

HOUSE OF REPRESENTATIVES—Tuesday, May 3, 1983

The House met at 12 o'clock noon.

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

O God, You have blessed us as a people and as a nation and we have known the bounty of harvest and the richness of freedom. As we have received these gifts, our lives have been made whole by the many spiritual blessings that You freely made available to us. Help us to use these gifts—of prayer and intercession, of good deeds and acts of charity, of reconciliation and peace—in ways that strengthen us and those in our community and world. Amen.

THE JOURNAL

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

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

MESSAGE FROM THE SENATE

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

S. 974. An act to amend chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), to improve the quality and efficiency of the military justice system, to revise the laws concerning review of courts-martial, and for other purposes.

PRIVATE CALENDAR

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

MARSHA D. CHRISTOPHER

The Clerk called the bill (H.R. 723) for the relief of Marsha D. Christopher.

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

H.R. 723

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of sections 8131 and 8132 of title 5, United States Code, shall not apply with respect to injuries incurred by Marsha D. Christopher of Romulus, Michigan, as a result of an attack by a dog on August 9, 1979, while Marsha D. Christopher was performing her duties as a letter carrier for the United States Postal Service.

Sec. 2. (a) The Secretary of the Treasury shall pay, out of any funds in the Treasury

not otherwise appropriated, to Marsha D. Christopher, an amount equal to the sum of—

(1) any amount of compensation for the injuries referred to in the first section of this Act, refunded, under section 8132 of title 5, United States Code, to the United States by Marsha D. Christopher, or on her behalf, before the date of the enactment of this Act; and

(2) any amount of reduction in compensation payable to Marsha D. Christopher under chapter 81 of title 5, United States Code, for the injuries referred to in the first section of this Act, made under section 8132 of such title before the date of the enactment of this Act.

(b) It shall be unlawful for any amount of the payment referred to in subsection (a) to be paid to, delivered to, or received by any agent of attorney in consideration for services rendered in connection with such payment. Any person who violates this subsection shall be fined not more than \$1,000.

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

JAMES A. FERGUSON

The Clerk called the bill (H.R. 726) for the relief of James A. Ferguson.

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

H.R. 726

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James A. Ferguson of San Antonio, Texas, is relieved of all liability to the United States in the amount of \$1,912.16 which represents the amount claimed to be overpaid to him when, because he was misinformed by the United States Air Force concerning the limitation on federally compensable moving expenditures contained in the last sentence of section 5724(b) of title 5, United States Code, he expended sums from his travel advance in excess of that limitation to cover the costs of commercially transporting his mobile home to his new permanent duty station in 1978.

Sec. 2. (a) The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to James A. Ferguson an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section.

(b) No more than 10 per centum of the amount appropriated in subsection (a) shall be paid to or received by any agent or attorney on account of services rendered in connection with the liability dealt with in this Act. Any person violating the provisions of this subsection shall be fined not more than \$1,000.

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

RONALD GOLDSTOCK AND AUGUSTUS M. STATHAM

The Clerk called the bill (H.R. 730) for the relief of Ronald Goldstock and Augustus M. Statham.

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

H.R. 730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ronald Goldstock of Larchmont, New York, a former employee of the Department of Labor, the sum of \$6,176.05 in full settlement of all his claims against the United States for certain expenses he incurred at the time of his relocation in 1979 from Ithaca, New York to Washington, District of Columbia; the expenses, which failed to qualify for reimbursement, were incurred in good-faith reliance on assurances by the Department of Labor that his real estate expenses and the expenses of his dependents were authorized at Government expense.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Augustus M. Statham of Great Falls, Virginia, an employee of the Department of Labor, the sum of \$11,725.95 in full settlement of all his claims against the United States for certain expenses he incurred at the time of his relocation in 1979 from San Francisco, California to Washington, District of Columbia; these expenses were incurred in good-faith reliance on the assurances of Department of Labor officials that such relocation costs were reimbursable by the Government.

Sec. 2. No part of the amount appropriated in this subsection (a) or (b) of the first section of this Act in excess of 10 per centum thereof shall be directly or indirectly paid to or received by any agent or attorney in connection with the claims referred to in the first section of the Act, and the same shall be unlawful, any contract to the contrary notwithstanding. Violation of this section shall be considered a misdemeanor and any person convicted thereof shall be fined not more than \$1,000.

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

GREGORY B. DYMOND, SAMUEL K. GIBBONS, JACK C. KEAN, JAMES D. NICHOLS, AND ROY A. REDMOND

The Clerk called the bill (H.R. 732) for the relief of Gregory B. Dymond, Samuel K. Gibbons, Jack C. Kean, James D. Nichols, and Roy A. Redmond.

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

□ 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.

H.R. 732

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Gregory B. Dymond of Gladstone, Missouri, is relieved of all liability for repayment to the United States of the sum of \$8,832.70 plus accrued interest which represents the amount that Mr. Dymond is indebted to the Department of Labor for payments received for travel and relocation expenses arising from his relocation from Penton, Missouri, to accept employment with the Department of Labor in Kansas City, Missouri.

(b) Samuel K. Gibbons of Walnut Creek, California, is relieved of all liability for repayment to the United States of the sum of \$2,165 plus accrued for indebtedness to the Department of Labor which represents the amount that Mr. Gibbons is indebted to the Department of Labor for payments received for relocation and travel expenses arising from his relocation from Saint Louis, Missouri, to accept employment with the Department of Labor in Kansas City, Missouri.

(c) Jack C. Kean of Garland, Texas, is relieved of all liability for repayment to the United States of the sum of \$7,929.06 plus accrued interest which represents the amount that Mr. Kean is indebted to the Department of Labor for payment received for travel and relocation expenses arising from his relocation from Saint Louis, Missouri, to accept employment with the Department of Labor in Dallas, Texas.

(d) James. D. Nichols of Manassas, Virginia, is relieved of all liability for repayment to the United States of the sum of \$8,082.13 plus accrued interest which represents the amount that Mr. Nichols is indebted to the Department of Labor for payments received for travel and relocation expenses arising from his relocation from Saint Louis, Missouri, to accept employment with the Department of Labor in Denver, Colorado.

(e) Roy A. Redmond of Manassas, Virginia, is relieved of all liability for repayment to the United States of the sum of \$6,025.79 plus accrued interest which represents the amount that Mr. Redmond is indebted to the Department of Labor for payments received for expenses arising from his relocation from Virginia Beach, Virginia, to accept employment with the Department of Labor in Philadelphia, Pennsylvania.

These expenses, which failed to qualify for reimbursement, were incurred in good-faith reliance on assurances of the Department of Labor that the travel and relocation expenses of these persons and those of their dependents were authorized at Government expense.

SEC. 2. In addition to the relief provided in subsection (b) of the previous section of this Act, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel K. Gibbons the sum of \$4,015.15 in full settlement of all his claims against the United States for certain real estate, travel, and relocation expenses he and his family incurred at the time of his relocation in 1979 from Saint Louis, Missouri, to Kansas City, Missouri; these expenses were incurred in good-faith reliance on assurances of the Department of Labor that travel and relocation expense for himself and his family were authorized at Government expense.

SEC. 3. No part of the amount appropriated in section 2 of this act in excess of 10 per centum thereof shall be directly paid to or received by any agent or attorney in connection with the claims referred to in section 2 of this Act, and the same shall be unlawful, any contract to the contrary notwithstanding. Violation of this section shall be considered a misdemeanor and any person convicted thereof shall be fined not more than \$1,000.

AMENDMENT OFFERED BY MR. BOUCHER

Mr. BOUCHER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOUCHER: On page 2, line 7, insert "interest" following "accrued".

The SPEAKER. The question is on the amendment offered by the gentleman from Virginia (Mr. BOUCHER).

The amendment was agreed to.

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

STEPHEN C. RUKS

The Clerk called the bill (H.R. 745) for the relief of Stephen C. Ruks.

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

H.R. 745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Transportation shall pay, out of any money available for such purpose, the sum of \$9,700 to Stephen C. Ruks of Cordova, Alaska, a member of the Alaska Civil Air Patrol, for damage to his airplane incurred while engaged in a rescue mission which he undertook on behalf of the Coast Guard. Acceptance of such sum by Stephen C. Ruks shall constitute full satisfaction of all claims against the United States by Stephen C. Ruks arising out of the incident described in the preceding sentence.

SEC. 2. No amount in excess of 10 per centum of the sum appropriated by the first section of this Act shall be paid to or received by any agent or attorney in consideration for services rendered in connection with the claim described in such section. Any violation of this section shall be a misdemeanor and any person convicted thereof shall be fined not more than \$1,000.

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

APOLONIO P. TUMAMAO AND OTHERS

The Clerk called the bill (H.R. 1750) for the relief of Apolonio P. Tumamao and others.

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

H.R. 1750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the following-named persons is relieved of all liability to repay the United States and is entitled to a refund of the amount which appears beside his name:

	Indebtedness
Apolonio P. Tumamao	\$1,137.50
Milton M. Ikawa.....	2,032.50
Malcolm B. Shin	2,032.50

Mamerto A. Garma	1,938.00
John B. MacKinnon	2,028.75
Kenneth A. Grigsby	2,032.50

The amounts represent overpayments of per diem allowances as a result of administrative failures by officials of the United States Government in implementing a regulatory change in the per diem rate in the case of the above-named civilian employees of the Department of the Navy who were performing extended temporary duty training assignments during the period May 1977 to January 1980. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount of payments made pursuant to this Act.

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

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

CONSENT CALENDAR

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

AUTHORIZING SECRETARY OF COMMERCE TO SETTLE CERTAIN CLAIMS FOR DAMAGES RELATING TO RESPONSIBILITY OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Clerk called the bill (H.R. 594) to amend section 1 of the Act of June 5, 1920, as amended, to authorize the Secretary of Commerce to settle claims for damages of less than \$2,500 arising by reason of acts for which the National Oceanic and Atmospheric Administration is responsible.

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

H.R. 594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 5, 1920, as amended (41 Stat. 929, as amended; 33 U.S.C. 853), is further amended to read as follows: "The Secretary of Commerce is authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed \$2,500, occasioned, subsequent to June 5, 1920, by acts for which the National Oceanic and Atmospheric Administration is responsible."

● Mr. SAM B. HALL, JR. Mr. Speaker, the purpose of the proposed legislation is to amend section 1 of the act of June 5, 1920, as amended, to authorize the Secretary of Commerce to settle claims for damages of less than \$2,500 arising by reason of acts for which the National Oceanic and Atmospheric Administration is responsible.

The bill, H.R. 594, was introduced as recommended by the Department of Commerce in a communication to the Congress dated July 6, 1977, and is identical to the bill H.R. 234, in the

96th Congress, which was the subject of a favorable report by the Department to the committee dated June 9, 1980. In the 97th Congress an identical bill, H.R. 1029 was favorably reported and passed the House.

Under existing law, the Secretary of Commerce has the authority, under 33 U.S.C. 853, to settle claims up to \$500 arising by reason of acts for which the National Ocean Survey, an agency of the National Oceanic and Atmospheric Administration of the Department of Commerce shall be found to be responsible. This authority does not extend to a negligent or wrongful act or omission of a Government employee acting within the scope of his employment which would already be covered under the Federal Tort Claims Act (28 U.S.C. 2671-80). The purpose of H.R. 594 is twofold: First, it would make clear that 33 U.S.C. 853 is applicable to all NOAA activities not merely to those of the National Ocean Survey. Second, it would increase the maximum dollar amount for authorized settlements from \$500 to \$2,500.

The bill, in increasing the dollar amount for authorized settlements from \$500 to \$2,500 will provide the authority to settle claims arising from the many diversified scientific endeavors and experiments of that Administration. As it pointed out in the material submitted to the committee by the Department, the settlements can be made where the claim arose from damage clearly caused by activities of the National Oceanic and Atmospheric Administration and the Government has a moral obligation to compensate the injury even though there may be an absence of negligence. The examples of such activities as described in the report of the Department of Commerce include weather instrument operations such as the radiosonde. This is a plastic-cased instrument weighting about 3 pounds that is sent into the atmosphere by balloon which, after reaching 5 or 6 miles in altitude, is returned to the ground by parachute. In most instances, the instrument reaches the surface without incident, and many of them are recovered. As a free-falling object, however, there is a possibility that the instrument could frighten domestic animals, or have other effects such as colliding with vehicles.

It was also pointed out that during marine surveys, coastal hydrographic ships operate in areas where fishing occurs and, despite precautions, fishing nets, lobster pots, or other fishing gear may be damaged.

The National Earth Satellite Service of NOAA has command and data acquisition stations at Gilmore Creek, Alaska, and Wallops Island, Va. The launching of satellites for atmospheric observations from these stations is accomplished in collaboration with the National Aeronautics and Space Ad-

ministration (NASA). However, NOAA personnel, facilities, and equipment are involved. Satellite launchings always have the potential for damaging their operational sites and contiguous area.

In addition to the foregoing, there may be damage to private property by triangulation and survey field parties. Most of the work of such parties involves using privately owned land to which access is obtained by established procedures. A site may be used for several months and it is possible that damage could be done to the land and its appurtenances.

The committee recognizes that the existing language in section 853 of title 33 of the United States Code presently providing for the settlement of claims up to \$500 has performed a valuable function over the years since enactment in 1920 to provide compensation to persons injured from activities similar to those outlined above. The increase of that authority to the amount of \$2,500 is a realistic increase in view of current costs which can be expected in the event of damage claims. Further, the activities of the National Oceanic and Atmospheric Administration as outlined in this report and in the material appended to the report submitted by the Department, are of a unique nature and would give rise to claims which could be settled expeditiously under the authority provided in this bill.

It is recommended that the bill be considered favorably. ●

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

TRANSFERRING RESPONSIBILITY FOR FURNISHING CERTIFIED COPIES OF MILLER ACT PAYMENT BONDS

The Clerk called the bill (H.R. 596) to transfer responsibility for furnishing certified copies of Miller Act payment bonds from the Comptroller General to the officer that awarded the contract for which the bond was given.

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

H.R. 596

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3 of the Act of August 24, 1935 (49 Stat. 794; 40 U.S.C. 270c), as amended by the Act of August 4, 1959 (73 Stat. 279; 40 U.S.C. 270c), is amended by striking out "Comptroller General" and inserting in lieu thereof "department secretary or agency head of the contracting agency." The second sentence of section 3 of the Act is amended by striking out "Comptroller General" and inserting in lieu thereof "department secretary or agency head of the contracting agency."

● Mr. SAM B. HALL, JR. Mr. Speaker, the purpose of the proposed legislation is to amend section 3 of the Miller Act to provide that the department secretary or agency head of a contracting agency is to have the responsibility for providing certified copies of bonds required under that act.

The bill, H.R. 596, was introduced as recommended by the Comptroller General to the Committee on the Judiciary in a letter dated April 22, 1978.

As was stated in the recommendation of the Comptroller General, the Miller Act establishes performance and payment bonding requirements for most Federal construction contracts. Section 3 of the act requires the Comptroller General to furnish a certified copy of a bond and the contract for which it was given to any person who submits an affidavit that: First, he has supplied labor or materials for the construction, alteration, or repair of any public buildings or public work of the United States, and payment therefor has not been made; or that, second, he is being sued on a bond.

Prior to an amendment in 1959, the Comptroller General had the responsibility for fixing dates on which the period of limitation for filing suits against Miller Act payment bonds commenced to run. In 1959, the act was amended to eliminate this function on the part of the Comptroller General. The amendment, which was made on August 4, 1959, by Public Law 86-135, provided that suit must be commenced within 1 year after the date on which the last labor was performed or material was supplied by the person initiating the law suit.

The amendment provided for in this bill would relieve the Comptroller General of the duty of furnishing certified copies of bonds and contracts. This was a function which actually was related to the duties of the Comptroller General prior to 1959 when the General Accounting Office was required to determine and certify the final settlement date of contracts. Since the General Accounting Office is presently not so involved, it must obtain the copies of the original bonds and contracts from the contracting department or agency when a subcontractor or materialman requests certified copies of these documents under the law. The committee agrees that a more logical and expeditious way of handling such requests would be to require that the agency that awards the contracts should supply the copy of the bond and the contract. As recommended by the Comptroller General, this merely requires that the words "department secretary or agency head of the contracting agency" be substituted for "Comptroller General" in the first and second sentences of section 3 of the Miller Act.

The committee agrees that the change recommended by the Comptroller General should be made to the Miller Act and recommends that the bill be considered favorably. ●

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

GENERAL LEAVE

Mr. DYSON. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on H.R. 594 and H.R. 596, the two bills just passed.

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

There was no objection.

PROVIDING FOR MEMBERSHIP OF COMMANDANT OF THE MARINE CORPS IN THE ARMED FORCES POLICY COUNCIL

The Clerk called the bill (H.R. 1692) to amend section 171 of title 10, United States Code, to provide that the Commandant of the Marine Corps shall be a member of the Armed Forces Policy Council.

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

H.R. 1692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 171(a) of title 10, United States Code, relating to the membership of the Armed Forces Policy Council, is amended—

(1) by striking out "and" at the end of clause (9);

(2) by striking out the period at the end of clause (10) and inserting in lieu thereof "; and"; and

(3) by adding after clause (10) the following new clause:

"(11) the Commandant of the Marine Corps."

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

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

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO SIT ON TODAY, TOMORROW, AND THURSDAY OF THIS WEEK DURING PROCEEDINGS UNDER THE 5-MINUTE RULE

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be permitted to sit today, May 3; tomorrow, May 4; and Thursday, May 5, during proceedings of the House under the 5-minute rule.

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

Mr. SENSENBRENNER. Mr. Speaker, reserving the right to object, we

have been advised that the House will be debating what has been described as the most important vote that we will ever cast during our service in the Congress, that is, the nuclear freeze resolution tomorrow and perhaps on Thursday, and I am wondering why the gentleman from Kentucky is attempting to take the members of the Committee on the Judiciary away from this most important debate, as has been explained to us by Members on his side of the aisle?

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

Mr. SENSENBRENNER. I am delighted to yield to my friend, the gentleman from Kentucky.

Mr. MAZZOLI. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, for yielding.

Let me say that I would leave it for other Members on my side to array in priority the votes we might cast in this Congress. I can only speak to the bill before the Committee on the Judiciary, of which the gentleman from Wisconsin is a distinguished member, and that bill has been the subject of quite considerable attention on the part of the full committee and the subcommittee for the better part of the last 2½ years. It is a bill which has been materially improved since the last time. It is a bill which, because of the budget deadline, contains certain budget authorizations, and it should be heard and should be reported to the floor by May 15.

I would on that basis suggest that if the committee were permitted to work and some Members would be attending the debate here on the floor and coming back in a sort of a circular process, I think we could accomplish the best of all worlds, which is to have a bill reported and at the same time to have the Members aware of what is happening here on the freeze issue.

Mr. SENSENBRENNER. Mr. Speaker, further reserving the right to object, is the gentleman from Kentucky telling us that his priorities are a little bit different than the priorities of those Members on his side who have advised us that the freeze vote is the most important vote we will ever cast?

Mr. MAZZOLI. Mr. Speaker, will the gentleman yield further?

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

Mr. MAZZOLI. Mr. Speaker, I thank my friend for yielding.

I think I said something to the effect that each gentleman and gentlewoman in the House makes certain priorities, and in my case, because we have a very limited and dwindling time between now and May 15, during which we have to move the immigration bill, for my part, I find my duty requires me to be in the position of being the floor manager from the committee of the bill.

Mr. SENSENBRENNER. Mr. Speaker, further reserving the right to object, I guess that the gentleman from Kentucky has got his window of vulnerability, to use the nuclear arms language, and because of my great respect for him, I withdraw my reservation of objection.

Mr. MAZZOLI. Mr. Speaker, I thank the gentleman.

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

Mr. CONYERS. Mr. Speaker, reserving the right to object, might I ask the gentleman from Kentucky, what is there in this bill that precludes it from being taken up in the regular order of business in the Committee on the Judiciary between now and May 15?

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

Mr. CONYERS. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. Mr. Speaker, I think the regular order does consider taking up our bill, and I think, therefore, since it is an active part of the agenda before our committee, it would be in the spirit of the regular order to take it up, and so I simply at this point make the request.

Mr. CONYERS. Mr. Speaker, let me ask the gentleman, why can we not meet when the House is not in session?

Mr. MAZZOLI. Well, of course, the gentleman from Kentucky has had experience in being on the floor at 1 o'clock in the morning on this very bill, so I would be the first one to tell the gentleman that my work habits and sleep habits could conform to new circadian rhythms such that I can be here at any time. But I believe that most Members of the House feel that when their workday stretches after a reasonable period at night, it makes it difficult for them to concentrate.

Mr. CONYERS. Mr. Speaker, if the gentleman will yield, he will recall that I was the gentleman who objected to its being brought up in the middle of the night. Maybe the gentleman did, too. But I am not suggesting that we have to stay up until the middle of the night on the Judiciary Committee to work the bill through the process of the full committee.

So, Mr. Speaker, for that reason, I am very sorry to tell the gentleman that I am going to object, and I do object.

Mr. MAZZOLI. Mr. Speaker, I think the gentleman would understand that—

Mr. CONYERS. Regular order, Mr. Speaker.

Mr. MAZZOLI. Mr. Speaker, I did not ask—

Mr. CONYERS. Regular order, Mr. Speaker.

The SPEAKER. The Chair has heard an objection.

There not being 10 objections, the request is granted.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO SIT TODAY DURING PROCEEDINGS OF THE HOUSE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence be permitted to sit during the proceedings of the House on today, May 3, 1983.

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

The Chair hears none.

The Chair recognizes the gentleman from Florida (Mr. PEPPER).

Mr. FISH. Mr. Speaker, may I have the attention of the Chair?

The SPEAKER. The Chair is well aware of the fact that the gentleman from New York (Mr. FISH) did not rise at the proper time, but apparently one of the minority floor staff was attempting to get his attention. In view of that, the Chair will ask that the request by the gentleman from Massachusetts (Mr. BOLAND) be restated, if he is still on the floor.

In view of the fact that the gentleman from Massachusetts (Mr. BOLAND) is not on the floor, the Chair cannot restate the question.

The Chair sees that the gentleman from Massachusetts (Mr. BOLAND) is now here and will ask the gentleman to restate his request.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence be permitted to sit this afternoon, on May 3, 1983.

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

Mr. FISH. Mr. Speaker, reserving the right to object, I take this time only for the purpose of asking the chairman of the committee if this has been cleared with minority members of the committee?

Mr. BOLAND. Mr. Speaker, if the gentleman will yield, the minority leader is here, and this has been cleared by the minority members of the Permanent Select Committee Intelligence. Yes, it has been cleared.

Mr. FISH. Mr. Speaker, I thank the gentleman from Massachusetts, and I withdraw my reservation of objection.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING ADDITIONAL PROCEDURES DURING CONSIDERATION OF HOUSE JOINT RESOLUTION 13, CALLING FOR A MUTUAL AND VERIFIABLE FREEZE ON AND REDUCTIONS IN NUCLEAR WEAPONS

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 98-78) on the resolution (H. Res. 179) providing additional procedures during the consideration of the joint resolution (H.J. Res. 13) calling for a mutual and verifiable freeze on and reductions in nuclear weapons, which was referred to the House Calendar and ordered to be printed.

PRESIDENT REAGAN SHOULD TELL NRA ABOUT "COP KILLER BULLETS"

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

Mr. BIAGGI. Mr. Speaker, this Friday, President Reagan will be speaking to the National Rifle Association. Coming just 8 days before the start of National Police Week, it would be a most opportune occasion for President Reagan to address an issue of special concern to both police and the NRA—banning the so-called cop killer bullets that can penetrate the bulletproof vests worn by police.

President Reagan has already proposed a mandatory 5-year prison sentence for criminals who use cop killer bullets. The Justice Department has said they will push for a ban on these bullets once they complete a study on the issue later this summer.

Long considered a friend of police, the NRA has chosen to actively oppose the effort to ban cop killer bullets—an effort designed solely to save police lives. Not only are they the lone dissenter to this commonsense proposal, but the bullets that would be banned are not used for legitimate purposes.

As one who was wounded 10 times during my 23 years as a New York City police officer, I have joined leading police officials in urging the NRA to reconsider their stance. I hope President Reagan will do the same on Friday.

NATIONAL AGRICULTURAL RESEARCH FAIR

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

Mr. DE LA GARZA. Mr. Speaker, recently, the ranking minority member of the Agriculture Committee, Congressman EDWARD MADIGAN, and I sent a letter to each of our colleagues in the Congress inviting them to attend

the National Agricultural Research Fair to be held in the Cannon caucus room tomorrow afternoon and evening.

The fair is the first national exhibition to display some of the more outstanding research projects currently being conducted by scientists in the U.S. Department of Agriculture and the various State agricultural experiment stations.

Recent exciting advancements in agricultural research include the cloning of trees to speed their growth and yield, controlling reproduction in swine—called planned piggyhood—to provide more pigs per sow, fewer reproductive problems and improved pork production efficiency, and multi-cropping on the same land to provide more food for the consumer while enhancing the income of the farmer. Agricultural scientists will be present at the fair to discuss their research efforts in these areas in addition to those involving genetic engineering of plants, remote sensing and land use, biotechnology, integrated pest management, soil erosion, human nutrition, water use efficiency and a variety of other research projects.

The congressional reception for the fair begins at 5:30 p.m., tomorrow in the Cannon caucus room and I want to invite you again to stop by and review the research exhibits and sample some of the many fine domestic wines and cheeses being provided by a number of the States. I am sure you will be impressed with the quality of the research on display.

□ 1215

SAGE ADVICE TO THE CONGRESS

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

Mr. ALEXANDER. Mr. Speaker, since the President addressed the Nation last week before a joint session of Congress assembled, great leaders have come forth with sage advice to the Congress and to the American people. Among them are former Ambassador Larry Pezzullo, who served as Ambassador to Nicaragua during the 1980 revolution and former Ambassador to the Organization of American States, Sol Linowitz. In "America at the Crossroads," a recent report of the Inter-American Dialog, also known as the Linowitz Commission, we are told, "Authoritarian regimes which impose harsh discipline upon their people lose their legitimacy and ultimately their authority."

The Commission sets forth principles for moderation that can easily be followed by this Congress in the formulation of foreign policy toward Latin America.

Mr. Speaker, it seems to me the time is ripe to adopt a peace plan in Latin America which would include a hemispheric conference which could lead to a ceased fire, a cessation of arms shipments and an international peace force—followed by hemispheric reform and an economic development plan that would raise the hopes of the Latin American peoples.

Tomorrow I will take a special order to discuss my proposal for a five-point peace plan.

A TRIBUTE TO GEORGE BALANCHINE, CHOREOGRAPHER

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

Mr. DOWNEY of New York. Mr. Speaker, I would like to take this opportunity to pay tribute to the greatest mentor and foremost choreographer of the 20th century, George Balanchine, who died earlier this week at the age of 79. While this diverse genius will truly be missed, the curtains will continue to rise and the audiences will continue to applaud the legacy of ballets, operas, films, and musicals created by this master.

It is hard to think of anyone who has had such a tremendous impact on such a wide variety of artistic disciplines. There are few people who have not been touched by the beauty of his works ranging from the "Nutcracker Suite" through "Slaughter on Tenth Avenue."

Because he believed that art is not just form but an ideal, Balanchine bridged the gap between popular and classical genres. Indeed his collaborators have included composers such as Igor Stravinsky, George Gershwin, and Cole Porter.

But even more than a master of dance, Balanchine was a spokesman and diplomat for all the arts. It is Balanchine who taught us to consider alternative perspectives on life by having us "see the music and hear the dance." I hope that these lessons on art and life will continue to make audiences think and feel for years to come.

AN UNNECESSARY WITHHOLDING SCHEME

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

Mr. D'AMOURS. Mr. Speaker, I would like to alert my colleagues to the fact that it is now time to face reality with regard to the unwanted and unnecessary attempt to impose a withholding scheme on interest and dividends earnings. More than 300 Members of this body are on record as being opposed to this unwanted, unnecessary scheme. There is only one

way that we can repeal it before it goes into effect July 1 and that is to sign discharge petition No. 1, which is pending at the desk.

I would like to call the attention of those people who are on record as opposed to this scheme to the fact that by signing this discharge petition No. 1, we can bring about a timely vote on the question.

The Senate has already voted 91 to 5 for repeal. This House has not yet been given an opportunity to do so, and without going the discharge route, which we tried very much to avoid and we hoped we could avoid, we cannot bring this matter to a vote in the House until it is too late.

So again I would like to ask you to join the Members who have already signed the discharge petition. We are going to get it out soon. I would like to ask you to get on record on the discharge petition to see to it that we can vote in a timely manner on this terribly unnecessary withholding scheme.

URGING QUICK ACTION ON BILL TO ESTABLISH OCEAN AND COASTAL RESOURCES MAN- AGEMENT AND DEVELOPMENT FUND

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

Mr. CARPER. Mr. Speaker, I would like to take this opportunity to urge my colleagues to move quickly and adopt H.R. 5, a bill to establish an ocean and coastal resources management and development fund. This legislation is vital not only for Delaware's maritime community, but for coastal regions throughout the country.

