be noted that this lower rate service is optional—the citizen can, if he wishes, elect to pay the full regular first-class rate and get regular first-class priority service.

The basic theory behind the proposed pricing scheme for Citizens' Rate Mail is to offer the citizen the same lower-cost deferred service available to regular-rate bulk third-class business and institutional mailers, while at the same time requiring the citizen pay the added sorting cost needed by Citizen's Rate Mail.

The 1978 Postal Rate Commission decision in Rate Case R77-1 established the average attributable/assignable cost of a first-class letter as 13.80 cents and established the average attributable/assignable cost of regular-rate bulk third-class letters as 7.71 cents. These figures show the difference in actual cost between the two types of service. There are basically two elements to this cost difference: (1) the higher sorting cost for first-class not needed for pre-sorted third class; and (2) the lower cost of transporting and delivering bulk regular-rate third-class mail because of its deferred status. There are certain minor cost differences such as forwarding for first-class mail, which costs a minor amount, and weight differences which make third-class mail slightly more expensive to handle. But, essentially these balance each other out and, for this reason, are not considered in the Citizen's Rate Mail legislation.

Under the proposed bill, Citizen's Rate Mail would have the same deferred status as regular-rate bulk third-class mail.<sup>1</sup> Accordingly, the rate for the citizen using lower priority Citizen's Rate Mail service would be set at the regular-rate bulk third-class rate, plus the additional sorting cost of the citizen's mail, which is established by the first-class pre-sort discount independently determined by the Postal Rate Commission. To cover any added costs which might not be offset in this manner, the rate thus established is rounded upward to the nearest cent so that a fraction of a cent extra is paid by the citizen mailer.

The regular-rate bulk third-class rate is now 8.4¢ per piece.<sup>2</sup> The pre-sort discount is now 2¢. The Citizen's Rate, given these numbers, would now be 11¢ (8.4¢ plus 2¢ equals 10.4¢ rounded up to 11¢).

Under the proposed legislation, the Citizen's Rate would not be introduced until the next rate proceeding. The actual numbers then, of course, would differ based upon costs at that time. The institution of Citizen's Rate Mail could slightly alter the cost structure of regular first-class. In particular, the first-class non-Citizen's Rate would rise several tenths of a cent because, as in the Postal Service's Citizen's Rate Mail proposal, regular first-class would be assigned the cost of six-day delivery, but Citizen's Rate Mail, like deferrable business mail, would not. The lower rate for Citizen's Rate Mail would come from lower rates for lower service in transporting, delivery, and processing Citizen's Rate Mail. (Under the Postal Service's Citizen's Rate Mail proposal, citizen's mail was given a priority in both transportation and processing, which would not exist under this legislation, so the cost savings would be greater here). To accomplish these savings, whenever it was necessary, the Postal Service would raffle mail to remove Citizen's Rate Mail which would be identified by a special stamp. The Postal Rate Commission established the cost of raffling as 0.0019¢ per

<sup>1</sup> Service standards for Citizen's Rate Mail would be delivery on the third day for zone 2 up to the 10th day for the distant Postal zones.

<sup>2</sup> The minimum per piece rate is used because it is the only relevant rate. Higher third-class rates are for items weighing more than two ounces while the Citizen's Rate Bill would establish the Citizen's Rate for one ounce. An additional amount equivalent to the basic Citizen's Rate would be payable for each additional ounce.

letter which is nominal. Eventually, machine culling would be used.

The Citizen's Rate legislation would have no effect on other classes, whose costs would remain the same. There would be no need for any form of subsidy since the priority mail would pay the cost of priority services while non-priority mail would obtain the benefits of the lower costs it engenders. Total revenues and total costs would be balanced, the same as under the current Act.

The Postal Service, in its original proposal to the Postal Rate Commission on mail classifications (in compliance with Section 3623 (a) of the Postal Reorganization Act of 1970) recommended a similar breakdown of mail classifications, i.e. priority, regular and deferred levels of service.

The case presently pending before the Commission, dealing with a surcharge for "Red-Tag" or expedited second-class publication mail service, is similarly predicated on two levels of service within one class of mail.

#### ALBERT EINSTEIN'S TEXAS LEGACY

(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, all things being relative, one would not, in the everyday course of events, except Texas and this century's preeminent scientist, Albert Einstein, to have much in common. But, as Einstein showed us, time and again, appearances can deceive; and one must look beyond common perceptions to discern the truth of the matter, so to speak. Last night, many of you may have been impressed with the TV production on Channel 26 filmed at McDonald Observatory in far west Texas.

At the University of Texas Physics Department, the fields where the cattle lowed and the sagebrush blew have long ago given way to someday unified fields of gravity and electromagnetism, to quantum theory and to all the other "quarks" of the trade which tell the modern physicist so much about our universe and leave the rest of us in baffled wonder.

While devoting their considerable talents to the development of new energy technologies, an incredible cadre of physicists at the University of Texas also have held strong sway for several years over Einstein's great theories and their aftermath. More than once they have showed how efforts to disprove elements of Einstein's work simply have missed the original question. With persistent regularity, they have stretched Einstein's contribution to new heights.

Texans are a very open and friendly people. I like to think that that—as well as the quality of his colleagues and the untiring efforts of University of Texas Physics Department Chairman Tom Griffy—had a hand in bringing John Archibald Wheeler to our university a few years ago.

We have all heard of black holes. Prof. Johnny Wheeler coined the term for us and has led the way in the exploration of this cosmic mystery. He is one of the handful of physicists who have the deepest understanding of what Einstein meant and who have done the



most to carry his work onward into areas and theories even Einstein did not reach. Professor Wheeler also affords us one of our best views of Einstein as a person.

On this occasion of the 100th anniversary of Einstein's birth, I would like, therefore, to share with my colleagues three short pieces by or about Professor Wheeler. The following poem and two short articles help us all to understand a little better why Einstein was—and is—so important to us as a scientist and as a human being.

[From the Washington Post, Mar. 11, 1979]

POEM

(By John A. Wheeler)

(John Wheeler, a University of Texas physicist who developed the concept of the "black hole" in space, taught at Princeton when Einstein lived there. He read this poem at a Smithsonian Institution lecture in January.)

Einstein, your cosmology reveals  
No before before the big bang,  
No after after the big crunch.  
What do you leave us but to believe  
The laws of nature are mutable,  
Coming into being at one gate of time,  
Fading out of existence at the other?  
No one did more than you to teach us  
Blind chance rules the elementary quantum  
process.  
Vainly fighting this lesson in later years,  
You inspired Niels Bohr to the term "phenomenon"  
To summarize the interaction of  
The observed system with the observing  
device.  
Today we recognize  
No elementary phenomenon is a phenomenon  
Until it is an observed phenomenon.  
We are inescapably involved in bringing  
about  
That which appears to be happening.  
Do billions upon billions  
Of elementary acts of observer-participancy  
Add up to all that we call creation?  
What other way do we have to understand  
existence  
Except to say that we have to do with  
A "self-excited circuit."  
The universe giving rise to observer-participancy,  
Observer-participancy turning conceivabilities  
into actualities?  
No other way has ever been proposed  
To bring into being  
Plan without plan,  
Law without law,  
Substance without substance.  
No other idea has ever been conceived  
To explain the strange necessity of the quantum  
In the construction of the universe.  
No other conception of the universe has ever  
been put forward  
That more clearly exposes itself to destruction,  
Predicting as it does,  
Every law tested to the last iota of precision  
Will fail and be found to be built  
On the blind chance of multitudinous events.  
Einstein, you taught us  
At every given stage of science  
One construction proves itself absolutely  
superior  
To all the others.  
Tell us that we will first understand  
How simple the universe is  
When we recognize  
How strange it is.

[From Newsweek, Mar. 12, 1979]

THE OUTSIDER

(By John Archibald Wheeler)

"This huge world," Einstein exclaimed,  
"stands before us like a great eternal riddle."

What is its secret central principle of construction? That is the unscaled Everest of all knowledge. Mere way stations on the laborious climb toward that highest outlook—that was Einstein's assessment of his discoveries about space and time, about the strange quantum nature of light and matter, and about gravitation and the universe. For him, these findings were not goals. He had only one goal: the distant peak. It will surely be reached someday by someone, he declared: "The most incomprehensible thing about the universe is that it is comprehensible." Today we have less ground than ever before for allowing ourselves to be forced away from this wonderful belief.

Which means more to us today—the goal he was climbing toward, or how he tried to reach it? "How" for him meant catch-as-catch-can, try-and-try-again — explanation enough for his definition of a scientist as an "unscrupulous opportunist." There were three additional rules of Einstein's work that stand out for use in our science, our problems, and our times. First, out of clutter find simplicity. Second, from discord make harmony. Third, in the middle of difficulty lies opportunity.

SIMPLE CENTRAL POINT

Many not close to his work think of Einstein as a man who could only make headway by dint of pages of complicated mathematics. The truth is the direct opposite. As the great mathematician of the time, David Hilbert, put it, "Every schoolboy in the streets of Göttingen understands more about four-dimensional geometry than Einstein. Yet \* \* \* Einstein did the work and not the mathematicians." The amateur grasped the simple central point that had eluded the expert. Where did Einstein acquire this ability to sift the essential from the nonessential?

The management-consultant firm of Booz, Allen & Hamilton, Inc., has a word of advice: "What a young person does and who he or she works with in the first job has more effect on his or her future than anything else anyone can easily analyze." What was Einstein's first job? To many, clerk in the Swiss patent office was no proper job at all. But it was the best job available to anyone with his unpromising record of resisting all required learning.

Einstein served in the Bern patent office for seven years. Every morning he faced his quota of applications, each accompanied by the inventor's working model. Over and above the papers and the models was the boss, Friedrich Haller, a kind man, a firm man and a wise man. He gave strict instructions: explain briefly why the device will work or why it won't, why the application should be granted or denied.

Day after day, Einstein had to distill the central lesson out of objects of the greatest variety. Who knows a greater way to learn what physics is and how it works? It is no wonder that Einstein always delighted in the machinery of the world—from the actions of a compass to the meandering of a river.

Was it a miracle for the obscure clerk rather than the experts to discover in 1905 that "space by itself, and time by itself, are \* \* \* mere shadows, and only [space-time], a kind of union of the two, preserve[s] an independent reality"? And to derive from this concept of space-time the famous  $E=mc^2$ , with all its consequences? From all the clutter of facts, who else could better distill the central point—space-time—than someone whose job it was over and over to extract simplicity out of complexity?

Bern does honor to the bears from which it gets its name by having a great open bear pit. There one can watch the bears go round and round on all fours with their heads to the ground. The young Albert Einstein liked to take his visitors there. Only very rarely,

he pointed out, does one rear on its hind legs and look around for a wider view. For Einstein, that bear symbolized the thinker. For us, let the bear symbolize the outsider who by virtue of being an outsider understands the situation of the insider better than any insider.

What do we mean by the word "outsider"? Someone alienated from the world is the last thing we want the term "outsider" to mean, and the last description that could ever be applied to Einstein. He had the optimistic outlook of all great investigators. He rarely grumbled. Once he spoke of autograph hunting as the last vestige of cannibalism. Another time he described hell as the devil approaching menacingly every half hour with his pitchfork loaded with a fresh bale of letters to be answered. But if Abraham Lincoln was right when he said that people are generally as happy as they make up their minds to be, then Einstein had made up his mind to be happy.

DREAM AND DRIVE

To one who discussed physics with him from time to time over a span of 21 years, studied his writings and worked with his great theme, Einstein will always mean an outsider with a vision in his early days above the vision of all insiders, united with a try-and-try-again drive. This combination of dream and drive makes an uncommon outsider. Still more uncommon, and still more needed today, is the outsider-generalist who, like Einstein, can lead the way surefootedly through the complex world of science and technology to goals that were overlooked or deemed impossible by most experts. I am afraid I shall have no lesson to offer about this. I don't know how to manufacture such treasures, and I don't know anyone who does. I can only say, when you see one, treasure him or her.

[From the New Yorker, Mar. 5, 1979]

THE TALK OF THE TOWN

John Archibald Wheeler was a professor of physics at Princeton during most of the period when Albert Einstein was at the Institute for Advanced Study. Recently, in honor of Einstein's hundredth birthday, he wrote a brief memoir to be included in "Einstein: A Centenary Volume," shortly to be published by the Harvard University Press, which reads in part:

"In 1938, I moved to Princeton and at frequent intervals called on Einstein at his house at 112 Mercer Street, climbing the stairs to his second floor study that looked out on the Graduate College. Especially vivid in my mind is a call I made in 1941 to explain the 'sum over histories' approach to quantum mechanics then being developed by Richard Feynman, whom I was fortunate to have as a graduate student. [Feynman is now a professor of physics at the California Institute of Technology and was a co-winner of the Nobel Prize for physics in 1965.] I had gone to see Einstein with the hope to persuade him of the naturalness of quantum theory when seen in this new light. . . . He listened to me patiently for twenty minutes until I finished. At the end he repeated that familiar remark of his: 'I still cannot believe that the good Lord plays dice.' And then he went on to add again in his beautifully slow, clear, well-modulated, and humorous way, 'Of course I may be wrong; but perhaps I have earned the right to make my mistakes.'"

Professor Wheeler continues, "I had to be away from Princeton for national reasons from 1942 to 1945 and again from 1950 to 1953; but on my return in the fall of 1953 I gave for the first time the course in general relativity [Einstein's great theory of gravitation, published in 1916] in which I was to learn so much from my students over the years. That fall, about a year and a half before he died, Einstein was kind enough to

invite me to bring the eight to ten students in the course around to his house for tea." Einstein, while he never had a "school" of physics, or even many students, was always receptive to the ideas of young scientists.

Soon after he met Niels Bohr, at a time when Bohr was not well known, Einstein wrote to him: "I am studying your great works and—when I get stuck anywhere—now have the pleasure of seeing your friendly young face before me smiling and explaining." Professor Wheeler goes on, "Margot Einstein [his stepdaughter] and Helen Dukas [his secretary from 1928 to his death, in 1955] served . . . as we sat around the dining room table. The students asked questions about everything from the nature of electricity and unified field theory to the expanding universe and his position on quantum theory and Einstein responded at length and fascinatingly. Finally, one student outdid the others in the boldness of his question: 'Professor Einstein, what will become of this house when you are no longer living?' Einstein's face took on that humorous smile and again he spoke in that beautiful, slow, slightly accented English that could have been converted immediately into printer's type: 'This house will never become a place of pilgrimage where the pilgrims come to look at the bones of the saint.' And so it is today. The tourist buses drive up. The pilgrims climb out to photograph the house—but they don't go in."

The real "place of pilgrimage" that Einstein left for us is his work. Einstein was the last and greatest of the classical physicists. But although his general theory of relativity replaced Newton's theory of gravitation, and although he took the steps that made the modern quantum theory possible, his intuitions were deeply rooted in classical geometry. He had a very visual mind. He thought in terms of images—gedankenexperiments, or experiments carried out in the mind. This mode of thinking went back to his childhood. In his autobiographical notes, which were written at the age of sixty-seven and were published by the Library of Living Philosophers as an introduction to a collection of essays about him called "Albert Einstein: Philosopher-Scientist," and which he called his "obituary," he wrote "At the age of 12, I experienced a second wonder [the first being his encounter with a magnetic compass when he was five] of a totally different nature; in a little book dealing with Euclidean plane geometry, which came into my hands at the beginning of a school year. Here were assertions, as for example the intersections of the three altitudes of a triangle in one point, which—though by no means evident—could nevertheless be proved with such certainty that any doubt appeared to be out of the question. This lucidity and certainty made an indescribable impression upon me. That the axiom had to be accepted unproved did not disturb me. In any case it was quite sufficient for me if I could peg proofs upon propositions the validity of which did not seem to me to be dubious. . . . Also, the objects with which geometry deals seemed to be of no different type than the objects of sensory perception, 'which can be seen and touched.'"

To a modern physicist, the world that Einstein theorized about seems vastly oversimplified. Modern physics deals with objects—quarks, gluons, and the rest—that cannot "be seen and touched." After laying the foundation upon which these modern theories have been built, Einstein abandoned the enterprise. He could not make himself believe that the quantum theory, with its probabilities, its remoteness from the visual, was the final answer—"the true Jacob." His colleagues and successors went on without him. Many people find something tragic in this. He never did, and he went about his work serenely. Indeed, one might say that since he failed to do what he set out to do in terms of classical physics, it very likely can-

not be done. He was acutely and painfully aware of the fragility of the human species, and more especially so after the Second World War, when it became clear that we now had the technology for self-annihilation. This fragility has clouded our times with a kind of uneasy melancholy. But Einstein's example—his warm and generous nature, his absolute honesty, and his courage—shows us what we are capable of at our very best.

□ 1520

#### BLACK HISTORY REFLECTS THE AMERICAN PAST

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

Mr. BADHAM. Mr. Speaker, I received the following letter from a fellow Californian, William Bradshaw, who resides outside the 40th Congressional District but who was kind enough to bring two articles which appeared in the Pendleton Scout to my attention. As you may know, Camp Pendleton lies within the boundaries of my district. Mr. Bradshaw's letter reads:

Dear Congressman Badham: Even though I am not one of your constituents, I thought you may be interested in the attached from the Pendleton Scout. Unfortunately, the military generally doesn't receive recognition for the positive steps they make in trying to alleviate racial problems of misunderstanding. . . .

It is my pleasure to insert the two articles from the Pendleton Scout at this point in the RECORD:

#### BLACK HISTORY REFLECTS THE AMERICAN PAST

Black people have affected every aspect of United States history since the first cargo ship of slaves landed at Jamestown, Va. in 1619.

Most Americans recognize the black achievements in sports and entertainment, while black contributions to literature, science, and many other fields remain, for the most part, unknown.

Black inventor and writer Benjamin Banneker (1731-1806) constructed the first wooden clock made in America in 1761. He predicted a solar eclipse in 1789 and a few years later published an almanac containing tide tables, future eclipses, medicinal products and formulas.

Banneker was later appointed by President George Washington to the commission that planned the District of Columbia. He reproduced the plans from memory when Major Pierre Charles L'Enfant, chairman of the commission, resigned and took the original plans back to France with him.

Another black man, Ebenezer Don Carlos Basset (1833-1908), served as an educator and government official.

Basset proved to be a skillful minister and successful diplomat after being appointed as resident and consul general to Haiti in 1869. He later became the diplomatic representative of Haiti to the United States, serving as consul and general consul.

Black accomplishments were only getting started when Dorie Miller (1919-1943), a black sailor and war hero added to these achievements in 1941 by bringing down four Japanese planes during the Pearl Harbor attack, a feat for which he was awarded the Navy Cross.

A Navy messman at that time, Miller had had no previous gunner experience. He was commended for "distinguished devotion to duty, extreme courage and disregard of his own personal safety during the attack." He was killed in action in the South Pacific in 1943.

One of today's leading black Americans is Thurgood Marshall, Associate Justice of the United States Supreme Court.

In 1954, as director-counsel of the National Association for the Advancement of Colored People's (NAACP) Legal Defense Committee, he argued the historic case of Brown v. the Board of Education before the United States Supreme Court, which led to the desegregation of public schools.

Marshall was appointed to the Supreme Court in 1967 and was the first black man to become a justice. He received the coveted Spingarn Medal in 1946 for his outstanding achievements in the field of law.

Black women have also made their share of contributions to America.

One such woman is lawyer Eleanor Holmes Norton, chairperson of the United States Equal Opportunity Commission (EOC).

Mrs. Norton was the assistant legal director for the New York Civil Rights Liberties Union and also legal director for the New York Civil Rights Liberties Union and also legal advisor to the Student Nonviolent Coordinating Committee (SNCC) Black Women's Liberation Committee.

She was appointed chairperson of the Human Rights Commission in 1970 and became the highest ranking black woman in Mayor John V. Lindsay's administration.

One of our leading black ministers and civil rights leaders is the Reverend Jesse Louis Jackson. He was a co-worker of another well-known black minister, the late Rev. Martin Luther King Jr. Rev. Jackson is the national president of People United to Save Humanity (PUSH).

From the working and African songs of the slaves to the symphonies and contemporary sounds today, black contributions to American music have been strong.

Stevie Wonder, who not only overcame the hardships associated with being black, but also of being blind, is a renowned musician.

His recordings, many of which include his own compositions, have earned him more than a dozen Gold Record awards.

Having mastered several instruments, including the drums, piano and harmonica, Wonder is now one of the most well-known musicians of the century.

Why is it possible for one black person to gain prominence in society while another doesn't? Is it because he had a chance, an opportunity to get "in on the action"? Was he born at the right time, in the right place?

Sometimes this is the case. Many black people who have come "up from the ghetto" have had help from white benefactors. Yet with or without assistance the move from black childhood to adult success requires an enormous amount of courage and determination.

By learning of the accomplishments and contributions black Americans have made to this country and realizing the seemingly impossible obstacles that they—and thousands of others—have overcome through hard work, we can all look forward with confidence to a rich and rewarding future.

(Above story and chronology by LCpl. Valentine A. Smith.)

#### HISTORY NOTES CONTRIBUTIONS

The following is a chronological list of some of the thousands of contributions made by blacks since their arrival in the United States.

1619—A Dutch man-of-war landed at Jamestown, Va. with the first cargo of black slaves.

1790—Jean Baptist Pointe DuSable established the first permanent settlement in Chicago.

1831—Jo Anderson, a black slave, assisted his owner with the invention of the reaper (grain harvester).

1834—Henry Blair received a patent for a corn harvester.



1848—Lewis Temple, a black whaler, invented the toggle harpoon.

1861-1865—During the Civil War, 16 black soldiers and five black sailors received the Medal of Honor.

1863—Henry McNeal Turner, the first black chaplain in the United States Army, was commissioned by President Abraham Lincoln.

1867—Robert Tanner Freeman became the first black dental graduate from Harvard Dental School.

1870—Jonathan J. Wright became the first black State Supreme Court Justice.

1872—Black inventor Thomas J. Martin patented the first design for a fire extinguisher.

1873-1882—Patrick Healy, a black Jesuit priest, served as president of Georgetown University.

1875—Black jockey Oliver Lewis rode the winning horse in the first Kentucky Derby race.

Late 1800's—Rebecca Cole was the first black woman physician to practice in the United States.

1908—Six blacks were awarded the Medal of Honor for valor in the Spanish-American War.

1917—Emmett J. Scott was appointed Special Assistant to the Secretary of War.

Mid-1920's—Black cowboy George McJunkin discovered an archeological find that is today referred to as Folsom Man.

1920—The first black baseball league, the National Negro Baseball League, was organized.

1922—Bessie Coleman received her license and became the first black woman aviator.

1927—Laura Wheeler Waring, black artist, received the Harmon Award for fine art.

1936—Black athlete Jesse Owens won four gold medals at the Berlin Olympics.

1939—Jane Bollin was the first black woman judge in the United States.

1939-1945—During World War II, Benjamin Oliver Davis Sr. was the first black general in the United States Army.

1941—The 99th Pursuit Squadron, the first all-black air combat unit, was formed at Tuskegee Institute.

1942—Black poetess Margaret Walker won the Yale University Younger Poets Award for her collection of poetry entitled "For My People".

1945—Benjamin C. Davis Jr., assigned to Godman Field, Kentucky, was the first black to command an air base.

1945—Phyllis Mae Daley became the first black nurse in the Navy Nurse Corps.

1948—The first black person in the regular Army Nurse Corps was First Lieutenant Nancy Leftenant.

1949—Gwendolyn Brooks won the Pulitzer Prize for her volume of poetry entitled "Annie Allen".

1949—Wesley A. Brown became the first black to graduate from the Naval Academy at Annapolis.

1950—Edith Sampson became the first black person to be appointed as a United States representative to the United Nations.

1954—Althea Gibson won the Wimbledon Tennis Championship.

1959—Negro playwright Lorraine Hansberry won the Critics' Circle Award.

1963—Black artist George Olden designed a United States postage stamp commemorating the 100th anniversary of the Emancipation Proclamation.

1967—Carl B. Stokes was elected mayor of Cleveland, Ohio.

1968—Shirley Chisholm became the first black woman elected to the United States Congress.

1975—Arthur Ashe won the Wimbledon Tennis Championship.

1978—Ernest N. Morial became mayor of New Orleans.

#### REQUEST FOR NATIONAL ACADEMY OF SCIENCES TO STUDY FEASIBILITY OF ESTABLISHING A SINGLE NATIONAL CANCER RISK ASSESSMENT POLICY FOR EVALUATING CARCINOGENICITY OF SUBSTANCES

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

Mr. WAMPLER. Mr. Speaker, in the search to find the magic bullet with which to conquer cancer we have encountered a most serious problem. Almost daily the consuming public is being bombarded with news stories that hundreds of substances—in such items as bacon and hot dogs, saccharin, beer, asbestos, tobacco, spinach, pesticides used to control insects and weeds in food production, and cleaning fluids—that people breathe, touch, eat, or drink or encounter in the workplace every day are suddenly suspected of causing cancer. These media announcements, generally unsupported by the scientific community, give the public a horrible fright. Of greater concern, however, many in the general public are beginning to wonder who and what to believe, because so many beneficial substances, long in use, are being linked to this ever-growing suspect list of substances that are alleged to cause cancer.

To add to the problem, we find that despite the expenditure of billions of dollars of public and private funds to determine what causes this dreaded disease in man and how best to treat and prevent its occurrence, we have made but little progress against it.

Congress, which is a nonscientific body, has in the past been called upon to write legislation concerning carcinogens, a subject whose scientific issues are enormously complex. We have authorized various Federal agencies to regulate the use of chemicals that may pose a risk to cancer. We have not told them how to do it, but have entrusted them with the task of using their scientific expertise to formulate policies that would protect our population from harm while preserving the capability of our farmers and our industries to carry on their business, and the working people of this country to earn their bread and butter. Unfortunately, we were too optimistic in assuming that "scientific validity" necessarily leads to "workability." We find that today no less than seven agencies operating from nine laws promulgated by several congressional committees, are involved in assessing the cancer risk posed by various chemicals, and that they all have their own policies for doing so. The result—despite the recent efforts of a task force of the Interagency Regulatory Liaison Group to come up with a common Federal policy—has been haphazard application of controls on potential carcinogens that has left both the public and large segments of American agriculture and other industries in a state of confusion and uncertainty.

Even more to the point, a recent major study for Congress by the National

Academy of Sciences has called for an overhaul of the U.S. food safety policy as it relates to carcinogenic and other toxic substances in the food supply. The Academy's study committee said the current regulatory system "has become complicated, inflexible, and inconsistent in implementation," and was generally "inadequate to meet (the) changing and increasing complexities of current food safety problems." The Academy recommended a modernization of the 1958 Delaney absolute zero risk principle, substituting instead that: Relative risks be assessed, along with health benefits, and with full participation of the public and opposing groups. However, the Academy left unresolved the problems of an overall cancer risk assessment policy, which I am addressing in this statement.

Mr. Speaker, the point I wish to make is that this confusion is understandable, for there is no scientific consensus of opinion on risk assessment of chemical carcinogenesis. Implicit in cancer and toxic substances research is a large degree of uncertainty and a distressing scarcity of hard facts. The long-term effect of many chemicals is simply not known, nor is the validity of some of the tests currently used to measure the toxicity or carcinogenicity of a particular substance. Above all, there is little agreement on how the results of animal tests should be applied to humans.

Now, if we had only a few chemicals to worry about, we could probably muddle through with our present policies. Eventually, exhaustive testing would be completed and we could say with some assurance which substances were safe and which hazardous. We all know, however, that the magnitude of the problem dictates otherwise. Let me share with you some figures that were supplied to me by the Office of Toxic Substances of the Environmental Protection Agency. I learned that the universe of known chemicals is something on the order of 4.2 million, of which roughly 50,000 to 70,000 are in the inventory of Chemicals in Commerce being compiled under the Toxic Substance Control Act. In addition, there are probably between 1,000 and 2,000 new chemicals introduced every year.

With so many substances to consider hazardous, to determine those that are, our scientists need a set of priorities to guide the regulators in dealing with "worst things first." Certain criteria are already used by researchers, such as the chemical similarity of a compound to known carcinogens, the extent of probable human exposure, the volume of use of the chemical, and the amount manufactured. It is my belief that we should address the issue of testing priorities in a major scientific study conducted by the most prestigious group we can assemble.

Meanwhile, what progress have we made to date in testing for carcinogenic activity? Out of the whole universe of 4.2 million, EPA states that only 1,500 to 2,000 substances have undergone testing that is considered scientifically valid. Those chemicals were selected for testing on animals, because they had, at one time or another, fallen under suspicion of being carcinogens. Results accumu-

lated over recent years, according to EPA, indicate that between 700 and 1,000 substances, or roughly 50 percent of those tested, show reasonable solid evidence of being animal carcinogens. Another measure of the approximate number of suspected carcinogens is the list maintained by the National Institute of Occupational Safety and Health (NIOSH). As of the 1977 edition, it named 2,091 compounds that were referred to as suspected carcinogens at least once in the scientific literature. On the other hand the National Cancer Institute informs me that the U.S. Public Health Service Report No. 149 lists some 7,000 chemicals tested, including some tests which were fragmentary. Less than 1,000 of these chemicals tested show possibilities of carcinogenicity to animals. NCI states that only 600 to 800 of these animals tests were conducted using what they consider to be acceptable test methods. Finally, the National Cancer Institute cites findings in the reports of the International Agency for Research on Cancer, volumes 1 through 16, identify only 247 of 368 chemicals that had positive animal tests, which might show some evidence of carcinogenicity to man.

Having established to some degree the extent of known chemical carcinogenesis in laboratory animals, the crucial question now becomes: How are these data to be extrapolated to humans so that the risk of cancer in man may be assessed? Here is where we find disagreement among scientists and divergence of policy among the regulatory agencies charged with controlling chemicals.

While it is generally agreed that the best method of documenting carcinogenicity in man is through epidemiological studies, it is also recognized that such studies have severe drawbacks. The reliability of human studies is influenced by variability in individual susceptibility, by the often long latency period between exposure and the appearance of cancer, and by the difficulty of isolating one variable for study when humans are exposed to a complex mix of chemical agents in their daily lives. The limitations on human studies are such that only 30 or so chemicals have definitely been identified as carcinogenic in man.

For all practical purposes, then, the detection of carcinogenic activity of chemicals is necessarily based on animal experimentation. It is the process of interpreting the resulting data for application to humans that generates scientific and regulatory controversies.

Mr. Speaker, for the above reasons I am today reintroducing a bill which I sponsored in the 2d session, 95th Congress. This bill directs the Administrator of the Environmental Protection Agency to request the National Academy of Sciences to study the feasibility of establishing a single national cancer risk assessment policy for evaluating the carcinogenicity in man of various chemical substances. This identical legislation was cosponsored by 24 of our colleagues in the last Congress and was referred jointly to the Committee on Agriculture and Interstate and Foreign Commerce.

There are two actions mandated by

my bill. First, the National Academy of Sciences is requested to assemble a panel of the best scientific minds available on this subject to conduct a 14-month study evaluating the state-of-the-art of carcinogen testing, with the aim of determining if we have enough scientific know-how to standardize a chemical carcinogen testing and risk assessment policy. Second, upon completion of this study, the Academy will report its findings to Congress, detailing its recommendations for a cancer risk assessment policy if one appears feasible, or, if not feasible, describing to Congress what areas need further development. Additionally, my bill asks the Academy to study each of the areas of controversy and evaluate the likelihood of resolving them in a single national cancer risk assessment policy. Examples of these problem areas are mentioned in the bill and include such issues as the biological significance of test systems, the validity of different methods of statistical analysis, the problems of potency of the substance, the problems of reproducibility of the tests, various techniques of bioassay and their validity (including short-term or in-vitro tests), the problems of dose levels and thresholds, and the assessment of risk of naturally occurring substances. These problems must be answered or we will just continue this whole emotional issue "ad infinitum."

Mr. Speaker, regardless of the final outcome of the Academy's study, I believe the Congress and the Nation will benefit greatly from the effort. If the National Academy of Sciences is able to make recommendations leading to a standard policy for assessing cancer risk in humans, we will have at last the means of orienting the regulatory agencies along a common course, which will end the confusion that now exists in the Federal Government's cancer risk assessment programs. Achievement of this goal will give us an attendant hope for the future enhancement of public safety and for relief from the adverse socioeconomic consequences of the present uncoordinated activities of our Federal Government.

On the other hand, the Academy may report that our knowledge of cancer risk assessment is not yet sufficient to develop a national policy. Though disappointing, this outcome would still have value, for we would have gained a sense of where we are, what remains to be done, and how we as Members of Congress can address ourselves through informed and constructive action to a matter of great public concern.

□ 1530

#### MULTILATERAL TRADE AGREEMENT AND ITS EFFECT ON SMALL BUSINESS

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

Mr. LUKEN. Mr. Speaker, as chairman of a Small Business Subcommittee, I would like to urge the administration to reconsider a provision in the multilateral trade negotiations that would end "set-

aside" contract preferences for U.S. small businesses in Government contract awards.

The provision will give large foreign companies the ability to compete with small businesses in the United States. The goal of fair trade is admirable, but it must be fair in practice as well as in rhetoric. If the agreement to eliminate small business preferences stands, our small firms would be sacrificed in return for giving large U.S. multinationals better footing in foreign markets.

Mr. Speaker, I would like to point out the inherent inability of small businesses to equitably and effectively compete with large businesses in the Government procurement process. A policy such as the one being considered in the trade negotiations would wipe out what progress that has been made in the last 10 years in gaining a fair share of the Federal procurement dollar for the small business community.

The administration viewpoint seems to be that by knocking out domestic set-aside provisions, American small businesses would somehow be able to compete for foreign contracts. However, I am sure we would all agree that it is a fallacy to think that the limited resources of small, independent businesses are capable of competing alongside the large multinationals in foreign markets.