I am proud, Mr. Speaker, of the quick action taken on this bill by my colleagues on the Merchant Marine and Fisheries Committee. Chairman JONES, in particular, should be congratulated for assiduously guiding this legislation through our committee, where it was overwhelmingly adopted last week.

It should be emphasized that this bill is virtually identical to legislation passed a year ago by this body. Briefly, it would establish a block grant program to fund various coastal and ocean resource activities from a percentage of Outer Continental Shelf oil and gas revenues.

In my judgment, one of the best features of the bill is its commitment of 10 to 20 percent of this new source of funding to the sea grant program. Sea grant is a good program that has enormously benefited my State and our Nation. Passage of H.R. 5 will properly reassert Congress intent to support rational development of our ocean and coastal resources.

A TRIBUTE TO THE LATE HON- ORABLE KATHERINE ST. GEORGE

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

Mr. GILMAN. Mr. Speaker, it is my sad duty to inform the House of the passing away, late yesterday, of our distinguished former colleague and my good friend, the gentlewoman from New York, Mrs. Katherine St. George.

Congresswoman St. George's distinguished career in this body, as a Representative of New York's 28th Congressional District, extended over an 18-year period, from her initial election in 1946 through her retirement in 1964. During that lengthy tenure, Mrs. St. George gained a well-earned reputation for her dedication, for her industriousness, and her political competence.

Congresswoman St. George served on the House Post Office and Civil Service Committee, the Armed Services Committee, and as the Speaker has pointed out, she was the first woman in history to serve as a member of the House Rules Committee.

Mrs. St. George was also the first woman to be designated as a parliamentarian at a Republican National Convention, serving in that capacity in 1956.

Incidentally, this dedicated Republican legislator happened to be the first cousin of the late President, Franklin Delano Roosevelt.

Mrs. St. George was a staunch advocate of human rights and worked throughout the 1950's and 1960's as the major sponsor of an equal rights amendment to the Constitution. Although ERA did not pass Congress until after she left us, she is credited with being the first to convince this body to take ERA seriously. It was through her efforts that the first hearings were held on ERA and she is credited with laying the foundation for the eventual passage of that amendment by this House.

Mr. Speaker, I ask my colleagues to join with me in paying tribute to one of the truly great Members of the House and one of the outstanding women of the 20th century, former Congresswoman Katherine St. George.

I will be attending the funeral services for Mrs. St. George at St. Mary's Episcopal Church in Tuxedo Park, N.Y., at noon on Friday, May 6, and I invite my colleagues to accompany me.

Mr. O'NEILL. Will the gentleman yield?

Mr. GILMAN. I am pleased to yield to the distinguished Speaker.

Mr. O'NEILL. I had the pleasure of serving for many years on the Rules Committee with Katherine St. George. She was, indeed, a beautiful, able, and

talented person. She was a very dear friend through the years.

My wife, Millie, and I express our sympathy to the family.

Mr. GILMAN. I thank the Speaker for his kind remarks.

NATIONAL AGRICULTURAL RESEARCH FAIR

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

Mr. MADIGAN. Mr. Speaker, I rise to join my chairman, E (KIKI) DE LA GARZA, in inviting each Member of the House to attend the first National Agricultural Research Fair ever to be conducted in our country. A special viewing of the fair and reception for Members will take place tomorrow evening from 5:30 p.m. to 8 p.m. in the caucus room, Cannon House Office Building.

The 25 research projects to be exhibited from over 30 States at the fair tomorrow represent only a small sample of the innovative work in progress at our State agricultural experiment stations and our Federal agricultural research facilities. I believe, however, you will find the exhibits exciting and well worth your time. Particularly, I believe, our urban and suburban colleagues will gain new knowledge about American agriculture and why we all need to support food, fiber, and forest products research. Moreover, I also believe the Members who do not represent farm districts will find it rewarding to know that low-income consumers benefit most from agricultural research of the type to be shown at this fair.

Finally, I also want to urge our colleagues to encourage their personal staff persons to visit the fair during the public showing from 1 p.m. to 4 p.m. tomorrow in the caucus room.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. KILDEE) laid before the House the following communication from the Clerk of the House of Representatives:

HON. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5, Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from The White House at 3:00 p.m. on Monday, May 2, 1983 and said to contain a message from the President wherein he transmits an International Fishery agreement between the U.S.A. and the German Democratic Republic.

With kind regards, I am,
Sincerely,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

INTERNATIONAL FISHERY AGREEMENT BETWEEN THE UNITED STATES AND THE GERMAN DEMOCRATIC REPUBLIC—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 89-57)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read, and, together with the accompanying papers, without objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed.

(For message, see proceedings of the Senate of yesterday, Monday, May 2, 1983, at page 10613.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken today after debate has been concluded on all motions to suspend the rules.

FEDERAL DEPOSIT INSURANCE ACT AMENDMENTS

Mr. ST GERMAIN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1011) to amend the Federal Deposit Insurance Act to provide for the issuance of income capital certificates.

The Clerk read as follows:

S. 1011

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 13(d)(1)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1823(d)(1)(D)) is amended by adding at the end thereof the following: "Issuance of net worth certificates in accordance with this subsection shall not constitute a default under the terms of any debt obligations subordinated to the claims of general creditors which were outstanding when such net worth certificates were issued."

(b) The amendment made by subsection (a) shall be deemed to have taken effect on the date of enactment of the Garn-St Germain Depository Institutions Act of 1982.

The SPEAKER pro tempore. Is a second demanded?

Mr. WYLIE. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Rhode Island (Mr. ST GERMAIN) will be recognized for 20 minutes, and the gentleman from

Ohio (Mr. WYLIE) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Rhode Island (Mr. ST GERMAIN).

□ 1230

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

Mr. Speaker, the legislation before the House today is basically a technical change in the Net Worth Certificate Act—title II of the Garn/St Germain Act. That title authorized the Federal Deposit Insurance Corporation to establish a program to buttress the net worth or capital of qualifying insured banks, especially mutual savings banks which have experienced severe erosion of their net worth as a result of the recession. If an institution qualifies for the program, the FDIC would purchase net worth certificates from the institution. However, when the agency makes such a purchase it must have preferential standing in the event of a liquidation with respect to any outstanding subordinated debt. An unanticipated problem has arisen in the administration of this program. There are a few institutions which have outstanding subordinated debt which is held by a large number of individuals and that debt cannot be subordinate to any other obligation. In order to assure that these institutions receive the assistance they need in a timely fashion, this bill would amend the Net Worth Certificate Act to provide that issuance of net worth certificates by a qualifying institution would not constitute a default under the terms of any outstanding subordinated debt issue. This change in no way changes the requirement that FDIC must have priority over outstanding subordinated debt issues. As you know, this bill originated in the Senate and was passed by voice vote. In that regard, I would like to have placed in the RECORD at this point a letter from the Honorable MARK O. HATFIELD, the senior Senator from the State of Oregon, requesting our favorable consideration of this bill.

WASHINGTON, D.C.,

April 22, 1983.

HON. FERNAND J. ST GERMAIN,
Chairman, House Banking, Finance and Urban Affairs Committee, U.S. House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As you may know, on April 15, the Senate passed S. 1011 by unanimous consent, and the measure is now pending in the House of Representatives. This legislation, sponsored by Senator Packwood and myself, is extremely important to the banking industry and its depositors in the State of Oregon.

The legislation ensures that the FDIC will have priority over subordinated debentures that are outstanding when the federal government issues net worth capital assistance certificates. Because the legislation is consistent with the intent of the Net Worth Assistance Act and because of its importance

to a competitive banking community in Oregon, I wanted to convey personally to you the significance of this legislation. I hope that you will be able to support the expedited consideration of S. 1011 on the suspension calendar of the House of Representatives.

Kind regards,
Sincerely,

MARK O. HATFIELD,
U.S. Senator.

Mr. Speaker, I now yield such time as he may consume to the distinguished gentleman from Oregon (Mr. AuCOIN), who also has been very assiduous in the pursuit of this legislation.

Mr. AuCOIN. Mr. Speaker, I rise in support of the legislation and I would like at this time to express my appreciation to the distinguished chairman of the Banking Committee and the ranking minority member for giving this measure their prompt and favorable consideration. There is a final point of clarification on which I would like to elicit the opinion of the distinguished chairman of the House Banking Committee. As you know, subsection (b) of this legislation provides for an effective date which coincides with the original enactment date of the Garn/St Germain Act. I understand this subsection will permit affected institutions to receive net worth certificates for the quarter ending December 31, 1982, and thereby be treated the same as other institutions which have been able to participate in the program since the FDIC began implementing it. Does the gentleman share my view of how this subsection should be interpreted?

Mr. ST GERMAIN. The gentleman is correct.

Mr. AuCOIN. Mr. Speaker, I appreciate the gentleman's help and the expeditious manner in which he has brought this legislation to the House.

Mr. WYLIE. Mr. Speaker, I will yield myself 2 minutes.

Mr. Speaker, I rise in support of S. 1011, which represents a minor amendment to the Garn-St Germain Act of 1982. It remedies an unanticipated problem which has arisen since the enactment of this bill and is designed to enable a few thrift institutions to receive assistance from the FDIC retroactive to the date of enactment of the Garn-St Germain bill which was October 15, 1982.

As matters stand now, a loan debenture provision entered into before passage of the Garn-St. Germain Act would preclude these institutions from receiving assistance without violating the provisions of the Garn-St. Germain Act which requires the FDIC to have priority over other creditors.

This bill will give the management of these institutions the same opportunity to preserve their institutions that other thrift institutions, savings banks, and others have under the capital assistance provisions of the Garn-

St Germain bill as administered by the FDIC.

It is my understanding that the restoration of the health of these institutions will redound to the benefit of the debtholders as well.

Therefore, the action we are taking today should not be construed as a precedent for the sacrifice of the interests of debtholders in the furtherance of Federal policy.

I am glad to work with the chairman of the full committee, the gentleman from Rhode Island (Mr. ST GERMAIN), the gentleman from Oregon (Mr. AuCOIN), and the gentleman from Oregon (Mr. SMITH), in bringing this bill to the House floor today for passage, and I do indeed urge its passage.

Mr. Speaker, I now yield 5 minutes to the gentleman from New York (Mr. WORTLEY).

Mr. WORTLEY. Mr. Speaker, when I first came to Congress, a seasoned veteran of many legislative battles gave me some very good advice. He said that the two words designed to chill the heart of any conscientious legislator are "technical corrections."

The previous Congress devoted a great deal of time and attention to the very real problems confronting the Nation's thrift industry. In so doing, various avenues of assistance and non-assistance were explored. A consensus was reached eventually—the Nation's thrifts were worth saving. The enactment of the Depository Institutions Act of 1982 gave the industry the tools it needs to see it through some difficult times. I supported the concept then and I support it now.

Buried deep within title II of that act is a provision dealing with the issuance of income capital certificates and subordinated debentures. For those who were not Members of the 97th Congress, income capital certificates are paper transfers designed to bring up the net worth of troubled institutions to a specified level. Income capital certificates do not become real money unless an institution receiving such help goes into receivership.

I know that this provision is in the law because I offered an amendment stating that the U.S. Government comes ahead of stockholders, subordinated debt holders, and secured creditors should a financial institution receiving Federal assistance in the form of net worth guarantees fail.

Before too many eyes start to glaze over, I will explain why I feel it is necessary for me to speak out on what most Members must consider to be an arcane subject.

If one reads the debate in the other body on S. 1011, one might come away with the impression that the Garn-St Germain Depository Institutions Act of 1982 is inherently flawed. Supporters of this legislation believe that the bill is a necessary response to some unintended effects of language on

income capital certificates and subordinated debt. I do not agree with that thesis.

Supporters of this legislation have told us that there are several institutions around the country that would be eligible for income capital certificates except that they have outstanding debt instruments that contain a clause stating that the holders of these instruments shall be paid ahead of everyone else should the worst occur.

The existing law precludes the FDIC from granting these savings banks income capital certificates. Yet the institutions seeking a change in the law made a commitment to their debt holders freely and clearly several years ago. That commitment has turned out to be most inconvenient for institutions seeking Federal assistance. Thus, they have petitioned Congress to have it overturned.

The troubled institutions contend that if they do not receive the certificates, their net worth will be eroded further and their chances for survival as independent entities are diminished.

The bill we are discussing manages to handle the debenture issue in a most artful way. It retains the FDIC's primacy in the case of default. I applaud that aspect of the legislation because I believe it is good public policy to protect the insurance fund's integrity. Unfortunately, there are tradeoffs. It is this aspect of the legislation that I would like to call to my colleagues' attention.

In order to preserve the FDIC's position, the bill provides for Federal preemption of the automatic default clause written into the outstanding subordinated debentures. While the bill is intended to remedy what some believe to be an unintended consequence of existing law, a precedent is likely to be established.

People who now hold bonds with subordinated debt clauses may find that their bonds are being unloaded from trading portfolios. It is unlikely that the securities industry as a whole will be hurt by such a change in the law but bondholders could be in for an unpleasant surprise.

We talk a lot about accountability in this body. Accountability is a virtue much admired in the abstract. We exhort its practice by one and all but what we are considering now would actually make financial institutions a little less accountable to their debt holders.

Institutions currently seeking net worth certificates must contact their debenture holders and inform them that their interests will be subordinated in order to obtain net worth certificates. It appears, however, that the way in which this bill is written, that step can be disregarded.

Mr. Speaker, I will not belabor the point. This bill is not as simple as it seems. As such, I would be remiss if I did not bring a few of the legislation's more interesting features to my colleagues' attention.

Mr. ST GERMAIN. Mr. Speaker, will my colleague yield to me?

Mr. WORTLEY. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I would just say to the gentleman I certainly appreciate his concerns. But I want the gentleman to know that this Member and his staff also went over all of these concerns.

The SPEAKER pro tempore. The time of the gentleman from New York (Mr. WORTLEY) has expired.

Mr. ST GERMAIN. Mr. Speaker, I yield the gentleman from New York 2 additional minutes.

Mr. WORTLEY. I yield to the gentleman.

Mr. ST GERMAIN. I might say to the gentleman that I weighed the equities and I appreciate the fact the gentleman is stating his concern but is doing it in a moderate fashion because it could well be in the near future or the far future the gentleman will have some type of problem within the grand State of New York that also will require a little assistance.

I want to assure the gentleman that I will remember his compassion today at the time that he approaches me for assistance for somebody in the State of New York.

Mr. WORTLEY. The gentleman's point is well taken.

I have more faith in the Garn-St Germain Act perhaps than the chairman has. But I hate to see us nickel and dime it to death.

Mr. ST GERMAIN. I appreciate that faith. But I would say to the gentleman I have found over the years that it is virtually impossible when we legislate to be able to foresee everything hyphen, semicolon, dash, and exclamation point.

So, again, with gratitude for the gentleman's faith in this legislation. I am the first to admit that we will probably find some other flaws in it as we go along as well.

Mr. WORTLEY. I thank the gentleman. I am sure he will be understanding and sympathetic to my banks in New York if they have a capital problem.

Mr. ST GERMAIN. That is the message that I am trying to give the gentleman.

Mr. WORTLEY. I thank the chairman.

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

I want to thank the gentleman from New York for his contribution. He has had a very, very active and strong interest in this subject and I believe the gentleman is to be commended for

making the issue clear as far as the record is concerned here today.

Mr. Speaker, I now yield 3 minutes to the gentleman from Oregon (Mr. ROBERT F. SMITH).

Mr. ROBERT F. SMITH. Mr. Speaker, I am very grateful to the distinguished chairman as well as the ranking minority member from the State of Ohio, as well as the gentleman from Oregon, Mr. AuCOIN, for all of their assistance in this effort and in achieving an agreement early on on a very technical change to the Garn-St Germain Depository Insurance Act.

I want to join with the chairman and all of those who have spoken in favor of this legislation today.

As the distinguished chairman has so accurately advised as to the specifics of the problem within the last year's bill, I would simply add my support for the approval of this legislation. It is imperative, I think, that we insure: First, that intended financial institutions can benefit from the provisions in last year's legislation; and second, that when the Federal Government comes to the aid of any institutions through the Federal Deposit Insurance Corporation, the Federal Government does have priority over other creditors.

□ 1245

This legislation will insure each of those intended actions and we hope they will be achieved. So, I therefore support my colleagues in this legislation and just add one thing, Mr. Speaker, to the discussion. The gentleman from New York (Mr. WORTLEY), is concerned about the bondholders with respect to this legislation and I suggest the very purpose in passing this amendment is for those creditors of those institutions that may be assisted in surviving. So this is, in fact, assisting the bondholders of these institutions. That is its purpose.

Mr. Speaker, I would like to take this opportunity to summarize the need for the technical legislation we are considering as S. 1011.

The Federal Deposit Insurance Act of 1982 (Public Law 320) initiated a program which authorizes the FSLIC and FDIC to provide capital assistance to qualified institutions—federally insured savings and loan associations, mutual savings banks, or commercial banks—through the purchase of income capital certificates (ICC's). In exchange for an ICC, the FSLIC or FDIC provides a promissory note to the qualified institution. The note is treated as an asset by the participating institution. The act forbids providing capital assistance after September 30, 1984. The intent of the act is to bolster the net worth of these thrift institutions, enabling them to remain competitive and recover from the impact of high interest rates and inflation.

The act assigned priority to repayment of ICC's over other debt obligations in the event of liquidation or reorganization. An unanticipated problem resulted from this requirement because some thrift institutions had previously issued debt obligations to certain creditors, preventing the institutions from granting creditor priority to anyone—including FDIC and FSLIC—other than those holding the debt obligations.

This bill insures that if the Federal Government assists these institutions it has priority over other creditors. Also, because this program already has been in effect for two quarters, this legislation is retroactive to the date of enactment of the previous legislation.

It is imperative that the House approve this technical legislation to: First, insure that intended financial institutions are eligible to participate as recipients of net worth capital assistance; and, second, insure that intended financial institutions can benefit from the provisions in the Garn-St Germain Depository Institutions Act.

Timely consideration of this bill is critical. We must act promptly in order for the net worth assistance to be truly effective for banks now unable to qualify.

I urge my colleagues to act favorably on this technical legislation.

Mr. ST GERMAIN. Will the gentleman yield?

Mr. ROBERT F. SMITH. I yield to the gentleman.

Mr. ST GERMAIN. I thank the gentleman.

Very definitely, the gentleman's point is well taken. The Garn-St Germain Act also provides, actually it was in the legislation originally that went from the House to the Senate, it provides that the insuring corporation has to assure itself of the fact that this assistance, capital assistance, you know, will mean survival for the institution. We are not just throwing this money around. The whole purpose of it is for the institution to survive. And with the experience the insuring agency had in the past few years, there is no doubt in my mind that the agency is not about to assist even with this amendment, unless it is convinced that the institution is going to survive.

Absent that, as the gentleman so well states, were the institution not to get this assistance, the institution not to survive, query: What percentage of those bonds would be repaid to the bondholders? So I think this is exercising compassion and concern for both sides of the issue.

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

Mr. ROBERT F. SMITH. I yield to the gentleman.

Mr. WORTLEY. I thank the gentleman.

In the interest of establishing some legislative history—

The SPEAKER pro tempore. The time of the gentleman from Oregon has expired.

Mr. WYLIE. Mr. Speaker, I yield 1 additional minute to the gentleman from Oregon.

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

Mr. ROBERT F. SMITH. I yield to the gentleman.

Mr. WORTLEY. I thank the gentleman.

In the interest of establishing a legislative history on this, is it your understanding that the Federal preemption that takes place in this new amendment, will the preemption of subordinated debt be valid only in the case where an FDIC or an FLIC loan is involved?

Mr. ROBERT F. SMITH. Yes.

Mr. WORTLEY. I do not want to upset the entire bond market in this country.

Mr. ROBERT F. SMITH. I agree that is exactly the case.

Mr. WORTLEY. Only where a regulatory agency is providing an infusion certificate.

Mr. ROBERT F. SMITH. Only when a regulatory agency is providing what is in this case called a net worth certificate.

Mr. WORTLEY. I thank the gentleman for yielding.

Mr. ROBERT F. SMITH. Mr. Speaker, will the gentleman yield further.

Mr. WYLIE. Mr. Speaker, I yield 1 more minute to the gentleman from Oregon.

Mr. ROBERT F. SMITH. I thank the gentleman.

Mr. Speaker, I appreciate the chairman's emphasis of this point.

May I interject in the RECORD as well, a letter from the FDIC dated May 3 to Mr. Jim Butera, National Association of Mutual Savings Banks. It is only one sentence. It says, "Dear Mr. Butera: In conjunction with our telephone conversation of this date, this is to confirm that as a practical matter only two mutual savings banks would be eligible for assistance under the provisions of S. 1011, 98th Congress."

I would like to submit that in the RECORD:

FEDERAL DEPOSIT
INSURANCE CORPORATION,
Washington, D.C., May 3, 1983.

Mr. JIM BUTERA,
National Association of Mutual Savings
Banks, Washington, D.C.

DEAR MR. BUTERA: In conjunction with our telephone conversation of this date, this is to confirm that as a practical matter only two mutual savings banks would be eligible for assistance under the provisions of S. 1011, 98th Congress.

Sincerely,

GRAHAM T. NORTHUP,
Director.

Mr. WYLIE. Mr. Speaker, I yield myself 1 additional minute. I thank the gentleman from Oregon for his contribution. The chairman commended the gentleman from Oregon (Mr. AuCOIN) for his assiduousness. May I suggest that the gentleman from Oregon (Mr. ROBERT F. SMITH) has also been persistent and determined on this issue. And we compliment the two of them for their efforts.

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

Mr. WYLIE. I yield to the gentleman.

Mr. AuCOIN. I appreciate the gentleman yielding.

Mr. Speaker, I wanted to state how appreciative I am of the hard work on the part of my new colleague from the State of Oregon who has worked very strongly, on a bipartisan basis to get this through.

I want to repeat my thanks to both the minority member and chairman of this committee. For the 6 years that I served on the committee, they were helpful, we always managed to work in concert to get things done and are helpful again today.

So, for the whole of the Oregon delegation, I thank the gentleman.

Mr. WYLIE. Thank you. On that happy note, I have no further requests for time and I yield back the balance of my time.

Mr. ST GERMAIN. Mr. Speaker, I yield myself 2 additional minutes.

I would ask the gentleman from Oregon, what is the State flower? Is it a rose?

Mr. AuCOIN. I think it is the Oregon grape, as a matter of fact.

Mr. ST GERMAIN. I just want to say that Mr. WYLIE, our ranking minority Member and I, are going to arrange to have a basketful of grapes sent to both the two gentlemen from Oregon for their efforts on this legislation.

Mr. Speaker, I have no further requests for time.

Mr. ROBERT F. SMITH. Mr. Speaker, will the chairman yield?

Mr. ST GERMAIN. I yield to the gentleman.

Mr. ROBERT F. SMITH. And in return for those kind words, Mr. Chairman, we will send you our State bird.

Mr. ST GERMAIN. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. ST GERMAIN) that the House suspend the rules and pass the Senate bill, S. 1011.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, S. 1011, was passed.

A motion to reconsider was laid on the table.

TRIBALLY CONTROLLED COMMUNITY COLLEGE ASSISTANCE ACT AMENDMENTS

Mr. SIMON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2307) to amend the Tribally Controlled Community College Assistance Act of 1978, and for other purpose.

The Clerk read as follows:

H.R. 2307

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

SECTION 1. The matter preceding title I of the Tribally Controlled Community College Assistance Act of 1978 (92 Stat. 1325) (hereafter in this Act referred to as the "Act") is amended—

(1) by striking out "DEFINITIONS" and inserting in lieu thereof the following:

"DEFINITIONS

"SEC. 2. (a) For purposes of this Act, the term—"

(2) by striking out "and is eligible to receive services from the Secretary of the Interior" in paragraph (1);

(3) by inserting before the semicolon at the end of paragraph (5) thereof the following: "and the reference to Secretary in clause (5)(A) of such section shall be deemed to refer to the Secretary of the Interior"; and

(4) by striking out paragraph (7) and inserting in lieu thereof the following:

"(7) 'Indian student count' means a number equal to the total number of Indian students enrolled in each tribally controlled community college, determined in a manner consistent with subsection (b) of this section on the basis of the quotient of the sum of the credit hours of all Indian students so enrolled, divided by twelve.

"(b) For the purpose of determining the Indian student count pursuant to paragraph (7) of subsection (a), such number shall be calculated on the basis of the registrations of Indian students as in effect at the conclusion of the third week of each academic term. Credits earned in classes offered during a summer term shall be counted toward the computation of the Indian student count in the succeeding fall term. Indian students earning credits in any continuing education program of a tribally controlled community college shall be included in determining the sum of all credit hours. For such purposes, credits earned in a continuing education program shall be converted to a credit-hour basis in accordance with the tribally controlled community college's system for providing credit for participation in such program."

SEC. 2. Section 101 of the Act is amended by inserting immediately before the period at the end thereof the following: ", and to allow for the improvement and expansion of the physical resources of such institutions".

SEC. 3. (a) Section 102 of the Act is amended—

(1) by striking out "is authorized to" in subsection (a) and inserting in lieu thereof "shall, subject to appropriations,"; and

(2) by striking out "to defray the expense of activities related to education programs for Indian students" in subsection (b) and inserting in lieu thereof "to defray, at the determination of the tribally controlled community college, expenditures for academic, educational, and administrative pur-

poses and for the operation and maintenance of the college".

(b) Section 106(a) of the Act is amended by inserting after the second sentence the following new sentence: "Such application shall include a description of recordkeeping procedures for the expenditure of funds received under this Act which will allow the Secretary to audit and monitor programs conducted with such funds."

SEC. 4. (a) The Act is amended—

(1) by redesignating sections 104 through 114 as sections 105 through 115, respectively; and

(2) by inserting after section 103 the following new section:

"PLANNING GRANTS

"SEC. 104. (a) The Secretary shall establish a program in accordance with this section to make grants to tribes and tribal entities to conduct planning activities for the purpose of developing proposals for the establishment of tribally controlled community colleges, or to determine the need and potential for the establishment of such colleges.

"(b) The Secretary shall establish, by regulation, procedures for the submission and review of applications for grants under this section.

"(c) From the amount appropriated to carry out this title for any fiscal year (exclusive of sums appropriated for section 105), the Secretary shall reserve (and expend) an amount necessary to make grants to five applicants under this section of not more than \$15,000 each, or an amount necessary to make grants in that amount to each of the approved applicants, if less than five apply and are approved."

(b) The Act is further amended—

(1) by striking out "section 106" in section 106 (as redesignated by subsection (a)(1)) and inserting in lieu thereof "section 107";

(2) by striking out "section 105" in section 107 (as so redesignated) and inserting in lieu thereof "section 106"; and

(3) by striking out "section 106(a)" in section 111 (as so redesignated) and inserting in lieu thereof "section 107(a)".

SEC. 5. Section 105 of the Act (as redesignated by section 4(a)(1)) is amended—

(1) by inserting "from a tribally controlled community college which is receiving funds under section 108" after "upon request" in the first sentence thereof; and

(2) by striking out "to tribally controlled community colleges" in such sentence.

SEC. 6. (a) Section 106 of the Act (as redesignated by section 4(a)(1) of this Act) is amended—

(1) by striking out "FEASIBILITY" in the heading of such section and inserting in lieu thereof "ELIGIBILITY";

(2) by striking out "feasibility" each place it appears in such section and inserting in lieu thereof "eligibility";

(3) by striking out "Assistant Secretary of Education of the Department of Health, Education, and Welfare" in subsection (a) and inserting in lieu thereof "Secretary of Education";

(4) by inserting at the end of subsection (b) the following new sentence: "Such a positive determination shall be effective for the fiscal year succeeding the fiscal year in which such determination is made."; and

(5) by striking out "10 per centum" in subsection (c)(2) and inserting in lieu thereof "5 per centum".

(b) Section 107 of the Act (as redesignated by section 4(a)(1) of this Act) is amended—

(1) by striking out "feasibility" in subsection (a) and inserting in lieu thereof "eligibility"; and

(2) by striking out "Assistant Secretary of Education of the Department of Health, Education, and Welfare" in subsection (b) and inserting in lieu thereof "Secretary of Education".

SEC. 7. Section 108(a) of the Act (as redesignated by section 4(a)(1) of this Act) is amended to read as follows:

"SEC. 108. (a) Except as provided in section 111, the Secretary shall, subject to appropriations, grant for each academic year to each tribally controlled community college having an application approved by him an amount equal to the product of—

"(1) the Indian student count at such college during such academic year, as determined by the Secretary in accordance with section 2(a)(7) of this Act; and

"(2)(A) \$4,000 for fiscal year 1983,

"(B) \$4,000 for fiscal year 1984,

"(C) \$5,025 for fiscal year 1985,

"(D) \$5,415 for fiscal year 1986, and

"(E) \$5,820 for fiscal year 1987,

except that no grant shall exceed the total cost of the education program provided by such college."

SEC. 8. Section 109 of the Act (as redesignated by section 4(a)(1) of this Act) is amended—

(1) by inserting "(a)" immediately after the section designation; and

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

"(b)(1) The amount of any grant for which tribally controlled community colleges are eligible under section 108 shall not be altered because of funds allocated to any such colleges from funds appropriated under the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13).