Mr. Speaker, I am particularly concerned about the impact of this decision on U.S. research and development policy. It is conceivable that German or Japanese firms would receive U.S. Government funds to develop advanced technology. Are we to suppose that foreign governments will allow U.S. firms the same ability to compete for their government contracts? I question this, and again, even if it were true, only the largest U.S. firms would be in a position to compete.

I would like to draw my colleagues attention to a recent report issued after joint House-Senate Small Business Committee hearings which showed that small firms are the mainstay of American technological innovation. Our technological edge has already been eroded through policies that favor the larger, less-innovative firms. A trade policy that eliminates set-aside preferences for small businesses would in the long run only further weaken our international trade competitiveness.

In closing, I would also like to express my concern that the Small Business Committee was not consulted during the trade negotiations about those provisions which have such a profound impact on small business. Communications with the committee should have originated at the beginning of these negotiations so that the interests of the small business community could be properly represented.

#### WORLD OWES DEBT OF GRATITUDE TO PRESIDENT JIMMY CARTER

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

Mr. FOUNTAIN. Mr. Speaker, whatever the future may hold for the embat-



tled people of the Middle East who have eaten the bitter herbs of war for 30 years, clearly the whole world owes a debt of gratitude to President Jimmy Carter for what he has accomplished so far in the historic peace negotiations just concluded.

A similar debt of gratitude is also owed to President Anwar Sadat of Egypt and to Prime Minister Menachem Begin of Israel for their wisdom and judgment and perseverance.

Real courage was required for these leaders to stake their political careers on making a major step toward solving a persistent problem which no one else in the world has been able to solve in the last three decades—a problem which has caused war after war and which has kept the Middle East a powder keg, always on the verge of exploding.

At this point, perhaps the most significant thing to take notice of is the dedicated way in which our President steadfastly pursued his goals in a commendably single-minded way despite the obstacles and roadblocks which continually developed, despite the doubts continually expressed by so many here at home.

There was despair around the world when it began to appear that nothing tangible would come out of this trip. The world is a small place today, and what happens in the Middle East affects all people everywhere on the face of the globe. No one is exempt from being a citizen of the planet Earth, whether we like it or not.

Now that the President's remarkably effective dedication shows signs of bearing real fruit, the whole world is breathing a sigh of relief and is hoping that the final outcome will be favorable, an outcome so many have hoped and prayed for.

The news media give the President full credit for avoiding the "tragedy of failure" and for moving the all but unproductive shuttle summit talks forward—by main force of will—to the point where it can be reported that the main ingredients of peace—of a peace treaty—have been successfully defined.

Still to come is the ratification of the agreement by the Israeli Knesset and I join with so many in hoping that the Israeli Parliament will, in fact, see fit to approve it. If they do, it will be an historic step forward. If they do not, no one can fault President Jimmy Carter for not going the extra mile—going the extra mile again and again and again.

Of course, we must not expect too much of one peace agreement. It will not—could not—solve all of the decade-old problems of the Middle East at one fell swoop. Too many other Arab nations are involved. They are too many other problems. But, what President Carter has gone after and gotten, at the highest executive level anyway, is a gigantic step forward in bringing about peace between the two major antagonists in that whole region.

Other Middle Eastern nations border Israel, still more also have a direct interest in what happens there—some, like Libya are fanatics about it, but Egypt is and always has been Israel's main pro-

tagonist. We have but to read the Old Testament of the Bible to discover that good relations between Egypt and Israel were just as crucial to Middle Eastern peace thousands of years ago as they are today.

Now that prospects for peace between Egypt and Israel are the brightest ever, thanks to Messrs. Carter, Begin, and Sadat, there is hope that the Palestinian question may also ultimately be resolved. There is hope that some accommodation with Jordan and Lebanon and Syria can also eventually be achieved.

These other nations, seemingly implacable foes of Israel, must eventually wake up and realize that all of the inhabitants of the whole region can and should live together in peace and prosperity. War is costly and destructive and all of these nations would progress together if they could but grasp the golden ring of peace. Hopefully, the Israeli-Egyptian agreement will teach them that.

We used to hear a lot about the diplomacy of brinksmanship and the connotation of it was bad, having to do with taking the world to the brink of nuclear war. What we have had in the past 48 hours is a demonstration of a totally different kind of brinksmanship—taking the Middle East to the brink of peace, brinksmanship of an incomparably better kind.

And for that I say, thank you, Mr. President.

#### PERSONAL EXPLANATION

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

Mr. WEISS. Mr. Speaker, the following states how I would have voted on rollcall votes, which I unavoidably missed on Thursday, March 8, 1979, because of a family emergency:

Rollcall No. 26, a vote on an amendment to the United States-Taiwan Relations Act, H.R. 2479, which would have reestablished in substance the security language contained in the Mutual Defense Treaty between the United States and Taiwan—requiring the United States to consider an attack on Taiwan a direct threat to the interests of the United States. This amendment was rejected by a vote of 149 to 221. I would have voted against this amendment.

Rollcall No. 27, a vote on an amendment to the same bill that sought to require the President to consider withdrawing diplomatic recognition of the People's Republic of China in the event that it threatened Taiwan. This amendment was also rejected—169 to 197. I was paired against the amendment and would have voted against it.

Rollcall No. 28, a vote on another amendment to the same bill that would have changed the unofficial status of the institutions designated in the bill for handling U.S. interests in Taiwan to that of an official liaison office. This amendment was rejected as well by a vote of 171 to 181. I was paired in opposition to the amendment and would have voted against it.

#### PERSONAL EXPLANATION

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

Mr. FOUNTAIN. Mr. Speaker, on rollcall 35 yesterday, I was not recorded. Had I been recorded, I would have voted "aye."

Also, I was unavoidably detained on rollcall 39, which was just finished. I would like the RECORD to show that had I been present, I would have voted "aye."

□ 1615

#### PROPOSED DEPARTMENT OF EDUCATION: MORE PROBLEMS, FEW SOLUTIONS

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

Mr. ASHBROOK. Mr. Speaker, the Congress is once again gearing up for a battle on the proposed Department of Education. The taxpayers won a narrow victory in the 95th Congress when opponents of the bill were able to prevent floor action in the House after the Senate matter-of-factly adopted the legislation. It is pretty common knowledge, however, that we will hear more about this boondoggle in the 96th Congress.

To date, several of my colleagues, on both sides of the aisle, have voiced their concerns about this proposal. We know that President Carter still has a campaign debt to pay to the National Education Association and we know that he intends to make a concerted effort to push this bad penny under the guise of reform and reorganization. This time around, let us put a stop to it once and for all.

Many Members of this body were elected or reelected last fall as a direct result of their vowing to stop inflation, slash taxes, and eliminate much of the vast bureaucracy which cripples the American economy. Now the born for the first time conservatives who made these promises have the opportunity to back them up with more than shallow rhetoric. It is easy to say that a new Department of Education will improve our declining system of public education and for many Members of Congress, that is enough. Why bother to explore the additional problems which will be created by the passage of this irresponsible legislation when we can take the easy way out? Mr. Speaker, I do not intend to take the easy route and I hope that my colleagues choose to do the same.

Schools are going broke all over the country. At the State and local levels, few issues take precedence over the sad state of education. Naturally, many in Washington want to come to the rescue by creating a new department charged with this critical issue. Then they can sit back and proclaim that we in Washington have acted on the problem. This approach is utter nonsense. We agree that we want to cut the redtape out of education yet they work to create more. We want to restore local controls to the school districts yet they would give more authority to the Federal Government.

We want to return basic education to our schools but they would add more bureaucrats to the Federal payroll charged with determining brand new Washington ideas for local schools. Sheer nonsense.

An excellent article appeared in the January edition of *Universitas*, which outlined many of the criticisms leveled at this proposal. I think it should be shared with those who oppose and support this legislation. The article by Dr. Donald J. Senese follows:

WOULD A CABINET-LEVEL DEPARTMENT OF EDUCATION BENEFIT THE EDUCATION PROFESSION?

(By Donald J. Senese)

Academicians should retain a scholarly interest in a piece of legislation which failed of enactment in the waning days of the 95th Congress—the proposal to create a separate, Cabinet-level Department of Education.

The proposal received the enthusiastic support and lobbying efforts of the National Education Assn. Sponsored by a long-time proponent and former Health, Education, and Welfare Secretary, Senator Abraham Ribicoff steered it through Senate Government Affairs Committee and it sailed through the Senate, after some amendments, by a vote of 72-11 on September 28, 1978 (S 991). Strong opposition surfaced in the US House of Representatives (HR 13778) and the measure was pulled from the House agenda without coming to a floor vote in the House before adjournment. President Jimmy Carter, who received active NEA support in his presidential race, pledged strong support for a separate education department and it remains a strong priority of the NEA. It certainly will appear early in the 96th Congress.

Attention is usually focused on two major arguments of supporters. First, a Cabinet-level education department would increase efficiency by unifying a great number of education programs which are scattered among various governmental Departments (e.g., Indian education programs in the Department of the Interior, school nutrition programs in the Department of Agriculture) into one department. Further, this coordinated management of education program would focus more attention on a major industry—education—employing millions of people and spending billions of dollars. It would thus give education a more significant place in the bureaucratic system. (Federal expenditures for education in Fiscal Year 1979 are consuming about \$12.6 billion of a total of \$185 billion HEW budget; federal support for all types of education-related programs, in and out of HEW, will constitute a total of almost \$23 billion.)

The efficiency argument is an attractive one but not a convincing one after closer examination. A similar case for efficiency was made for uniting the bits and pieces of housing and city-oriented programs into a separate Department of Housing and Urban Development, but the resulting overlapping programs, bureaucratic entanglements, and excessive costs have not fulfilled the early promise or expectation. Neither the Labor Department nor the Commerce Department—uniting a single interest under one Cabinet-level department—has contributed to either federal government efficiency or effectiveness. Lumping all government programs with an "education" tag under one bureaucratic roof is not an automatic guarantee of more efficiency, better management, or more effective programming.

One point may be conceded to the proponents on the second proposition—a Cabinet-level education department would give more visibility and stature to the field of education. But, we may ask, for what purpose? The most likely results would be to enhance the position of the professional edu-

cation bureaucrat (not the dedicated educator); to give focus for additional pressures for more federal money, rather than excellence, in education; to encourage the professional organizers to move in for unionization and collective bargaining; and to diminish the one great strength of our educational system at the state and local level—decentralized control. A Cabinet-level education department would give impetus to the trend toward centralization in education. Congressman John Erlenborn of Illinois concludes: "A Department of Education would end up being the nation's Super School Board. This is something we can all do without."

A Cabinet-level education department—with the resulting increases in education bureaucrats, pressures for increased expenditures, and promotion with political clout—would lead inevitably to a setting of a "national" education policy. Professor Roger A. Freeman, senior fellow emeritus of the Hoover Institution at Stanford University, pointed out the results in a recent study on federal involvement in education ("Uncle Sam's Heavy Hand in Education," *National Review*, August 4, 1978): "Federal influence generally aims not at attaining academic excellence but at social engineering and the accomplishment of political goals." With the setting of a national education policy, the publicly supported schools—elementary through university—would lose the value of diversified input, a chief value of control of schools at the local level. In a more significant development, it would increase the public school monopoly at all levels to the detriment of private educational institutions.

College and university professors already concerned about federal inroads in academic policy through "affirmative action" programs, grant aid programs, title IX (sex discrimination) guidelines, and the recent Internal Revenue Service-proposed new "revenue procedure" (which would seriously compromise the tax exemption of private schools supposedly to eliminate "racial discrimination") would have additional concerns over the potential power of a new Cabinet-level department of education. The *Chicago Tribune* in a perceptive editorial ("Education and the Feds," October 9, 1978) crystallized the problems already experienced by higher education from federal coercive power: "Some universities have compromised their proper power to appoint their own faculties without bureaucratic interference, and others have had to spend too much time and energy in educating HEW functionaries in the criteria of faculty recruitment."

A Department of Education would become a full-time lobbying unit to promote unionization and enforced collective bargaining at all levels of education. Federal financial power over schools would be fully mobilized to achieve this goal.

Experience has taught us that more money and more federal interference does not automatically provide better education. In fact, a stronger case can be made for the opposite conclusion. In an American society which has prided itself on building a locally controlled elementary and secondary education system and autonomous institutions of higher learning, a course leading to more centralization in education is unacceptable for the betterment of education.

Duplication of, and waste in, education programs should be eliminated; better results should be achieved with more effective use of present expenditures; present federally supported education programs should be periodically examined as to continued usefulness and effectiveness. All this should be accomplished within the framework of the present HEW structure—and especially with more effective oversight by Congress. A new separate, Cabinet-level department of education could create more problems than it would ever solve.

## BEVERAGE CONTAINER REUSE AND RECYCLING ACT OF 1979

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. JEFFORDS) is recognized for 10 minutes.

● Mr. JEFFORDS. Mr. Speaker, yesterday I reintroduced H.R. 2812, the Beverage Container Reuse and Recycling Act of 1979.

I know my colleagues are aware how important it is that the Congress look to legislative initiatives which will address the dual problems of the ever-increasing inflation rate and the depletion of our Nation's energy source supplies. Mr. Speaker, I am convinced that the bill I reintroduced yesterday with the gentleman from Virginia, JOE FISHER, is a measure which speaks directly to these two issues. I insert H.R. 2812 in the RECORD at this time, to allow all of my colleagues the opportunity to review this bill, and reach what I think will be similar conclusions:

H.R. 2812

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Beverage Container Reuse and Recycling Act of 1979".*

### FINDINGS AND PURPOSES

SEC. 2. Congress finds and declares that:

- (1) The failure to reuse and recycle empty beverage containers represents a significant and unnecessary waste of important national energy and material resources.
- (2) The littering of empty beverage containers constitutes a public nuisance, safety hazard, and esthetic blight and imposes upon public and private agencies unnecessary costs for the collection and removal of such containers.
- (3) Empty beverage containers constitute a significant and rapidly growing proportion of municipal solid waste, disposal of which imposes a severe financial burden on local governments.
- (4) The reuse and recycling of empty beverage containers would eliminate these unnecessary burdens on individuals, local governments, and the environment.
- (5) A national system for requiring a refund value on the sale of all beverage containers is compatible with, and should be an integral part of, the national solid waste management policy and would result in a high level of reuse and recycling of such containers.
- (6) A national system for requiring a refund value on the sale of all beverage containers would be anti-inflationary and help create jobs in areas of commerce.
- (7) A national system for requiring a refund value on the sale of all beverage containers would result in low administrative costs and would be self-enforcing in operation.
- (8) Collection of State and local sales taxes based on a refund value (or deposit) on returnable beverage containers acts as a burden on the commerce of such containers among the States.
- (9) Requiring retailers and distributors to pay refunds on refundable beverage containers promotes the commerce among the States of beverage in such containers.

### DEFINITIONS

SEC. 3. For the purposes of this Act:

- (1) (A) The term "beverage" means beer or other malt beverage, mineral water, soda water, or a carbonated soft drink of any variety in liquid form and intended for human consumption.
- (B) The term "beverage container" means



a container designed to contain a beverage under pressure of carbonation.

(C) The term "refundable beverage container" means a beverage container which has clearly, prominently, and securely affixed to, or printed on, it (in accordance with section 4) a statement of the amount of the refund value of the container.

(2) (A) The term "consumer" means a person who purchases a beverage container for any use other than resale.

(B) The term "distributor" means a person who sells or offers for sale in commerce beverages in beverage containers for resale.

(C) The term "retailer" means a person who purchases from a distributor beverages in beverage containers for sale to a consumer or who sells or offers to sell in commerce beverages in beverage containers under pressure of carbonation to a consumer. The Administrator shall prescribe such regulations as may be necessary to establish what person is a retailer with respect to the sale of beverages in beverage containers under pressure of carbonation to consumers through beverage vending machines.

(3) The term "Administrator" means the Administrator of the Environmental Protection Agency.

(4) The term "commerce" means trade, traffic, commerce, or transportation—

(A) between a place in a State and any place outside thereof,

(B) within the District of Columbia or any territory of the United States, or

(C) which affects trade, traffic, commerce, or transportation described in subparagraph (A) or (B).

(5) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

#### REQUIRED BEVERAGE CONTAINER LABELING

SEC. 4. No distributor or retailer may sell or offer for sale a beverage in a beverage container under pressure of carbonation unless there is clearly, prominently, and securely affixed to, or printed on, it (in accordance with regulations prescribed by the Administrator) a statement of the amount of the refund value of the container, such amount being not less than 5 cents.

#### RETURN OF REFUND VALUE OF BEVERAGE CONTAINERS

SEC. 5. (a) (1) If a consumer tenders for refund an empty and unbroken refundable beverage container to a retailer who sells (or has sold at any time during the period of six months ending on the date of such tender), a brand of beverage which was contained in the container, the retailer shall promptly pay the consumer the amount of the refund value stated on the container.

(2) If a retailer or consumer tenders for refund an empty and unbroken refundable beverage container to a distributor who sells (or has sold at any time during the period of six months ending on the date of such tender) a brand of beverage which was contained in the container, the distributor shall promptly pay the person the amount of the refund value stated on the container.