"(2) No tribally controlled community college shall be denied funds appropriated under such Act of November 2, 1921, because of the funds it receives under this Act.

"(c) For the purposes of section 312(2)(A)(i) and 322(a)(2)(A)(i) of the Higher Education Act of 1965, any Indian student who receives a student assistance grant from the Bureau of Indian Affairs for postsecondary education shall be deemed to have received such assistance under subpart 1 of part A of title IV of such Act."

SEC. 9. (a) Section 110 of the Act (as redesignated by section 4(a)(1) of this Act) is amended to read as follows:

"APPROPRIATION AUTHORIZATION

"SEC. 110. (a)(1) There is authorized to be appropriated, for carrying out section 105, \$3,200,000 for each of the fiscal years 1985, 1986, and 1987.

"(2) There is authorized to be appropriated for carrying out section 107, \$30,000,000 for each of such fiscal years.

"(3) There are authorized to be appropriated such sums as may be necessary to carry out sections 112(b) and 113 for each of such fiscal years.

"(b)(1) For the purpose of affording adequate notice of funding available under this Act, amounts appropriated in an appropriation Act for any fiscal year to carry out this Act shall become available for obligation on July 1 of that fiscal year and shall remain available until September 30 of the succeeding fiscal year.

"(2) In order to effect a transition to the forward funding method of timing appropriation action described in paragraph (1), there are authorized to be appropriated, in an appropriation Act or Acts for the same fiscal year, two separate appropriations to

carry out this Act, the first of which shall not be subject to paragraph (1)."

SEC. 10. Section 111 of the Act (as redesignated by section 4(a)(1) of this Act) is amended by redesignating subsection (b) as subsection (c) and by striking out subsection (a) and inserting in lieu thereof the following:

"SEC. 111. (a)(1) If the sums appropriated for any fiscal year pursuant to section 110(a)(2) for grants under section 107 are not sufficient to pay in full the total amount which approved applicants are eligible to receive under such section for such fiscal year—

"(A) the Secretary shall first allocate to each such applicant which received funds under section 107 for the preceding fiscal year an amount equal to the product of (i) the per capita payment for the preceding fiscal year, and (ii) such applicant's Indian student count for the current fiscal year;

"(B) the Secretary shall next allocate an amount equal to the product described in subparagraph (A) to applicants who did not receive funds under such section for the preceding fiscal year, in the order in which such applicants have qualified for assistance in accordance with such section, and no amount shall be allocated to a later qualified applicant until each earlier qualified applicant is allocated an amount equal to such product; and

"(C) if additional funds remain after making the allocations required by subparagraphs (A) and (B) the Secretary shall allocate such funds by ratably increasing the amounts of the grant determined under such subparagraphs.

"(2) For purposes of paragraph (1) of this subsection, the term 'per capita payment' for any fiscal year shall be determined by dividing the amount available for grants to tribally controlled community colleges under section 107 for such fiscal year by the sum of the Indian student counts of such colleges for such fiscal year. The Secretary shall, on the basis of the most satisfactory data available, compute the Indian student count for any fiscal year for which such count was not used for the purpose of making allocations under this title.

"(b)(1) If the sums appropriated for any fiscal year for grants under section 107 are not sufficient to pay in full the total amount of the grants determined pursuant to subsection (a)(1)(A) the amount which applicants described in such subsection are eligible to receive under section 107 for such fiscal year shall be ratably reduced.

"(2) If any additional funds become available for making payments under section 107 for any fiscal year to which subsection (a) or paragraph (1) of this subsection applies, such additional amounts shall be allocated by first increasing grants reduced under paragraph (1) of this subsection on the same basis as they were reduced and by then allocating the remainder in accordance with subsection (a). Sums appropriated in excess of the amount necessary to pay in full the total amounts for which applicants are eligible under section 107 shall be allocated by ratably increasing such total amounts.

"(3) References in this subsection and subsection (a) to section 107 shall, with respect to fiscal year 1982, be deemed to refer to section 106 as in effect at the beginning of such fiscal year."

SEC. 11. Section 112 of the Act (as redesignated by section 4(a)(1) of this Act) is amended to read as follows:

"REPORT ON FACILITIES

"Sec. 112. (a) The Administrator of General Services shall provide for the conduct of a study of facilities available for use by tribally controlled community colleges. Such study shall consider the condition of currently existing Bureau of Indian Affairs facilities which are vacant or underutilized and shall consider available alternatives for renovation, alteration, repair, and reconstruction of such facilities (including renovation, alteration, repair, and reconstruction necessary to bring such facilities into compliance with local building codes). Such study shall also identify the need for new construction. A report on the results of such study shall be submitted to the Congress not later than September 30, 1984. Such report shall also include an identification of property (1) on which structurally sound buildings suitable for use as educational facilities are located, and (2) which is available for use by tribally controlled community colleges under section 202(a)(2) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483(a)(2)) and under the Act of August 6, 1956 (70 Stat. 1057; 25 U.S.C. 443a).

"(b) The Administrator of General Services, in consultation with the Bureau of Indian Affairs, shall initiate a program to conduct necessary renovations, alterations, repairs, and reconstruction identified pursuant to subsection (a) of this section.

"(c) For the purposes of this section, the term 'reconstruction' has the meaning provided in the first sentence of subparagraph (B) of section 742(2) of the Higher Education Act of 1965 (20 U.S.C. 1132e-1(2)(B))."

SEC. 12. Section 113 of the Act (as redesignated by section 4(a)(1) of this Act) is amended to read as follows:

"CONSTRUCTION OF NEW FACILITIES

"Sec. 113. (a) With respect to any tribally controlled community college for which the report of the Administrator of General Services under section 112(a) of this Act identifies a need for new construction, the Secretary shall, subject to appropriations and on the basis of an application submitted in accordance with such requirements as the Secretary may prescribe by regulation, provide grants for such construction in accordance with this section.

"(b) In order to be eligible for a grant under this section, a tribally controlled community college (1) must be a current recipient of grants under section 105 or 107, and (2) must be accredited by a nationally recognized accrediting agency listed by the Secretary of Education pursuant to the last sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), except that such requirement may be waived if the Secretary determines that there is a reasonable expectation that such college will be fully accredited within eighteen months. In any case where such a waiver is granted, grants under this section shall be available only for planning and development of proposals for construction.

"(c)(1) Except as provided in paragraph (2), grants for construction under this section shall not exceed 80 per centum of the cost of such construction, except that no tribally controlled community college shall be required to expend more than \$400,000 in fulfillment of the remaining 20 per centum. For the purpose of providing its required portion of the cost of such construction, a tribally controlled community college may use funds provided under the Act of November 2, 1921 (25 U.S.C. 13), popularly referred to as the Snyder Act.

"(2) The Secretary may waive, in whole or in part, the requirements of paragraph (1) in the case of any tribally controlled community college which demonstrates that neither such college nor the tribal government with which it is affiliated have sufficient resources to comply with such requirements. The Secretary shall base a decision on whether to grant such a waiver solely on the basis of the following factors: (A) tribal population; (B) potential student population; (C) the rate of unemployment among tribal members; (D) tribal financial resources; and (E) other factors alleged by the college to have a bearing on the availability of resources for compliance with the requirements of paragraph (1) and which may include the educational attainment of tribal members.

"(d) If, within twenty years after completion of construction of a facility which has been constructed in whole or in part with a grant made available under this section—

"(1) the applicant ceases or fails to be a public or nonprofit institution,

"(2) the facility ceases to be used by the applicant as an academic facility, unless the Secretary determines that there is good cause for releasing the institution from this obligation, and

"(3) the tribe with which the applicant is affiliated fails to use the facility for a public purpose approved by the tribal government in furtherance of the general welfare of the community served by the tribal government, the United States shall be entitled to recover from such applicant (or its successor in title or possession) an amount which bears the same ratio to the value of the facility at the time as the amount of the grant under this section bore to the cost of the facility constructed with the aid of such grant. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is located.

"(e) No construction assisted with funds under this section shall be used for religious worship or a sectarian activity or for a school or department of divinity.

"(f) For the purposes of this section, the Secretary shall have the authority granted to the Secretary of Education pursuant to section 732(b) of the Higher Education Act of 1965 (20 U.S.C. 1132d-1) with respect to construction under title VII of such Act.

"(g) For the purposes of this section—

"(1) the term 'construction' includes reconstruction or renovation (as such terms are defined in the first sentence of subparagraph (B) of section 742(2) of the Higher Education Act of 1965 (20 U.S.C. 1132e-1(2)(B))); and

"(2) the term 'academic facilities' has the meaning provided such term under section 742(1) of the Higher Education Act of 1965 (20 U.S.C. 1132e-1(1))."

SEC. 13. The Act is further amended by adding at the end thereof the following new title:

"TITLE III—TRIBALLY CONTROLLED COMMUNITY COLLEGE ENDOWMENT PROGRAM

"PURPOSE

"Sec. 301. It is the purpose of this title to provide grants for the encouragement of endowment funds for the controlled and improvement of tribally controlled community colleges.

"ESTABLISHMENT OF PROGRAM; PROGRAM AGREEMENTS

"Sec. 302. (a) From the amount appropriated pursuant to section 306, the Secretary

shall establish a program of making endowment grants to tribally controlled community colleges which are current recipients of assistance under section 107 of this Act or under section 3 of the Navajo Community College Act. No such college shall be ineligible for such a grant for a fiscal year by reason of the receipt of such a grant for a preceding fiscal year.

"(b) No grant for the establishment of an endowment fund by a tribally controlled community college shall be made unless such college enters into an agreement with the Secretary which—

"(1) provides for the establishment and maintenance of a trust fund at a federally insured banking or savings institution;

"(2) provides for the deposit in such trust fund of—

"(A) any Federal capital contributions made from funds appropriated under section 306;

"(B) a capital contribution by such college in an amount equal to the amount of each Federal capital contribution; and

"(C) any earnings of the funds so deposited;

"(3) provides that such funds will be deposited in such a manner as to insure the accumulation of interest thereon at a rate not less than that generally available for similar funds deposited at the same banking or savings institution for the same period or periods of time;

"(4) provides that, if at any time such college withdraws any capital contribution made by that college, an equal amount of Federal capital contribution shall be withdrawn and returned to the Secretary for reallocation to other colleges;

"(5) provides that no part of the net earnings of such trust fund will inure to the benefit of any private person; and

"(6) includes such other provisions as may be necessary to protect the financial interest of the United States and promote the purpose of this title and as are agreed to by the Secretary and the college, including a description of recordkeeping procedures for the expenditure of accumulated interest which will allow the Secretary to audit and monitor programs and activities conducted with such interest.

"USE OF FUNDS

"Sec. 303. Interest deposited, pursuant to section 302(b)(2)(C), in the trust fund of any tribally controlled community college may be periodically withdrawn and used, at the discretion of such college, to defray any expenses associated with the operation of such college, including expense of operations and maintenance, administration, academic and support personnel, community and student services programs, and technical assistance.

"COMPLIANCE WITH MATCHING REQUIREMENT

"Sec. 304. For the purpose of complying with the contribution requirement of section 302(b)(2)(B), a tribally controlled community college may use funds which are available from any private or tribal source.

"ALLOCATION OF FUNDS

"Sec. 305. (a) From the amount appropriated pursuant to section 306, the Secretary shall allocate to each tribally controlled community college which is eligible for an endowment grant under this title an amount for a Federal capital contribution equal to the amount which such college demonstrates has been placed within the control of, or irrevocably committed to the use of, the college and is available for depos-

it as a capital contribution of that college in accordance with section 302(b)(2)(B), except that the maximum amount which may be so allocated to any such college for any fiscal year shall not exceed \$350,000.

"(b) If for any fiscal year the amount appropriated pursuant to section 306 is not sufficient to allocate to each tribally controlled community college an amount equal to the amount demonstrated by such college pursuant to subsection (a), then the amount of the allocation to each such college shall be ratably reduced.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 306. (a) There is authorized to be appropriated \$5,000,000 for each of the fiscal years 1985, 1986, and 1987 to carry out this title.

"(b) Any funds appropriated pursuant to subsection (a) are authorized to remain available until expended."

SEC. 14. Section 5(a)(1) of the Navajo Community College Act is amended by striking out "October 1, 1979" and inserting in lieu thereof "October 1, 1984".

SEC. 15. In promulgating any regulations to implement the amendments made by this Act, the Secretary of the Interior shall consult with tribally controlled community colleges.

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

The gentleman from Illinois (Mr. SIMON) will be recognized for 20 minutes, and the gentleman from Illinois (Mr. ERLBORN) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. SIMON).

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

Mr. Speaker, this is the bill which reauthorizes the assistance to the tribally controlled colleges of this Nation, colleges that are making progress, that should be encouraged to strengthen themselves.

We are in a little bit of an unusual situation here, real candidly. This is a bill that was reported out of committee by unanimous vote.

This is a bill that was vetoed by the President in the waning hours of the last session or just following the last session, on which he had two principal objections. One was that we included language of a trust responsibility regarding education and the second was the legislative veto provision. So, in order to get a bill passed I took out those two provisions, thinking then there would be no difficulty. And I had no contact from anyone, to my knowledge, in the administration indicating concern with the bill from that point on.

I learned last night that the administration says it is opposed to the bill.

I hope, despite that opposition—it will carry. Incidentally, that opposition is based on a false premise. It is opposition which says that this bill "mandates" certain construction to take place. That is simply not the case. It permits it if the GSA recommends it, and the Appropriations Committee

approves it. And that is the sum and substance of it.

I cannot imagine a bill that is less controversial and less innocuous and more substantial in helping a group of people to whom we ought to be indebted in this Nation, to whom we owe a special debt for our heritage and I would hope we would go ahead.

It is virtually identical to a bill that is probably going to be approved today in the other body with one minor technical difference between the two.

Mr. Speaker, that is basically the story. We have the communities and the colleges moving in the right direction. They are frequently not well financed. They need what little support they receive from the Federal Government.

We are in this measure not asking for a higher authorization level except for the "such sums" provision on construction and the small amount that would be permitted under the endowment provision.

At the present time 4 of the 18 colleges funded under this program are fully accredited and 10 are candidates for accreditation, 4 are in the precandidacy stage. We are talking about Americans who frankly need the kind of assistance we can provide, not a dole but with some assistance for opportunity in the field of education. That is what we are doing. I think it is noncontroversial enough that I hope it receives overwhelming support and then I hope the administration can take another look at it and I hope it will support it. I thank the Speaker. I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to H.R. 2307, a bill to reauthorize the Tribally Controlled Community College Assistance Act.

This reauthorization would also provide for two new programs of grants to Indian community colleges beginning in fiscal year 1985. One new program would allow Federal grants of up to \$1.6 million to eligible schools to be used for construction or renovation of college facilities. The authorization for this program is open-ended. Conceivably, all 18 Indian community colleges could receive grants for construction, resulting in a fairly significant expenditure of Federal funds.

The other new program established by H.R. 2307 is a program of endowment grants to Indian community colleges. Each college could receive up to \$350,000 of Federal funds per year to create an endowment. Not only do I oppose the expenditure of \$5 million for this program, but I also oppose the designation of a class of colleges to be the beneficiaries of a federally financed endowment fund. In addition, endowments have traditionally been the responsibility of the private sector,

and the Federal Government should not become involved in this area.

The Office of Management and Budget has stated its opposition to these provisions in H.R. 2307. I urge my colleagues not to pass this reauthorization which would double Federal expenditures for Indian community colleges and lead to a higher deficit.

Mr. Speaker, I reserve the balance of my time.

Mr. SIMON. I yield 1 minute to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Speaker, I commend the gentleman from Illinois on the hard work he and his subcommittee and full committee have done on this issue. I know of no sector in our society more needy for educational assistance of the kind provided in this legislation. I am delighted that you are taking the leadership here in renewing this law. I strongly support it.

Mr. SIMON. I thank my colleague from Arizona. I would like to respond very briefly to a couple of statements by my colleague from Illinois for whom I have great respect.

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First, on the construction end of things there is no specific amount, there is no mandate, there is a GSA study that is taking place right now, and we are simply saying if the GSA study says some things ought to be done, then the Appropriations Committee could act. We are not locking the Appropriations Committee so that they cannot act.

Second, on the endowment provision. There is no secret that these colleagues are in very shaky status financially. And so this provides that there would be a small amount available, \$350,000, if it is approved by the Appropriations Committee, to be matched by private donations. So that we put these colleges, not in good shape, but help them a little bit.

The alternative to this kind of assistance is keeping people on the dole. If you like welfare, then absolutely vote against this bill. If you want to keep Indians on welfare, defeat this bill. If you want to help them move in the right direction, then this bill ought to be passed.

Then finally, my distinguished opponent on this matter refers to a doubling of the costs. There is no doubling of the costs. We are talking about the identical authorization with the exception of such sums under construction and the small amount on the endowment.

I might expect some criticism that we are being too parsimonious, but not that we are spending money wildly.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. RICHARDSON).

Mr. RICHARDSON. Mr. Speaker, first of all, I want to commend the

gentleman from Illinois (Mr. SIMON) for his leadership on this bill.

Mr. Speaker, I rise in support of H.R. 2307, a bill to amend and extend the Tribally Controlled Community College Act of 1978. I am privileged to represent the Navajo Nation, the largest Indian nation in the United States. The Navajo Nation numbers 150,000, stretches over an area the size of the State of West Virginia, and represents the finest attributes of self-help and educational aspiration to be found among any group in the United States.

Beginning with tribal funds in 1969, the Navajos founded the first tribally controlled community college and secured separate authorizing legislation for it in 1971. Working with little more than determination and the will of their people, the Navajos built their institution into a fully accredited college program serving the entire community. This aspect of reaching out to meet the educational, vocational, and human needs of all its people is particularly important on the Navajo reservation, where geographic isolation and high unemployment are critical factors.

Navajo Community College serves as a source of hope and a pool of resources for the entire Four Corners area. H.R. 2307 will guarantee that it continues to meet its full promise in the future.

Again, Mr. Speaker, I wish to commend my colleague from Illinois (Mr. SIMON) for his landmark piece of legislation.

Mr. SIMON. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. DORGAN).

Mr. DORGAN. Mr. Speaker, as a co-sponsor of the Tribally Controlled Community Colleges Act of 1983, I rise in strong support of the bill.

The bill reauthorizes and strengthens the existing law, which has given birth to some 18 Indian community colleges and which enjoys wide support in both Congress and in Indian communities. A reauthorization bill cleared both the House and the Senate late in the 97th Congress, only to be vetoed by the President on dubious grounds.

The current reauthorization bill deletes the major sections to which the President objected. However, it still retains the needed framework and funding levels to insure that the Indian community colleges can keep serving isolated Indian reservations in North Dakota and several other States.

In only 10 years, all four Indian community colleges serving North Dakota reservations—Turtle Mountain Community College, Standing Rock Community College, Little Hoop Community College, and Fort Berthold Community College—have made outstanding academic progress and achieved candidacy status for accreditation. Many

Indian high school graduates never would have received college training without these growing institutions.

Not only have the schools achieved success, but so have their graduates. The unemployment rate on Indian reservations runs as high as 90 percent. But strikingly, the employment rate of Indian community college graduates remains about 85 percent.

In fact, President Gerald "Carty" Monette of Turtle Mountain has testified that 100 percent of its graduates through 1981 have full-time jobs. Many have professional or skilled positions in business, education, and government—the best alternative to welfare dependency we could hope for.

Similarly, Standing Rock's President, Wayne Stein, recently testified before the House Appropriations Committee about the high success rate of tribal college graduates in 4-year, non-Indian higher education institutions. Mr. Stein indicated that a recent university study showed that the overall dropout rate for Indian students at such schools is about 90 percent. Yet remarkably, there is an 80 percent completion rate at 4-year schools for graduates of 2-year tribal colleges.

Tribal colleges have also made impressive contributions to the preservation of Indian culture and enrichment of reservation life. The colleges have played a leading role in the teaching of tribal languages and worked closely with tribal governments on economic planning and development.

In sum, the Indian community colleges in North Dakota have demonstrated that, through the Tribally Controlled Community Colleges Act, Congress has made some wise investments in Indian education, cultural preservation, and economic growth. So I strongly believe that we should continue this trust commitment by passing the reauthorization act today. It is a wise investment for Indian people and our Nation as well.

Mr. SIMON. Mr. Speaker, I yield 4 minutes to the gentleman from Montana (Mr. WILLIAMS).

Mr. WILLIAMS of Montana. Mr. Speaker, of all Americans, Indians have the lowest level of education and the highest unemployment rate—now as high as 80-90 percent on some Indian reservations. Despite years of scant attention to their education needs, the mechanisms have finally been put in place to begin a turning toward decent education of Indian people.

Indian student dropout rates finally are decreasing, the numbers of Indian youth attending college and secondary educational facilities have increased; the numbers of Indian teachers and lawyers have increased; schools are beginning to meet the needs of Indian children. The dawn is coming. We are awakening the talents and potential of an entire race of stifled Americans.

The task is not completed. It is not time to stop those efforts.

H.R. 2307 reauthorizes the Tribally Controlled Community College Assistance Act and makes important adjustments which will lend stability to this successful educational effort. Let me spend just a few minutes to share with you the success of this act.

Since the inception of Public Law 95-471, there have been 1,231 graduates of tribally controlled community colleges. If we add the expected 600 graduates this spring we have a total of 1,831 graduates of these colleges by the end of this school year.

Studies have shown that for those Indian students who complete a 2-year program at tribally controlled community colleges and transfer to 4-year academic programs, there is an 85-percent completion rate. This is a statistic of which we can be proud.

In Montana, we now have five tribal colleges. In the first district, which I represent, there is the Salish and Kootenai Community College at the Flathead Reservation, and the Blackfeet Community College at the Blackfeet Reservation. At the Salish-Kootenai College there have been 82 graduates to date, with another 35 who will graduate this spring for a total of 117. One of their graduates is now the director of the tribal forestry program; another is assistant director of the Job Corps center at Flathead. The Blackfeet Community College has graduated 269 students, with 70 more expected to receive degrees or certificates this spring for a total of 339. One of the graduates is currently the director of the developmentally disabled program at the Blackfeet College, and an approximate 95 percent of the graduates of the Blackfeet Community College are employed or continuing their education.

We need to accommodate the success of these colleges. H.R. 2307 does this. The important amendments to Public Law 95-471 have already been explained. I urge my colleagues to support this important legislation so that these successful educational efforts for American Indian students may continue.

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

Mr. WILLIAMS of Montana. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, I rise in support of H.R. 2307, the tribally controlled community college amendments.

This bill reauthorizes the Tribally Controlled Community Colleges Assistance Act of 1978 through fiscal year 1987. In addition, the bill provides:

First, simplification of the student count for purposes of the funding formula;

Second, authorization for renovation of unused facilities and construction as needs and availability are identified by a General Services Administration study, with a 25-percent match of funds by the tribe or college;

Third, an endowment program to assist the colleges to establish a firm financial base. Endowment grants must be matched dollar for dollar by the college or tribe; and

Fourth, an orderly process for including new schools as they become eligible, to halt the erosion of support funds to existing schools, and to avoid disruption and instability in the ongoing programs of these schools.

Much praise goes to Congressman SIMON, chairman of the Postsecondary Education Subcommittee, for his hard work in developing this legislation, and to Congressman KILDEE and Congressman PAT WILLIAMS who have lent their strong support and their expertise in this effort.

The tribally controlled community college assistance program was initiated in 1978 with Public Law 95-471, and currently supports the operation of 18 community colleges for Native Americans. This program has shown outstanding results over the short period of time the program has been in operation. Studies in the early seventies indicated a dismal future for Indian students seeking postsecondary education at traditional, non-Indian colleges and universities.

A 1977 study by the General Accounting Office indicated that almost 90 percent of Indian students who entered college as freshmen dropped out before graduating. Culture shock, family obligations, travel distance and expense, poor institutional counseling, and many other factors contributed to the failure of the traditional institutions to serve the educational needs of Native Americans.

Public Law 95-471 was enacted to assist Indian tribes to take control of their educational future, to develop programs and institutions responsive to the needs of their reservation communities. Geographic proximity, realistic curriculum development, responsiveness to cultural and employment realities on reservations have become the hallmark of these young developing institutions.

The colleges supported by the tribally controlled college assistance program have made a strong beginning toward turning the disastrous statistics of the early seventies around. Testimony received by the subcommittee on postsecondary education indicates a strong beginning and a brighter future for higher education for Native Americans.

Four of these tribally controlled colleges are now fully accredited. Another expects full accreditation shortly. All of the other colleges are progressing toward accreditation.

Now is the time to move forward with this effort. This has been a lean and efficient program. In fiscal year 1983, an appropriation of \$10,239,000 supports 2,887 full-time equivalent students at 18 tribally controlled colleges. This amount includes technical assistance and feasibility studies. Three more Indian tribes are looking into the possibility of developing colleges on their reservations.

Similar legislation was passed by the House and Senate last year but the President failed to sign it into law. In drafting this bill, H.R. 2307, the cosponsors and the Education and Labor Committee have made every effort to meet the objections of the administration without sacrificing the provisions absolutely necessary if continued growth and progress are to be encouraged in this program. We have deleted the language referring to the Federal Government's trust responsibility as it relates to education for Indian students. We delete this reference at the behest of the administration, in an effort to be cooperative. However, this change in language in no way indicates a change in the position of the Education and Labor Committee:

Education is and continues to be a trust responsibility of the Federal Government toward Indian students. Programs legislated by the Congress must continue to be administered according to the highest standard of care. When it comes to education of Indian students, the highest standard of care should be the minimum requirement.

In addition, we have deleted the provision which would have placed this program within the authority of section 431(d) of the General Education Provisions Act, which authorizes congressional review of education regulations. Again, we have made this change in an effort to accommodate the objections of the administration. This is in no way a retreat from our position that Congress has the right to disapprove regulations, if authorized by legislation.

The official report of the Department of the Interior, Bureau of Indian Affairs on the tribally controlled community college program, dated April 6, 1983, makes the following statement:

The need for stable funding levels, the need for the support of Federal and tribal governments, and the need for improved physical facilities reported in prior years continue to be major concerns of tribal colleges.

Late Friday, a communication was received indicating objection to another provision—facilities improvement and construction provision. It made vague reference that other objections may be voiced in the future. Sadly, this is the type of action we have come to expect on educational issues. We must move forward now to reauthorize this valuable, successful, and efficient program. We have done our best to cooperate with the requirements of the administration now we

must do our best to meet the educational needs of our native American citizens.

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

Mr. Speaker, let me just reiterate that this is a reauthorization of the existing authority for the Tribally Controlled Community College Act and to emphasize that the authorization is not expiring and I know of no one who is objecting to a reauthorization, except for the fact that the bill before us does authorize two new spending programs that will add substantially many millions of dollars to the total authorization.

It is because of that that the administration has expressed their opposition to the bill, not to the underlying extension of the authorization of the act.

And I hope that the body today in voting on the bill would vote not to pass this under suspension and then maybe the differences can be worked out.

Mr. SIMON. Mr. Speaker, I would hope we would approve this. This is a modest bill. I think our colleague from North Dakota put it well when he said this is an investment.

We have the opportunity time after time here of deciding whether we are going to keep people on welfare or whether we are going to give them an opportunity to lift themselves.

There is no ethnic group in our society that has a higher dropout rate, I regret; a lower rate of people attending colleges than the native Americans.

And here we say, "Let's give them a chance," and reauthorize and the only two things that have been added to a reauthorization at the present level are the construction thing that will follow the GSA study where we simply say, "such sums," and we leave it up to the Appropriations Committee. If the GSA comes in and says there are some needs that have to be met, we do not bind the hands of the Appropriations Committee in any way. And the very modest endowment provision is added, so that these schools can get on their feet in a more solid way.

I hope this body overwhelmingly approves this piece of legislation.

Mr. RUDD. Mr. Speaker, the one aspect of this bill I would like to address is the reauthorization of the Navajo Community College Act of 1971. I support the extension of the 1971 law, so that we may continue the community college programs offered by our Nation's largest native Indian tribe.

The concept of a community college for the Navajo Indians goes back to the late sixties when the tribe made use of an unoccupied high school in Many Farms, Ariz., as a makeshift

campus. While conducting classes with borrowed facilities, the college, and its many supporters throughout our State, convinced Congress to pass the Navajo Community College Act in 1971.

The original act provided for construction grants plus an annual sum for operation and maintenance of the college. Shortly thereafter, groundbreaking ceremonies were held at the college's centrally located site at Tsalle, Ariz., where today there sits a \$20,000,000 facility which represents this tribes major link to higher education in our country.

Navajo community college is a 2-year college, similar to other community colleges in its regional orientation with the nearby Indian community, which graduates students with associate of arts and associate of science degrees. Many of the short-term students learn special skills and training to go directly into the job market, others have received their diplomas and moved on to universities.

As a tribally owned college, tribal leaders are able to run their own institution, address their own needs, and provide the type of training which fits into regional economies and cultural aspirations of the Navajo people. As a fully accredited community college on the 16,000-square-mile Navajo Reservation, its role in helping this tribe help itself, and provide for its own future, can only benefit the goal of self-determination for our Nation's native peoples.

The authors of the legislation before us today included, as an addition to the changes asked for in the tribally controlled community college assistance programs, a simple extension of the ongoing programs created in the Navajo Community College Act, for fiscal years 1984-87, with the annual grants to be subject to the appropriation process. This act was last authorized in 1978 through 1982, and I am pleased that the committee took the effort to include this extension in the bill today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. SIMON) that the House suspend the rules and pass the bill, H.R. 2307, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

DECLARING SUPPORT OF U.S. GOVERNMENT FOR U.S. SOCCER FEDERATION

Mr. FLORIO. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 219), declaring the support of the U.S. Government for efforts of the U.S. Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the U.S. Government to the Federation Internationale de Football Association, and for other purposes, as amended.

The Clerk read as follows:

H.J. Res. 219

Joint resolution declaring the support of the United States Government for efforts of the United States Soccer Federation to bring the World Cup to the United States in 1986, designating the Secretary of Commerce as the official representative of the United States Government to the Federation Internationale de Football Association, and for other purposes

Whereas the direct involvement and support of the government of the host country is essential to the successful organization of the World Cup;

Whereas bringing the World Cup to the United States would serve as a tremendous impetus to national and international tourism;

Whereas the United States is already capable of meeting all the requirements imposed on a host country;

Whereas hosting the World Cup would encourage the continued development of professional soccer and ensure the growth of soccer at all levels in the United States;

Whereas soccer is the world's most popular sport; and

Whereas the World Cup is the most popular professional sporting event in the world: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Government declares its support for the efforts of the United States Soccer Federation to bring the World Cup to the United States in 1986, and encourages the Federation Internationale de Football Association to visit the United States and actively consider the United States' application to host the World Cup.

SEC. 2. The Secretary of Commerce is designated as the official representative of the United States Government in any discussions with the Federation Internationale de Football Association, with the authority to delegate that responsibility to the Under Secretary of Commerce for Travel and Tourism.

The SPEAKER pro tempore. Is a second demanded?

Mr. LENT. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. FLORIO) will be recognized for 20 minutes, and the gentleman from New York (Mr. LENT) will be recognized for 20 minutes.

□ 1315

The Chair recognizes the gentleman from New Jersey (Mr. FLORIO).

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

Mr. Speaker, this resolution declares the support of the U.S. Government for the efforts of the U.S. Soccer Federation (USSF) to have the United States chosen as the host country for the 1986 World Cup Soccer Championship. It encourages the international governing body of the World Cup, the Federation Internationale de Football Association (FIFA), to visit the United States and actively consider the U.S. application to host the World Cup. It also designates the Secretary of Commerce as the official representative of the United States in any discussions with FIFA. Under the resolution, the Secretary has the authority to delegate his responsibility as representative to the Under Secretary of Commerce for Travel and Tourism.

On April 7, 1983, the Subcommittee on Commerce, Transportation, and Tourism conducted a hearing on the resolution, receiving testimony from international soccer players and representatives of the USSF and the North American Soccer League. As the hearing record demonstrates, the United States is ready, in terms of both its facilities and its soccer players, to host the World Cup.

The World Cup is the world's most popular professional sporting event. If the United States is chosen as the host country, the U.S. tourism industry is expected to benefit. It is estimated that between 100,000 and 200,000 foreign tourists will visit this country for the World Cup games. Spending by these foreign visitors will greatly stimulate the tourism industries of at least 12 U.S. cities, the sites of the first round of games.

In addition, hosting the World Cup is expected to give an enormous boost to U.S. professional soccer. The publicity about the World Cup will focus the attention of U.S. sports fans on Team America, a soccer team formed to play in the World Cup comprised exclusively of U.S. citizens. This increased visibility of U.S. soccer should generate support for it at the professional level.

President Reagan has already indicated his support for the efforts to host the World Cup. These efforts are also being supported by former Secretaries of State Kissinger and Vance.

This resolution will provide an important additional indication that the United States is serious in its efforts to host the World Cup, and therefore, will greatly enhance the chances for the success of those efforts. I urge the Members of the House to support it.

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

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

Mr. KEMP. I appreciate the gentleman's yielding.

Mr. Speaker, did I hear the word "football" mentioned with regard to the World Cup?

Mr. FLORIO. The international organization is regarded as a football association. It really has not anything to do with football, as we know it.

Mr. KEMP. I would appreciate that distinction being made. For those of us who have a love for football, with due respect for soccer, it is important that the American people know that this is not football, that it is soccer.

I wanted to ask the gentleman how much it would cost to promote the World Cup being held in the United States.

Mr. FLORIO. The gentleman's point is a very important one, and the answer is that it will not cost anything, that what this signifies is our interest in having these facilities, these games, conducted here, and what we are holding ourselves out to do is to deal with visa waivers and other customs problems, all of those types of things that are normally associated with any foreign event being conducted. We are clearly qualified to do those things because, as the gentleman undoubtedly knows, the 1984 International Olympics are going to be conducted in this Nation. So there is no cost associated with this resolution.

Mr. KEMP. Before I make my 11-year-old son mad at me for giving the impression that I may be against it, let me announce that I am for holding the cup in the United States.

Mr. FLORIO. The Members of the House are relieved.

Mr. KEMP. I think the benefits would be quite extensive.

But I want to make sure, as a very, very old football player, that we do nothing that would show support by the Government for one sport as opposed to the other, because as far as I am concerned—I say this with some tongue in cheek—football is football; soccer is soccer. Soccer does not have a quarterback; only football has a quarterback.

And I was deeply upset when I heard read from this body the idea that we were going to support—what is it?—the Internationale de Football Association (FIFA). I wish they would change their name and stop confusing all of those young boys and maybe some young girls who think of football as football, and they think that the Super Bowl is the world's greatest spectator event, with all due respect to soccer and baseball. It seems to me that we should not let it go unnoticed that the Super Bowl is becoming in the world equal to the World Cup, and some of us think it will surpass it.

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

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

Mr. KAZEN. Mr. Speaker, I remind the gentleman from New York that this football that the gentleman from New Jersey is talking about is spelled "fut," futball, and that is the name in all Latin America. Soccer is their football and not the football that the gentleman was so excellent at.

But let me ask the gentleman in the well, I thought that Mexico had bid for holding the cup in Mexico. Am I correct?

Mr. FLORIO. The decision has not been made. There was a lower level committee recommendation that Mexico was the preferred site of that lower level screening committee. It is my understanding that the United States, Canada, and Mexico are in the final round of evaluation, that at one point there was some question as to whether the international organization was going to review the other two sites. I am pleased to report to the Members that, I think in large measure as a result of some of this activity that the committee and, hopefully, the Congress will take, there is going to be a review of facilities in this country, and the decision will not be made until the latter part of May as to a final site for the World Cup in the United States.

Mr. KAZEN. Let me tell the gentleman this: I feel otherwise. Mexico has been at this game for many, many, many years. We are newcomers to it. I think that Mexico is entitled to it if they want it, and I do not think that we as a government and as a Congress ought to come in and, by just the sheer strength of the Government of the United States, bring that tournament to the United States. I think it rightfully belongs in Mexico this coming year.

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

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

Mr. KEMP. I appreciate my friend from Texas making the distinction between football and futball. I was not casting any aspersions on anybody's pronunciation. But in the resolution it is spelled f-o-o-t, football, and I think it is important that for all of those young people out there, who some day hope to play real football, where you throw it and kick it and run with it and put it in your hands, a distinction should be made that football is democratic, capitalism, whereas soccer is a European socialist—I am going to have to revise and extend my remarks. I do not think I want to leave this on the RECORD. I get a kick out of the comments of the gentleman from Texas. I do not think you have to worry that the U.S. Government is going to force the International Association to hold the World Cup in this country. With all due respect, there is competition.

Mr. FLORIO. On that point, if I could just reclaim my time—

Mr. KEMP. I was going to support the gentleman.

Mr. FLORIO. This is a manifestation of support.

Mr. KEMP. Yes.

Mr. FLORIO. And it is part of the normal application process for all of the contending locations.

Mr. KEMP. Just one last second to clear that up for myself, anyway.

I was going to support the gentleman's contention that Mexico is in competition with the United States. We are not going to bludgeon the international authorities into holding it in our country. I think it would be a healthy competition with Mexico, and they should not feel that they were compromised by what the Congress does. So I am going to support it. But I want to do so with the full understanding that someday I hope to see a full distinction in this country between football and soccer.

Mr. THOMAS of California. Mr. Speaker, will the gentleman yield briefly?

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

Mr. THOMAS of California. Mr. Speaker, I want to make sure that the record is clear, and that is that the United States is not trying to wade in and take anything that belongs to anyone. In fact, the United States—and Mexico, for that matter—is attempting to assist in this area because Colombia had originally been awarded the World Cup and is now unable to perform those duties, so that we are offering ourselves, along with several other nations. I think it is entirely appropriate that the United States offer itself, based upon the surge that soccer or football has had in this country.

In addition, it is my understanding that Mexico was host to the World Cup in the last decade. It is a prestigious event. It certainly ought to move around the world. But Mexico had it in the seventies.

Mr. FLORIO. The gentleman is correct on all counts of all of the points that he has made.

Mr. THOMAS of California. I think it is entirely appropriate that the resolution be offered and that the United States let the rest of the world know that not only are we going to be able to host a World Cup soccer, but we may very well be in the finals.

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

Mr. FLORIO. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Mr. Speaker, I just stumbled innocently onto this debate, and I am somewhat confused. I do not understand. Is this the subject on which I saw Mr. Kissinger's picture on the front page of the paper recently? Is he behind this somehow?

Mr. FLORIO. He is associated with the effort, as is Secretary Vance.

Mr. STUDDS. To bring a socialist game to the United States?

Mr. FLORIO. I suspect we will not read that in the CONGRESSIONAL RECORD tomorrow.

Mr. STUDDS. I am sorry to hear that. I thought that was an extraordinary analysis of the situation.

Does the gentleman think that we may find a resolution next week, if we were to pass this, from the Mexican assembly asking that the World Series of baseball be held in Vera Cruz?

Mr. FLORIO. I am not a member of the Foreign Affairs Committee, so I would not purport to have any expertise in that area.

Mr. STUDDS. I thank the gentleman.

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

Mr. Speaker, I rise in support of House Joint Resolution 219, and I want to commend the gentleman from New Jersey (Mr. FLORIO), the chairman of the Subcommittee on Commerce, Transportation and Tourism, for his leadership with this resolution.

Over the past 15 years, the sport of soccer has experienced an enormous surge of popularity in the United States. There are more youngsters playing organized soccer in this country than baseball. More of our colleges and universities have intercollegiate soccer teams than gridiron football teams. The ultimate expression of this tremendous growth in the popularity of soccer in this country would be our hosting of the 1986 World Cup.

The World Cup is the world's most popular sporting event. The 1982 games in Spain were attended by a record number of fans and over \$60 million in gross profits were realized from ticket sales, television, and publications. Millions more were spent on hotel accommodations and restaurants. The championship game in 1982 was viewed on television by more than 1.3 billion people, over one-quarter of the world's population.

The U.S. Soccer Federation is seeking Federal support in its efforts to host the World Cup, without requesting any Federal funds. House Joint Resolution 219, which is before us today, expresses that support. The Federation's effort also has the strong backing of President Reagan as well as other leading public officials in this Nation.

Twelve sites around the country have been recommended as host cities and meetings have already taken place between USSF officials and representatives of the Governors' and mayors' offices, chambers of commerce, tourist, and convention bureaus, stadium authorities, and corporate sponsors. Chief executives of such companies as Ford, PepsiCo, and R. J. Reynolds have joined the organizing committee. It is

clear, therefore, Mr. Speaker, that the United States is ready to host this event.

Convincing the Federation Internationale de Football Association, or FIFA, to consider the United States as a host country will not be easy. Yesterday's edition of the New York Times told of the efforts in this regard of two former Secretaries of State, Henry Kissinger and Cyrus Vance.

□ 1330

Dr. Kissinger testified last month before our Subcommittee on Commerce, Transportation and Tourism on the importance of this resolution if these efforts are to be successful.

Therefore, I would urge my colleagues to support House Joint Resolution 219. The benefits that will be derived from increased international good will and valuable cultural exchange, not to mention the boost to our tourism industry, demands such a vote.

I would point out very respectfully to my colleague from Massachusetts who characterized soccer as a Socialist sport that nothing could be further from the truth, because soccer is a sport which knows no politics. It is played all over the world. It is played in Europe. It is played in Asia. It is played in Africa and South America, as well as in North America, so certainly it knows no politics.

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

Mr. LENT. I would be happy to yield to the gentleman from Massachusetts.

Mr. STUDDS. I thank the gentleman for yielding.

Mr. Speaker, not only was that not my characterization, I was expressing my abject disbelief that the gentleman from New York (Mr. KEMP) had defined football as, what did he say, "Democratic capitalism," and soccer, which is, of course, an older sport, from which we stole the European word "football," as "socialism." I found that a challenging intellectual concept and that is why I was referring back to it again.

Is the gentleman going to offer an amendment on behalf of the gentleman from Massachusetts (Mr. BOLAND) to suggest that we not wrest this from Mexico by covert means?

Mr. LENT. I had not heard of the amendment by the gentleman from Massachusetts.

I thank the gentleman for his contribution, and I am glad we won him over, as I believe we won over the gentleman from New York (Mr. KEMP) as well.

● Mr. RITTER. Mr. Speaker, I support House Joint Resolution 219 the World Cup Soccer resolution. I am a cosponsor of this legislation and voted for it when it was before the House Energy and Commerce Committee. This resolution is necessary because

the Federation Internationale de Football Association, the international governing body of the World cup, will not consider the United States as host country for the 1986 World Soccer Championship without a declaration of support by the U.S. Government. House Joint Resolution 219 is a non-binding resolution committing no tax dollars to any program—it simply designates the Secretary of the Department of Commerce to assist in discussions with the Federation Internationale de Football Association.

In 1981, the travel and tourism industry, if viewed as a single retail industry, was the second largest retail industry in the country. The U.S. hosting of the World Cup Soccer Championship will generate a great deal of domestic and international tourism trade. As a member of the House Energy and Commerce Subcommittee on Commerce, Transportation and Tourism and as a member of the steering committee of the Tourism Caucus, I am acutely aware of the growing importance of the tourism industry to our Nation's economy. I remain committed to efforts to promote tourism and urge my colleagues to support this worthy resolution. ●

Mr. LENT. Mr. Speaker, if there are no other requests, I yield back the balance of my time.

Mr. FLORIO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. FLORIO) that the House suspend the rules and pass the joint resolution, House Joint Resolution 219 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on the motion on which further proceedings were postponed.

TRIBALLY CONTROLLED COMMUNITY COLLEGE ASSISTANCE ACT AMENDMENTS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2307, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Illinois (Mr. SIMON) that the House suspend the rules and pass the bill, H.R. 2307, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 255, nays 148, not voting 29, as follows:

[Roll No. 75]

YEAS—255

Ackerman	Frost	Natcher
Addabbo	Fuqua	Neal
Akaka	Garcia	Nelson
Albosta	Gaydos	Nichols
Alexander	Gejdenson	Nowak
Anderson	Gephardt	Oskar
Andrews (NC)	Gilman	Oberstar
Andrews (TX)	Glickman	Obey
Anthony	Gonzalez	Olin
Applegate	Gore	Ortiz
Aspin	Gray	Ottinger
AuCoin	Guarini	Owens
Barnes	Gunderson	Panetta
Bates	Hall (OH)	Patterson
Bedell	Hall, Ralph	Pease
Bellenson	Hamilton	Penny
Bennett	Hammerschmidt	Pepper
Bereuter	Harkin	Perkins
Berman	Harrison	Pickle
Bevill	Hawkins	Porter
Biaggi	Hefner	Price
Boehlert	Heftel	Rahall
Boggs	Hertel	Rangel
Boland	Hightower	Ratchford
Boner	Horton	Reid
Bonior	Howard	Richardson
Bonker	Hoyer	Rodino
Borski	Huckaby	Roe
Bosco	Hughes	Rose
Boucher	Hunter	Rostenkowski
Boxer	Jacobs	Rowland
Britt	Jeffords	Roybal
Brooks	Jones (NC)	Rudd
Brown (CA)	Jones (OK)	Russo
Bryant	Jones (TN)	Sabo
Carper	Kaptur	Sawyer
Carr	Kastenmeier	Scheuer
Chandler	Kazen	Schneider
Clarke	Kennelly	Schroeder
Clay	Kildee	Seiberling
Coleman (MO)	Kogovsek	Shannon
Coleman (TX)	Kolter	Sharp
Conyers	Kostmayer	Sikorski
Cooper	LaFalce	Simon
Coyne	Leach	Sisisky
Crockett	Lehman (CA)	Skeen
D'Amours	Lehman (FL)	Slattery
Davis	Leland	Smith (FL)
de la Garza	Levin	Smith (IA)
Dellums	Levine	Smith (NJ)
Derrick	Levitass	Smith, Robert
Dicks	Lipinski	Spratt
Dingell	Long (LA)	St Germain
Dixon	Long (MD)	Staggers
Donnelly	Lowry (WA)	Stark
Dorgan	Lujan	Stokes
Dowdy	Luken	Stratton
Downey	MacKay	Studds
Durbin	Markey	Swift
Dwyer	Marlenee	Synar
Dymally	Martinez	Tallon
Dyson	Matsui	Tauzin
Early	Mavroules	Taylor
Eckart	Mazzoli	Thomas (GA)
Edgar	McCloskey	Torres
Edwards (AL)	McCurdy	Torricelli
Edwards (CA)	McHugh	Traxler
English	McKernan	Udall
Erdreich	McNulty	Valentine
Evans (IL)	Mica	Vandergriff
Fascell	Mikulski	Vento
Fazio	Mineta	Volkmer
Feighan	Minish	Walgren
Ferraro	Mitchell	Watkins
Flippo	Moakley	Waxman
Florio	Mollohan	Weaver
Foglietta	Moody	Weiss
Foley	Morrison (CT)	Wheat
Ford (MI)	Morrison (WA)	Whitley
Ford (TN)	Mrazek	Williams (MT)
Fowler	Murphy	Williams (OH)
Frank	Murtha	Winn

Wise
Wolf
Wolpe

Wright
Wyden
Yates

Yatron
Young (MO)
Zablocki

NAYS—148

Archer	Hance	Paul
Badham	Hansen (UT)	Petri
Bartlett	Hartnett	Pritchard
Bateman	Hiler	Pursell
Bethune	Hillis	Quillen
Billrakis	Holt	Ray
Billiey	Hopkins	Regula
Breaux	Hubbard	Ridge
Broomfield	Hutto	Rinaldo
Brown (CO)	Hyde	Ritter
Broyhill	Ireland	Roberts
Burton	Jenkins	Robinson
Byron	Kasich	Roemer
Carney	Kemp	Rogers
Chapple	Kramer	Roth
Cheney	Lagomarsino	Roukema
Clinger	Latta	Schaefer
Coats	Leath	Schulze
Conable	Lent	Sensenbrenner
Conte	Lewis (CA)	Shaw
Corcoran	Lewis (FL)	Shelby
Coughlin	Livingston	Shumway
Courter	Lloyd	Shuster
Craig	Loeffler	Siljander
Crane, Daniel	Lungren	Skelton
Daniel	Mack	Smith (NE)
Dannemeyer	Madigan	Smith, Denny
Daub	Marriott	Snowe
DeWine	Martin (IL)	Snyder
Dickinson	Martin (NC)	Solomon
Dreier	Martin (NY)	Spence
Duncan	McCandless	Stangeland
Edwards (OK)	McCollum	Stenholm
Emerson	McDade	Stump
Erlenborn	McDonald	Sundquist
Evans (IA)	McEwen	Tauke
Fiedler	McGrath	Thomas (CA)
Fields	Michel	Vucanovich
Fish	Miller (OH)	Walker
Forsythe	Molinari	Weber
Franklin	Montgomery	Whitehurst
Frenzel	Moore	Whittaker
Gekas	Moorhead	Whitten
Gibbons	Myers	Wortley
Gingrich	O'Brien	Wylie
Gradison	Oxley	Young (AK)
Gramm	Packard	Young (FL)
Green	Parris	Zschau
Gregg	Pashayan	
Hall, Sam	Patman	

NOT VOTING—29

Annunzio	Hansen (ID)	Miller (CA)
Barnard	Hatcher	Nielson
Campbell	Johnson	Savage
Chappell	Kindness	Schumer
Coelho	Lantos	Solarz
Collins	Lott	Towns
Crane, Philip	Lowery (CA)	Vander Jagt
Daschle	Lundine	Wilson
Goodling	McCain	Wirth
Hall (IN)	McKinney	

□ 1340

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio and Mr. Wirth for, with Mr. Philip M. Crane against.

Mrs. ROUKEMA and Mr. MARRIOTT changed their votes from "yea" to "nay."

Messrs. DOWDY of Mississippi, MORRISON of Washington, and MARLENEE changed their votes from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

□ 1350

EMERGENCY AGRICULTURAL CREDIT ACT OF 1983

The SPEAKER pro tempore. Pursuant to House Resolution 158 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1190.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1190) to provide emergency credit assistance to farmers, and for other purposes, with Mr. FLIPPO in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, April 27, 1983, an amendment striking the text of section 2 had been agreed to.

The Clerk will designate section 3.

The text of section 3 reads as follows:

WATER AND WASTE FACILITIES

SEC. 3. (a) Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended by—

(1) adding at the end of paragraph (2) the following: "The Secretary shall fix the grant rate for each project in conformity with regulations promulgated by the Secretary which shall provide for a graduated scale of grant rates establishing higher rates for projects in communities having lower community population and income levels which are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing rates and terms in the community in or near which the applicant is located for loans for similar purposes and periods of time: *Provided*, That the grant rate shall be the maximum rate permitted under this paragraph for projects in communities having a population of fifteen hundred or less and a median community income level below 80 per centum of the statewide nonmetropolitan median family income, if the community is unable to obtain sufficient credit elsewhere to finance its actual needs at reasonable rates and terms, talking into consideration prevailing rates and terms in the community in or near which the applicant is located for loans for similar purposes and periods of time."; and

(2) adding at the end thereof the following new paragraphs (16), (17), (18), and (19):

"(16) In providing financial assistance for water and waste disposal facilities under this section, the Secretary shall utilize a project selection system to determine which of the applicants for assistance meeting the basic requirements of this section shall be selected to receive assistance. Such project selection system shall provide for the objective and uniform comparison of requests for assistance (in the form of preapplications) on the basis of relative need as reflected by (A) low community median income; (B) low population; and (C) severity of health hazards resulting from inadequate provision for the reliable supply of potable water or from inadequate means of disposing of waste. For

purposes of the project selection system, each of these three factors shall be weighted equally.

"(17)(A) The Secretary may make payments to associations described in paragraph (1) of this subsection which are reasonably likely to receive financial assistance under paragraph (1) or paragraph (2) of this subsection for community water and waste disposal facilities, for predevelopment costs incurred in connection with the planning and design of such facilities. Such costs may include the costs of drilling test wells and of preparing alternative engineering designs to determine the most feasible and economical method to improve the water supply or waste disposal system of the community involved.

"(B)(i) The amount of any payment received under subparagraph (A) with respect to a project by an association which receives, before the expiration of the five-year period beginning on the date of such payment is received, a loan under paragraph (1) or a grant under paragraph (2) of this subsection to finance such project shall be treated as part of the amount of such loan or the amount of such grant, as the case may be; and

"(ii) The amount of any payment received under subparagraph (A) with respect to a project by an association which does not receive, before the expiration of the five-year period beginning on the date of such payment is received, a loan under paragraph (1) or a grant under paragraph (2) of this subsection to finance such project shall be repaid to the Secretary as if such payment were a loan made under paragraph (1) unless the Secretary waives the repayment requirement with respect to all or part of such amount.

"(C) The total of payments made by the Secretary under this paragraph for any fiscal year shall not be less than 5 per centum of any funds provided in appropriation acts to carry out paragraph (2) of this subsection for the fiscal year unless the applications for payments received by the Secretary from eligible associations for the fiscal year total less than 5 per centum of such amount.

"(D) For purposes of section 346, each payment made under subparagraph (A) shall be deemed to be a loan unless and until such payment is offset against a grant or the Secretary waives the repayment of such payment.

"(18)(A) The Secretary may make grants to private nonprofit organizations for the purpose of enabling them to provide to associations described in paragraph (17) of this subsection technical assistance and training—

"(i) to identify, and evaluate alternative solutions to, problems relating to the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas;

"(ii) to prepare applications to receive financial assistance for any purpose specified in paragraph (2) of this subsection from any public or private source; and

"(iii) to improve the operation and maintenance practices at any existing works for the storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas.

"(B) In selecting recipients of grants to be made under subparagraph (A), the Secretary shall give priority to private nonprofit organizations which have experience in providing the technical assistance and training described in such subparagraph to such as-

sociations serving rural areas in which residents have low incomes and in which water supply systems or waste facilities are unhealthful.

"(C) The total of grants made by the Secretary under this paragraph for any fiscal year shall not be less than 2 per centum of any funds provided in appropriation acts to carry out paragraph (2) of this subsection for the fiscal year unless the applications for grants received by the Secretary from eligible associations for the fiscal year total less than 2 per centum of such amount.

"(19) In the case of water and waste disposal projects serving more than one separate rural community, the Secretary shall utilize the median population level and the median community income level of all the separate communities to be served in applying the formulas provided in sections 306(a)(2), 306(a)(16), and 307(a)(3)(A)."

(b) Section 307(a)(3)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927) is amended by—

(1) striking out "the poverty line prescribed by the Office of Management and Budget as adjusted under section 624 of the Economic Opportunity Act of 1964 (42 U.S.C. 2971d)" and inserting in lieu thereof "80 per centum of the statewide nonmetropolitan median family income"; and

(2) inserting before the period at the end thereof the following: "; and not in excess of 7 per centum per annum on loans for such facilities which do not qualify for the 5 per centum per annum interest rate but are located in areas where the median family income of the persons to be served by the facilities does not exceed 100 per centum of the statewide nonmetropolitan median family income".

(c) The amendments made by section 3 of this Act shall become effective on October 1, 1983, and shall apply to any association described in section 306(a)(1)(B) of the Consolidated Farm and Rural Development Act without regard to whether the application for the loan or grants involved was made by such association before such effective date.

The CHAIRMAN. Are there amendments to section 3?

AMENDMENTS OFFERED BY MR. DE LA GARZA

Mr. DE LA GARZA. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. DE LA GARZA: On page 3, line 15, strike out "paragraphs (16), (17), (18) and (19):" and insert in lieu thereof "paragraphs (16), (17), (18) and (19), and (20):"

On page 7, on line 17, strike out the quotation mark and the second period, and insert after line 17 the following:

"(20) In providing financial assistance for essential community facilities under this section, the Secretary shall utilize a project selection system to determine which of the applicants for assistance meeting the basic requirements of this section shall be selected to receive assistance. Such project selection system shall provide for the objective and uniform comparison of requests for assistance (in the form of pre-applications) on the basis of the factors of (A) a community median family income level below 80 per centum of the Statewide median family income, (B) a community rate of unemployment and underemployment that takes account of individuals employed on a part-time or seasonal basis, or both, and individuals not participating in the work force because of continued inability to find employment (commonly referred to as 'discouraged

workers'), which exceeds the national nonmetropolitan average rate thereof by at least 10 per centum of such rate, and (C) a sudden economic dislocation the community has experienced or is about to experience resulting in a loss of jobs that is significant, both in terms of the number of jobs eliminated and the effect on the unemployment rate of the community. For purposes of the project selection system, each of the factors described in clauses (A), (B) and (C) of the preceding sentence shall be weighted equally.

On page 8—

(A) line 17, strike out "(a)" following "Section 310B";

(B) line 20, insert "of subsection (a)" after "sentence"; and

(C) line 24, strike out "and" following the semicolon.

On page 9—

(A) line 1, strike out "thereof" and insert in lieu thereof "of subsection (a)";

(B) line 3, strike out the second period and insert in lieu thereof "; and"; and

(C) insert after line 3 the following:

"(3) Inserting after subsection (d) the following new subsection and redesignating subsection (e) as subsection (f):

"(e)(1) In providing financial assistance under this section, the Secretary shall utilize a selection system to determine which of the applicants for assistance meeting the basic requirements of this section shall be selected to receive assistance. Such selection system shall provide for the objective and uniform comparison of requests for assistance (in the form of pre-applications) on the basis of the factors (in the rural area in which the applicant, or the borrower in the case of guaranteed loans, is located) of (A) a median family income level below 80 per centum of the Statewide median family income, (B) a rate of unemployment and underemployment that takes account of individuals employed on a part-time or seasonal basis, or both, and individuals not participating in the work force because of continued inability to find employment (commonly referred to as 'discouraged workers'), which exceeds the national nonmetropolitan average rate thereof by at least 10 per centum of such rate, and (C) a sudden economic dislocation the rural area has experienced or is about to experience resulting in a loss of jobs that is significant, both in terms of the number of jobs eliminated and the effect on the unemployment rate of the rural area. For purposes of the selection system, each of the factors described in clauses (A), (B) and (C) of the preceding sentence shall be weighted equally."