(b) The opening of a beverage container in a manner in which it was designed to be opened and the compression of a metal beverage container providing the refund label is readable shall not, for purposes of this section, constitute the breaking of the container.

#### RESTRICTION OF FLIP-TOP METAL BEVERAGE CONTAINERS

SEC. 6. No distributor or retailer may sell or offer for sale a beverage container a part of which is designed to be detached in order to open such container.

#### PREEMPTION OF STATE AND LOCAL LAW

SEC. 7. (a) (1) Except as otherwise provided in this section, no State or political subdivision thereof may establish or continue in

effect any law respecting a refund value of beverage containers sold with a beverage under pressure of carbonation to the extent the Administrator determines the law is inconsistent with this Act.

(2) Paragraph (1) does not prevent a State or political subdivision thereof from—

(A) requiring refund values of different amounts (of not less than 5 cents) for differing types or sizes of refundable beverage containers, and

(B) establishing or continuing in effect any law respecting a refund value on containers other than for beverages.

(b) No State or political subdivision thereof may, for purposes of determining the amount of any tax imposed by such State or subdivision on the sale of any refundable beverage container, take into account any amount charged which is attributable to the refund value of such container.

(c) A State may require that a distributor pay a retailer for the tender of a refundable beverage container an amount, in addition to the amount of the refund value required to be paid under section 5(a) (2), for the retailer's handling or processing of the container.

#### ENFORCEMENT

SEC. 8. (a) Whoever violates any provision of section 4(a), 5(a), or 6 shall be fined not more than \$1,000 for each violation.

(b) If a retailer or distributor fails, without good cause, to promptly make payment to a consumer or retailer, respectively, of the refund value of a beverage container in accordance with section 5(a), the consumer or retailer, respectively, shall be entitled to collect, in an appropriate action in any appropriate State or federal court, from the retailer or distributor, respectively, in addition to the amount of the refund value, an amount equal to the sum of (1) the amount of any damages proximately resulting from such failure to make payment, (2) the amount of court costs and reasonable attorneys' fees and any other reasonable costs attributable to the collection of such refund value, plus (3) \$10 for each beverage container for which the retailer or distributor, respectively, fails to make payment. The court in such an action may order such additional relief, including injunctive and declaratory relief, as the court determines to be appropriate to enforce the provisions of section 5(a).

(c) Any retailer or distributor who knowingly fails to make payment in accordance with section 5(a) may be assessed a civil penalty of not more than \$100 for each such failure with respect to a container; except that the maximum civil penalty shall not exceed \$10,000 for any related series of violations. Such penalty shall be assessed by the Attorney General and the Administrator and shall be collected in a civil action brought by the Attorney General or by the Administrator (with the concurrence of the Attorney General) by any of the Administrator's attorneys designated by him for this purpose.

#### EVALUATION AND TECHNICAL ASSISTANCE

SEC. 9. (a) The Administrator shall monitor, before and after the effective dates of section 4(a) and 6, the rate of reuse and recycling of beverage containers, and shall evaluate and report to Congress \* \* \* of the first three years after the date of the enactment of this Act and biennially thereafter on the impact of the provisions of this Act on—

(1) conservation of energy and material resources;

(2) resource recovery and reduction of solid waste and litter; and

(3) the economy.

(b) The Administrator shall evaluate and report, not later than one year after the date of the enactment of this Act, to Congress on

the potential role that centers for the redemption of refundable beverage containers might serve in assisting in the return of the refund value of beverage containers under section 5(a) and on any recommendations for changes in this Act to promote such a role.

(c) The Administrator shall monitor and report to Congress on any additional net costs incurred by retailers as a result of enactment of this Act. And shall include in such report any recommendations the Administrator may have with respect to requiring distributors to pay retailers for the tender of refundable beverage containers, amounts, in addition to the amounts of the refund value required to be paid under section 5(a) (2), for the retailer's handling or processing of the containers.

(d) The Administrator shall provide such technical assistance and information to State distributors, retailers, and consumers, and to manufacturers of beverage containers, as is necessary to carry out the provisions and purposes of this Act.

#### CONSULTATION ON EMPLOYMENT DISLOCATION

SEC. 10. The Administrator shall advise and consult with the Secretary of Labor on steps that the Secretary might take, through existing authorities, to identify and provide assistance to individuals whose employment may be adversely affected by this Act.

#### EFFECTIVE DATES

SEC. 11. (a) Except as otherwise provided in subsections (b) and (c), this Act shall take effect on the date of its enactment.

(b) The provisions of section 4(a) (relating to required labeling of beverage containers) shall apply with respect to beverages in beverage containers sold or offered for sale in interstate commerce on or after the end of the two-year period beginning on the last date of the month in which this Act is enacted.

(c) The provisions of section 6 (relating to prohibiting flip-top cans) shall apply with respect to beverages in beverage containers sold or offered for sale in interstate commerce on or after the end of the one-year period beginning on the last date of the month in which this Act is enacted.

(d) The provisions of section 7(a) (relating to preemption of State and local laws) shall preempt State and local laws to the extent to which they are inconsistent with the provisions of this Act only on and after the respective effective dates of such provisions. ●

#### MATERIALS POLICY RESEARCH AND DEVELOPMENT ACT OF 1979

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLLENBECK) is recognized for 5 minutes.

● Mr. HOLLENBECK. Mr. Speaker, it is with great pride that I cosponsor the Materials Policy Research and Development Act introduced last week by Chairman FUQUA and other distinguished colleagues of both parties of the Science and Technology Committee. I believe that the crucial materials problems facing the Nation over the coming generation are national problems and surpass partisan interests and ideologies, partisan policies, and planks. For you have heard the ranking minority member of our committee, Mr. WYDLER, state that we are currently dependent on foreign sources for 58 percent of the 38 basic minerals used by the United States.

Mr. Speaker, for practically as long as I have been a member of the Science Committee, I have been deeply concerned about the future materials problems fac-

ing the country. These problems are to be compounded over the coming years because of the growing international demand for increasingly scarce mineral supplies. We must have a comprehensive national materials R. & D. policy coordinated with a national policy for materials science and technology to help us avoid these problems by anticipating their onset. I hope, for once, this country will find itself dealing with these critical resource problems in advance of a crisis instead of always riding the roller-coaster of shortage, surplus, and shortage such as we have seen to occur in energy over the last 5 years. I am not sanguine if the example of energy is typical, but I join on this bill and hope that we have learned some lessons from the repeated energy crisis.

The bill has a number of important provisions. The first is that the bill would require the Director of the Office of Science and Technology Policy to assess national materials needs and technological changes over the next 5 years and, where possible, extend that assessment in 10-, 25-, and 50-year increments over the expected lifetimes of these needs and technological changes. No prediction can be perfect, but it is imperative, as I said last year when I introduced long-range materials policy legislation, that the public policies of this Nation be integrated with the economic and technological and intellectual life cycles of our materials, industry, labor, and consuming public.

Public policies should evolve in phase with the turnover of the capital stock of materials industries, with the turnover of materials skills in the labor force, with environmental cycles affected by materials use, and with changing human aspirations. This is a process which occurs over a generation. It seems evident that any materials policy or the materials R. & D. which underlies it should consider at least three components of this process of technological change: namely, the long-term generational change in aspirations as they are reflected in different materials uses; the rate of investment as reflected in the capital structure and the turnover of skills in the labor force over the intermediate term of 10 to 50 years; and finally, over the short term, we must be prepared to meet shortages and surpluses of materials which arise too fast for a response in the structure of our materials industries or in the abilities of our labor force to change.

I hope that in carrying out these assessments, the Director of OSTP will specifically consider the necessity for integrating public policies and technological change and, to the extent that this evolution is not understood, that he will stimulate research to attain better understanding.

Mr. Speaker, dependence of foreign sources of materials often places us in the position of having to trade or to be completely dependent upon these nations, even when we would prefer not. Chromium is an example. The United States has no domestic reserves of chromium and must obtain its sources over the long run from Rhodesia or South

Africa, both of whose political systems are antithetical to ours. Furthermore, aside from the balance of payments, over the long run, continued trade with these two nations is probably shortsighted. When their eventual replacement by black African regimes occurs, we may be shut out entirely from supplies of chrome because of our complicity with these racist governments. As the National Academy of Sciences recently pointed out, there are substitutes for a very substantial number of our requirements for chromium and there are substantial conservation opportunities which could be incorporated in our materials production and consumption over the next 10 or 15 years. But we must begin to plan these transitions now and we must carry out the necessary research to find substitutes for as many uses of chromium as possible. Thus, materials research and development can contribute to other foreign policy objectives such as the concern for human rights and foreign trade deficits which I have mentioned here.

The bill also has another important point: namely, it requires the President to submit within 6 months to Congress a plan to implement programs which can carry out the materials policy set forth in the substantive provisions of the bill.

Mr. Speaker, for the last 18 months we have heard the administration telling us that as soon as they complete their review of nonfuel mineral policy they will come to us with requests, but nothing has been seen that is concrete or heard of from the administration on this subject. And nonfuel minerals is only a tiny part of the problem. Meanwhile, each day our position becomes more precarious. This bill should, I believe, goad the administration into action if enacted. For this reason, although I believe that the detailed arrangements for implementing a materials science and technology policy should be left to the Executive, this bill provides an important step toward requiring the Executive to come up with concrete proposals and to do soon.

Mr. Speaker, the bill contains many other interesting and important concepts which I hope we shall have a chance to explore and examine in greater detail as our committee considers this bill during the coming session. One, for example, is the use of remote sensing of materials and natural resources from space. In this context, I would hope that our committee would consider establishing a comprehensive, operational natural resource, environmental and energy space monitoring program which could be encompassed within the superstructure of the materials research program to be mandated.

For all these reasons, I urge the favorable consideration in the near future of this bill by the House. I hope that my colleagues here and the general public will contribute their suggestions; the bill is not cast in concrete, and it is my desire that it should provoke and stimulate any innovative ideas in this important field. It is with great pride, therefore, that I join in sponsoring the Materials Policy Research and Development Act of 1979.●

## TWO BILLION DOLLARS DOWN THE DRAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GOLDWATER) is recognized for 5 minutes.

● Mr. GOLDWATER. Mr. Speaker, I swallowed hard the other day when I picked up the Los Angeles Times and read the page 1 story by Grayson Mitchell estimating waste in our social security system to be \$2 billion annually. Social Security Commissioner Stanford Ross admitted waste and fraud is rampant in his Administration. Thousands who are ineligible receive benefits. Poor management, lack of accounting controls, and widespread abuse are responsible for at least—at least—\$2 billion from the public till going down the drain each year. Some estimate the actual loss to be twice this amount. According to an official of the General Accounting Office, the GSA scandal is a drop in the bucket compared to the mess at social security.

Social security is the epitome of uncontrollable growth in Government. The program conceived in the 1930's has mushroomed to proportions far beyond its original intention. Today, the Social Security Administration employs 85,000 people, spending \$130 billion annually. That is roughly a quarter of our total Federal budget. The mere size of the agency is such that bookkeeping practices which may be relatively inconsequential in smaller organizations, can cause multimillion-dollar losses at social security. For instance, the procedure of rounding off benefit payments to the highest dime instead of issuing checks for the exact amount, may provide for easier accounting methods, but it costs the taxpayer an extra \$64 million.

What surprised me about the article were reports that Capitol Hill has turned a deaf ear to warnings from the GAO and others that this money is being wasted. I have yet to hear a justifiable reason for refusing to address this situation. When Government funds are paid to those not entitled to receive them, Congress has an obligation to investigate.

The philosophy of Congress has been to raise taxes as a way of compensating for these losses. I have suggested that a thorough review of social security be conducted with thoughts of restructuring the system so that it is actuarially sound. It will be a difficult undertaking, but we cannot sweep the problem under the rug, no matter how politically unpalatable it may be. Just how much more money, Mr. Speaker, will go down the drain before we decide to put a stop to it?●

## EXTENDING TERMS OF OFFICE FOR OFFICERS OF LOCAL LABOR ORGANIZATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, this year, 1979, marks the 12th anniversary of the enactment of the Labor-Management Reporting and Disclosure Act of 1959. This act marked the first time in



which the Federal Government participated in a major way in the internal affairs of labor organizations. Such governmental policies is warranted, and has served the best interests of both union members and our society.

In many respects the Landrum-Griffin Act has been highly successful. In the 1950's charges of financial mismanagement and racketeering in labor unions, both valid and invalid, were a subject of national debate. Since that period, neither the public nor the Congress have been exposed to such unsettling disclosures. This does not mean that the Labor-Management Reporting and Disclosure Act has solved all problems, nor is it a statute perfect in every respect. I believe that some aspects of that law need reevaluation in light of our recent 20-year history.

It is in this spirit that I have introduced H.R. 103, a bill which would amend section 401(b) of the Labor-Management Reporting and Disclosure Act of 1959 to change the period of time within which a local labor organization is required to elect its officers. The maximum time period would go from once every 3 years to once every 5 years under H.R. 103.

Such a seemingly simple amendment in the law would have a number of beneficial effects, not only on labor organizations themselves, but on the stability of our system of labor relations.

The major benefit derived from such a change is that it would help to keep demagogic politics out of the local union. It has been well established in hearings on similar legislation in the past, that in many cases a 3-year tenure for local union officials is simply too short. Too much time is spent "running" for the next election, and not enough on serving the members' needs. This is particularly true for newly elected local union leaders who must, necessarily, spend a good part of their new term "getting their feet on the ground."

The short period of office also has become a destabilizing force in labor-management relations. A local union leader who is overly concerned with pleasing a vocal minority for short-term political gains, is less likely to attempt to establish sound bargaining relationships with management. Also, the short term of office tends to make collective-bargaining contracts very political and has, in some cases, led to rejection of an agreement and to strikes. Demagogic politics have spilled over in other arenas, as local officials, rather than leading their members in a responsible fashion, are at times forced by a vocal minority to accede to demands for a wildcat strike or an irresponsible contract demand.

Finally, in this respect, it should be kept in mind that local union leaders are not only politicians in the sense that they stand for election, they also perform a variety of duties from managing a local union's business affairs, to enforcing and at times negotiating a collective bargaining agreement. Allowing local union officers to spend more time serving their members' needs and less time running for reelection will not lessen union democracy, but lead to better-

run union locals and more responsible and stable labor relations.

A final point I would like to make in support of H.R. 103 is that we hear more and more that the American people are demanding less governmental regulation and interference in their daily affairs. This bill is very compatible with that goal. It would in no way require that local union officers extend their terms of office, but if the members see fit, they could amend their union constitutions to hold local elections within every 5 years. Such decisions should be left to the individuals concerned and not dictated by the Congress.

In closing, I would like to add some comments which my colleagues may be surprised to hear. We all have read of reports of opinion polls showing that the public holds labor leaders in low esteem (somewhere close to politicians). A recent, more thorough study was completed by the University of Michigan Institute for Social Research, the "Quality of Employment Survey," on contract with the U.S. Department of Labor. While the survey found that in general American workers are less satisfied with their jobs in 1977 (the year of the survey) than in 1973, members of labor unions gave their unions high marks. A section of the survey concludes:

By and large, workers in the 1977 sample express fairly positive attitudes toward labor unions. On the subject of union goals, all workers were asked what things they thought unions in this country were trying to do. Among union members 66 percent mention *only* positive things (e.g., improving wages or benefits, improving job security) whereas merely 15 percent mention *only* negative things (e.g., self-aggrandizement). Among non-members, the corresponding figures are 45 percent and 28 percent, respectively.

Union members were also asked to evaluate the performances of their own unions. They give their unions higher marks for their handling of traditional functions than for less traditional functions. Large majorities report that their unions do a "somewhat" or "very" good job in securing better working conditions: better wages (76 percent for white collar workers, 75 percent for blue collar workers); better fringe benefits (69 percent and 71 percent, respectively); improved health and safety on the job (74 percent and 71 percent, respectively); and improved job security (76 percent and 74 percent, respectively). Members also rate their own unions high on handling members' grievances (79 percent and 74 percent, respectively) and on other indicators of responsiveness of members' needs. Members feel less positive about their unions' handling of nontraditional issues: helping to make jobs more interesting (39 percent and 32 percent, respectively), getting workers a say in how their employers run the businesses or organizations (42 percent and 34 percent, respectively), and getting workers a say in how they do their own jobs (57 percent and 48 percent, respectively). In interpreting these findings it should be kept in mind that members also express the view that their unions *should* put greater effort into the traditional than into the less traditional union functions. By way of overall evaluation union members express a high degree of satisfaction with their own unions. Fully 71 percent of the blue collar workers and 77 percent of the white collar workers report that they are "somewhat" or "very" satisfied.

Thus, in spite of what some opinion polls have told us, it is clear that Amer-

ican workers are generally pleased with their unions and the job they have been performing. I urge the support of my colleagues for H.R. 103.●

#### CONGRESSIONAL CONCERN REGARDING SOVIET EMIGRATION AND FREEDOM OF SPEECH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MURPHY) is recognized for 5 minutes.

● Mr. MURPHY of New York. Mr. Speaker, today I am introducing a resolution which expresses the concern of Congress and the Nation regarding free emigration and expression of ideas by the citizens of the Soviet Union.