"(2) The Secretary shall, from among the applicants and borrowers selected under the selection system in paragraph (1) to receive assistance, give preference, in making financial assistance available, to applicants or borrowers that will most effectively assist in the creation of long-term employment opportunities for individuals residing in the rural area.

"(3) The Secretary may make grants, not to exceed \$20,000,000 in the aggregate annually, in rural areas for the purpose of training unemployed or underemployed individuals to enable them to fill employment opportunities that will be created as a result of such financial assistance having been made available.

"(4) In preparing and administering the selection systems provided for in this subsection and in section 306(a)(20), the Secretary shall consult with the Secretary of Labor. If the statistics necessary for carry-

ing out the selection systems are not readily available from Federal sources, the Secretary may utilize statistics that are compiled by State or local governmental units in accordance with methodology consistent with Federal standards.

"(5) The Secretary shall prepare and implement, not later than 120 days after the date of enactment of the Emergency Agricultural Credit Act of 1983, a comprehensive plan for employing the programs authorized under this title to assist rural areas to reduce rates of unemployment and underemployment exceeding national levels. The plan shall identify specific activities to be carried out by Department agencies to achieve the objective of this paragraph. The Secretary shall submit such plan to the Committee on Agriculture of the House and the Committee on Agriculture, Nutrition, and Forestry of the Senate at least 30 calendar days before the date the plan is to be implemented."

Mr. DE LA GARZA (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. DE LA GARZA. Mr. Chairman, I also ask unanimous consent that the amendments be considered en bloc, inasmuch as, although they relate to one subject matter, they encompass section 3 and section 4.

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

There was no objection.

Mr. DE LA GARZA. Mr. Chairman, this amendment is offered for the purpose of trying to assist the people in rural America. We have recently passed what we call a jobs bill. This is an attempt, within Department of Agriculture programs, to assist the Secretary in establishing a selection system to determine which applicants for loans or borrowers under guarantees would receive financial assistance under the community facility and business and industrial loan programs.

□ 1400

The criteria for selection, each to be weighted equally, would be low community or area family income, less than 80 percent of the statewide median family income; high unemployment, and underemployment, including individuals who work part time or at seasonal jobs, or individuals, discouraged workers, who no longer participate in the job market, exceeding the national rate by at least 10 percent; and sudden economic dislocation causing significant job loss, in this case as part maybe from the payment in kind program in rural areas.

The Secretary would be authorized to make grants up to \$20 million annually to be used for training unemployed or underemployed persons, to enable them to fill jobs to be created

by enterprises receiving financial assistance.

The Secretary would be required to prepare and implement a comprehensive plan to use Farmers Home programs to assist rural Americans in reducing excessive levels of unemployment and underemployment.

Basically, Mr. Chairman, this is to direct the Department to take a very close look at the gap which exists between urban and rural America and to help close this gap.

My amendment would authorize grants of the \$20 million as I have stated. I think there is an urgent need, for a general plan under which we might direct assistance toward that area in which it is badly needed.

This is an innovative idea, I would attest, but it is a very, very modest step. We have found that under the jobs legislation, even as it was targeted, Mr. Chairman, the areas that have been covered for accelerated projects, or the areas that have been covered for development through the system that we passed here, we do not have many of these areas in rural America. Only in very few rural areas would we have the major public works, the buildings, or anything of that sort.

So this is a very modest attempt at trying to aim a little bit of money to that area of rural America.

We are painfully aware of the current financial crisis in agriculture. We are ordinarily less aware of the job crisis as it afflicts our nonurban areas.

As I have indicated, the Farmers Home Administration operates programs of financial assistance for essential rural community facilities and for rural business and industries. These programs, especially the so-called B&I (business and industrial) program, have been very effective in creating jobs. I believe it is time to target this assistance to areas suffering most acutely from lack of employment opportunities.

To the extent that it is necessary for the agency to choose among applicants for assistance whose needs exceed available funds, my amendment would require the Secretary to develop and objective selection system. The system would be based on three factors affecting the rural communities and areas involved: First, low income; second, high unemployment and underemployment; and, third, sudden economic dislocations adversely affecting employment.

Let me briefly explain these selection factors. The first targets assistance to rural areas or communities with widespread poverty—those having a median income below 80 percent of statewide median income. Experience has shown that there is a high correlation between rural poverty and high rural unemployment. For similar purposes, some proposals would use as a basic guideline a per-

centage of statewide nonmetropolitan income. However, this standard tends to limit aid to too few areas and it can result in sharp disparities in treatment among poorer areas of the various States. Other proposals would use a percentage of a national income guidelines. But it has a characteristic of spreading aid too broadly in lower income States. My proposal uses a moderate or middle-ground—that is, a percentage of the statewide median income.

The second factor used by my amendment is the area's rate of unemployment and underemployment—those having a rate which is at least 10 percent above the national nonmetropolitan rate—for example, a local rate of 11 percent or more if the national rate is 10 percent. I want to emphasize underemployment. According to the U.S. Department of Agriculture's recent report to Congress entitled "Better Country: A Strategy for Rural Development in the 1980's," the lack of job opportunities remains the greatest single problem in rural America. I quote:

Many rural regions suffer unemployment rates substantially higher than the national average. Since 1978, the disparity between rural and urban unemployment has been growing—and not in rural America's favor.

Mr. Chairman, the report goes on to say that the official rate of unemployment is not designed to represent true levels of distress, underemployment, and underutilization of rural America's workers; nor do the official unemployment figures adequately take into account chronic rural poverty. Therefore, my second measure or criterion is a departure from the more traditional unemployment measure we so often see—that is, the so-called rate of unemployment. It is my considered judgment that the commonly used standard of measuring unemployment in rural areas grossly underestimates employment problems. My second criterion is designed to address this problem.

It is drawn from a number of proposals discussed in various committees during their consideration of legislative proposals to address rural economic problems. Since it is not the familiar standard, it will require a degree of ingenuity and resourcefulness on the part of the Secretaries of Labor and Agriculture working cooperatively—perhaps along with State and local governmental units—to devise effective measurement techniques. It is, however, a challenge they should boldly accept to address so pressing a problem. We must begin to get a handle on the true dimensions of the underuse of our human resources in rural areas.

Let me illustrate more specifically the thrust of these provisions. Throughout rural America—but to a

greater degree in some areas than others—large numbers of people work at part-time, sporadic, or seasonal jobs. They do so not by choice, but because regular, stable, full-time jobs are not available. Many rural workers live on farms; if their jobs in town are lost, they continue to farm part time. Further, years of obvious futility in seeking work results in large pools of discouraged workers who are not even considered to be in the job market. The people I have described are not included as unemployed by the traditional measurements. The measurements I propose would take account of them and would, perhaps for the first time on any meaningful basis, recognize their plight and make some movement to address it.

The third factor or criterion I propose provides a degree of flexibility in meeting new threats to jobs as they arise. It emphasizes the effect on workers of sudden shifts in local economic conditions, and permits early action to deal with those conditions before their impact becomes devastating. For example, it would allow appropriate consideration for prospective plant closing which can have terrible effects on employment in small rural areas. And it also would accommodate conditions suddenly arising from policy shifts like the payment-in-kind program that may well have substantial adverse consequences on small-town businesses in farming areas.

In addition, with respect to the B&I program, the amendment provides that, from among the applicants selected under the criteria that I have described, the Secretary will give preference to those which will most effectively assist in the creation of long-term employment opportunities in their rural areas.

Even if my amendment achieves the objectives that I expect of it, it will not be fully successful unless the rural businesses and industries which are created have a trained work force available. As I have said, the chronic underemployment in many areas creates a need for upgrading the skills of those the job market has passed by. To help close this gap, my amendment authorizes grants of \$20 million in any fiscal year for the purpose of training unemployed or underemployed individuals to enable them to fill the jobs that are created.

In addition to the specific activities that I have referred to, I think there is an urgent need for a general plan under which the various financial assistance activities operated by the Farmers Home Administration will be carried out in a manner designed to help reduce unacceptably high rates of unemployment and underemployment. The amendment would direct the Secretary to prepare such a plan and implement it after having given

prior notice to the committees of jurisdiction of the Congress.

I ask your support for what I believe is a modest but badly needed first step in targeting certain Farmers Home rural development programs to those areas suffering most acutely from a lack of jobs. It is an innovative step, in that it would be one of the first efforts to reach what has been, for all too long, a large but largely unrecognized group in our rural areas—those who do not appear in the unemployment statistics but who, in the most real sense, suffer greatly from the absence of job opportunities.

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

Mr. Chairman, I have only one question about the amendment if the gentleman from Texas would be willing to respond. My question would be, Is it the intent of the gentleman from Texas to target this money to areas that are utilizing migrant workers such as the fruit-producing areas?

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

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

Mr. DE LA GARZA. That is one of the areas that would be assisted but it is not necessarily aimed at areas where there are migrant dislocations. But I would submit to the gentleman that it would be a major area.

Mr. MADIGAN. But that is not the gentleman's sole purpose in offering the amendment?

Mr. DE LA GARZA. No; definitely not. When I say rural America I mean all of us who live in that area of this great country.

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

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas (Mr. DE LA GARZA).

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

Mr. MADIGAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused. So the amendments were agreed to.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa:

Page 7, line 25, strike out "and".

Page 8, line 8, strike out the period and insert in lieu thereof "; and".

Page 8, immediately after line 8, insert the following:

"(3) adding at the end thereof the following: 'The interest rate on loans for water and waste disposal facilities shall be the lower of (i) the rate in effect at the time of the loan approval, or (ii) the rate in effect at the time of the loan closing.'"

Mr. SMITH of Iowa. Mr. Chairman, we have a rather unusual situation right now that I do not think has occurred prior to this time. In the case of water and sewer loans, some of these loans were approved a year ago or so when the interest rate, which is cost to the Government, was higher than it is at the present time. In fact, it was about 11 percent. Some of these loans have not been closed yet, and the cost of money to the Government has gone down to around 9 percent. This amendment would establish that the rate to be in effect on such a loan would be the rate at the time of closing, at the time of closing rather than at the time of approval if it is lower at the time of closing.

In these cases no money has been distributed and if they were loans to an individual FmHA borrower rather than a sewer or water district, the rate would be handled this way. This amendment makes it clear that in the case of water sewer loans, the interest rate will be either the rate at the time of approval or the rate in effect at the time of closing, whichever is lower.

I would hope that no one would object to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH).

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

RECORDED VOTE

Mr. MADIGAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 399, noes 1, not voting 32, as follows

[Roll No. 76]

AYES—399

Ackerman	Boxer	D'Amours
Akaka	Breaux	Daniel
Albosta	Britt	Dannemeyer
Alexander	Brooks	Daub
Anderson	Broomfield	Davis
Andrews (NC)	Brown (CA)	de la Garza
Andrews (TX)	Brown (CO)	Dellums
Anthony	Bryant	Derrick
Applegate	Burton	DeWine
Archer	Byron	Dickinson
AuCoin	Carney	Dicks
Badham	Carper	Dingell
Barnes	Carr	Dixon
Bartlett	Chandler	Donnelly
Bateman	Chappell	Dorgan
Bates	Cheney	Dowdy
Bedell	Clarke	Downey
Beilenson	Clay	Dreier
Bennett	Clinger	Duncan
Bereuter	Coats	Durbin
Berman	Coleman (MO)	Dwyer
Bethune	Coleman (TX)	Dymally
Bevill	Collins	Dyson
Biaggi	Conable	Early
Billirakis	Conte	Eckart
Billiey	Conyers	Edgar
Boehlert	Cooper	Edwards (CA)
Boggs	Corcoran	Edwards (OK)
Boland	Coughlin	Emerson
Boner	Courter	English
Bonior	Coyne	Erdreich
Bonker	Craig	Erlenborn
Borski	Crane, Daniel	Evans (IA)
Bosco	Crane, Philip	Evans (IL)
Boucher	Crockett	Fascell

Fazio
Feighan
Ferraro
Fiedler
Fields
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Forsythe
Powler
Frank
Franklin
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gore
Gradison
Gramm
Gray
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Harrison
Hartnett
Hawkins
Hefner
Heftel
Hertel
Hightower
Hiller
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Jones (NC)
Jones (OK)
Jones (TN)
Kaptur
Kasich
Kastenmeier
Kazen
Kemp
Kennelly
Kildee
Kolter
Kostmayer
Kramer
LaFalce
Lagomarsino
Latta
Leach
Leath
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin
Levine
Levitas
Lewis (CA)
Lewis (FL)
Lipinski
Livingston

Lloyd
Loeffler
Long (LA)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Mack
MacKay
Madigan
Markey
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McDonald
McEwen
McGrath
McHugh
McKernan
McNulty
Mica
Michel
Mikulski
Miller (OH)
Mineta
Minish
Mitchell
Molinari
Mollohan
Montgomery
Moody
Moore
Moorhead
Morrison (CT)
Morrison (WA)
Mrzek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielsen
Nowak
O'Brien
Oakar
Oberstar
Obey
Olin
Ortiz
Ottinger
Oxley
Packard
Panetta
Parris
Pashayan
Patman
Patterson
Paul
Pease
Penny
Pepper
Perkins
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Rangel
Ratchford
Ray
Regula
Reid
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino

Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Aspin
Barnard
Broyhill
Campbell
Chappie
Coelho
Daschle
Edwards (AL)
Fish

NOES—1

Zschau

NOT VOTING—32

Addabbo
Annunzio
Aspin
Barnard
Broyhill
Campbell
Chappie
Coelho
Daschle
Edwards (AL)
Fish

Hall (IN)
Harkin
Hatcher
Johnson
Kindness
Kogovsek
Lantos
Long (MD)
McCain
McKinney
Miller (CA)

Moakley
Owens
Schumer
Solarz
Towns
Vander Jagt
Vento
Waxman
Whitten
Wilson

□ 1420

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to section 3? If not, the Clerk will designate section 4.

The text of section 4 reads as follows:

BUSINESS AND INDUSTRIAL LOAN LIMITS;
ELIGIBLE LENDERS

Sec. 4. Section 310B(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)) is amended by—

(1) in the third sentence, inserting after "other lenders" the following "(including commercial banks, trust companies, cooperative lending agencies, mortgage banking firms, insurance companies, and other firms and agencies authorized by law to lend money)"; and

(2) adding at the end thereof "No loan may be made, insured, or guaranteed under this subsection which exceeds \$25,000,000 in principal amount."

AMENDMENT OFFERED BY MR. WATKINS

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

The Clerk read as follows:

Amendment offered by Mr. WATKINS: Page 8, line 17, insert "(a)" after "SEC. 4." Page 9, after line 3, insert the following new subsections:

"(f)(1) The Secretary shall make grants under this subsection to nonprofit institutions for the purpose of enabling such institutions to establish and operate centers of rural technology development.

"(2) Any nonprofit institution seeking a grant under paragraph (1) shall submit to the Secretary an application containing a plan for the establishment and operation by such institution of a center for rural technology development. The Secretary may approve such application if such plan contains the following:

"(A) A provision that such center will be located in a rural area in the United States.

"(B) A provision that the primary objective of such center will be to improve the economic condition of rural areas by promoting the development (through technological innovation and adaptation of existing technology) and commercialization of—

"(i) new products which can be produced in rural areas; and

"(ii) new processes which can be utilized in the production of products in rural areas.

"(C) A description of the activities which such center will carry out to accomplish such objective. Such activities may include the following:

"(i) Programs for technology search, investigations, and basic feasibility studies in

any field or discipline for the purpose of generating principles, facts, technical knowledge, new technology, and other information which may be useful to rural industries, agribusinesses, and other persons, in rural areas in the development and commercialization of new products and processes.

"(ii) Programs for the collection, interpretation, and dissemination of existing principles, facts, technical knowledge, new technology, and other information which may be useful to rural industries, agribusinesses, and other persons, in rural areas in the development and commercialization of new products and processes.

"(iii) Programs providing training and instruction for individuals residing in rural areas with respect to the development (through technological innovation and adaptation existing technology) and commercialization of new products and processes.

"(iv) Programs providing loans and grants to individuals in rural areas and to small businesses in rural areas for purposes of generating, evaluating, developing, and commercializing new products and processes.

"(v) Programs providing technical assistance and advisory services to individuals, small businesses, and industries, in rural areas for purposes of developing and commercializing new products and processes.

"(D) A description of the contributions which such activities are likely to make to the improvement of the economic condition of the rural area in which such center is to be located.

"(E) Provisions that such center, in carrying out such activities will seek, where appropriate, the advice, participation, expertise, and assistance of representatives of business, industry, educational institutions, the Federal Government, and State and local governments.

"(F) Provisions that such center—

"(i) will consult with any college or university administering any program under title V of the Rural Development Act of 1972 (7 U.S.C. 2661 et seq.) in the State in which such center is located; and

"(ii) will cooperate with such college or university in the coordination of such activities and such program.

"(G) Provisions that such center will take all practicable steps to develop continuing sources of financial support for such center, particularly from sources in the private sector.

"(H) Provisions for—

"(i) the monitoring and evaluation of such activities by the institution operating such center; and

"(ii) the accounting of money received by such institution under this section.

"(3) Grants made under paragraph (1) shall be made on a competitive basis. In making grants under paragraph (1), the Secretary shall give preference to grant applications providing for the establishment of centers for rural technology development which—

"(A) will be located in rural areas which have—

"(i) few rural industries and agribusinesses;

"(ii) high levels of unemployment;

"(iii) high rates of migration of people, businesses, and industries; and

"(iv) low levels of per capita income; and

"(B) will contribute the most to the improvement of economic conditions of rural areas.

"(4) As used in this subsection—

"(A) the term 'nonprofit institution' means any organization or institution, in-

cluding any accredited institution of higher education, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(B) the term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States."

(c) The amendment made by subsection (b) shall take effect October 1, 1983.

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

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

There was no objection.

Mr. WATKINS. Mr. Chairman, I think it goes without a whole lot of explanation that in rural America and the life in agriculture we have more economic problems today than we have had for a number of years. In fact, something that has not been expressed and should be repeated on this floor is that approximately 25 years ago, the United States had something like one-third of the people in this country involved in the production of agriculture. Today, Mr. Chairman, we have less than 3 percent of the people involved in the production of agriculture.

What we have had is an erosion of our people away from the family farms, away from agricultural production into different and diversified areas of the economy, mainly in larger urban areas.

Mr. Chairman, one of the things that I would like to point out as we look at this particular piece of legislation that in agriculture the last 3 years we have had declining farm income. In other words, the last 3 years our farmers have lost money.

Mr. Chairman, also one of the other things they have experienced for the first time in rural America on our family farms and in agriculture is a loss of equity. Much of our farmland has not grown in real value.

□ 1430

Farmers have not had the actual growth in equity in their equipment. Mr. Chairman, our farm people, our agricultural production people, have lost the equity of their equipment, have lost the equity of their land and, therefore, have a tremendous problem in refinancing and keeping adequate farm income to be able to stay on the farm. In fact, Mr. Chairman, in 1950, for each dollar of income, the family farmer had a dollar's worth of credit. In 1960 for each \$1 of income, the farmer had \$1.35 in credit that he had to repay. And in 1982, the American farmer finds that for each dollar of

income, he is confronted with over \$13 of credit that he is trying to repay.

I think the fact that really highlights the problems in rural America, in the small rural communities and the family farmers, is that this past year two-thirds of the income of the American farmers throughout this Nation came from off the farm, not from production on the farm. Two-thirds of their income had to come from another source other than agriculture. Mr. Chairman, this particular amendment is trying to provide, in mainly the depressed rural areas or economically decayed areas of America, an opportunity to work with new technologies, to establish centers of rural technology development in order to try to build those jobs in depressed rural areas where the Fortune 500 are not going to move. Where the chief executive officers will not be moving plants. But we can work with new technologies and try to develop new products and processes from that technology to establish new businesses and new industries in those areas in order to try to build private sector jobs.

I think that most of our people will take that challenge. They will take the challenge of trying to help themselves by working with ideas for new products and processes and trying to increase the economic level of those people in the depressed rural areas where we have spent billions of dollars but have not put the mechanism there to help produce the jobs.

So I would like to plead with my colleagues on both sides of the aisle to accept this amendment to expand section 4, under B and I, to be able to establish those centers for rural technology development.

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

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

Mr. DURBIN. Mr. Chairman, I rise in support of this amendment offered by the gentleman from Oklahoma (Mr. WATKINS).

I think that the watchwords in our economy today are "high technology." Often agriculture is overlooked. In fact, it is the technology and productivity that has brought American agriculture to the point that the gentleman has described, where a very, very small percentage of our population can feed not only the United States, but can feed almost 40 percent of the world.

I think that the gentleman's amendment really focuses attention on a much-needed aspect of American agriculture, and that is the fact that it is on the cutting edge of new technology. Bringing together that technology with the productive capacity we have in this country cannot only put people to work in rural America but can create jobs through that whole food chain, as it does today.

I commend the gentleman for his amendment, I stand in support of it, and I recommend it to my colleagues as well.

Mr. WATKINS. I thank the gentleman for his support and his words of wisdom, and I think the gentleman is certainly right. The new technologies are there. But we have not made them available. Only in agriculture itself have we seen an area of technology transfer, but we have utilized such technology only in the production of agriculture and not in the rural business and industrial development.

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

Mr. Chairman, I would seek recognition only briefly to ask the gentleman from Oklahoma (Mr. WATKINS) if his amendment authorizes the expenditure of any new or additional money by the Department of Agriculture.

Mr. WATKINS. If the gentleman will yield, no, it does not. I appreciate the question. It does not. It provides in that particular section being able to work within the amount of money available.

Mr. MADIGAN. I thank the gentleman for his answer.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words, and I do so to engage in a colloquy with the distinguished gentleman from Oklahoma (Mr. WATKINS).

I have had some concern expressed to me in relation to the gentleman's proposal, which I think is meritorious, as to what impact it will have on existing agricultural programs in higher institutions like the land-grant colleges or universities, our experiment stations, and such. How does the gentleman contemplate his amendment working into that system?

Mr. WATKINS. If the chairman will yield, I appreciate his question because basically this does not affect those funds that go to the institutions of higher learning for the experimental research and demonstration moneys in order to try to provide the new expertise or the new research in agricultural production or in agricultural hybrid feeds, or whatever, in that area. This is additional. It is different. It is different from the standpoint that we are working with the technologies from that research. In many areas, yes, in agriculture the technologies developed in ARS, the technologies developed in NASA, the technologies developed in the Corps of Engineers, the technologies that are developed in all of the Federal laboratories across the country, in order to try to take that research and, from that technology, transfer, get the technology developed in order to produce the low technology and high technology out in the rural communities and many areas that will not have

any way to provide the opportunity of building new businesses and industries or building jobs unless something like this happens.

Mr. DE LA GARZA. May I further ask the gentleman, in the initial section of his amendment he stipulates that any nonprofit institution seeking a grant, et cetera, does that mean that we are looking at existing nonprofit institutions?

Mr. WATKINS. If the chairman will yield, it could mean those who have the expertise in doing that technology transfer or using that technology transfer. It does not mean that there is just a blank check there. And that is the reason why we have said the nonprofit institutions also, because it will allow those that do have expertise already developed, those who have the kinds of skills there of working in technology transfer to be able to utilize this program.

Mr. DE LA GRAZA. Then we could take it to mean that a nonprofit institution could be an educational institution or a vocational community college or technical training institute that would be nonprofit?

Mr. WATKINS. If the gentleman will yield, yes; it could be. And I think that the broadness of the language would allow those who submit the proper applications and could focus on a particular outline or thrust that would allow us to transfer technology for new products, the potential for new businesses and industries, that would develop jobs in those areas. I think that broadness and depth of meaning could be definitely interpreted.

Mr. DE LA GARZA. I hope that it would not—and I ask the gentleman respectfully—mean that three or four people can, say, get together and form a nonprofit institution to apply for a grant, having no knowledge or expertise but may be just a way to get a grant to begin something. Is that what is intended in this amendment?

Mr. WATKINS. If the chairman will yield, I can assure the gentleman that I think that if it is like most grants, there will be careful scrutiny by the USDA, especially in the B & I area of USDA, and without a professional application, an application allowing the professionalism and expertise to be there, I would not make one of these grants to a nonprofit institution or an educational institution unless they provided a program of work showing how it could lead to the establishment of new product development and new businesses and new industries in a particular area.

Mr. DE LA GARZA. I thank the gentleman.

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

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

RECORDED VOTE

Mr. MADIGAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 383, noes 8, not voting 41, as follows:

[Roll No. 77]

AYES—383

Ackerman	DeWine	Hubbard
Akaka	Dickinson	Huckaby
Albosta	Dingell	Hughes
Alexander	Dixon	Hunter
Anderson	Donnelly	Hutto
Andrews (NC)	Dorgan	Hyde
Andrews (TX)	Dowdy	Jacobs
Anthony	Downey	Jeffords
Applegate	Duncan	Jenkins
Archer	Durbin	Jones (NC)
Aspin	Dwyer	Jones (OK)
AuCoin	Dymally	Jones (TN)
Badham	Dyson	Kaptur
Barnes	Early	Kasich
Bartlett	Eckart	Kastenmeier
Bateman	Edgar	Kazen
Bates	Edwards (CA)	Kemp
Bedell	Edwards (OK)	Kennelly
Bellenson	Emerson	Kildee
Bennett	English	Kindness
Berman	Erdreich	Kogovsek
Bethune	Evans (IA)	Kolter
Bevill	Evans (IL)	Kostmayer
Biaggi	Fascell	Kramer
Billrakis	Fazio	Lagomarsino
Billie	Feighan	Latta
Boehlert	Ferraro	Leach
Boland	Fiedler	Leath
Boner	Fields	Lehman (CA)
Bonior	Fish	Lehman (FL)
Bonker	Filippo	Leland
Borski	Florio	Lent
Bosco	Foglietta	Levin
Boucher	Foley	Levine
Boxer	Ford (TN)	Levitas
Breaux	Fowler	Lewis (FL)
Britt	Frank	Lipinski
Brooks	Franklin	Livingston
Broomfield	Frenzel	Lloyd
Brown (CA)	Frost	Loeffler
Brown (CO)	Fuqua	Long (LA)
Broyhill	Garcia	Long (MD)
Bryant	Gedjenson	Lott
Burton	Gekas	Lowery (CA)
Byron	Gephardt	Lowry (WA)
Carney	Gilman	Lujan
Carper	Gingrich	Luken
Carr	Glickman	Lundine
Chandler	Gonzalez	Lungren
Chappell	Goodling	Mack
Cheney	Gore	MacKay
Clarke	Gradison	Madigan
Clay	Gramm	Markey
Clinger	Gray	Marlenee
Coats	Green	Marriott
Coelho	Gregg	Martin (IL)
Coleman (TX)	Guarini	Martin (NC)
Collins	Gunderson	Martin (NY)
Conable	Hall (OH)	Martinez
Conte	Hall, Ralph	Matsui
Conyers	Hall, Sam	Mavroules
Cooper	Hamilton	Mazzoli
Corcoran	Hammerschmidt	McCloskey
Coughlin	Hance	McCollum
Courter	Hansen (UT)	McCurdy
Coyne	Harrison	McDade
Craig	Hartnett	McEwen
Crane, Daniel	Hawkins	McGrath
Crane, Phillip	Hefner	McHugh
Crockett	Hefelt	McKernan
D'Amours	Hertel	McNulty
Daniel	Hightower	Mica
Dannemeyer	Hiler	Michel
Daschle	Hillis	Mikulski
Daub	Holt	Miller (CA)
Davis	Hopkins	Miller (OH)
de la Garza	Horton	Mineta
Dellums	Howard	Minish
Derrick	Hoyer	Mitchell

Mollohan	Rodino	Stenholm
Montgomery	Roe	Stokes
Moody	Roemer	Stratton
Moore	Rogers	Studds
Moorhead	Rose	Stump
Morrison (CT)	Rostenkowski	Sundquist
Morrison (WA)	Roth	Swift
Murphy	Roukema	Synar
Murtha	Rowland	Tallon
Myers	Roybal	Tauke
Natcher	Rudd	Tauzin
Neal	Russo	Taylor
Nelson	Sabo	Thomas (CA)
Nichols	Savage	Thomas (GA)
Nielson	Sawyer	Torres
Nowak	Schaefer	Torricelli
O'Brien	Scheuer	Traxler
Oakar	Schneider	Udall
Oberstar	Schroeder	Valentine
Obey	Schulze	Vandergriff
Olin	Seiberling	Volkmer
Ortiz	Sensenbrenner	Vucanovich
Ottinger	Shannon	Watkins
Packard	Sharp	Weaver
Panetta	Shaw	Weber
Parris	Shelby	Wheat
Pashayan	Shumway	Whitehurst
Patman	Shuster	Whitley
Pease	Sikorski	Whittaker
Penny	Siljander	Whitten
Pepper	Simon	Williams (MT)
Perkins	Sisisky	Williams (OH)
Petri	Skeen	Wilson
Pickle	Skelton	Winn
Porter	Slattery	Wirth
Price	Smith (FL)	Wise
Pritchard	Smith (IA)	Wolf
Pursell	Smith (NE)	Wolpe
Quillen	Smith (NJ)	Wortley
Rahall	Smith, Denny	Wright
Rangel	Smith, Robert	Wyden
Ratchford	Snowe	Wylie
Ray	Snyder	Yates
Regula	Solomon	Young (AK)
Reid	Spence	Young (FL)
Richardson	Spratt	Young (MO)
Ridge	Staggers	Zablocki
Ritter	Stangeland	Zschau
Robinson	Stark	

NOES—8

Chappie	McCandless	Vento
Dreier	McDonald	Weiss
Lewis (CA)	Paul	

NOT VOTING—41

Addabbo	Hall (IN)	Oxley
Annunzio	Hansen (ID)	Patterson
Barnard	Harkin	Rinaldo
Bereuter	Hatcher	Roberts
Boggs	Ireland	Schumer
Campbell	Johnson	Solarz
Coleman (MO)	LaFalce	St Germain
Dicks	Lantos	Towns
Edwards (AL)	McCain	Vander Jagt
Erlenborn	McKinney	Walgren
Ford (MI)	Moakley	Walker
Forsythe	Molinari	Waxman
Gaydos	Mrazek	Yatron
Gibbons	Owens	

□ 1450

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. FOLEY) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

A message in writing from the President of the United States was commu-

nicated to the House by Mr. Saunders, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

EMERGENCY AGRICULTURAL CREDIT ACT OF 1983

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee (Mr. JONES).