Today marks the second anniversary of the arrest of Soviet dissident Anatoly Shcharansky. Shcharansky, a computer scientist, was arrested by the KGB on March 15, 1977 and held incommunicado on charges of treason against the Soviet Union. Shcharansky was also accused of working for the CIA, an accusation categorically denied by President Carter last year. The unfounded charges against Shcharansky, as well as his lengthy incarceration prior to trial and subsequent conviction, has made a mockery of the Soviet judicial system, and has ignited heated protests from civil libertarians throughout the world.

But such remonstrations have gone unrecognized and unheeded. As I speak to you now, Shcharansky, who received a 13-year sentence, is being held in a prison camp on the Volga. He is denied visits by his family, despite the fact that he is in ill health, and has been prevented from exercising his right to launch an appeal of his conviction.

Shcharansky is a man of principles, an individual willing to endanger his future health and prosperity in order to further the cause of human rights in his homeland. We have no way of knowing how many more like Shcharansky have been subjected without cause or due process to such injury. But it is certain that the Soviet Union is continuing in its attempts to stifle the spirit of those seeking to exercise basic human rights. And it is imperative that we, as a nation wholly committed to the primacy of human rights, challenge such actions and challenge them now.

The repression of basic human freedoms is like a disease allowed to go unchecked, it spreads mercilessly throughout nations unprotected by safeguards such as those written into our Constitution. We need only recall the horrors suffered upon the countless individuals during the 1930's and 1940's to realize the virulent potency of the malady.

Our moral obligation to fight such indignities transcends political differences or territorial boundaries. Anatoly Shcharansky is not a unique product of our time—countless others like him emerge from our history books, from Socrates to Joan d'Arc. Indeed, our own country was founded on those very principles which we seek to defend here today. Dissent and disagreement have been major factors in the growth of the United States. Inherent in our system is a flexi-

bility, an ability to absorb criticism and change accordingly. The Soviet Government's continued efforts to suppress disagreement and dissent only serves to evidence the Soviet's lack of confidence in their ability as a political system to withstand analysis and review.

In furtherance of this Nation's unwavering commitment to preserve and protect the rights of all people, this resolution should be unanimously passed. This bill would direct the President to:

First, impress upon the Soviet Government the grave concern of the American people with the intimidation of those within the Soviet Union who do not adhere to prevailing ideology;

Second, call upon the Soviet Government to permit the free expression of ideas and emigration by all its citizens in accordance with the Universal Declaration of Human Rights, and

Third, use the medium of current negotiations with the Soviet Union as well as informal contacts with Soviet officials in an effort to secure an end to repression of dissent.

Mr. Speaker, in considering this resolution, let us remember the words of one of our most distinguished presidents, Franklin Delano Roosevelt, who said: "Born to freedom, and believing in freedom, we are willing to fight to maintain freedom." I urge my colleagues to add their support to this resolution so that we can, as an entity, voice our concern about the continuing repression of Anatoly Shcharansky and other citizens of the Soviet Union.

Finally, we must realize that there is no greater potential danger to our own liberties than for us to stand by silently while human rights are denied to others. ●

#### PRIVACY OF MEDICAL RECORDS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. PREYER) is recognized for 5 minutes.

● Mr. PREYER. Mr. Speaker, I am today introducing the Federal Privacy of Medical Records Act, a bill to protect the privacy of personally identifiable medical information maintained by hospitals and other medical facilities.

The bill is meant to be a starting point for discussion. It is generally based on the recommendations of the Privacy Protection Study Commission, with several new features that I hope will generate some comment.

Briefly, the legislation would guarantee an individual the right to inspect his or her medical record and to seek correction of erroneous information contained in that record. Another major function of the bill is to regulate the dissemination of sensitive medical data by setting the ground rules for disclosure of medical records when the individual patient's consent has not been obtained.

Individual practitioners would not be affected by this bill. The act covers all medical care facilities that participate in Medicare and Medicaid, as well as all Federal medical facilities.

The Federal Privacy of Medical Rec-

ords Act is similar to H.R. 13994 which I introduced in the 95th Congress, and both are derived from the proposals of the Privacy Protection Study Commission. Since the Privacy Commission issued its report in July 1977, we have made significant progress in understanding the many uses to which medical records are put outside of the doctor's office. I think that many of my colleagues will be surprised to learn of the numerous groups that use medical information in fields unrelated to patient treatment. One of the reasons why medical records confidentiality legislation is needed is to restrict and regulate these nontreatment uses.

Striking a balance between an individual's right of privacy and the legitimate information needs of law enforcement agencies, auditors, researchers, and others who perform important functions, is never easy. In the last Congress, a law was enacted to define the availability of personal financial records to law enforcement officials. The struggle over the Right to Financial Privacy Act was intense, even though its scope was limited to records concerning bank depositors and to the question of Federal Government access. Legislation regulating use of medical records will be much harder to enact because the records contain information that is personally more sensitive and because there are so many groups that claim to have a vital interest in using medical records.

If we are to successfully deal with medical records confidentiality, we will need the help of doctors, hospitals, public health authorities, law enforcement officials, auditors, researchers, and others. I have an open mind about these questions and the relative needs of all of these groups. Other bills dealing with medical records have been introduced in the House and in the Senate this session, and the long-awaited Presidential message on privacy is expected to include a medical records confidentiality proposal. That message is expected soon.

Because of the difficulty of the task, we must begin quickly. The Subcommittee on Government Information and Individual Rights which I chair will hold the first in a series of hearings on medical records confidentiality legislation next month on April 2, 4, 9, and 11. Anyone with comments on the Federal Privacy of Medical Records Act or with an interest in the subject generally is invited to contact the subcommittee at (202) 225-3741.

Mr. Speaker, I include a section-by-section analysis of the bill in the RECORD:

SECTION-BY-SECTION ANALYSIS OF THE FEDERAL  
PRIVACY OF MEDICAL RECORDS ACT

Section 1 provides that the Act may be cited as the "Federal Privacy of Medical Records Act." The designation "Federal" is used to distinguish this Act from any existing or subsequent state legislation.

Section 2 contains the findings and purposes of the Act.

Section 101 contains the Act's definitions. A "medical care facility", the entity to which the Act applies, is defined as any hospital, skilled nursing facility, intermediate care facility, or other entity which is approved for participation in, or coverage under, Medicare and Medicaid. Individual physicians

are not included. Federal medical care facilities are covered by the Act.

A "medical record" is defined as any identifiable information relating to the health, examination, care, or treatment of an individual.

"Government authority" includes any agency or department of the United States or of any State or political subdivision.

Section 102 provides that any State or local laws governing the confidentiality of medical records maintained by a medical care facility subject to the Act are superseded. However, the Act does not disturb the disclosure restrictions in Federal, state, or local laws relating to psychiatric treatment or treatment for alcohol or drug abuse.

Section 103 provides that rights of an incompetent or a minor shall be exercised by a parent or guardian.

Section 111 permits an individual to inspect and have a copy of a medical record about the individual maintained by a medical care facility. A facility may deny the right to inspect if it determines that inspection might reasonably be expected to cause sufficient harm to the individual so as to outweigh the desirability of permitting access. Where inspection is denied, the individual may select an appropriate person (as defined by the Secretary of H.E.W.) to inspect the record. A facility may not charge a fee for permitting an inspection, and any copying fees must be reasonable.

Section 112 provides that a facility must, within 30 days of a request by an individual, make the requested correction of a medical record or explain its refusal. If a requested correction is not made, then the individual has the right to include a concise statement of disagreement in the record.

Section 113 requires a facility to provide an individual with a written notice of record keeping practices detailing the disclosures that can be made from a medical record without consent and the individual's rights of inspection and correction.

Section 114 restricts disclosure of medical records to those authorized by the individual or those authorized by the Act. Records can only be disclosed to properly identified persons, and disclosures must be limited, where practicable, to information needed to accomplish the purpose for which the disclosure is made.

Section 115 provides that an individual may only authorize the disclosure of a medical record with a written, dated, and signed authorization describing the facility, the person to whom the record may be disclosed, and the purpose of the disclosure.

Sections 121 through 131 define the circumstances under which a facility may disclose a medical record without authorization from the individual. Section 121 permits disclosure to an employee of the facility maintaining the record who has a need for the record in the performance of his duties.

Section 122 permits disclosure to a medical care professional who is consulted in connection with health services provided to the individual.

Section 123 permits disclosure of admission and health status information if the individual has not objected to the disclosure.

Section 124 permits disclosure for use in a health research project determined by an institutional review board to be of sufficient importance so as to outweigh the intrusion into privacy that would result from the disclosure. Any person obtaining a record under this section must 1) comply with security standards established by the Secretary; 2) remove identifiers where practicable; and 3) not redisclose the record except under specified circumstances. Disclosures for use in another health research project which has been approved by an institutional review board are permitted.

Section 125 permits disclosure for use in



an audit or evaluation. Any person obtaining a record under this section must 1) comply with security standards established by the Secretary; 2) remove identifiers where practicable; and 3) not redisclose the record except under specified circumstances.

Section 126 permits disclosures to assist in the identification of a dead person or pursuant to a showing of compelling circumstances affecting the health or safety of any person or involving imminent danger of serious property damage. A facility must keep an accounting of disclosures made under this section. Any government authority obtaining a medical record under this section or under Sections 127, 129-31 may only disclose the records where necessary to fulfill the purpose for which the record was obtained or where disclosure is consistent with disclosures permitted under the Act.

Section 127 permits disclosure where required by Federal or State law.

Section 128 permits disclosure to the Secret Service or to a Federal agency authorized to conduct foreign intelligence activities. Redisclosures may be made only where necessary to fulfill the purpose for which the record was obtained.

Section 129 permits disclosure of the medical record of an individual to a government authority for use in an investigation or prosecution (directed at a person other than the individual) of fraud, abuse, or waste in a government funded program. Disclosure may also be made to a government authority to assist in the identification or location of a suspect or fugitive. A facility must keep an accounting of disclosures made under this section.

Section 130 permits disclosure pursuant to the Federal Rules of Civil or Criminal Procedure or comparable rules of other courts or agency in connection with litigation to which the individual is a party.

Section 131 permits disclosure pursuant to administrative, judicial, or grand jury summons or subpoena or pursuant to a search warrant, provided that the access procedures of Section 141 have been followed. Use and disclosure of information acquired by federal grand jury subpoena is limited to grand jury purposes.

Section 132 provides that the provisions of the Act allowing disclosure shall not be read as requiring that information be disclosed unless required by other Federal, state or local laws. The Secretary is required to prescribe security standards for the use and maintenance of medical records by researchers, auditors, and evaluators; to publish guidelines for the accounting requirement of the Act; and to prepare a notice of challenge rights in accordance with Section 142.

Section 141 establishes access procedures for a government authority using a judicial, grand jury, or administrative summons or subpoena. The authority may seek access only if (1) there is reasonable cause to believe that the record will produce information relevant to a legitimate law enforcement inquiry; (2) the individual has been served with a copy of the process, together with a notice describing challenge rights; and (3) 14 days have passed since the individual has been served. In the case of a search warrant, the individual shall be informed of the warrant within thirty days after it was served on the facility. Notice to an individual may be delayed if a court finds that informing the individual will result in serious jeopardy to an investigation or proceeding.

Section 142 provides that an individual may challenge a summons or subpoena by filing a motion to quash in the appropriate state or federal court. In order to enforce the process, the government authority must demonstrate to the court that there is reasonable cause to believe (1) that the process is related to a legitimate law enforcement inquiry; and (2) that the records sought are relevant to that inquiry. The motion to

quash may nevertheless be granted if the individual can show that his privacy interests outweigh the government's need for the record. A motion to quash must be decided expeditiously by the courts, and no interlocutory appeals may be taken by the individual.

Section 143 requires Federal agencies that request access to medical records to file an annual report with Congress.

Section 151 makes compliance with the Act by a facility a requirement for participation in Medicare and Medicaid.

Section 152 makes it a crime to request or obtain a medical record or an authorization under false or fraudulent pretenses.

Section 153 allows an aggrieved individual to seek a civil remedy, including actual and punitive damages and equitable relief, for violations of the Act.

Section 153 provides a civil remedy for violations of the Act.

Section 201 exempts medical records of Federal agencies from coverage under the Privacy Act if those records are subject to this Act.

Section 301 makes the Act effective on the first day of the first calendar quarter beginning 180 days after the date of enactment.

Section 302 requires the Secretary to issue final regulations under the Act two months before the effective date.●

#### SECRETARY OF THE INTERIOR ANDRUS WRITES ON PROTECTING ALASKA

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. SEIBERLING. Mr. Speaker, by now I believe most Members of Congress would agree that Secretary of the Interior Cecil D. Andrus is one of the most outstanding members of President Carter's Cabinet. He has proved himself to be a champion of the public interest in every sense of the word and has shown particular skill in balancing the often competing needs for balanced development and protection of American's natural resources, especially those in the public domain administered by the Department of the Interior.

The New York Times for Monday, March 12, contained an article by Secretary Andrus on the subject: "Protecting Alaska." The Secretary points out that the debate over Alaska national interest lands has been portrayed as a contest between developers and conservationists. In his words:

That portrayal misses the point: at least two-thirds of Alaska will be open for development. The real issue: How much of the rest will be protected for all Americans?

Mr. Andrus' article goes on to describe the basis on which he and President Carter acted to protest some of the key wilderness areas of Alaska and keep open the options of the Congress in establishing permanent legislation for these areas. Congress is again in the process of developing such legislation. I believe all Members will find that Secretary Andrus' article gives them an excellent summary of the basic issues.

The full text of the Secretary's article follows these remarks:

[From the New York Times, Mar. 12, 1979]

PROTECTING ALASKA

(By Cecil D. Andrus)

WASHINGTON.—The debate over Alaska National Interest Lands has been portrayed as

a contest between developers and conservationists. That portrayal misses the point: at least two-thirds of Alaska will be open for development. The real issue: How much of the rest will be protected for all Americans?

Two years ago, the Administration called for designation of 92.5 million acres of Federal land in Alaska as new conservation areas. Within these proposed boundaries lie wild, mostly untouched territory. This includes the nation's highest mountain and the continent's greatest mass of high peaks and glaciers. It includes places where traditional people remain true to their ancient traditions. It includes the calving grounds for America's only large, healthy herd of free-roaming caribou and the breeding grounds for about 10 percent of our country's waterfowl. No one can seriously argue that these places do not have national importance. In fact, some argue we seek protection for too little of Alaska.

The problem we took seriously, though, was striking a balance in land use. We developed and applied two basic principles. First: Include only areas of true national significance, and use watershed or ecosystem boundaries to be sure that they will remain as healthy, self-sustaining units; in other words, don't plan for environmental "salvage operations" later. Second: Exclude areas of purely economic value whenever possible.

By applying these principles, we achieved a unique plan. We located and marked for protection places that will continue to stun future generations with their beauty, natural productivity and historical significance. Also, more than 90 percent of Alaska's high-potential on-shore oil and gas areas, all the offshore areas and more than 70 percent of the high protection places that will continue to stun potential of hard-rock mineral areas remain available for exploration and development.

As our ability to work in the far north developed, so did our understanding of the special conditions that require major conservation efforts. For the first time, we have both the opportunity to balance development with conservation and the knowledge to understand exactly why we should do so. One important tool, while we drew the boundaries, was a computerized-resource inventory developed by the state of Alaska.

Last May, the House of Representatives, 277-31, passed an Alaskan lands bill. An end-of-session filibuster threat blocked a Senate vote. With Congress adjourned and statutory protection for our proposed areas about to expire, President Carter decided too much was at stake not to act and extended administrative protection to these lands. Under emergency powers, I withdrew 110 million acres from all claims. Subsequently, President Carter designated 56 million of these acres as national monuments under provisions of the Antiquities Act.

The genesis of Alaska conservation goes back more than 40 years when there was a call for protection of all land north of the Yukon River. Little thought was given to that proposal, though, until oil was discovered on state land at Prudhoe Bay in 1968. Suddenly, Alaska's seemingly impervious wilds were threatened by construction of the Trans-Alaska Pipeline.

Legislation to clear land titles for the pipeline and settle Alaska native claims struck a bargain between Alaska and the rest of the nation: America would support development in Alaska if Alaska would support large-scale conservation there for all Americans. While this bargain indicated that selection of Alaska's vast 104-million-acre statehood grant might be slowed to allow native selections, it also guaranteed Alaska a sound economic future. But many Alaskans and their allies in the resource industries now seem to have forgotten the agreement with the other 200 million Americans.

Too often conservation has been an effort to salvage some remnant of beautiful land or a small population of once-numerous ani-

mals. In Alaska we have a second national opportunity to protect healthy, productive lands, simply allowing them to continue in their natural state. Few nations are ever favored with the chance to make a decision to protect their natural heritage. If we decide to reject this opportunity to conserve and develop, we will deserve the insults that our grandchildren will remember us with. Let's do it right, for once, the first time.●

#### PERSONAL EXPLANATION

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PEPPER. Mr. Speaker, I had to leave the floor on Tuesday before the final vote on H.R. 2479, the United States-Taiwan Relations Act, on account of illness in my family. Had I been present I would have voted with the Committee on Foreign Affairs on the amendments which I missed and I would have voted for the bill on final passage.●

#### PERSONAL EXPLANATION

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. PEPPER. Mr. Speaker, I regretably must be absent for the votes today due to illness in my family. If I had been present I would have voted for the three resolutions funding standing committee of the House and would have voted in favor of the resolution to establish a Select Committee on Committees.●

#### CLARENCE MITCHELL HONORED ON HIS 68TH BIRTHDAY

(Mr. RODINO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. RODINO. Mr. Speaker, there are many celebrities in America today, but there are only a handful of truly great men.

And rarer still is the great man who can be passionate with dignity, the man of zealous principle who can nonetheless operate steadily and effectively—who simply and quietly can get things done.

Mr. Speaker, one such man—Clarence Mitchell—will be honored tonight on the occasion of his 68th birthday. It will be a significant event because Clarence, by any definition, is a great American. We in this Chamber realize that there are few officials anywhere in this town who have not been touched by his work. But far more important, there are few citizens anywhere in this Nation whose lives have not been enriched by the fruits of his accomplishments.

A month ago Clarence Mitchell retired as the Washington representative of the NAACP. For nearly 30 years he served as that great organization's chief advocate and no man will ever bring greater honor to his profession.

In fact, I often find myself referring to Clarence as the consummate advocate, and in trying to put these thoughts on paper I tried to pinpoint just why that is. Perhaps it is because Clarence so completely believed in the legislative process,

because he so thoroughly respected this country and respected the institution of the Congress of the United States. He understood the uniquely collegial nature of the representative branch and he appreciated the special role it plays under the Constitution.

But I think equally important: Clarence knew how to win and he knew when he had to lose. And because when he lost he kept his faith in America, and he refused to give up on the elective process, his ultimate victories were among the most significant in our history: The Civil Rights Act of 1964, the Voting Rights Act of 1965 and 1975, the Fair Housing Act of 1968 \* \* \* the list is long and impressive. And as long as the list is and as critically important as the issues were, Clarence proceeded simply, with none of the fanfare or hoopla associated with congressional politics. He had a job to do and he got it done.

For all these reasons, Clarence was the consummate advocate. But the most important reason was the simplest: he was a treat to deal with, a pleasure to be around. He is kind, he is caring and above all he is knowledgeable. No man ever brought to his trade the same combination of passion and commonsense. And no man ever demonstrated a greater living commitment to the special dignity and human rights of every individual.

Mr. Speaker, I was privileged to be privy to Clarence Mitchell's private counsel during many of the most important civil rights battles of recent decades. On some occasions I served as floor manager in the House for the landmark statutes of the 1960's. I know firsthand the value of his support, the enormous strength of his private encouragement. I owe to Clarence—as does the Nation—a large debt and a large measure of gratitude.

Mr. Speaker, I do not propose to say here that I shall miss Clarence Mitchell. Clarence will be among us for many years and I intend to continue to value his counsel and his friendship. This is merely to salute him on the occasion of his birthday and to add my voice to the many who have acknowledged, and will acknowledge, the greatness of this man and his contributions to great causes.●

#### CONGRATULATIONS TO PRESIDENT CARTER FOR MAJOR BREAKTHROUGHS

(Remarks delivered in the House on Tuesday, March 13, 1979.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LEWIS) is recognized for 10 minutes.

Mr. LEWIS. Mr. Speaker, today I rise to extend high praise and congratulations to President Carter, Israeli Prime Minister Menachem Begin, and Egyptian President Anwar Sadat for the major breakthroughs made today that could very likely lead to a treaty of peace between Israel and Egypt.

I urge citizens throughout America to express their positive support for the progress made thus far. I further encourage all Americans to communicate to the citizens of Israel and Egypt in every possible way, their expressions of hope for a lasting peace.

In response to Sadat's acceptance of new compromise proposals presented by President Carter today, Prime Minister Begin said, and I quote for the record \* \* \* "Great progress has been made \* \* \*." Further, he said his Cabinet and Israel's Parliament will have to debate the new American proposals and if the Parliament were to reject his recommendations to accept the proposals, "it would be the duty of the Government to resign."

Prime Minister Begin's strong position of support for the new proposals which address virtually every remaining issue—and President Sadat's acceptance of them, brings us to the verge of the first treaty between Israel and Egypt since the days of the Pharaohs and lights the hope of lasting peace.

Although the shape of the compromise is not yet available, the following issues remain to be worked out: The Israeli desire for Sinai oil, Egypt's desire for liaison officials to supervise Palestinian self-rule in the Gaza strip, and the Israeli desire for a quick exchange of ambassadors to show the level of normalized relations that are to be achieved.

In view of the recent developments in Iran, the Soviet and Cuban presence in the People's Democratic Republic of Yemen (South Yemen); the assassination of the American Ambassador in Afghanistan and the movement of Saudi Arabia away from its close ties with the United States, today's developments could not be more welcome or timely.

In closing, I urge my colleagues to join me in a bipartisan show of respect for the Office of the Presidency by going to Andrew's Air Force Base this evening to be present for President Carter's return to America.

I could not disagree more with the President's general handling of foreign affairs. But, his success today deserves our praise. Indeed, at a time of credibility crisis for the Nation among friend and foe alike, our unified expression of support for the Office of the President is desperately needed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GILMAN (at the request of Mr. RHODES), for Thursday, March 15, on account of personal business.

Mr. PEPPER (at the request of Mr. WRIGHT), after 5 p.m., Tuesday, March 13, and for balance of the week, due to illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ERDAHL) to revise and extend their remarks and include extraneous material:)

Mr. JEFFORDS, for 10 minutes, today.

Mr. HANSEN, for 60 minutes, on March 15.

Mr. RITTER, for 5 minutes, today.

Mr. HOLLENBECK, for 5 minutes, today.



Mr. McCLORY, for 60 minutes, on March 20.  
Mr. GOLDWATER, for 5 minutes, today.  
Mr. SHUSTER, for 60 minutes, on March 20.

(The following Members (at the request of Mr. WYATT) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.  
Mr. GONZALEZ, for 5 minutes, today.  
Mr. WEAVER, for 10 minutes, today.  
Mr. MURPHY of New York, for 5 minutes, today.  
Mr. PREYER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. ERDAHL) and to include extraneous material:)

Mr. SHUSTER.  
Mr. SYMMS in three instances.  
Mr. BROYHILL.  
Mr. MICHEL.

Mr. CONABLE.  
Mr. RUDD.  
Mr. MOORHEAD of California in two instances.

Mr. TAYLOR.  
Mr. SCHULZE.  
Mr. HINSON.  
Mr. HANSEN in five instances.  
Mr. LEE.  
Mr. PAUL in four instances.

Mr. WAMPLER.  
Mr. GINGRICH.  
Mr. MARLENEE.  
Mr. GILMAN in two instances.  
Mr. LAGOMARSINO in two instances.

(The following Members (at the request of Mr. WYATT) and to include extraneous matter:)

Mr. HAMILTON.  
Mr. RODINO.  
Mr. NOWAK in five instances.  
Mr. MAZZOLI.  
Mr. ANDERSON of California in three instances.  
Mr. GONZALEZ in three instances.  
Mr. FLORIO.  
Mr. STEED.  
Mr. BONKER.  
Mr. D'AMOURS.

Mr. DASCHLE.  
Mr. KILDEE.  
Mr. BEILSON.  
Mr. AMBRO.  
Mr. UDALL.  
Mr. DELLUMS.  
Mr. GRAY.  
Mr. PICKLE in five instances.  
Mr. MATTOX.

ADJOURNMENT

Mr. WYATT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Thursday, March 15, 1979, at 11 o'clock a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the fourth quarter of calendar year 1978 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 1978

Table with columns: Name of Member or employee, Date (Arrival, Departure), Country, Per diem (Foreign currency, U.S. dollar equivalent), Transportation (Foreign currency, U.S. dollar equivalent), Other purposes (Foreign currency, U.S. dollar equivalent), Total (Foreign currency, U.S. dollar equivalent). Rows list various members and their travel expenses for 1978.

See footnotes at end of table.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 1978—Continued

Name of Member or employee	Date			Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure			Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Estimated airfare							(2,123.72)					
Raymond V. Smietanka	12/7	12/11	Germany	573	300.00	162.78	88.44	185.87	100.16	921.65	488.60	
	12/11	12/13	Italy	191,250	225.00	3,667	47.26	20,502.5	24.38	251,419.5	296.64	
	12/13	12/17	England	170.21	340.00	29.33	58.59	28.83	57.59	228.37	456.18	
Estimated airfare							(2,123.72)					
Committee total					14,817.98		19,638.17		2,103.43		36,559.58	

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PETER W. RODINO, JR., Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 1978

Name of Member or employee	Date			Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure			Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Corrado, Ernest J.	11/14	11/19	United Kingdom	225.28	450.00		1,459.00					
Everett, Ned P.	12/6	12/9	Georgetown, Guyana	763.56	300.00				1,909.00			
	12/10	12/11	Belem Para, Brazil	1,500.00	75.00				300.00			
	12/11	12/16	Brasilia, Brazil	9,166.50	450.00				450.00			
Howell, Martin D.	10/16	10/19	Japan	79,920	432.00		1,365.00					
	12/10	12/15	Costa Rica	3,202.50	375.00		509.00					
Kyros, Peter	11/14	11/19	United Kingdom	225.28	450.00		1,459.00					
Marshall, Curt	10/21	10/28	Netherlands	908.81	456.00	Bus 17.00	8.53					
						Air (State)	1,459.00				1,923.53	
Morris, Patrick	10/21	10/28	Netherlands	908.81	456.00	Bus 17.00	8.53					
						Air	1,459.00				1,915.00	
	11/14	11/19	England	225.28	450.00		1,459.00				1,909.00	
Perian, Carl L.	11/13	11/16	Japan		336.00		2,431.00					
Watt, Donald	12/10	12/11	Belem, Para, Brazil	1,500.00	75.00				2,667.00			
	12/11	12/16	Brasilia, Brazil	9,166.50	450.00				75.00			
	12/6	12/9	Georgetown, Guyana	763.56	300.00				450.00			
									300.00			
					5,055.00		11,617.06		16,563.53			

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Portion returned to State Department because traveler did not visit all places authorized/traveler paid for Florida to New York and New York to District of Columbia from his personal funds.

JOHN M. MURPHY, Chairman, Committee on Merchant Marine and Fisheries.

Jan. 31, 1979.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

955. A letter from the Comptroller General of the United States, transmitting a report that the impoundment of Navy research, development, test and evaluation funds for the AV-8B advanced Harrier aircraft program constitutes a deferral of budget authority which has not been reported to the Congress by the President, pursuant to section 1015(a) of Public Law 93-344 (H. Doc. No. 96-74); to the Committee on Appropriations and ordered to be printed.

956. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 47 of title 10, United States Code, to prescribe the power of the President to promulgate rules for the administration of military justice within the Armed Forces; to the Committee on Armed Services.

957. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of five construction projects proposed to be undertaken by the Army Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

958. A letter from the Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting the Council's special report on the proposed

second replenishment of the African Development Fund; to the Committee on Banking, Finance and Urban Affairs.

959. A letter from the Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting the Council's special report on the proposed second replenishment of the Asian Development Fund; to the Committee on Banking, Finance and Urban Affairs.

960. A letter from the Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting the Council's special report on the proposed increase in the resources of the Inter-American Development Bank; to the Committee on Banking, Finance and Urban Affairs.

961. A letter from the Assistant Secretary of State for Congressional Relations and the Assistant Secretary of the Treasury for Legislative Affairs, transmitting a report on the role of the multilateral development banks in increasing food production and improving nutrition in developing countries, pursuant to section 901 of Public Law 95-118; to the Committee on Banking, Finance and Urban Affairs.

962. A letter from the Chairman, National Labor Relations Board, transmitting the 43d annual report of the Board, covering fiscal year 1978, pursuant to section 3(c) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

963. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b (a); to the Committee on Foreign Affairs.

964. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b (a); to the Committee on Foreign Affairs.

965. A letter from the Director of ACTION, transmitting a draft of proposed legislation to further amend the Peace Corps Act; to the Committee on Foreign Affairs.

966. A letter from the Supervisory Copyright Information Specialist, Copyright Office, Library of Congress, transmitting a report on the Office's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

967. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to conduct policy assessments, collect data and work to improve the balance of payments with respect to international travel; to the Committee on Interstate and Foreign Commerce.

968. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend expiring appropriation authorizations for emergency medical services systems and health information and promotion, and for other purposes; to the Committee on Interstate and Foreign Commerce.

969. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend and extend provisions of law concerned with nurse training, and for other purposes; to the Committee on Interstate and Foreign Commerce.

970. A letter from the Commissioner, Im-



migration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

971. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 5519 of title 5, United States Code, relating to crediting amounts received for certain reserve or National Guard service; to the Committee on Post Office and Civil Service.

972. A letter from the Comptroller General of the United States, transmitting a report on the Department of Energy's analysis of the energy effects of certain tax measures (EMD-79-26, March 13, 1979); jointly, to the Committees on Government Operations and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 156. Resolution providing for the consideration of H.R. 2283. A bill to amend the Council on Wage and Price Stability Act to extend the authority granted by such act to September 30, 1981, and for other purposes (Rept. 96-34). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 157. Resolution providing for the consideration of H.R. 2534. A bill to provide for a temporary increase in the public debt limit, and for other purposes (Rept. No. 96-35). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 86. Resolution to provide for the expenses of investigations and studies to be conducted by the Committee on the Judiciary; with amendment (Rept. No. 96-36). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 123. Resolution to provide for the expenses of investigations and studies to be conducted by the Committee on Post Office and Civil Service; with amendment (Rept. 96-37). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 128. Resolution to provide for the expenses of investigations and studies to be conducted by the Committee on Aging; with amendment (Rept. No. 96-38). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 132. Resolution providing funds for investigations and studies for the Committee on Merchant Marine and Fisheries; with amendment (Rept. No. 96-39). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 134. Resolution to provide for the expenses of investigations and studies to be conducted by the Committee on Science and Technology; with amendment (Rept. 96-40). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 137. Resolution to provide funds for the expenses of investigations to be conducted by the Committee on Interstate and Foreign Commerce; with amendment (Rept. No. 96-41). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 139. Resolution to provide funds for the expenses of studies and investigations to be conducted by the Committee on Interior and Insular

Affairs; with amendment (Rept. No. 96-42). Referred to the House Calendar.

Mr. BRADEMÁS. Committee on House Administration. House Resolution 140. Resolution to provide for the expenses of investigations, studies, oversight, and functions to be conducted by the Committee on Government Operations; with amendment (Rept. No. 96-43). Referred to the House Calendar.

#### 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. BETHUNE:

H.R. 2875. A bill to exempt loans and mortgages insured under title I or II of the National Housing Act from usury provisions of State constitution or statutes; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. BOUQUARD:

H.R. 2876. A bill to provide that certain cost-of-living and other increased benefits received under title II of the Social Security Act will not be considered as income for purposes of determining eligibility and the amount of benefits of participants in the food stamp program and for purposes of determining eligibility and the amount of benefits of participants in certain programs concerning surplus agricultural commodities; to the Committee on Agriculture.

H.R. 2877. A bill to amend section 1488 of title 10, United States Code, to provide survivor benefits in case of death of certain members or former members of the Armed Forces who die before becoming entitled to retired pay for non-Regular service, and for other purposes; to the Committee on Armed Services.

H.R. 2878. A bill to amend title 10, United States Code, to grant survivors of Reserves who retire for non-Regular service and die before becoming entitled to retired pay eligibility for certain survivor benefits; to the Committee on Armed Services.

H.R. 2879. A bill to repeal sections 102 and 202 of the Flood Disaster Protection Act of 1973 which make flood insurance coverage and community participation in the national flood insurance program prerequisites for approval of any financial assistance in a flood hazard area, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2880. A bill to provide that housing benefits available to a veteran, under title 38 of the United States Code, shall not be considered in determining, under title 5 of the Housing Act of 1949, whether such veteran is able to obtain credit for housing from sources other than the Farmers Home Administration; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2881. A bill to amend the National Labor Relations Act to make it an unfair labor practice to discharge an employee because he testifies before any committee of the Congress, and for other purposes; to the Committee on Education and Labor.

H.R. 2882. A bill to permit teachers to change employment across State lines without substantial loss of retirement benefits; to the Committee on Education and Labor.

H.R. 2883. A bill to establish a Department of Education, and for other purposes; to the Committee on Government Operations.

H.R. 2884. A bill to provide for the use of telecommunication devices by the Senate and the House of Representatives to enable deaf persons and persons with speech impairments to engage in toll-free telephone communications with Members of the Congress; to the Committee on House Administration.

H.R. 2885. A bill to permit individuals and their relatives to supplement medicaid payments for skilled nursing facility services and intermediate care facility services pro-

vided under title XIX of the Social Security Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2886. A bill to establish an Office of Rural Health within the Department of Health, Education, and Welfare, and to assist in the development and demonstration of rural health care delivery models and components; to the Committee on Interstate and Foreign Commerce.