Mr. DE LA GARZA. Mr. Chairman, I would ask as a parliamentary inquiry, can we reconsider the vote?

The CHAIRMAN. The gentleman from Tennessee (Mr. JONES) has been seeking recognition, and the Chair recognizes the gentleman.

Mr. JONES of Tennessee. Mr. Chairman, I ask unanimous consent that I may have 5 minutes to speak out of order, and that I may use that time for a colloquy with my good friend, the gentleman from Michigan (Mr. ARBOSTA) on section 3 of this bill.

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

Mr. ST GERMAIN. Mr. Chairman, reserving the right to object, a great number of us came into the Chamber for this vote. The clock downstairs obviously was in error, as well as the clocks on our TV screens. We are wondering if there is an opportunity for us to move to reconsider the vote?

The CHAIRMAN. The Chair will state that there is no motion to reconsider in the Committee of the Whole.

Mr. ST GERMAIN. Mr. Chairman, can we ask unanimous consent to do that?

The CHAIRMAN. Does the gentleman ask unanimous consent to vacate the vote?

Mr. GIBBONS. No, Mr. Chairman, we ask to be allowed to be recorded as voting. We were all here.

The CHAIRMAN. The Chair cannot entertain that request following the final announcement of the vote.

Mr. ST GERMAIN. Mr. Chairman, how about a request to vacate the vote? What would be the implications of that?

The CHAIRMAN. In that event the House could have a new 15-minute vote.

Mr. ST GERMAIN. And the Members would have a chance to vote again?

Mr. GIBBONS. Mr. Chairman, there must have been a dozen of us who did not have the opportunity to vote.

The CHAIRMAN. The gentleman will restate his question to the Chair.

Mr. ST GERMAIN. Further reserving the right to object, Mr. Chairman, the gentleman from Rhode Island, on behalf of a great number of Members, would like to know if there is a parliamentary procedure for those Members who were diligent in an effort to be here on time but were misled by one of the clocks that was obviously in error

to have themselves recorded on the vote that just preceded this colloquy.

Mr. Chairman, I yield to the gentleman from Texas (Mr. DE LA GARZA).

The CHAIRMAN. Does the gentleman from Texas (Mr. DE LA GARZA) have a unanimous-consent request?

Mr. DE LA GARZA. Yes, Mr. Chairman.

Mr. Chairman, I ask unanimous consent that the preceding vote be vacated and that a new vote be taken on the same amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas that the vote be vacated and that there be a new recorded vote on the Watkins amendment?

There was no objection.

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

Those Members in favor will vote "aye," and those opposed will vote "no."

The vote will be taken by electronic device.

The vote was taken by electronic device, and there were—ayes 398, noes 3, not voting 31, as follows:

[Roll No. 78]

AYES—398

- | | | |
|--------------|---------------|---------------|
| Ackerman | Clarke | Ferraro |
| Addabbo | Clay | Fiedler |
| Akaka | Clinger | Fields |
| Albosta | Coleman (MO) | Fish |
| Alexander | Coleman (TX) | Fliippo |
| Anderson | Collins | Florio |
| Andrews (NC) | Conable | Foglietta |
| Andrews (TX) | Conte | Foley |
| Anthony | Conyers | Ford (MI) |
| Applegate | Cooper | Ford (TN) |
| Archer | Corcoran | Porsythe |
| Aspin | Courter | Fowler |
| AuCoin | Coyne | Frank |
| Badham | Craig | Franklin |
| Barnes | Crane, Philip | Frenzel |
| Bartlett | Crockett | Frost |
| Bateman | D'Amours | Fuqua |
| Bates | Daniel | Garcia |
| Bedell | Dannemeyer | Gaydos |
| Bellenson | Daschle | Gejdenson |
| Bennett | Daub | Gekas |
| Bereuter | Davis | Gephardt |
| Berman | de la Garza | Gibbons |
| Bethune | Dellums | Gilman |
| Bevill | Derrick | Gingrich |
| Biaggi | DeWine | Glickman |
| Bilirakis | Dickinson | Gonzalez |
| Bliley | Dicks | Goodling |
| Boehlert | Dingell | Gore |
| Boggs | Dixon | Gradison |
| Boland | Donnelly | Gramm |
| Boner | Dorgan | Gray |
| Bonior | Dowdy | Green |
| Bonker | Downey | Gregg |
| Borski | Dreier | Guarini |
| Bosco | Duncan | Gunderson |
| Boucher | Durbin | Hall, Ralph |
| Boxer | Dwyer | Hall, Sam |
| Breaux | Dymally | Hamilton |
| Britt | Dyson | Hammerschmidt |
| Brooks | Early | Hance |
| Broomfield | Eckart | Hansen (UT) |
| Brown (CA) | Edgar | Harkin |
| Brown (CO) | Edwards (CA) | Harrison |
| Broyhill | Edwards (OK) | Hartnett |
| Bryant | Emerson | Hatcher |
| Burton | English | Hawkins |
| Byron | Erdreich | Hefner |
| Carney | Erlenborn | Hefelt |
| Carper | Evans (IA) | Hertel |
| Chandler | Evans (IL) | Hightower |
| Chappell | Fascell | Hiler |
| Chappie | Fazio | Hillis |
| Cheney | Feighan | Holt |

- Hopkins
- Horton
- Howard
- Hoyer
- Hubbard
- Huckaby
- Hughes
- Hunter
- Hutto
- Hyde
- Ireland
- Jacobs
- Jeffords
- Jenkins
- Jones (NC)
- Jones (OK)
- Jones (TN)
- Kaptur
- Kasich
- Kastenmeier
- Kazen
- Kemp
- Kennelly
- Kildee
- Kindness
- Kogovsek
- Kolter
- Kostmayer
- Kramer
- LaFalce
- Lagomarsino
- Latta
- Leach
- Leath
- Lehman (CA)
- Lehman (FL)
- Leland
- Lent
- Levin
- Levine
- Levitas
- Lewis (CA)
- Lewis (FL)
- Lipinski
- Livingston
- Lloyd
- Loeffler
- Long (LA)
- Long (MD)
- Lott
- Lowery (CA)
- Lowry (WA)
- Lujan
- Luken
- Lungren
- Mack
- MacKay
- Madigan
- Markey
- Marriott
- Martin (NC)
- Martin (NY)
- Martinez
- Matsui
- Mavroules
- Mazzoli
- McCandless
- McCloskey
- McCollum
- McCurdy
- McDade
- McEwen
- McGrath
- McHugh
- McKernan
- Mica
- Mikulski
- Miller (CA)
- Miller (OH)

- Mineta
- Minish
- Mitchell
- Molinari
- Mollohan
- Montgomery
- Moody
- Moore
- Moorhead
- Morrison (CT)
- Morrison (WA)
- Murphy
- Murtha
- Myers
- Natcher
- Neal
- Nelson
- Nichols
- Nielson
- Nowak
- O'Brien
- Oakar
- Oberstar
- Obey
- Olin
- Ortiz
- Ottinger
- Owens
- Oxley
- Packard
- Panetta
- Parris
- Pashayan
- Patman
- Patterson
- Pease
- Penny
- Pepper
- Perkins
- Petri
- Pickle
- Porter
- Price
- Pritchard
- Pursell
- Quillen
- Rahall
- Rangel
- Ratchford
- Ray
- Regula
- Reid
- Richardson
- Ridge
- Rinaldo
- Ritter
- Robinson
- Rodino
- Roe
- Roemer
- Rogers
- Rose
- Rostenkowski
- Roth
- Roukema
- Rowland
- Roybal
- Rudd
- Russo
- Sabo
- Savage
- Sawyer
- Schaefer
- Scheuer
- Schneider
- Schroeder
- Schulze
- Seiberling
- Sensenbrenner

NOES—3

- McDonald
- Paul
- Vento

NOT VOTING—31

- | | | |
|---------------|-------------|-------------|
| Annunzio | Hansen (ID) | Mrazek |
| Barnard | Johnson | Roberts |
| Campbell | Lantos | Schumer |
| Carr | Lundine | Solarz |
| Coats | Marlenee | Torres |
| Coelho | Martin (IL) | Towns |
| Coughlin | McCain | Vander Jagt |
| Crane, Daniel | McKinney | Wortley |
| Edwards (AL) | McNulty | Wright |
| Hall (IN) | Michel | |
| Hall (OH) | Moakley | |

□ 1510

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to advise the Members that working with diligence, under the art of the possible, and with very diligent work of staff and the Members, we seem to have reached some semblance of agreement on three of the proposed items that have been in controversy in the legislation.

There are a couple of other amendments that I do not anticipate would require recorded votes. So I would ask Members to bear with us. I know of no amendment on which I would call for a recorded vote or anyone on this side would. I would hope such would be the case on the other side. So I would like to advise the Members that we are proceeding working toward a final conclusion of this legislation hopefully within the hour, and, if not, maybe a little bit more time, but not anticipating at this point any further recorded votes.

I yield back the balance of my time.

□ 1520

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

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

Mr. JONES of Tennessee. I yield to the gentleman from Michigan for a colloquy.

Mr. ALBOSTA. I thank the gentleman for yielding.

Mr. Chairman, I have one question which I would like to ask at this time to clarify a problem that exists in my own State of Michigan concerning the Farmers Home Administration's water and wastewater grant and loan program.

Currently, there are many communities in Michigan not eligible for Farmers Home grants to build water and/or wastewater treatment systems because of the FmHA regulation which states that communities with a median family income greater than 85 percent of the statewide nonmetropolitan median family income are not eligible for any grant assistance under this FmHA program.

As a result, it has become too expensive for many communities in Michigan to participate in this Farmers Home program. The debt service levels are just too high to make many of these projects feasible. For example, in Michigan, 85 percent of the statewide nonmetropolitan median family income is about \$14,700. Under this rule, only 26 percent of the rural communities are eligible for grant assistance to build needed water and wastewater systems.

Therefore my question, Mr. Chairman, is whether the language in this bill, H.R. 1190 and on pages 14 and 15 of accompanying House Report 98-48, will permit a graduated scale of grant assistance to communities so that no longer will any needy community be ineligible for grant assistance based on their median family income?

Mr. JONES of Tennessee. Yes, the gentleman from Michigan is absolutely correct. H.R. 1190 and the accompanying language in House Report 98-48 establishes a sliding scale of grant assistance to eligible rural communities and will correct the problem in Michigan with the current Farmers Home regulations requiring communities to have a median family income to 85 percent or less of the statewide nonmetropolitan median family income in order to be eligible for any grant assistance under this FmHA program.

Mr. ALBOSTA. Furthermore is it the intent of the House Agriculture Committee and the full House that Farmers Home follow the guidelines set down in the language in House Report 98-48 in issuing regulations for the water and wastewater program?

Mr. JONES of Tennessee. We expect FmHA to use the language contained in the bill and the committee report in promulgating the regulations to govern this program.

Mr. ALBOSTA. I thank the distinguished chairman of the Conservation, Credit and Rural Development Subcommittee for taking the time to clarify the rules under which the FmHA water and wastewater grant program will operate under H.R. 1190. This is a matter of great concern to many rural communities in Michigan and I believe the changes contained in H.R. 1190 and as clarified by the distinguished gentleman from Tennessee will make this program operate more effectively in Michigan. The gentleman from Tennessee deserves a great deal of recognition for bringing the Emergency Agricultural Credit Act to the floor. His leadership on issues of concern to rural America is appreciated by those of us representing rural districts in Congress.

Mr. Chairman, again I thank the gentleman.

Mr. JONES of Tennessee. Mr. Chairman, I thank the gentleman from Michigan (Mr. ALBOSTA), and I yield back the balance of my time.

AMENDMENTS OFFERED BY MR. DORGAN

Mr. DORGAN. Mr. Chairman, I offer amendments.

The CHAIRMAN. The Clerk read as follows:

Amendments offered by Mr. DORGAN: On page 8—

(A) line 17, strike out "(a)" following "Section 310B";

(B) line 20, insert "of subsection (a)" after "sentence"; and

(C) line 24, strike out "and" following the semicolon.

On page 9—

(A) line 1, strike out "thereof" and insert in lieu thereof "of subsection (a)";

(B) line 3, strike out the second period and insert in lieu thereof "; and"; and

(C) insert after line 3 the following:

"(3) inserting after subsection (e) the following new subsection:

"(f) Notwithstanding any other provisions of this title or any other law, during the period beginning with the date of enactment of the Emergency Agricultural Credit Act of 1983 and ending on September 30, 1984—

"(1) The Secretary shall make and insure loans to small businesses that are located in rural areas and that (i) are engaged in furnishing farmers and ranchers machinery, supplies, and services directly related to the production of commodities that are eligible for payment-in-kind land diversion programs carried out by the Secretary, and (ii) establish by substantial evidence that they are experiencing severe economic hardship directly attributable to the operation of such program. Loans shall be made under this subsection for the purpose of assisting eligible borrowers to continue to operate their businesses during the period of such economic hardship.

"(2) No loan may be made or insured under this subsection which exceeds \$50,000 in principal amount.

"(3) The period of repayment of loans made or insured under this subsection shall be 12 months.

"(4) The rate of interest on loans made or insured under this subsection shall be the rate of interest applicable to operating loans under section 316(a)(1), reduced by 3 per centum.

"(5) Not less than 10 per centum of the funds that may be used for industrial development loans under the Act of December 18, 1982 (Public Law 97-370, 96 Stat. 1799) during fiscal year 1983 shall be made available for loans made or insured under this subsection to the extent needed to meet applications filed by small business that are eligible for such loans.

"(6) The Secretary shall issue regulations implementing this subsection not later than sixty days after the date of enactment of the Emergency Agricultural Credit Act of 1983."

On page 26, after line 24, insert the following: "during the fiscal year ending September 30, 1984, not less than 10 per centum of the funds that may be used for industrial development loans shall be made available for loans made or insured under section 310B(f) to the extent needed to meet applications filed by small businesses that are eligible for such loans."

Mr. DORGAN (during the reading). I ask unanimous consent the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. DORGAN. I ask unanimous consent to offer these amendments en bloc to H.R. 1190. The amendments would amend not only section 4 but section 15 of the bill as they relate to one subject.

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

There was no objection.

Mr. DORGAN. Mr. Chairman, the amendment I have sent to the desk would add to the Emergency Agricultural Credit Act a section designed to offer emergency credit to farm supply and service businesses which have been adversely affected by the payment-in-kind program.

Mr. Chairman, this Congress and the administration have embarked on a PIK program (payment-in-kind). Most of us on this floor believe that it is a unique and creative approach, to address the farm problem and we hope very much that it will work to reduce the surplus grain that we have in this country and, therefore, work to increase farm prices.

The farmers have done their part. The farmers of America have agreed to participate in PIK, in large numbers.

But the participation in the PIK program is not equal across all States. For example, the State of North Dakota has a very, very heavy participation. Nationally farmers have agreed to remove about 82 million acres from production that are normally planted to wheat, to corn, to cotton, and to rice.

As I said in North Dakota the rate of participation was very substantial. In North Dakota 43 percent of the total base acreage will be idled, and in Minnesota 43 percent of the total base acreage will be idled.

My concern is that now that we have embarked on the PIK program in which we try to get farmers to decrease their production, there are going to be some independent, small businesses on the main streets of the towns in rural America whose business is principally to supply products and services to family farmers and who will experience some very significant reductions in their business this year.

The USDA estimates in the seed business a 12- to 15-percent decline this year, in the fertilizer business, a 12- to 14-percent decline this year, pesticides, 12- to 15-percent decline this year.

Statistics that relate directly to States such as North Dakota and Minnesota which have a much higher participation in PIK would show a higher decline in sales for some of these main street business people.

My point is as we proceed down the road with the PIK program, if we have areas in which the sale of fertilizer or chemicals will be reduced by 40 percent this year for small businesses who have already suffered perhaps a 15- or 20-percent decrease last year, it seems to me we ought to try to analyze what we can do with the Farmers Home Administration programs to try to give some of those folks a chance to survive until the PIK programs kicks in an starts working.

What I have done in this amendment, Mr. Chairman, is to provide a

method by which small businesses who have suffered severe financial hardship and can demonstrate that they have suffered that hardship as a result of the PIK program would be eligible for an operating loan from the business and industry loan program in the Farmers Home Administration.

The maximum amount of the loan would be \$50,000. The rate would be the same rate as the operating loan under the limited resource program. The guidelines for the loan program would be developed by the Secretary of Agriculture.

Mr. Chairman, this is not asking for new money to be appropriated or authorized. This simply frames part of the business and industry loan program in the Farmers Home Administration and says that what we would like to do is create a method by which small businesses that would suffer severe financial hardship as a result of this acreage being taken out of production would be able to get an emergency operating loan for a 12-month period.

I think it makes eminent good sense to try to give some protection to some good small businesses on the main streets of rural American towns who might not otherwise survive while the PIK program has a chance to work and to kick in.

We support efforts to increase prices and give family farmers a chance to make it. All of us support that. At the same time let us support a method by which we use existing funds in the B&I program to give small businesses on those main streets that work with those family farms the same chance to survive during the next 12 months while all of us hope the PIK program kicks in and starts working for the family farmer.

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

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

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

I want to compliment the gentleman on his amendment. I think it is an excellent amendment.

I have a couple of questions to perhaps bring out a little more facts surrounding the amendment.

I understand the gentleman is earmarking 10 percent?

Mr. DORGAN. That is correct. The amendment provides no less than 10 percent of the existing money in the B&I loan program. Currently there exists \$300 million in the B&I loan program.

□ 1530

As I indicated the Secretary of Agriculture would be in this amendment required to develop the rules and regulations and guidelines.

The 10 percent is the minimum. The Secretary of Agriculture, if the need exists, could go much above that.

Mr. HARKIN. I understand. And second, the criteria that these businesses would have to meet again would be the same criteria that they would have to meet for the regular B&I loan plus what other things would they then have to show?

Mr. DORGAN. The basic criteria is simply that a small business would be required to demonstrate to the Farmers Home Administration, under guidelines proposed by the Secretary, that they have suffered severe financial hardship and that it is the result of the PIK program.

The CHAIRMAN. The time of the gentleman from North Dakota (Mr. DORGAN) has expired.

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

Mr. DORGAN. And I think that it will not be difficult to demonstrate that on the main street of a community in which the surrounding farmers have taken a dramatic amount of cropland out of production and there has been a precipitous drop of, let us say, chemical sales, or fertilizer sales, or equipment sales. I think that financial hardship can be demonstrated quite readily.

Mr. HARKIN. I thank the gentleman for again clarifying it one more time and I do support the gentleman's amendment.

I am quite aware of many small rural businesses in my own district where they have been operating well in the past, but because of this 1-year PIK program they could be in such straits that they would not be able to survive beyond this year. But given some infusion of money like through the B&I loan program would get them past this year, they will be good family-owned businesses and they will be able to survive beyond this year.

Mr. DORGAN. That is precisely the point of the amendment. And here is an example. A fellow from my home State has a small fertilizer company. He points out that the decrease in his business is dramatic enough so that he simply will not make it through this year unless he has some small amount of emergency help. And a small operating loan from the B&I loan program might give this person enough breathing room so that when farmers become economically healthy once again through this PIK program, if that is the result of it and all of us hope it is, then this fellow will benefit as well.

But it finally comes down to individual cases. We are trying to protect and give some economic support to some family businesses who might otherwise fail.

Mr. HARKIN. It is a very good amendment and I compliment the gentleman.

Mr. DORGAN. I thank the gentleman.

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

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

Mr. BEDELL. I thank the gentleman for yielding.

I also want to compliment the gentleman on his amendment. I have had letters from my district which indicate that there are a number of businesses in exactly the same situation that the gentleman describes here and I certainly support his amendment.

Mr. DORGAN. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from North Dakota (Mr. DORGAN) has expired.

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

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

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

Mr. MADIGAN. I thank the gentleman for yielding.

Because I do not have a copy of the gentleman's amendment, I am not quite sure what it is the gentleman is asking for. But I understand that \$1 billion was authorized for the B&I program, but only \$300 million was appropriated.

The gentleman is asking for 10 percent. Is the gentleman asking for 10 percent of the authorized amount or the appropriated amount?

Mr. DORGAN. Well, the budget authority that was passed by Congress for the B&I loan program is \$300 million, so the 10 percent would relate to the \$300 million.

Mr. MADIGAN. So what the gentleman is asking for is \$30 million?

Mr. DORGAN. To simply fence, no less than 10 percent of the B&I loan program, and make it available under guidelines published and developed by the Secretary of Agriculture to small businesses who could qualify under the amendment. That is correct.

Mr. MADIGAN. I think the gentleman has a very good amendment. I think it is a timely amendment and I am going to support it and would urge that all the Members of the House support the amendment of the gentleman from North Dakota.

Mr. DORGAN. I appreciate the support of the gentleman from Illinois.

Mr. DAUB. Mr. Chairman, I wish to indicate my wholehearted support for the amendment of my colleague from North Dakota, to H.R. 1190, which would require the Department of Agriculture to extend and insure loans to rural small businesses which furnish

farmers and ranchers with machinery, supplies, and services.

I have received numerous letters from constituents in recent months indicating that the payment-in-kind program, while sorely needed, is having adverse impact on the agribusiness community.

With up to one-third of our national cropland base effectively idled, the suppliers of machinery, seed, and other farm services stand to suffer a great reduction in their business activity. Many of these suppliers have, on hand, stocks which were ordered and received prior to the announcement of the payment-in-kind program.

While the eventual stability rendered by PIK may help these types of businesses in the long term, many of these businesses may not be able to hold on long enough to benefit from eventual stability in the farm community.

A subcommittee of the Small Business Committee, of which I serve, already has reported legislation having the same impact as my colleagues' amendment. I was pleased to see that my colleagues on the Small Business Committee recognize the importance to our country of a healthy agricultural sector, producer and supplier alike. I would hope that my colleagues in the full House would have the same understanding.

I applaud my colleague for his introduction of the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from North Dakota (Mr. DORGAN).

The amendments were agreed to. The CHAIRMAN. Are there further amendments to section 4?

If not, the Clerk will designate section 5.

The text of section 5 reads as follows:

OPERATING LOAN LIMITS

SEC. 5. Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended by striking out "\$100,000, or, in the case of a loan guaranteed by the Secretary, \$200,000" and inserting in lieu thereof "\$200,000, or, in the case of a loan guaranteed by the Secretary, \$400,000".

AMENDMENT OFFERED BY MR. BEDELL

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

The Clerk read as follows:

Amendment offered by Mr. BEDELL: On page 9, line 5, strike section 5.

Mr. BEDELL. Mr. Chairman, this amendment is very similar to the amendment which we passed by a vote of 284 to 121 previously. The previous amendment had to do with the ownership loans. This has to do with operating loans.

The amendment would simply keep the individual limit at the same amount as it is at this time rather than to increase those individual

limits at a time when we do not have adequate money available.

I think it is self-explanatory. The amount is \$100,000. This would keep the amount at \$100,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. BEDELL).

The amendment was agreed to. The CHAIRMAN. The Clerk will designate section 6.

The text of section 6 reads as follows:

CONSOLIDATION AND RESCHEDULING OF OPERATING LOANS

SEC. 6. Section 316 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1946) is amended by—

(1) in subsection (b)—
(A) in the second sentence, striking out "seven years" and inserting in lieu thereof "fifteen years"; and

(B) amending the fifth sentence to read as follows: "The interest rate on such consolidated or rescheduled loans, other than guaranteed loans, shall be the lower of (1) the rate charged under the prior loans so consolidated or rescheduled, or (2) the rate being charged for loans made under this subtitle at the time of the consolidation or rescheduling."; and

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

"(c) The Secretary shall allow a borrower who has an outstanding loan made under this subtitle to use proceeds from the sale of property securing the loan to make prospective scheduled payments on the loan, if after such sale the borrower has adequate security to protect the loan: *Provided*, That the Secretary determines that such sale does not impair the borrower's ability to continue the borrower's operation."

The CHAIRMAN. Are there amendments to section 6?

If not, the Clerk will designate section 7.

The text of section 7 reads as follows:

ELIGIBILITY FOR EMERGENCY LOANS

SEC. 7. Section 329 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1970) is amended by adding at the end thereof the following new sentence: "Eligibility of an applicant for assistance under this subtitle based upon production losses shall be determined solely on the basis of the factors designated in this section and shall not be affected by the Secretary's designation of, or failure to designate, a county or counties for emergency loan purposes."

The CHAIRMAN. Are there amendments to section 7?

AMENDMENT OFFERED BY MR. MADIGAN

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

The Clerk read as follows:

Amendment offered by Mr. MADIGAN:

On page 10—

(1) line 19 strike "designation of, or" and line 20 strike the comma, and

(2) line 20 insert after the word "purposes", the following: "except that the applicant must establish to the satisfaction of the Secretary that such losses were sustained as a result of such disaster", and

(3) line 20 immediately before the ending quotation mark insert the following sentence:

The determinations of the Secretary under this section shall be final unless found by a court of competent jurisdiction, on the basis of the administrative record, to have been arbitrary, capricious, or otherwise not in accordance with law or the regulations issued in accordance with law.

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

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

There was no objection.

Mr. MADIGAN. Mr. Chairman, this is the first of three amendments that form the framework for a compromise on H.R. 1190 that has been reached between the majority and the minority and I want to say at the outset how very much I appreciate the cooperation of the distinguished gentleman from Texas, the chairman of the committee (Mr. DE LA GARZA) and the distinguished gentleman from Tennessee, the chairman of the subcommittee (Mr. JONES), in enabling us to be able to come to terms that form a compromise which will make it possible for us to go ahead and I hope pass this bill with the unanimous vote of the House of Representatives this afternoon.

This particular amendment deals with that portion of the bill that would have allowed a farmer to require or to at least request of the Secretary of Agriculture that his farm be designated on an individual basis as having been a disaster area for the purpose of obtaining financial assistance under the disaster provisions of the existing law.

And essentially what the amendment that I am offering does is to clarify that the Secretary has the discretion to determine that a disaster actually has occurred and that the losses sustained by the individual farmer are a result of that weather disaster or natural disaster, whatever the case might have been.

I think it is a beneficial amendment and it really does what I am sure the committee intended to do in the beginning and I would hope that the committee would be able to support the amendment.

Mr. COLEMAN of Missouri. Mr. Chairman, would the gentleman yield?

Mr. MADIGAN. I yield to the gentleman from Missouri, whose assistance in working out this compromise I certainly also want to acknowledge.

Mr. COLEMAN of Missouri. I thank the gentleman for yielding and to clarify the gentleman's intention, then the Secretary might designate a county for disaster purposes based upon a percentage of production loss if he so desired, but if the Secretary fails to designate a county a farmer still

might be eligible for a disaster loan; is that correct?

Mr. MADIGAN. That is correct, but the farmer would have the responsibility of providing to the satisfaction of the Secretary that the disaster had actually occurred. It would not have to be a disaster of the same proportions across the country as is required by the present law.

Mr. COLEMAN of Missouri. I think the gentleman's amendment then goes in the right direction, although I think perhaps the reason that we had to get to the position of working out this compromise was a result of perhaps inflexibility on the Department's part in failing to follow present law, which I think is pretty clear on the record, but I congratulate the gentleman for coming up with this compromise, and again, it requires that the Secretary makes this decision, but he cannot be arbitrary and capricious which I think is very important from the farmers' standpoint.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. MADIGAN. I am happy to yield to my colleague and friend from Texas.

Mr. DE LA GARZA. I thank the gentleman for yielding.

I repeat the gentleman's mention that this is one of three amendments that has been worked out in a split of compromise.

As far as I am able to ascertain, we have no objection on this side.

I thank the gentleman for his cooperation and understanding.

□ 1540

Hopefully, this and the other two amendments will enhance our position in order to finally enact this legislation. Then, working together with the Department of Agriculture, we might be able to assure that the intent of the Congress in trying to assist those in need in rural America, the final aim is of this legislation, is realized.

I thank the gentleman for his consideration of our suggested compromise, and we accept this suggested compromise on our side.

Mr. MADIGAN. Mr. Chairman, I thank the gentleman for his contribution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. MADIGAN). The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 7?

If not, the Clerk will designate section 8.

The text of section 8 reads as follows:

EXTENSION OF TIME FOR ADDITIONAL
EMERGENCY LOANS

Sec. 8. Section 330 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1971) is amended by—

(1) inserting the designation "(a)" after the section designation; and

(2) adding at the end thereof the following new subsections:

"(b) Notwithstanding the provisions of subsection (a), subsequent loans to continue a farming, ranching, or aquaculture operation may be made under this subtitle on an annual basis—

"(1) in the case of borrowers who have outstanding loans approved by the Secretary under this subtitle after December 15, 1979, and before October 1, 1981, for not to exceed four additional years; and

"(2) in the case of borrowers who have outstanding loans approved by the Secretary under this subtitle after September 30, 1981, and before October 1, 1982, for not to exceed three additional years.

"(c) Subsequent loans made pursuant to the authority of subsection (b) shall be subject to the limits on loans and rates of interest established under section 324 (a)(2)(C) and (b) respectively."

The CHAIRMAN. Are there amendments to section 8?

If not, the Clerk will designate section 9.

The text of section 9 reads as follows:

AUTHORITY TO MODIFY CLAIMS

Sec. 9. Section 331(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981(d)) is amended by—

(1) striking out "\$25,000" and inserting in lieu thereof "\$50,000"; and

(2) amending subparagraph (4) to read as follows:

"(4) any claim which is due and payable and where the debtor (i) has no assets or no apparent future debt-paying ability from which the claim could be collected, or (ii) is decreased and has left no estate, or (iii) has no known assets from which the claim can be collected and the debtor's whereabouts cannot be ascertained without undue expense, may be charged off or released by the Secretary upon a report and favorable recommendation of the county committee and of the employee having charge of the claim, except that any claim involving a principal balance not referable to the Department of Justice, as provided in the Federal Claims Collection Act of 1966 (Public Law 89-508; 80 Stat. 308), may be charged off or released whenever it appears to the Secretary that further collection efforts would be ineffectual or likely to prove uneconomical; and"

The CHAIRMAN. Are there amendments to section 9?

If not, the Clerk will designate section 10.

The text of section 10 reads as follows:

LOAN DEFERRALS

Sec. 10. (a) Section 331A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981a) is amended by—

(1) inserting the designation "(a)" after the section designation;

(2) in the second sentence, striking out "section" and inserting in lieu thereof "subsection"; and

(3) adding at the end thereof the following new subsections:

"(b)(1) During the period beginning on the date of enactment of this subsection and ending on September 30, 1984, upon request by a borrower that the Secretary (A) forgo foreclosure on, (B) consolidate, re-

schedule, or reamortize, or (C) defer payment of principal and interest on, an outstanding loan made, insured, or held by the Secretary for farm ownership purposes under subtitle A of this title, farm operating purposes under subtitle B of this title, disaster emergency purposes under subtitle C of this title, or economic emergency purposes under the Emergency Agricultural Credit Adjustment Act of 1978, the Secretary shall comply with the requirements of paragraphs (2) and (3).

"(2) If the borrower establishes by substantial evidence that (A) the borrower has followed good management practices but has suffered production losses or economic losses related to farming operations caused by economic or natural conditions beyond the control of the borrower, and (B) the borrower is unable to repay the loan in accordance with the terms and conditions applicable to the loan at the time of the request, based upon a comprehensive statement of the farm and financial situation, the Secretary shall forgo foreclosure and make available to the borrower a consolidated, rescheduled, or reamortized loan providing for equitable repayment terms consistent with the borrower's farm and financial situation.

"(3) If the borrower further establishes by substantial evidence that (A) the borrower is unable to repay the loan in accordance with the new terms made available by the Secretary under paragraph (2), based upon such comprehensive statement of the farm and financial situation, and (B) following the period of deferral, there is a reasonable probability that the borrower can pay installments on the loan in full under terms consistent with the borrower's farm and financial situation that would apply upon expiration of the deferral period if normal economic and natural conditions exist, the Secretary shall approve the deferral, for a one-year period beginning on the date such deferral is approved, of payment of principal and interest on any such loan and forgo foreclosure for the period of deferral. Interest that accrues during the deferral period on any loan deferred under the provisions of this subparagraph shall bear no interest during or after such period. No borrower may obtain more than one deferral under this subparagraph with respect to any one loan.

"(4) The provisions of this subsection shall be applicable only to borrowers who own or operate family-size farms, as determined by the county committee.

"(c) Upon the expiration of any period of deferral of payment of principal and interest and forgoing of foreclosure by the Secretary under subsection (b)(3), the Secretary shall make available to the borrower, at the borrower's request, procedures whereby the loan may be consolidated, rescheduled, or reamortized to provide equitable repayment terms consistent with the borrower's farm and financial situation, and any loan so consolidated, rescheduled, or reamortized, as well as any loan consolidated, rescheduled, or reamortized under subsection (b)(2), shall bear interest at a rate that is the lower of (1) the rate charged on the loan so consolidated, rescheduled, or reamortized, or (2) the rate being charged under the applicable subtitle of this title or under the Emergency Agricultural Credit Adjustment Act of 1978, as the case may be, at the time of the consolidation, rescheduling, or reamortization.

"(d) The Secretary shall promulgate regulations that provide (1) for notification of all borrowers who are obligated to repay

loans of the types described in subsection (b) of the provisions of this section and all other servicing alternatives offered by the Secretary, (2) clear procedures by which borrowers may petition the Secretary for relief under such provisions and alternatives and (3) for appeal within the Department of Agriculture for a decision that denies relief under such provisions and alternatives.

"(e) Any farm loan deferred, consolidated, rescheduled, or reamortized under any authority of the Secretary under this title other than under subsections (b) and (c) of this section shall, notwithstanding any other provision of this title, bear interest on the balance of the original loan, and for the term of the original loan at a rate that is the lower of (1) the rate charged on the original loan, or (2) the rate being charged under the applicable subtitle of this title at the time of the deferral, consolidation, rescheduling, or reamortization.

"(f) The county committee shall make the initial appeal determination as to whether the borrower has met the criteria for relief specified in subsections (a) and (b) of this section."

(b) The provisions of section 331A(f) of the Consolidated Farm and Rural Development Act, as added by this section, shall become effective on January 1, 1984.

(c) Notwithstanding any other provision of law, the Secretary shall issue regulations implementing the amendments made by this section not later than sixty days after the effective date of this Act.

AMENDMENT OFFERED BY MR. COLEMAN OF MISSOURI

Mr. COLEMAN of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLEMAN of Missouri: Page 14, line 20, insert the following new sentence after "deferral."

Interest shall accrue during the deferral period and shall become part of the total of principal and interest to be repaid.

Mr. COLEMAN of Missouri. Mr. Chairman, there was brought up in general debate a question of whether or not a person who receives a deferral would have to pay interest during the period of time that his loan was being deferred. In order to clarify that indeed he does have to pay that interest, I offer this amendment.

If there are any questions, I will try to respond to them.

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

Mr. COLEMAN of Missouri. I yield to the gentleman from Illinois.

Mr. MADIGAN. Mr. Chairman, I want to congratulate the gentleman on the amendment. I think it is an important addition to the bill and it does respond to the concerns that have been expressed to me by many Members of the House. I want to congratulate the gentleman for offering the amendment and assure him of my support.

Mr. COLEMAN of Missouri. I thank the gentleman.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. COLEMAN of Missouri. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, we see no objection to accepting on this side the amendment offered by the gentleman from Missouri (Mr. COLEMAN).

Mr. COLEMAN of Missouri. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. COLEMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MADIGAN

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

The Clerk read as follows:

Amendment offered by Mr. MADIGAN: Page 14, line 7, immediately after "establishes," insert "to the satisfaction of the Secretary."

Page 14, insert the following at the end of line 24: "During any period of deferral under this paragraph, the borrower shall meet periodically with the Secretary, at the request of the Secretary, for the purpose of reviewing the borrower's farm and financial situation. If the Secretary determines that the borrower has become able to resume making loan payments in accordance with the original terms of the loan or on the basis of new terms made available by the Secretary under paragraph (2), the period of deferral shall then be terminated by the Secretary."

Page 15, after line 3, insert the following:

"(5) The determinations of the Secretary under paragraphs (2) and (3) shall be final unless found by a court of competent jurisdiction, on the basis of the administrative record, to have been arbitrary, capricious, or otherwise not in accordance with law or regulations issued in accordance with law."

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

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

There was no objection.

Mr. MADIGAN. Mr. Chairman, there are actually three parts to this amendment, part of it occurring on page 14 at line 7, part at line 24 on page 14, and part on page 15 after line 3. The purpose of this three-part amendment is to deal with the deferral section of the bill which has been the most controversial section of the bill from the onset.

Effectively, what the amendment does, the three-part amendment, is to establish that the request for the deferral must be justified to the satisfaction of the Secretary of the Department of Agriculture, that the person receiving the deferral must meet periodically with the Secretary, and at the request of the Secretary review his farm or financial situation. Then, if the Secretary determines that the borrower has become able to resume making his or her loan payments in accordance with the original terms of the loan, the Secretary may require that the repayment begin.

Finally, the third part of the amendment simply states that the decisions of the Secretary shall be final unless found by a court of competent jurisdiction, on the basis of the administrative record, to have been arbitrary, capricious or otherwise not in accordance with law or regulations issued in accordance with the law.

I think that this three-part amendment addresses the concerns that many Members of the House have had with regard to the deferral provisions in the bill and makes it possible for people to support the bill who would have liked to support the bill from the very beginning.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

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

Mr. DE LA GARZA. I appreciate the gentleman's yielding, and I would say to the gentleman that this provision generally parallels the present law under the graduation system under which the Secretary continues working with a borrower and if he finds sufficient cause, he graduates him to a private lender. A similar approach would apply under the deferral. If the borrower is determined, during the deferral period, to be able to repay, he would have to repay under either a re-scheduling or under the original loan terms.

So I see no objection, as it in part generally reflects the present law on other Farmers' Home loans. I would support and accept the amendment offered by the gentleman from Illinois (Mr. MADIGAN).

Mr. MADIGAN. I thank the gentleman for his support.

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

Mr. MADIGAN. I yield to my colleague and neighbor, the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I would like to ask the gentleman, in reference to his amendment—and I have no objection to the second part; I think it is a very valuable addition to the bill—by inserting the language "to the satisfaction of the Secretary," do we not make this whole deferral process in the discretion of the Secretary?

Mr. MADIGAN. No, I do not believe so; but I do believe that we give the Secretary a greater degree of authority than I thought was the case in the language of the bill as it was reported by the committee.

I might say that the supporters of the bill did not feel that the extent to which the Secretary's authority was diminished was as great as I thought that it was.

The inserting of this language, "to the satisfaction of the Secretary," makes the language of the bill consistent, in my judgment, with what the supporters of the bill have said from the very beginning was their intent.

And I am merely inserting this language with their agreement, to assure that the bill is in the form that they intended it to be.

Mr. DURBIN. It was my understanding, in the course of the testimony in the committee, that we were seeking to establish objective standards where a borrower could go before the Farmers Home Administration and seek a loan deferral and, under those circumstances, once the borrower had met his burden of proof, the Secretary would then be compelled to defer the loan under those circumstances.

I take it, from the addition of the language, by this amendment, that we have now added on top of the process the fact that it has to be to the satisfaction of the Secretary, notwithstanding whatever burden the borrower thinks he has met.

Mr. MADIGAN. Mr. Chairman, I would say to the gentleman that I think it makes clear where the burden of proof is or where the burden lies. In my judgment, there was not sufficient burden upon the borrower to show to the satisfaction of the Secretary that the deferral was justified.

I think by inserting this language, the borrower comes forward requesting the deferral with the clear understanding that the case that he or she might make in requesting the deferral is going to have to be strong enough to satisfy the Secretary that it is warranted.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. MADIGAN) has expired.

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

Mr. MADIGAN. The third part of the paragraph insures that the Secretary's decision in denying the deferral, should he do that, cannot be arbitrary or capricious.

Mr. DURBIN. If the gentleman will continue to yield for a short period, it is my understanding, though, that if the borrower should question whether or not the Secretary has imposed a greater standard than the law specifies, the borrower must prove in court, by the administrative record, that the Secretary's decision is arbitrary and capricious, which is a rather high standard under the law; is that not correct?

Mr. MADIGAN. Or otherwise not in accordance with law or regulations issued in accordance with the law. I would say to the gentleman that, practically, what the borrower must do is to show that to the satisfaction of the county committee, which is made up of his or her colleagues in the farming business in the county in which the borrower resides.

Mr. DURBIN. I thank the gentleman.

□ 1550

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

Mr. MADIGAN. I would be happy to yield to my colleague from Virginia.

Mr. OLIN. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask the gentleman from Illinois if he recalls the discussion at some length on this subject both in the subcommittee and in the full committee and in meetings over a long weekend. My recollection is that it was our intention in selecting the wording that was selected, which basically puts the burden of proof on the borrower and requires the borrower in each case to establish by substantial evidence his position, or the condition of his farm, that we had selected the most desirable language with regard to the position of the Secretary, and the most desirable language to accomplish what we were trying to accomplish, which was, of course, to keep the borrower paying if it is at all possible, and allow the Secretary only to defer when the borrower filed his proof.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. MADIGAN) has expired.

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

Mr. OLIN. Could the gentleman from Illinois respond to that?

Mr. MADIGAN. If the gentleman is asking me if I thought that the combination of the Olin amendment and the language that had been inserted by the gentleman from Missouri (Mr. COLEMAN) was adequate, my response would be no.

The gentleman may recall that I supported his amendment and stated that I thought his amendment improved the bill considerably from my perspective. But I did not think that it went far enough.

I would also remind the gentleman that there was quite a bit of confusion within the committee as to exactly what his amendment did.

Mr. OLIN. If the gentleman will yield further, I believe that confusion disappeared on the second day of our discussion on the subject.

Mr. MADIGAN. The gentleman may recall that the gentleman from Illinois was not there for the second day.

Mr. OLIN. That is correct.

Mr. Chairman, I would make the point to the gentleman that I think the language in the bill is fully sufficient to reach the objectives that he seeks to reach, and I would question whether it would be advisable to change the wording.

Section 10 of this bill has been the subject of a great deal of misunderstanding. As a member of the Agriculture Committee who successfully of-

ferred an amendment to this part of the bill, I thought it might be helpful if I took a few minutes to describe what this provision calls for, how much it really costs, and how we got to this point.

When this bill was brought before the full Agriculture Committee this section basically said that if a Farmers Home Administration borrower met certain tests, the Secretary would have to grant him a 1-year deferral on his loan payments.

I did not think that it made any sense for us to be telling these borrowers that they did not have to try to pay off their loans if they met the conditions in the bill. Maybe a borrower could not make full payments on his loan, but he could pay 75 percent of the loan payment or some other partial payment. The way I look at it, if a person takes on a debt, he should be required to pay off that debt to the maximum extent that he can. The bill brought to the full committee did not hold with the philosophy so I amended it.

What did my amendment say? Basically it says that if a borrower meets the conditions in the bill, the Secretary will work with him to renegotiate his loan so that he will be able to continue making payments on his loans.

Under my amendment, only if a person can demonstrate that he can not make his payments even with a renegotiated loan, but there is a reasonable probability that he will be able to in a year, does the borrower get a deferral.

My amendment was adopted by the Agriculture Committee and this is the language before us today. I cannot stress strongly enough how much my amendment changed the very nature of this section of the bill. This is not a deferral provision, it is a repayment provision. My amendment saves the Government at least \$1.45 billion compared to the bill before my amendment. That is the estimate of the Congressional Budget Office. With my amendment, this section results in saving of \$850 million from what is allowed under the House-passed budget resolution. That is \$850 million we can take off the deficit.

The administration has been passing around some highly misleading information on the cost of this section of the bill. They have been saying that it will cost at least \$2.6 billion. Let me tell you what they are talking about. If all eligible loans were deferred for 1 year, the lost loan repayment revenues would be about \$2.6 billion. CBO, however, understands that this does not happen under the bill before us today. In its estimates, CBO recognizes that whether we have this bill or not, FmHA is going to defer some loan repayments. CBO estimates this will reduce the potential cost to \$2.3 billion if everyone who was not going to

otherwise get a deferral was now granted one. However, CBO also recognized that everyone was not going to be granted a deferral since this provision does not call for that. Instead, CBO estimates that the remaining eligible FmHA borrowers would have their loans renegotiated. This would drop the combined costs of this section in fiscal years 1983 and 1984 to \$850 million. According to CBO the remainder of the borrowers would not meet the eligibility tests contained in this section and no action would be taken to change their repayment schedules.

So we are not talking about a cost of \$2.6 billion, instead we are looking at a potential cost of \$850 million while the budget resolution allows \$1.7 billion.

I might also add that I think it is not entirely accurate to estimate the cost of this section at \$850 million. That figure assumes that FmHA would not be renegotiating loans absent this section. The past history of the Farmers Home Administration shows that that is not a valid assumption. FmHA is renegotiating loans and some of those would get new loan terms under this section would have gotten them anyway. Therefore, the true cost of this section is probably much lower than even the \$850 million estimate.

Who is eligible for the assistance provided in this part of the bill? The bill sets up a number of tests which are reasonable and which makes this assistance available only to "good risk" borrowers. First, to be eligible the borrower must demonstrate that he follows good management practices. Second, he must demonstrate that he has suffered farm production losses through no fault of his own from natural or economic forces beyond his control. Third, he must present a comprehensive statement of his farm and financial situation which demonstrates that he is unable to repay his loan under its current conditions. If he is granted a deferral under this section, he must also demonstrate that there is a reasonable probability that he will be able to make his payments at the end of the deferral period. We are not giving this assistance to farmers who would be bad managers or who will not be able to make future payments no matter what we do for him. Under this bill, the Secretary does not have to do anything for a borrower who does not meet all of these tests. The Secretary can go ahead and foreclose on any borrower who is not eligible for the assistance under this part of this bill.

This is not a blanket mandatory deferral provision. It is a selective "good managers" loan repayment provision. If my amendment had not been adopted by the Agriculture Committee, I would be leading the attack on this bill. However, the bill with my amendment is a very different animal from

that being described by the administration. If you think that a person should not be required to pay off his debts to the maximum extent that he can, then maybe you should vote against this measure. However, if you want to make sure that the Farmers Home Administration works with its borrowers to get maximum loan repayment, then I would suggest that you support this section of the bill.

I urge my colleague to read this section of the bill. If you do not and rely instead on what the administration is pushing you may be making a big mistake.

Mr. COLEMAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MADIGAN. I would be happy to yield to the gentleman from Missouri.

Mr. COLEMAN of Missouri. I thank the gentleman for yielding.

Mr. Chairman, I congratulate the gentleman for pursuing a compromise position on the very section that we are on here, on section 10. It is the cornerstone of this piece of legislation, and I want to point out to those or us who support the deferral section that I do not believe that we have overly compromised any more than the gentleman from Illinois has overly compromised. It is a good compromise.

The Secretary still, and now within his own satisfaction, must make, shall make—and the shall approve—is still in the language, the deferral, if the objective criteria are established by substantial evidence by the farmer. So from that standpoint we have kept the deferral section there, but the desire of the gentleman from Illinois to go forward and in a spirit of compromise offering this amendment, I think, is very, very healthy and very good.

We do, however, understand that sometimes we need protections, and that is why he has provided the third part of his amendment, which again limits the Secretary's actions to only those that are not arbitrary or capricious. This is important language which we have put in several of these amendments to insure that farmers are going to get a fair shake, and we are not talking about the Secretary of Agriculture. What we are really talking about is the local county supervisor who represents the Secretary in the administration of these various proposals.

So I support the amendment, congratulate the gentleman for the spirit of compromise in structuring this amendment, and hope it will be approved.

Mr. MADIGAN. I thank the gentleman for his contribution.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. MADIGAN).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 10?

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

Mr. Chairman and members of the committee: I take this time to speak about a general problem and the framework in which we find ourselves as we consider this particular bill. I had a number of specific amendments to the bill and I can sense that there is a spirit of compromise here and a certain degree of euphoria at the prospect of getting this bill on out of the House and go into conference.

But I want to call to the attention of the gentleman from Illinois and the chairman of the committee a concern that I have that I think is well founded. If you would indulge me and let me proceed for about 3 minutes here, then I would like to propound some questions to each of you on the general proposition of Federal credit assistance programs.

As both gentlemen know, for 3 years now I have sought to try to develop some process for dealing with Federal credit assistance programs. We have nothing in our budget system now that makes for an enforceable, sensible way to make relative judgments about whether we ought to increase credit assistance for agriculture, decrease it for housing, increase it for Federal shipbuilding, or whatever the case may be.

We have an advisory credit budget in our budget process, but there are no teeth in that. Consequently, one of the most dramatic statistics that can be found in this city today is that Federal lending programs are growing faster than Federal spending programs.

I always say this twice: Federal lending programs are growing faster than Federal spending programs. What has happened is that we have generated a good deal of public support for the idea of holding down Federal spending, and as we have held down Federal spending, or tried to, and as we have begun to close the spending window, the lending window is coming up, and you can see it here on the floor of the House in the last couple of weeks.

We have a bill in here to pay the house payments for those who have fallen out of work, which is credit assistance. We have a bill out in the Banking Committee right now which would provide credit assistance to those hard-pressed defense subcontractors who cannot seem to get along on the \$2 or \$3 trillion that we are going to be spending on defense. Here we have more credit assistance for the farm industry.

The point I want to make is that we are dealing with all of these problems on an ad hoc basis. This bill was considered in a vacuum by the Committee on Agriculture, and you have brought

it here to the floor. The housing bill was considered in a vacuum by the Banking Committee, and it is being brought to the floor.

The problem is that when we start adding all of these bills up, we realize that Federal credit assistance programs are growing faster than Federal spending programs. We have got to make sense out of that. We have got to understand what we are doing in this areas, because as we increase the amount of Federal credit assistance programs we in essence are allocating the credit that is available in the marketplace. And as we make those allocations, and even go so far in many instances as to price the credit, we are confounding the effort that the Federal Reserve makes to establish a base of credit for the country through their monetary policy.

This is a very serious problem. There are ideas floating around here to create a National Industrial Development Bank. There are ideas to reinvent the Reconstruction Finance Corporation. There may be merit in these ideas. There may be merit in the idea that you have before us here today. But we are making a real mistake when we treat these problems on an ad hoc basis and then simply total them up when we get through, only to discover that we have created a new monster in this city, and that is Federal lending programs.

I am not going to disrupt the proceedings here today, because what I speak of is a larger problem. We are not going to correct it by simply making some minor change to your bill today or by me putting everyone through the rigor and ordeal of coming to the floor and voting on a series of amendments.

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

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

□ 1600

Mr. BETHUNE. Mr. Chairman, I urge the distinguished leaders of this particular committee to consider the point that I have made here today and to reach out to the other committees, the Housing, Banking, and Defense Committees and others that are passing out credit assistance pellmell, and agree that we need to make sense out of all this because we are very quickly coming to the time when we are going to regret what we are doing here today.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. BETHUNE. I yield to the chairman of the committee.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to state to the gentleman that I share his con-

cern. This committee, as a committee, shares his concern, and I would like to inform the gentleman that I think we have been responsible, quite responsible, in this area. As a matter of fact, I would state to the gentleman that this committee has in the budget items probably reduced more than any other committee as far as budget expenditures and outlays are concerned.

I would also like to tell the gentleman that this legislation on which we work today is within or below the budget as approved by the House. Further, in the areas where we deal in loans and lending guarantees, some of the items are lower and some are higher than in past legislation. In the end they come out about even.

We are not just throwing money at the problem, as we have stated for so long.

I would assure the gentleman that our committee will continue with diligence to look at the concerns of the gentleman, and any time we come to the floor of this House we will consider the same concerns that the gentleman has, that we do not create a monster and that we do not just go and throw money at what seems to be a problem.

Again, Mr. Chairman, I say that I share the gentleman's concern, but I think that within the limitations in the appropriations process, within the limitations that we have from OMB, within the limitations that have been very explicitly shown on this legislation, with the reservations of the administration, and within our groups, there is practically no area where we could just go wild. Of that I assure the gentleman.

Mr. Chairman, again I thank the gentleman for his concern, and I assure him of our cooperation and willingness to work with him and with others of like mind.

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

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

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

I want to assure the gentleman also that I am concerned about the phenomenon to which he refers. In fact, maybe 4 or 5 years ago there was a point where it appeared that the off-budget activity of the Department of Agriculture within a fiscal year was going to exceed its on-budget activity, and that ought to be the point at which we all become concerned about what is going on.

But with regard to the Farmers Home Administration program, which is what we are talking about here today, there are approximately 277,000 agricultural borrowers. Some 40,000 of those have already been given some kind of deferral or rescheduling or some sort of activity like that

by the Secretary to help them over the difficult period in which they find themselves. The Congress feels impelled to speak to the issue of how that is being done because some Members of Congress feel that it is not being done evenly in every county and in every State and some people are getting stretchout assistance and some are not.

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

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

Mr. MADIGAN. Mr. Chairman, if the gentleman will yield further to me, what we are doing here is not empowering the Secretary to do anything that he does not have the ability to do and that in 40,000 cases he has not already done. What we are doing here is speaking in the manner in which it is done by local offices, and my input has been to try to keep as much discretionary power in the hands of the Secretary as possible and still allow our colleagues who are upset about injustices that they believe to exist in one part of the country or the other to have some opportunity to speak to those injustices in a legislative manner.

But in no way are we expanding upon the possibility of more farm credit being extended to more people or extended upon more favorable terms, because there are already 277,000 borrowers out there, and 40,000 are already getting some special assistance under existing law.

Mr. Chairman, I thank the gentleman for yielding.

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

Mr. BETHUNE. I yield to the gentleman from New Hampshire.

Mr. GREGG. Mr. Chairman, I would just like to ask the gentleman a question.

I believe the gentleman has addressed what I believe to be one of the most critical issues facing us during this period when we are trying to not only nurture but expand the recovery that this country is beginning to feel after 2 years of severe recession, and that is the allocation of credit in the marketplace.

It seems to me that in a marketplace atmosphere we have historically seen that the housing industry leads us out of most recessionary periods, and the expansion of the housing activity is the key to leading us out of recessionary periods. But yet, as the Federal Government begins to reallocate finances throughout the country, do we not in a sense show the effect of the housing industry to be competitive in expanding and generating the type of capital it needs in order to bring us to recovery?

Mr. BETHUNE. Mr. Chairman, the housing industry right now receives about 55 percent of the various credit assistance programs that the Government has invented over the last 30 to 40 years. It is 54 percent to be exact. So they are getting a substantial subsidy, a substantial incentive, and substantial encouragement that other sectors are not getting.

The real trouble with this is that it is a political decision that we have made that they should get that sort of allocation. When we allocate that much to them, then it takes that much out of the credit market that other applicants might compete for.

I am not sure right now and I do not think this Congress is sure whether we have done the right thing in all of the allocations that we made, and that is my central point. I cannot answer the gentleman's question because Congress has never stepped back from the lending problem and asked itself whether or not we have made wise choices as we have allocated money to housing, as we have allocated it to agriculture, as we have allocated it to shipbuilding financing, as we have allocated it to Chrysler, as we have allocated it to New York City, as we have allocated it to synfuels, and on and on.

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

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

Mr. BETHUNE. So, Mr. Chairman, I can only state the general thesis in this way: That I am convinced that we here very frequently do not make really good economic decisions. We make good political decisions, and in the long run we may be doing something that would be disruptive of the economy or the natural forces that are working. I wish that we had some system whereby we could understand better what we are doing and make relative judgments in a larger sense rather than make them on an ad hoc basis.

Mr. Chairman, I have tried to answer the gentleman's question.

Mr. GREGG. Mr. Chairman, if the gentleman will yield further, to follow up on his point, are we not essentially moving in an arbitrary manner at a time when what we need to do is move in a more coherent manner?

Specifically, when we are coming out of a recessionary period, should we not be allowing the marketplace to settle where the funds are going to go to revitalize the economy rather than having the Government, in what is essentially an arbitrary and spotty manner, make decisions in that area?

Mr. BETHUNE. Mr. Chairman, I would say this: I would rather trust the forces that work in the marketplace and the choices that are made there than trust the mess that we

have created here, which is an "ad-hocracy." We need to do something if we are going to be in the business of allocating credit so that we can understand the big picture.

Mr. JONES of Tennessee. Mr. Chairman, will the gentleman yield?

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

Mr. JONES of Tennessee. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, as chairman of the subcommittee that has the oversight of the House over the Farmers Home Administration, I want to say to the gentleman that we have constantly had oversight hearings. We have watched the situation very closely, as the chairman of the full committee said. The fact is that we are not over-budgeted. We try to do our best to stay within our means and we have tried to be very responsible as far as the Department of Agriculture is concerned in lending to the farm people out there who need help that amount that they do need to keep going and not overdo the job.