H.R. 2887. A bill to amend title XIV of the Public Health Service Act to provide Federal grants for small public water systems to meet national primary drinking water regulations; to the Committee on Interstate and Foreign Commerce.

H.R. 2888. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of retail unit prices of consumer commodities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2889. A bill to amend the Public Health Service Act to provide for the screening and counseling of Americans with respect to Tay-Sachs disease; to the Committee on Interstate and Foreign Commerce.

H.R. 2890. A bill to authorize interest subsidy payments to assist nursing homes in repair and renovation in order to comply with Federal standards; to the Committee on Interstate and Foreign Commerce.

H.R. 2891. A bill to improve the safety of products manufactured and sold in interstate commerce, to reduce the number of deaths and injuries caused by such products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2892. A bill to amend title XIX of the Social Security Act to make certain that individuals otherwise eligible for medicaid benefits do not lose such eligibility, or have the amount of such benefits reduced, because of increases in monthly social security benefits; to the Committee on Interstate and Foreign Commerce.

H.R. 2893. A bill to amend title 19 of the Social Security Act to require States to establish ombudsman programs to investigate nursing home complaints and represent consumer interests; to the Committee on Interstate and Foreign Commerce.

H.R. 2894. A bill to provide 100 percent Federal funding of financial audits of facilities participating in medicare and medicaid conducted by State personnel; to the Committee on Interstate and Foreign Commerce.

H.R. 2895. A bill to amend title VI of the Public Health Service Act to provide for the making of direct loans for the construction and rehabilitation of nursing homes owned and operated by churches and other nonprofit organizations; to the Committee on Interstate and Foreign Commerce.

H.R. 2896. A bill to provide that any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter be subject to the provisions of the Federal Tort Claims Act; to the Committee on the Judiciary.

H.R. 2897. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize programs for the provision of escort services to the elderly in high crime areas, and for other purposes; to the Committee on the Judiciary.

H.R. 2898. A bill to provide for additional sentences for commission of a felony with use of a firearm; to the Committee on the Judiciary.

H.R. 2899. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to require as a condition of assistance under such act that law enforcement agencies have in effect a binding law enforcement officers' bill of rights; to the Committee on the Judiciary.

H.R. 2900. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that rescue squad members are entitled to death benefits made available to such act; to the Committee on the Judiciary.

H.R. 2901. A bill to amend title 39, United States Code, to require that the notice included in a mailed solicitation stating that such solicitation is not a bill or an account due shall be displayed at or near the beginning of such solicitation; to the Committee on Post Office and Civil Service.

H.R. 2902. A bill to provide that any increase in the rate of pay for Members of Congress proposed during any Congress shall not take effect earlier than the beginning of the next Congress; to the Committee on Post Office and Civil Service.

H.R. 2903. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to provide that expenditures for pollution control facilities will be credited against required power investment return payments and repayments; to the Committee on Public Works and Transportation.

H.R. 2904. A bill to authorize financial assistance to States for major highway repairs; to the Committee on Public Works and Transportation.

H.R. 2905. A bill to amend certain provisions of the Tennessee Valley Authority Act of 1933, as amended, relating to the charge rates for power of the Tennessee Valley Authority; to the Committee on Public Works and Transportation.

H.R. 2906. A bill to amend the Congressional Budget Act of 1974 to require full congressional review of each Federal program once every 2 years under zero-base budgeting procedures; to the Committee on Rules.

H.R. 2907. A bill to improve congressional oversight of Federal Programs and activities by requiring greater specificity in setting program objectives, by requiring continuing information on the extent to which programs are achieving their stated objectives, by requiring periodic review of new authorizations of budget authority and tax expenditures, and for other purposes; to the Committee on Rules.

H.R. 2908. A bill to amend the Small Business Act to provide regulatory flexibility for small business in certain instances so the effect of regulation matches the size of business regulated; to the Committee on Small Business.

H.R. 2909. A bill to authorize the Small Business Administration to make grants to support the development and operation of small business development centers in order to provide small business with management development, technical information, product planning and development, and domestic and international market development, and for other purposes; to the Committee on Small Business.

H.R. 2910. A bill to amend the Small Business Act to provide that the Small Business Administration shall, in assisting small business concerns in the sale of materials and services to the Federal Government, give special preferences to small business concerns with 100 or fewer employees; to the Committee on Small Business.

H.R. 2911. A bill to deny entitlement to veterans' benefits to certain persons who would otherwise become so entitled solely by virtue of the administrative upgrading under temporarily revised standards of less than honorable discharges from service during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2912. A bill to amend title II of the Social Security Act to create portability in social security by permitting married couples to elect to combine their earnings in any year for benefit purposes, and to make other changes designed to foster the more equitable treatment of individuals and families under the social security program; to the Committee on Ways and Means.

H.R. 2913. A bill to amend the Internal Revenue Code of 1954 to provide tax relief to small businesses by establishing a graduated income tax rate for corporations; to the Committee on Ways and Means.

H.R. 2914. A bill to amend the Internal

Revenue Code of 1954 to allow individuals to compute the amount of the deduction for payments into retirement savings on the basis of the compensation of their spouses, and for other purposes; to the Committee on Ways and Means.

H.R. 2915. A bill to amend the Internal Revenue Code of 1954 to exempt nonprofit volunteer firefighting or rescue organizations from the Federal excise taxes on gasoline, diesel fuel, and certain other articles and services; to the Committee on Ways and Means.

H.R. 2916. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where both are employed; to the Committee on Ways and Means.

H.R. 2917. A bill to repeal the carryover basis provisions added by the Tax Reform Act of 1976; to the Committee on Ways and Means.

H.R. 2918. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide that disability insurance benefits shall be financed from general revenues rather than through the imposition of employment and self-employment taxes as at present, to adjust the rates of such taxes for old-age and survivors insurance and hospital insurance purposes, to provide for reductions in the amount of such disability benefits to take account of the recipient's need as determined on the basis of his family income, to improve disability determination procedures, and for other purposes; to the Committee on Ways and Means.

H.R. 2919. A bill to amend the Internal Revenue Code of 1954 to provide tax relief to small businesses; to the Committee on Ways and Means.

H.R. 2920. A bill to amend title XVI of the Social Security Act to provide that an individual who applies for supplemental security income benefits on the basis of disability shall be considered presumptively disabled if he has received social security supplemental security income benefits as a disabled individual within the preceding 5 years; to the Committee on Ways and Means.

H.R. 2921. A bill to amend the Tariff Schedules of the United States to repeal, in the case of certain wearing apparel and nonrubber footwear, the special tariff treatment accorded to articles assembled abroad with components produced in the United States; to the Committee on Ways and Means.

H.R. 2922. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide that any individual may elect (on an annual basis) to contribute to a private retirement plan rather than participating in the social security program; to the Committee on Ways and Means.

H.R. 2923. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

H.R. 2924. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits, and the disability freeze if he has 40 quarters of coverage, regardless of when such quarters were earned; to the Committee on Ways and Means.

H.R. 2925. A bill to amend the Internal Revenue Code of 1954 to provide to individuals who have attained the age of 62 a refundable credit against income tax for increases in real property taxes and utility bills; to the Committee on Ways and Means.

H.R. 2926. A bill to amend the Internal Revenue Code of 1954 to provide that trusts established for the payment of product liability claims and related expenses shall be

exempt from income tax, that a deduction shall be allowed for contributions to such trusts, and for other purposes; to the Committee on Ways and Means.

H.R. 2927. A bill to amend the Internal Revenue Code of 1954 to suspend the imposition of interest, and to prohibit the imposition of a penalty for failure to pay tax on underpayments of tax resulting from erroneous advice given in writing by the Internal Revenue Service; to the Committee on Ways and Means.

H.R. 2928. A bill to amend the Internal Revenue Code of 1954 to eliminate the adjusted gross income limitation on the credit for the elderly; to the Committee on Ways and Means.

H.R. 2929. A bill to provide for the modification of the medicare reimbursement formula to allow small hospitals in rural areas with low occupancy to provide long-term care but only in those areas where there are no appropriate nursing home beds available; to the Committee on Ways and Means.

H.R. 2930. A bill to amend title II of the Social Security Act to require that procedures be established for the expedited replacement of undelivered benefit checks, to require that decisions on benefit claims be made within specified periods, and to require that payment of benefits on approved claims begin promptly; to the Committee on Ways and Means.

H.R. 2931. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first \$5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

H.R. 2932. A bill to provide bonuses for honorable Vietnam service through tax credits; to the Committee on Ways and Means.

H.R. 2933. A bill to assure that an individual or family whose income is increased by reason of a general increase in monthly social security benefits will not, because of such general increase, suffer a loss of or reduction in the benefits the individual or family has been receiving under certain Federal or federally assisted programs; to the Committee on Ways and Means.

H.R. 2934. A bill to amend title XVI of the Social Security Act to provide that an alien may not be paid supplemental security income benefits unless he not only is a permanent resident of the United States but has also continuously resided in the United States for at least 1 year; to the Committee on Ways and Means.

H.R. 2935. A bill to amend the Internal Revenue Code of 1954 to provide that trusts established for the payment of product liability claims and related expenses shall be exempt from income tax, and that a deduction shall be allowed for contributions to such trusts; to the Committee on Ways and Means.

H.R. 2936. A bill to amend the Internal Revenue Code of 1954 to provide cost-of-living adjustments to the adjusted gross income limitation on the exclusion for certain disability payments; to the Committee on Ways and Means.

H.R. 2937. A bill to require admissions contracts between nursing homes participating in Federal programs and the patients they serve; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2938. A bill to amend title XVIII of the Social Security Act to require the continued application of the nursing salary cost differential which is presently allowed in determining the reasonable cost of inpatient nursing care for purposes of reimbursement to providers under the medicare program; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2939. A bill to require the immediate reporting of epidemic diseases or accidents in nursing homes participating in Federal



programs; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

H.R. 2940. A bill to require physician visits to patients in skilled nursing facilities at least once every 30 days; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

H.R. 2941. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification, and approved by a Formulary Committee, among the items on Ways and Means, and Interstate and services covered under the hospital insurance program; jointly, to the Committees Foreign Commerce.

H.R. 2942. A bill to amend titles II and XVIII of the Social Security Act to include eligible drugs, requiring a physician's prescription or certification and approved by a Formulary Committee, among the items and services covered under the hospital insurance program; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

H.R. 2943. A bill to provide increased benefits under part B of the medicare program with respect to the treatment of mental, psychoneurotic, and personality disorders of outpatients; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

H.R. 2944. A bill to amend title XVIII of the Social Security Act for the purpose of including community mental health centers among the entities which may be qualified providers of service for medicare purposes; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

H.R. 2945. A bill to provide for congressional review of all regulations relating to costs and expenditures for health care, reimbursements to individuals or providers of health care, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce, Ways and Means, and Rules.

H.R. 2946. A bill to amend the Social Security Act to provide for inclusion of the services of licensed practical nurses under medicare and medicaid; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2947. A bill to amend part B of title XI of the Social Security Act to exempt small hospitals and other small inpatient facilities, in rural and other areas, from the requirement of review by a Professional Standards Review Organization; and from the related requirements and provisions of that part; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2948. A bill to provide mandatory minimum prison sentences for persons illegally manufacturing, distributing, or dispensing certain narcotic drugs, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce and the Judiciary.

H.R. 2949. A bill to amend the Social Security Act to provide for placing responsibility for medical care provided by skilled nursing facilities under titles XVIII and XIX in a medical director; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

H.R. 2950. A bill amending title 5 of the United States Code to improve agency rule-making by expanding the opportunities for public participation, by creating procedures for congressional review of agency rules, and by expanding judicial review, and for other purposes; jointly, to the Committees on the Judiciary and Rules.

H.R. 2951. A bill to provide for the installation of telecommunications devices for the deaf in agencies of Federal, State, and local government, in offices of Members of Congress, and in other locations; jointly, to

the Committees on Government Operations and House Administration.

H.R. 2952. A bill to amend the Social Security Act to provide for inclusion of the services of licensed (registered) nurses under medicare and medicaid; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2953. A bill to amend the Social Security Act to provide for a system of inspections of State inspection and enforcement mechanisms with regard to facilities receiving payments under titles XVIII and XIX; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2954. A bill to amend title XVIII of the Social Security Act to establish a program of long-term care services within the medicare program, to provide for the creation of community long-term care centers and State long-term care agencies as part of a new administrative structure for the organization and delivery of long-term care services, to provide a significant role for persons eligible for long-term care benefits in the administration of the program, and for other purposes; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2955. A bill to amend part B of title XVIII of the Social Security Act to broaden the coverage of home health services under the supplementary medical insurance program, and remove the 100-visit limitation presently applicable thereto, to amend part A of such title to liberalize the coverage of post-hospital home health services thereunder, to amend title XIX of such act to require the inclusion of home health services in a State's medicaid program, and to permit payments of housing costs under such a program for elderly persons who would otherwise require nursing home care, to require contributions by adult children toward their parents' nursing and home health care expenses under the medicaid program, to provide expanded Federal funding for congregate housing for the displaced and the elderly, and for other purposes; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2956. A bill to amend title XVIII of the Social Security Act to provide for the coverage of certain psychologists' services under the supplementary medical insurance benefits program established by part B of such title; to the Committee on Ways and Means and Interstate and Foreign Commerce.

H.R. 2957. A bill to reduce the amount of paperwork required by Federal agencies, and to increase congressional awareness of the increase in paperwork required by bills and joint resolutions under consideration by Congress; jointly, to the Committees on Government Operations and Rules.

H.R. 2958. A bill to amend title XVIII of the Social Security Act to include hearing aids and dentures among the items and services for which payment may be made under the supplementary medical insurance program; jointly, to the Committees on Interstate and Foreign Commerce and Ways and Means.

H.R. 2959. A bill to amend title XVIII of the Social Security Act to authorize the provision of intermediate care services under medicare, and for other purposes; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2960. A bill to amend title X of the Social Security Act to provide coverage for services which may be performed by a dentist on the same basis as presently allowed for physicians under the medicare program, and to authorize payment under such program for all inpatient hospital services furnished in connection with dental procedures requiring hospitalization; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2961. A bill to direct the Secretary of Health, Education, and Welfare to more effectively obtain records of deaths for the purpose of preventing fraud and waste in payments under the Social Security Act; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

H.R. 2962. A bill to encourage investment in small business concerns, and for other purposes; jointly, to the Committees on Education and Labor, Interstate and Foreign Commerce, Small Business, and Ways and Means.

H.R. 2963. A bill to establish a comprehensive program of long-term care services for aged individuals, and to provide for the creation of community long-term care centers and State long-term care agencies as part of a new administrative structure for the organization and delivery of such services; jointly, to the Committees on Agriculture, Education and Labor, Interstate and Foreign Commerce, the Judiciary, and Ways and Means.

H.R. 2964. A bill to establish a Federal Insurance Commission to regulate the insurance industry, to establish Federal product liability tort law standards, and to amend the Internal Revenue Code of 1954 to provide that trusts established for the payment of product liability claims and related expenses shall be exempt from income tax, that a deduction shall be allowed for contributions to such trusts, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs, Interstate and Foreign Commerce, and Ways and Means.

By Mr. BROOMFIELD:

H.R. 2965. A bill to amend title 5 of the United States Code to establish a uniform procedure for congressional review of agency rules which may be contrary to law or inconsistent with congressional intent, to expand opportunities for public participation in agency rulemaking, and for other purposes; jointly, to the Committees on the Judiciary and Rules.

H.R. 2966. A bill to require authorizations of new budget authority for Government programs at least every 5 years, to provide for review of Government programs every 5 years, and for other purposes; jointly, to the Committees on Rules and Government Operations.

By Mr. CHAPPELL:

H.R. 2967. A bill to amend the Immigration and Nationality Act to provide for the deportation of certain nonimmigrant aliens who knowingly participated in unlawful or violent acts in connection with a political demonstration; to the Committee on the Judiciary.

By Mr. DASCHLE:

H.R. 2968. A bill entitled, "Agricultural Subterminal Facilities Act of 1979"; jointly, to the Committees on Agriculture and Ways and Means.

By Mr. DELLUMS (for himself, Mr. CONYERS, Mr. FORD of Tennessee, Mr. GARCIA, Mr. NOLAN, Mr. MITCHELL of Maryland, Mr. STOKES, Mr. STARK, and Mr. RICHMOND):

H.R. 2969. A bill to establish a U.S. Health Service to provide high quality health care and to overcome the deficiencies in the present system of health care delivery; jointly, to the Committees on Armed Services, Banking, Finance and Urban Affairs, the District of Columbia, Education and Labor, Interstate and Foreign Commerce, the Judiciary, Post Office and Civil Service, Veterans' Affairs, and Ways and Means.

By Mr. ECKHARDT:

H.R. 2970. A bill to declare the Port of Houston Authority bridge over Greens Bayou, Tex., to be for all purposes a lawful bridge as defined in an act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the

United States, and the owners of such bridges, and for other purposes, approved June 21, 1940 (33 U.S.S. 511 et seq.); to the Committee on Public Works and Transportation.

H.R. 2971. A bill to provide for assistance to certain owners of property damaged by floodwaters at the Galveston Bay project at Baytown, Tex.; to the Committee on Public Works and Transportation.

By Mr. EDWARDS of California (for himself, Mr. SEIBERLING, Mr. DRINAN, Mr. VOLKMER, Mr. BEILSON, Mr. BUTLER, Mr. McCLORY, and Mr. CORRADA):

H.R. 2972. A bill to amend title 28 of the United States Code to provide that certain judicial pleadings and proceedings in the Commonwealth of Puerto Rico may be conducted in the Spanish language, and for other purposes; to the Committee on the Judiciary.

By Mr. FORD of Michigan:

H.R. 2973. A bill to amend title 39, United States Code, to establish a reduced rate of postage for certain mail matter of private individuals; to the Committee on Post Office and Civil Service.

By Mr. GREEN:

H.R. 2974. A bill to amend sections 375 and 376 of title 28 of the United States Code, relating to judicial annuities, to provide that annuities under such sections shall not terminate by reason of remarriage of an annuitant after attaining 60 years of age; jointly, to the Committees on the Judiciary and Post Office and Civil Service.

By Mr. LAGOMARSINO (for himself, Mr. GOLDWATER, Mr. CLAUSEN, Mr. SEBELIUS, Mr. BURGNER, Mr. BOB WILSON, and Mr. BADEHAM):

H.R. 2975. A bill to establish the Channel Islands Marine National Park in the State of California and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LEHMAN:

H.R. 2976. A bill to establish a private right of action for certain residential owners to correct and prevent abusive use of long-term leasing of recreation and other project-related facilities; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MILLER of California (for himself, Mrs. BOGGS, Ms. MIKULSKI, Mr. ADDABO, Mr. BARNES, Mr. BRADEMAS, Mr. BONIOR of Michigan, Mr. CLAY, Mr. CONYERS, Mr. EDGAR, Mr. EDWARDS of California, Mr. EVANS of Georgia, Mr. FLOOD, Mr. FORD of Tennessee, Mr. FORSYTHE, Mr. FRENZEL, Mr. GONZALEZ, Mr. GREEN, Mr. HAWKINS, Mrs. HECKLER, Ms. HOLTZMAN, Mr. HYDE, Mr. LAFALCE, Mr. LEDERER, Mr. LEHMAN, Mr. LONG of Maryland, Mr. MATHIS, Mr. McCLORY, Mr. MCHUGH, Mr. MIKVA, Mr. MITCHELL of Maryland, Mr. MOORHEAD of Pennsylvania, Mr. MURPHY of Pennsylvania, Ms. OAKAR, Mr. OTTINGER, Mr. PATTEN, Mr. PEPPER, Mr. PRITCHARD, Mrs. SCHROEDER, Mr. SIMON, Mrs. SPELLMAN, Mr. THOMPSON, Mr. TRAXLER, Mr. VENTO, Mr. WALGREN, Mr. WEISS, Mr. WINN, Ms. FERRARO, Mrs. CHISHOLM, Mr. MARKS, Mr. LENT, Mr. DOWNEY, Mr. SCHEUER, Mr. DIGGS, Mr. RICHMOND, Mr. LUNDINE, Mr. BONKER, Mr. LEACH of Louisiana, and Mr. BRODHEAD):

H.R. 2977. A bill to provide for Federal support and stimulation of State, local, and community activities to prevent domestic violence, and assist victims of domestic violence, for coordination of Federal programs and activities pertaining to domestic violence, and for other purposes; to the Committee on Education and Labor.

By Mr. PASHAYAN (for himself and Mr. COELHO):

H.R. 2978. A bill to authorize the Secretary of the Army to construct improvements

on Redbank and Fancher Creeks, Calif.; to the Committee on Public Works and Transportation.

By Mr. PREYER:

H.R. 2979. A bill to protect the privacy of medical records maintained by medical care facilities, to amend section 552a of title 5, United States Code, and for other purposes; jointly, to the Committees on Government Operations, Interstate and Foreign Commerce, and Ways and Means.

By Mr. STARK (for himself, Mr. EDGAR, and Mr. SIMON):

H.R. 2980. A bill to amend title XVI of the Social Security Act to provide that an individual who applies for supplemental security income benefits on the basis of disability shall be considered presumptively disabled if he has received social security or supplemental security income benefits as a disabled individual within the preceding 5 years; to the Committee on Ways and Means.

By Mr. STARK (for himself and Mr. FOWLER):

H.R. 2981. A bill to amend title XX of the Social Security Act to increase the entitlement ceiling while preserving permanently the special allocation for child day care services (with full Federal matching) which is presently in effect; to the Committee on Ways and Means.

By Mr. WAMPLER (for himself, Mr. HAGEDORN, Mr. IRELAND, and Mr. MARTIN):

H.R. 2982. A bill to direct the Administrator of the Environmental Protection Agency to request the National Academy of Science to conduct a study concerning standardizing certain tests for determining potential carcinogenicity, and for other purposes; jointly, to the Committees on Agriculture and Interstate and Foreign Commerce.

By Mr. WHITEN:

H.R. 2983. A bill to protect the national security; protect the economic well-being of the American people including the Nation's present supplies and undeveloped sources of energy, fuel, food, and fiber from damage due to arbitrary and unsound regulation, order, or decision issued by any executive department, agency, or commission, and for other purposes; to the Committee on the Judiciary.

H.R. 2984. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2985. A bill to amend the Internal Revenue Code of 1954 with respect to the determination of whether certain charitable organizations are publicly supported; to the Committee on Ways and Means.

H.R. 2986. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

H.R. 2987. A bill to protect funds invested in series E U.S. savings bonds from inflation, and to encourage persons to provide for their own security; to the Committee on Ways and Means.

H.R. 2988. A bill to amend the Internal Revenue Code to remove the limitations on the amount of medical and dental expenses which may be deducted, to permit taxpayers to deduct such expenses, to arrive at their adjusted gross income, and for other purposes; to the Committee on Ways and Means.

H.R. 2989. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WYDLER:

H.R. 2990. A bill to provide policies, methods, and criteria for the acquisition of property and services by executive agencies; to the Committee on Government Operations.

By Mrs. BOUQUARD:

H.J. Res. 257. Joint resolution to amend the Constitution of the United States to provide for balanced budgets, and elimination of the Federal indebtedness; to the Committee on the Judiciary.

H.J. Res. 258. Joint resolution proposing an amendment to the Constitution of the United States to provide that appropriations made by the United States shall not exceed its revenues, except in time of war or national emergency; and to provide for the systematic paying of the national debt; to the Committee on the Judiciary.

H.J. Res. 259. Joint resolution proposing an amendment to the Constitution of the United States for the purpose of limiting the power of Congress to tax; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H. Con. Res. 74. Concurrent resolution expressing the sense of the Congress regarding the free emigration and expression of ideas by citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mrs. BOUQUARD:

H. Res. 158. Resolution to reaffirm the use of our national motto on currency; to the Committee on Banking, Finance and Urban Affairs.

H. Res. 159. Resolution expressing the sense of the House of Representatives that the effect on our society of the level of violence depicted on television requires more consideration and study; to the Committee on Interstate and Foreign Commerce.

H. Res. 160. Resolution to declare a "state of war" against the dreaded disease, amyotrophic lateral sclerosis; to the Committee on Interstate and Foreign Commerce.

H. Res. 161. Resolution to amend the Rules of the House of Representatives to establish the Committee on Internal Security, and for other purposes; to the Committee on Rules.

H. Res. 162. Resolution to amend the Rules of the House of Representatives to require that reports accompanying certain bills and joint resolutions reported by committees contain computations of the potential tax impact of such bills and resolutions on the individual taxpayer; to the Committee on Rules.

## MEMORIALS

Under clause 4 of the rule XXII, memorials were presented and referred as follows:

69. By the SPEAKER: A memorial of the Legislature of the State of Idaho, relative to preservation of Amtrak's "Pioneer Route" from Seattle, Wash., to Salt Lake City, Utah; to the Committee on Interstate and Foreign Commerce.

70. Also, memorial of the Legislature of the State of Nevada, relative to the use of Ruby Lake in White Pine County, Nev., as a refuge for migratory waterfowl; to the Committee on Merchant Marine and Fisheries.

71. Also, memorial of the Legislature of the State of North Dakota, relative to the earned income exemption in the aid to families with dependent children program; jointly, to the Committees on Agriculture, and Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

By Mr. JOHN L. BURTON:

H.R. 2991. A bill for the relief of Richard S. P. Woo, which was referred 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. 21: Mr. HOWARD.

H.R. 65: Mr. ASHLEY, Mr. BLANCHARD, Mr. BONIOR of Michigan, Mr. BRODHEAD, Mr. BUCHANAN, Mr. CORRADA, Mr. EDWARDS of Oklahoma, Mr. EVANS of Georgia, Mr. HALL of Texas, Mr. HAMILTON, Mr. HANCE, Mr. HUGHES, Mr. KEMP, Mr. KOGOVSEK, Mr. LATTA, Mr. MATTOX, Mr. MICA, Mr. MINETA, Mr. MOTTL, Mr. MURPHY of Pennsylvania, Mr. REGULA, Mr. RINALDO, Mr. ROE, Mr. RUSSO, Mrs. SMITH of Nebraska, Mr. SOLOMON, Mr. SPENCE, Mr. STUMP, Mr. VENTO, Mr. WOLPE, and Mr. ZEPARETTI.

H.R. 486: Mr. PATTERSON and Mr. NOLAN.

H.R. 596: Mr. OTTINGER and Mr. RICHMOND.

H.R. 655: Mr. DERWINSKI, Mr. OTTINGER, Mr. WINN, Mr. HALL of Texas, Mr. WHITEHURST, and Mr. CHARLES WILSON of Texas.

H.R. 1293: Mr. VANDER JAGT.

H.R. 1475: Mr. KELLY.

H.R. 1603: Mr. GOLDWATER, Mr. ROBERT W. DANIELS, Jr., Mr. HEFTEL, and Mr. PASHAYAN.

H.R. 1612: Mr. DIGGS, Mr. LENT, Mr. LEWIS, and Mr. WYDLER.

H.R. 1613: Mr. DIGGS, Mr. LENT, and Mr. WYDLER.

H.R. 1644: Mr. GIBBONS, Mr. MURPHY of New York, Mr. CAVANAUGH, Mr. MOLLOHAN, Mr. YOUNG of Alaska, Mr. FORD of Michigan, Mr. MOTTL, Mr. HALL of Texas, Mr. COUGHLIN, Mr. ABDNOR, Mr. BARNARD, Mr. BALDUS, Mr. SABO, and Mr. KELLY.

H.R. 1785: Mr. MCEWEN, Mr. BUCHANAN, Mr. BROYHILL, Mr. LEE, Mr. TAUKE, Mr. COUGHLIN,

Mr. HORTON, Mr. HYDE, Mr. SHARP, Ms. MIKULSKI, Mr. SCHEUER, Mr. GUDGER, and Mr. BEARD of Rhode Island.

H.R. 2020: Mr. STARK, Mr. SEIBERLING, and Mr. EVANS of the Virgin Islands.

H.R. 2036: Mr. GLICKMAN, Mr. STARK, and Mr. O'BRIEN.

H.R. 2172: Mr. IRELAND, Mr. PASHAYAN, and Mr. RANGEL.

H.R. 2212: Mr. ANDREWS of North Dakota, Mr. BEDELL, Mr. BUCHANAN, Mr. CLEVELAND, Mr. DAVIS of South Carolina, Mr. EMERY, Mr. FLORIO, Mr. LaFALCE, Mr. LOTT, Mr. McDADE, Mr. MURPHY of Pennsylvania, Mr. PRICE, Mr. RAHALL, Mr. VENTO, and Mr. DRINAN.

H.R. 2370: Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. STARK, and Mr. LEDERER.

H.R. 2727: Mr. FLIPPO, Mr. HUCKABY, Mr. JONES of Tennessee, Mr. LEACH of Louisiana, and Mr. YOUNG of Missouri.

## EXTENSIONS OF REMARKS

## THE GOSPEL ACCORDING TO JACK BROOKS

## HON. JIM MATTOX

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1979

● Mr. MATTOX. Mr. Speaker, my reading of yesterday's Washington Post was enlivened when I turned to page 3 and read "The Gospel According to JACK Brooks." It seems that my good friend and colleague from Beaumont, Tex., made a rousing speech 2 days ago to the National Association of Counties about a subject dear to their hearts—revenue sharing.

Now JACK is not afraid to speak his mind, and so he came down hard on them, pointing out the evils of this Federal boondoggle like a Baptist preacher exhorting his congregation to temperance. But rather than boo or hiss him, they were swayed by the sheer logic of his argument, and gave him a standing ovation.

JACK BROOKS has been speaking out against this waste of taxpayers' money for many years, and it looks as if this year the program faces serious opposition in Congress. Recently, I introduced a bill to end revenue sharing to States, a move that would save us about \$2.3 billion. If the beneficiaries of this giveaway program can be moved to temporary sanity by the preaching of JACK Brooks, I encourage him to travel this land far and wide spreading the word, so that we can finally get on the road to fiscal responsibility.

I encourage my colleagues to read the article below, and perhaps JACK's voice crying out in the wilderness can become a chorus:

THE GOSPEL ACCORDING TO JACK BROOKS  
(By Susanna McBee)

Rep. Jack Brooks (D-Tex.), the crusty arch-enemy of the federal government's general revenue-sharing program, saw that he had a tough audience yesterday.

There they sat—1,000 county officials devoutly dedicated to the beneficence of the program that is sending states, counties,

cities, towns, townships, boroughs, Indian tribes and Alaskan native villages some \$6.8 billion this year in string-free funds.

Speaking to such a group as the National Association of Counties, said Brooks, warming to the task, is "always a pleasure . . . It brings out the missionary spirit in me. I look out and see all those souls needing to be saved from the false doctrine of revenue sharing, and I welcome the opportunity to try to bring you into the light of reason—and fiscal responsibility."

Like a minister trying to win the heart of a backslider, Brooks, the powerful chairman of the House Government Operations Committee, tried the friendly approach first.

"I have great regard for county commissioners," he began. "Together we've spent an awful lot of federal money."

Then he tried the empathetic approach. "I can understand your dedication to such a program [as revenue sharing]. It is a great treat for a public official to enjoy the pleasures of spending without the pain of raising the money. I don't blame you for enjoying it. "I'd dedicate those parks and the street work and that pothole work. I'd pay a couple of cops extra money, a couple of nurses, a couple of firemen. I'd buy a new something-or-other.

"I'd smile at the people, buy a new set of keys to the city, get my picture in the paper and tell them, 'We're just trying to do a good job for the folks here down home.' "

Some of the county officials, who obviously didn't like the message, were smiling in spite of themselves.

Brooks, the good ol' boy from Beaumont, Tex., was still playing the local official dispensing the revenue-sharing largesse. He said with sarcasm, "Don't say one damn word about where the money's coming from. Just tell 'em, I'm trying to help you all."

Now the NACO audience was laughing, and Brooks came to the point of his sermonette about a program that started in 1972 and, unless Congress renews it will end Sept. 30, 1980:

"The truth of the matter is, it's a fraud," he intoned. And, seeing the smiles drop, he added, "But it's fun. I don't blame you. It's fun.

"But I'll tell you—that fun is running out. The federal borrowing power has reached its limit. . . . The national debt is expected to hit \$900 billion by the end of 1980. Just the payment of interest on the current debt is costing over \$55 billion a year. The American people are demanding that we reduce federal spending."

Brooks concluded with something ap-

proaching a prayer, an exhortation to work together to find ways to help communities "that need help"—ways that do not mean "simply sending them more money. . . .

"I hope you will put your considerable talents to that task and not use them to lobby Congress for programs that will only push us farther down the road toward centralized government and fiscal disaster."

He got a standing ovation. The NACO members were smiling, laughing, applauding.

Then, a few hours later they realized what hit them. A statement was drafted and the press was called.

Charlotte Williams, NACO president and a commissioner of Genesee County (Flint), Mich., said county officials will "strongly resist" any move in Congress to cut or eliminate revenue sharing.

"Inflation has hit local governments so hard that many have been forced to use revenue-sharing dollars just to maintain existing services," she said. "If revenue sharing were eliminated, county officials would either have to raise property taxes, a move citizens would surely oppose, or curtail many services."

Williams chided Brooks for saying that aid to state and local governments is leading the country toward centralized government and, on the other hand, for opposing revenue sharing because Congress cannot control how it is spent.

"If Rep. Brooks were really concerned about maintaining our decentralized form of government," she argued, "he would support revenue sharing because it's the one federal program allowing states and localities to make their own decisions on spending priorities."

Brooks, informed of her reaction, said he expected it. He added, "It's hardly likely that the people who are spending all that free money would want to start raising it themselves." ●

## TRIBUTE TO HARRY F. GREEN

## HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1979

● Mr. FLORIO. Mr. Speaker, I would like to take this time to offer my tribute to a truly great man, Harry F. Green, formerly of Gloucester City, N.J. It is indeed an honor to have had such an outstanding man as a resident of my