Now, we are not responsible, of course, for some of the bad years that they have had or that we have just experienced in the last several years. If they had not had those bad years, I think we would see the Farmers Home Administration in a much better situation than it is in today.

Mr. Chairman, I thank the gentleman for bringing these matters to our attention.

Mr. BETHUNE. Mr. Chairman, I thank the gentleman from Tennessee (Mr. JONES) for his contribution.

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

□ 1610

The CHAIRMAN. Are there further amendments to section 10?

If not, the Clerk will designate section 11.

The text of section 11 reads as follows:

COUNTY COMMITTEES

Sec. 11. Section 332 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982) is amended by—

(1) amending subsection (a) to read as follows:

"(a)(1) In each county or area in which activities are carried out under this title, there shall be a county committee composed of either five members or three members, as determined by the Secretary after taking into consideration the volume of loans outstanding under this title in the county or area, the number of persons who are borrowers having such loans in the county or area, and such other factors as the Secretary may deem appropriate.

"(2)(A) If the county committee is composed of five members—

"(i) three of the members shall be elected, from among their number, by farmers who reside within the county or area and who

either are borrowers having farm-type loans made under this title or the Emergency Agricultural Credit Adjustment Act of 1978 or are eligible to vote in elections of local committees as provided in section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)). At the first election of county committee members under this subsection, one member shall be elected for a term of one year, one member shall be elected for a term of two years, and one member shall be elected for a term of three years. Thereafter, on an annual basis, one member of the county committee shall be elected for a term of three years.

"(ii) Two of the members of the county committee shall be appointed by the Secretary. Of the members first appointed under this subsection, one member shall be appointed for a term of one year and one member shall be appointed for a term of two years. Thereafter, appointed members of the county committee shall be appointed for terms of three years. One of such members shall be elected from among individuals who are familiar with both agricultural and financial conditions in the county or area and who reside in the county or area, except that if none of the elected members of the county committee is a present or former borrower on loans made under this title or the Emergency Agricultural Credit Adjustment Act of 1975, such appointed member shall be appointed from among such borrowers, and one of such members shall be selected from individuals who represent Federal land bank associations and production credit associations organized under the Farm Credit Act of 1971 (12 U.S.C. 2001 note) or private lending institutions serving the county or area and, insofar as practicable, who reside in such county or area.

"(B) If the county committee is composed of three members—

"(i) Two members shall be elected, from among their number, by farmers who reside within the county or area and who either are borrowers having farm-type loans made under this title or the Emergency Agricultural Credit Adjustment Act of 1978 or are eligible to vote in elections of local committees as provided in section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)). At the first election of county committee members under this subsection, one member shall be elected for a term of one year and one member shall be elected for a term of two years. Thereafter, elected members of the county committee shall be elected for a term of three years.

"(ii) One member of the county committee shall be appointed by the Secretary for a term of three years. Such member shall be selected from among individuals who represent Federal land bank associations and production credit associations organized under the Farm Credit Act of 1971 (12 U.S.C. 2001 note), private lending institutions serving the county or area, or present or former borrowers on loans made under this title or the Emergency Agricultural Credit Adjustment Act of 1978 and, insofar as practicable, who reside in such county or area.

"(3) Elections held under this subsection shall be held in conjunction with regularly scheduled elections for local committees under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)). No elected member of the county committee may serve for more than three consecutive terms exclusive of the term to which such member is elected at the first election of county committee members under this subsection. The Secretary may

appoint an alternate for each member of the county committee. Appointed and alternate members of the county committee shall be removable by the Secretary for cause. The Secretary shall issue such regulations as are necessary relating to the election and appointment of members and alternate members of the county committees."

(2) in subsection (b), after "Secretary" inserting ", except that the Secretary shall set the rates of compensation at a level which fairly represents the value of the service rendered and the time devoted to the business of the county committee by its members"; and

(3) in subsection (c), striking out the second sentence and inserting in lieu thereof "If the committee is composed of five members, three members shall constitute a quorum; if the committee is composed of three members, two members shall constitute a quorum."

The CHAIRMAN. Are there amendments to section 11?

If not, the Clerk will designate section 12.

The text of section 12 reads as follows:

PROCEEDS FROM MINERALS

Sec. 12. Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended by—

(1) in subsection (d), striking out "and" at the end thereof;

(2) in subsection (e), striking out the period at the end thereof, and inserting in lieu thereof "; and"; and

(3) adding at the end thereof the following new subsection:

"(f) that a borrower having an outstanding loan made, insured or held by the Secretary for farm ownership purposes under subtitle A, farm operating purposes under subtitle B, disaster emergency purposes under subtitle C, or economic emergency purposes under the Emergency Agricultural Credit Adjustment Act of 1978, be permitted to use the proceeds from the sale or lease of oil, gas, or other minerals and the proceeds from royalties generated from leases of oil or gas located under the property securing the loan to make prospective scheduled payments on the loan. Unless the appraised value of the rights to oil, gas, or other minerals is specifically included as part of the appraised value of property securing a farm ownership loan, the rights to oil, gas or other minerals located under the property shall not be considered part of the collateral securing the loan."

Mr. DE LA GARZA. Mr. Chairman, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill, H.R. 1190, reads as follows:

NOTICE TO BORROWERS OF AVAILABILITY OF PROTECTIVE ADVANCES; DISPOSITION OF PROPERTY

Sec. 13. Section 335 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985) is amended by—

(1) adding at the end of subsection (a) "The Secretary shall, in writing, inform all borrowers who receive notice of foreclosure or are denied additional credit under this

title or under any other programs administered by the Farmers Home Administration of the circumstances under which the Secretary may make advances under this subsection."; and

(2) amending subsection (c) to read as follows:

"(c) The Secretary shall determine whether real property administered under this title or the Emergency Agricultural Credit Adjustment Act of 1978 is suitable for disposition to persons eligible for assistance under the provisions of any law administered by the Farmers Home Administration. Real property shall be determined to be suitable for disposition to such eligible persons if it has been used, or is currently being used, for the production of food, fiber or other agricultural products, unless agriculture is not a permissible use of the property under currently applicable local land use ordinances and regulations. Any property which the Secretary determines to be suitable for such purposes shall be sold by the Secretary as expeditiously as possible to such eligible persons in a manner consistent with such provisions: *Provided*, That, if real property thus offered for sale has not been purchased by such eligible persons within two years after the date of acquisition, the Secretary shall offer such real property for sale to units of State and local government, and to private nonprofit organizations described in section 170(c)(2) of the Internal Revenue Code, if such units of government or private organizations agree to continue the agricultural use of the real property and to reconvey it to persons eligible for assistance under this chapter at the earliest practicable opportunity. Real property which is not determined suitable for sale to such eligible persons or which has not been purchased by such persons or a unit of State or local government or private nonprofit organization in accordance with the foregoing provision, within three years from the date of acquisition, shall be sold by the Secretary after public notice at public sale and, if no acceptable bid is received, then by negotiated sale, at the best price obtainable for cash or on secured credit without regard to the laws governing the disposition of excess or surplus property of the United States. The terms of such sale shall require an initial downpayment and the remainder of the sales price payable in installments with interest on unpaid balance at the rate determined by the Secretary, but not in any event at rates and terms more favorable than those legally permissible for eligible borrowers. Any conveyances under this section shall include all of the interest of the United States including mineral rights."

DEFINITION OF OWNER-OPERATOR

Sec. 14. Section 343(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(3)) is amended by striking out "in the State of Hawaii".

REAUTHORIZATION

Sec. 15. Section 346 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994) is amended by adding at the end thereof the following new subsections:

"(e) Notwithstanding any other provision of law, there are hereby authorized to be insured, or made to be sold and insured, from the Agricultural Credit Insurance Fund during fiscal year 1983, insured operating loans in an aggregate amount of \$1,600,000,000. Of that amount, not less than \$200,000,000 shall be available for new borrowers. As used in the preceding sentence, the phrase 'new borrowers' means ag-

gricultural producers who did not receive any farm operating credit from the Farmers Home Administration during fiscal year 1982 or that part of fiscal year 1983 ending on the date of enactment of this subsection.

"(f)(1) Notwithstanding any other provision of law, not less than 20 per centum of the funds that may be used for insured loans for farm ownership purposes, and not less than 20 per centum of funds that may be used for insured loans for farm operating purposes during fiscal year 1983 shall be made available for loans to low-income, limited-resource applicants to the extent needed to meet applications filed by such farmers who are eligible for such loans.

"(2) The Secretary shall provide written notification to all farm borrowers and applicants for farm loans under this title, as soon as practicable after the date of enactment of the Emergency Agricultural Credit Act of 1983, of the provisions of this title relating to low-income, limited-resource farmers and the procedures by which persons may apply for loans under the low-income, limited-resource farmer program.

"(g) Notwithstanding the provisions of subsection (a) of this section—

"(1) loans for each of the fiscal years 1984, 1985, and 1986 are authorized to be insured, or made to be sold and insured, or guaranteed under the Agricultural Credit Insurance Fund as follows:

- "(A) real estate loans, \$1,000,000,000;
- "(B) operating loans, \$1,860,000,000; and
- "(C) emergency loans in amounts necessary to meet the needs from natural disasters.

Not less than 20 per centum of the funds that may be used for insured loans for farm ownership purposes and not less than 20 per centum of the funds that may be used for insured loans for farm operating purposes shall be made available for loans to low-income, limited-resource applicants to the extent needed to meet applications filed by such farmers who are eligible for such loans. The Secretary shall inform in writing all applicants for loans for farm ownership and farm operating purposes of the availability of the loan program for low-income, limited-resource borrowers and the general nature of the program.

"(2) loans for each of the fiscal years 1984, 1985, and 1986 are authorized to be insured, or made to be sold and insured, or guaranteed under the Rural Development Insurance Fund as follows:

- "(A) insured water and sewer facility loans, \$500,000,000;
- "(B) industrial development loans, \$1,000,000,000; and
- "(C) insured community facility loans, \$300,000,000."

RESIDENT ALIENS

Sec. 16. Section 348 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1996) is amended by inserting before the period at the end thereof: "Provided further, That the Secretary shall, notwithstanding any other provision of law, publish such regulations in the Federal Register not later than sixty days after enactment of the Emergency Agricultural Credit Act of 1983".

ADMINISTRATION OF GUARANTEED FARM LOAN PROGRAMS

Sec. 17. (a) The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 note) is amended by adding at the end thereof the following new section:

"Sec. 349. Notwithstanding any other provision of this title:

"(a) The Secretary shall establish, in each State office of the Farmers Home Administration organized by the Secretary under the authority of section 331(a) of this title, a Guaranteed Farm Loan Program Unit (referred to in this section as 'the Unit'). The Unit shall operate and administer within the area for which the State office is responsible the programs for guarantees of farm-type loans for farm ownership purposes under subtitle A, farm operating purposes under subtitle B, and disaster emergency purposes under subtitle C of this title, and economic emergency purposes under the Emergency Agricultural Credit Adjustment Act of 1978. Such programs may not be operated or administered by county or district offices of the Farmers Home Administration.

"(b) The Secretary shall ensure—
 "(1) that each Unit has sufficient staff to carry out its responsibilities promptly, efficiently, and effectively;

"(2) within the limits of authorizations therefor, that each Unit has funds adequate to meet the demands in the area for which it is responsible for loan guarantee for each of the purposes enumerated in section (a) of this section; and

"(3) that the Unit informs all private agricultural lenders in the area for which it is responsible of the existence of such loan guarantees and how they may be utilized by lenders and borrowers."

(b) The Secretary shall issue regulations to implement the provisions of subsection (a) of this section which shall include adjustments of the administrative structure of the Farmers Home Administration necessary to accommodate such provisions.

(c) The provisions of subsection (a) of this section shall become effective ninety days after enactment of this Act and shall apply to applications for guarantees filed and guarantee commitments made on and after such effective date.

ECONOMIC EMERGENCY LOAN PROGRAM

Sec. 18. The Emergency Agricultural Credit Adjustment Act of 1978 (7 U.S.C. prec. 1961 note) is amended by—

(1) In section 202, striking out "The Secretary of Agriculture may" and inserting in lieu thereof "The Secretary of Agriculture shall";

(2) In the first sentence of section 206, after "interest", inserting ", but that is not excessive for such purpose"; and

(3) In section 211—
 (A) striking out "September 30, 1982" and inserting in lieu thereof "September 30, 1984"; and

(B) immediately after "\$600,000,000," inserting ", except that, in fiscal year 1983, such \$600,000,000 shall be in addition to the total amount of money borrowed under contracts of guarantee entered into under the authorization provided in the Act of December 18, 1982 (Public Law 97-370; 96 Stat. 1799)".

EFFECTIVE DATE

Sec. 19. Except as otherwise provided herein, the provisions of this Act shall become effective upon enactment.

The CHAIRMAN. Are there further amendments to the bill?

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

Mr. Chairman, if I might, I think the other side has talked to the ranking Members and talked to the gentleman from Tennessee (Mr. JONES). The gentleman from Arkansas, Mr. JOHN

PAUL HAMMERSCHMIDT, had an amendment a while ago to section 3.

If it would be in order, I ask unanimous consent to open up section 3 only for the purpose of allowing the amendment on the community services section, which is an amendment exactly like the one offered by the gentleman from Iowa, Mr. NEAL SMITH, that allowed the acceptance on water and sewer at the lowest possible interest rates. This one would do the same thing on the community services.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

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

Mr. DE LA GARZA. Mr. Chairman, in the spirit of cooperation, we would have no objection to the gentleman making the appropriate unanimous-consent request and then allowing the House to work its will.

Mr. WATKINS. Mr. Chairman, I ask unanimous consent to reopen section 3 only for the purpose of adopting an amendment which I will offer.

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

There was no objection.

AMENDMENT OFFERED BY MR. WATKINS

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

The Clerk read as follows:

Amendment offered by Mr. WATKINS:

Page 8, immediately after line 8, insert the following:

"(3) adding at the end thereof the following: 'The interest rate on loans for essential community facilities shall be the lower of (i) the rate in effect at the time of the loan approval, or (ii) the rate in effect at the time of the loan closing.'"

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

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

There was no objection.

Mr. WATKINS. Mr. Chairman, I think both sides of the aisle are very familiar with this particular amendment in which the gentleman from Arkansas (Mr. HAMMERSCHMIDT) and myself are interested in. It does the same thing as the gentleman from Iowa did on the water and sewer section, that would allow them to accept the lowest rates possible on the community service loans.

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

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

Mr. HAMMERSCHMIDT. Mr. Chairman, I want to commend the gentleman for offering this amendment and for his continuous work for the rural areas of this country.

Mr. WATKINS. I thank the gentleman.

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

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

Mr. DE LA GARZA. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from Minnesota.

Mr. PENNY. Mr. Chairman, I rise in support of the Emergency Agricultural Credit Act. It is imperative that the Farmers Home Administration be directed to respond positively to the needs of farmers who have been devastated by economic circumstances beyond their control. It is also necessary that the Farmers Home Administration be provided sufficient funding authority to respond to the needs of these farmers. This bill accomplishes both these objectives.

Additional farmers will be seeking loans from the Farmers Home Administration for this growing season. This measure provides authority to meet that demand through operating loans and emergency loans.

Some current Farmers Home borrowers who have been good managers are experiencing difficulty repaying loans. This measure directs the Farmers Home Administration to offer rescheduling, or in some cases deferrals, to keep these good managers in business and to provide them a better opportunity to get back on track in paying off their loans.

Mr. Chairman, I want to encourage the U.S. Department of Agriculture and Farmers Home Administration officials to administer this law with concern and sensitivity. The agricultural community needs help. Farmers need help. The Emergency Agricultural Credit Act of 1983, which I have coauthored, will help farmers through this growing season.

I urge a favorable vote.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman for his contribution. I appreciate very much the effort which the gentleman dedicates to our committee and the workings of our committee and commend the gentleman for the diligent work that he is doing in behalf of agriculture and rural America.

AMENDMENT OFFERED BY MR. MADIGAN

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

The Clerk read as follows:

Amendment offered by Mr. MADIGAN:

On page 29 strike the quoted material on lines 18 through line 23 and insert in lieu thereof, the following: ", except that, in fiscal year 1983, the total amount authorized shall be \$300,000,000, of which not less than \$150,000,000 shall be for insured loans, and except that, in fiscal year 1984, not less than \$300,000,000 shall be for insured loans."

Mr. MADIGAN (during the reading). Mr. Chairman, I ask unanimous con-

sent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MADIGAN. Mr. Chairman, this is the third part of the agreement reached between the principals working toward a resolution of the conflicts about this bill and it merely reduces the figure for fiscal year 1983 from \$1.2 billion to \$300 million and then further states that \$150 million of that shall be for insured loans and the other \$150 million for guaranteed loans.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. MADIGAN. Yes; I am happy to yield.

Mr. DE LA GARZA. Again, Mr. Chairman, as I stated on the two previous amendments offered by the distinguished gentleman from Illinois, in the spirit of compromise we are prepared to accept this amendment.

Mr. MADIGAN. Mr. Chairman, I thank the gentleman for his contribution and for his cooperation and, most importantly, for his friendship.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. MADIGAN).

The amendment was agreed to.

● Mr. DASCHLE. Mr. Chairman, yesterday the Department of Agriculture issued a statement of its objections to H.R. 1190, the Emergency Agricultural Credit Act of 1983. The inaccuracies contained in this statement must be addressed.

First, the administration continues to characterize the deferral provision of H.R. 1190 as a moratorium. Categorically, the deferral provision is not a moratorium. The deferral provision provides directed assistance to only those borrowers who are in need of assistance. Additionally, need is not the only qualifying criteria. To be eligible, the borrower must meet the following requirements: Prove he has followed good management practices, prove he has suffered losses relating to his farming operation due to natural and economic conditions which are beyond his control, prove he is unable to repay the loan in question in accordance with the terms and conditions of the loan, and submit a comprehensive statement of his financial condition. To suggest, as the administration has done, not once, but repeatedly, that any Farmers Home Administration borrower can and will simply decide to demand and receive a deferral on the payment of interest and principal on his loan, is to be less than remotely familiar with the deferral provisions contained in this measure. Additionally, as the Department of Agriculture should understand, other loan servicing alternatives must be considered

before a deferral can be granted. If a deferral is granted, the repayment obligation of the borrower is not forgiven or erased, the loan repayments are merely delayed temporarily. The obligation to repay the loan is not eliminated.

The administration has also characterized the Emergency Agricultural Credit Act of 1983 as unneeded legislation. The Committee on Agriculture approved and reported this legislation to the House by a vote of 35 to 3 based on the need for this legislation. The fact that the percentage of Farmers Home Administration farm loan program borrowers who are delinquent has increased from 26 percent in 1979 to 52 percent this year underscores the need for the passage of the Emergency Agricultural Credit Act of 1983 and the degree of financial stress in our Nation's agricultural economy to which this legislation responds. The provision of credit alone will not restore profitability to our agricultural economy, but credit must be made available to our Nation's food and fiber producers if they are to continue to satisfy the needs of the American people and consumers throughout the world.●

● Mr. GILMAN. Mr. Chairman, I rise in support of this proposed emergency agricultural credit legislation, and wish to associate myself with the sentiments so articulately stated by the sponsors of this legislation.

Mr. Chairman, what we have heard during this floor debate is accurate: The agricultural community in our Nation, the breadbasket of the United States, has again become the forgotten segment of our society, even though one of the most important.

In 1896, William Jennings Bryan stated that, if our cities were leveled but our farms left intact, "the cities would spring up again as if by magic," but destroy the farms and leave the cities untouched, "and grass will grow in the streets of a thousand cities and towns."

Our farms are slowly but surely being destroyed—being destroyed by governmental apathy, and by the speculation of an unfair economic system.

I am a distressed witness to this destruction, for my own 22d Congressional District is the home of the Orange County "black-dirt" area—where 45 percent of all onions consumed east of the Mississippi are grown, where a large percentage of our celery, our lettuce, our carrots, and other truck vegetables are grown.

During my 10 years in Congress, I have seen too many of our vegetable growers driven into bankruptcy. I have seen some of our choicest farmland sold at public auction because the growers could not keep up with the debts arising from natural disasters and from depressed markets. I have

seen floodwaters time and time again sweep newly planted vegetable seedlings downstream, and have seen growers cry because they were at their debt limit and did not have the capital to replant.

Two weeks ago, our black-dirt farmlands flooded again. The Wallkill River overflows its banks regularly, but from time to time—in 1955, in 1972, and in 1983—the flooding was especially severe, coming at a time when newly planted crops and fertilizer were destroyed.

The flooding of April 1983 resulted in immediate physical damages of over \$3 million. The 1983 onion crop is now somewhere in the Atlantic Ocean. We will not know until after the flood waters recede—and they have not yet begun to recede—what the total production losses for 1983 will be. It is possible that the growers may not be able to produce any crops or income this year.

From the hour that the floodwaters hit, I was on hand with the growers, listening to their tales of despair. The FmHA was on hand immediately, and was prompt with its disaster declaration. But the aid which will be forthcoming to repair physical damage may prove to be too little and too late if the growers do not receive sufficient relief from their burdensome outstanding debts.

The legislation before the House provides significant assistance to our distressed farmers by extending the maximum repayment period for consolidated or rescheduled farm operation loans from 7 to 15 years. Our growers need and will welcome such realistic relief. It adjusts the interest rate to the rate of their earlier loan, or the current rate, whichever is lower. It establishes a 5-percent interest rate for low-income areas, but provides a maximum of no more than 7 percent if a growers median family income is not above the statewide nonurban income.

Perhaps the most welcome provision of the proposed legislation, however, is the two-step loan deferral process, which will require USDA to forgo foreclosure on and consolidate, reschedule, or reamortize any loans to reflect the borrower's financial situation.

For the growers in New York's 22d Congressional District, and throughout the Nation, who have lived through the horror of seeing their friends and neighbors forced into foreclosure proceedings, this bill is a welcome ray of hope at the end of the tunnel. After years of wondering, will I be next?, our growers now will know that they have a friend in the Federal Government.

This bill is a bill of rights for our agricultural interests, who have for too long been the forgotten stepchildren of our society.

Mr. Chairman, on behalf of the vegetable growers of New York, and on

behalf of the agricultural interest of our Nation, I support this legislation and urge my colleagues to do likewise. ●

The CHAIRMAN. Are there further amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NATCHER) having assumed the chair, Mr. FLIPPO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1190) to provide emergency credit assistance to farmers, and for other purposes, pursuant to House Resolution 158, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 378, nays 35, not voting 19, as follows:

[Roll No. 79]

YEAS—378

Ackerman	Bates	Bonior	Burton	Hammerschmidt	Molinari
Addabbo	Bedell	Bonker	Byron	Hance	Mollohan
Akaka	Bellenson	Borski	Carney	Hansen (ID)	Montgomery
Albosta	Bennett	Bosco	Carper	Harkin	Moody
Alexander	Bereuter	Boucher	Carr	Harrison	Moore
Andrews (NC)	Berman	Boxer	Chandler	Hartnett	Moorhead
Andrews (TX)	Bevill	Breaux	Chappell	Hatcher	Morrison (CT)
Anthony	Biaggi	Britt	Cheney	Hawkins	Morrison (WA)
Applegate	Billrakis	Brooks	Clarke	Hefner	Mrazek
Aspin	Billley	Broomfield	Clay	Hefelt	Murphy
AuCoin	Boehliert	Brown (CA)	Clinger	Hertel	Murtha
Barnes	Boggs	Brown (CO)	Coats	Hightower	Myers
Bartlett	Boland	Broyhill	Coelho	Hiler	Natcher
Bateman	Boner	Bryant	Coleman (MO)	Hillis	Neal
			Coleman (TX)	Hopkins	Nelson
			Collins	Horton	Nichols
			Conte	Howard	Nowak
			Conyers	Hoyer	O'Brien
			Cooper	Hubbard	Oakar
			Corcoran	Huckaby	Oberstar
			Coughlin	Hughes	Obey
			Courter	Hunter	Olin
			Coyne	Hutto	Ortiz
			Crockett	Hyde	Owens
			D'Amours	Ireland	Oxley
			Daniel	Jacobs	Panetta
			Daub	Jeffords	Parris
			Davis	Jenkins	Pashayan
			de la Garza	Jones (NC)	Patman
			Dellums	Jones (OK)	Patterson
			Derrick	Jones (TN)	Pease
			DeWine	Kaptur	Penny
			Dickinson	Kasich	Pepper
			Dicks	Kastenmeier	Perkins
			Dingell	Kazen	Petri
			Dixon	Kemp	Pickle
			Donnelly	Kennelly	Porter
			Dorgan	Kildee	Price
			Dowdy	Kindness	Pritchard
			Downey	Kogovsek	Pursell
			Duncan	Kolter	Quillen
			Durbin	Kostmayer	Rahall
			Dwyer	Kramer	Rangel
			Dymally	LaFalce	Ratchford
			Dyson	Lagomarsino	Ray
			Early	Latta	Regula
			Edgar	Leach	Richardson
			Edwards (AL)	Leath	Ridge
			Edwards (CA)	Lehman (CA)	Rinaldo
			Edwards (OK)	Lehman (FL)	Ritter
			Emerson	Leland	Roberts
			English	Lent	Robinson
			Erdreich	Levin	Rodino
			Erlenborn	Levine	Roe
			Evans (IA)	Levitass	Roemer
			Evans (IL)	Lewis (CA)	Rogers
			Fascell	Lewis (FL)	Rose
			Fazio	Lipinski	Rostenkowski
			Feighan	Livingston	Roth
			Ferraro	Lloyd	Roukema
			Fiedler	Loeffler	Rowland
			Fish	Long (LA)	Roybal
			Flippo	Long (MD)	Russo
			Florio	Lott	Sabo
			Foglietta	Lowery (CA)	Savage
			Foley	Lowry (WA)	Sawyer
			Ford (MI)	Lujan	Scheuer
			Ford (TN)	Lukens	Schroeder
			Forsythe	Lundine	Schulze
			Fowler	Madigan	Seiberling
			Frank	Markey	Sensenbrenner
			Franklin	Marlenee	Shannon
			Frenzel	Marriott	Sharp
			Frost	Martin (NC)	Shaw
			Fuqua	Martinez	Shelby
			Garcia	Matsui	Shuster
			Gaydos	Mavroules	Sikorski
			Gejdenson	Mazzoli	Siljander
			Gekas	McCandless	Simon
			Gephardt	McCloskey	Sisisky
			Gibbons	McCollum	Skeen
			Gilman	McCurdy	Skelton
			Gingrich	McDade	Slatery
			Glickman	McEwen	Smith (FL)
			Gonzalez	McGrath	Smith (IA)
			Goodling	McHugh	Smith (NE)
			Gore	McKernan	Smith (NJ)
			Gradison	McNulty	Smith, Robert
			Gramm	Mica	Snowe
			Gray	Michel	Snyder
			Green	Mikulski	Solomon
			Guarini	Miller (OH)	Spence
			Gunderson	Mineta	Spratt
			Hall, Ralph	Minish	St Germain
			Hall, Sam	Mitchell	Staggers
			Hamilton	Moakley	Stangeland

Stenholm	Vandergriff	Williams (OH)
Stokes	Vento	Wilson
Studds	Volkmer	Winn
Sundquist	Walgren	Wirth
Swift	Walker	Wise
Synar	Watkins	Wolf
Tallon	Waxman	Wolpe
Tauke	Weaver	Wortley
Tauzin	Weber	Wyden
Thomas (CA)	Weiss	Wylie
Thomas (GA)	Wheat	Yates
Torres	Whitehurst	Yatron
Torricelli	Whitley	Young (AK)
Traxler	Whittaker	Young (FL)
Udall	Whitten	Young (MO)
Valentine	Williams (MT)	Zablocki

□ 1640

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1190, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. DASCHLE. Mr. Speaker, on the vote on final passage of H.R. 1190, I was present and on the floor. Inexplicably, my vote was not recorded. Had it been recorded, I would be recorded as voting "aye."

REQUEST FOR PERMISSION TO EXPUNGE ROLLCALL 77

Mr. FOLEY. Mr. Speaker, in the Committee of the Whole during the consideration of H.R. 1190, the Committee of the Whole by unanimous consent vacated the recorded vote, No. 77, on the Watkins amendment and ordered a new recorded vote, No. 78.

While the Committee of the Whole may by unanimous consent vacate proceedings had therein, it may not without the permission of the House expunge a record vote from the RECORD.

I, therefore, now ask unanimous consent that rollcall 77 be expunged from the RECORD and Journal and that any Members recorded on rollcall 77, but not on rollcall 78, be recorded as if they had voted on the second recorded vote.

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

Mr. THOMAS of California. Mr. Speaker, reserving the right to object, I would request a response from the distinguished majority leader. This Member was on the floor at the time that that unanimous-consent request was made and he did not object.

Does the majority leader agree that this was probably not the most propitious parliamentary solution to the problem?

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

Mr. THOMAS of California. I yield to the gentleman from Washington.

Mr. FOLEY. I thank the gentleman for yielding.

First, humility requires me to state that I am a simple, humble majority whip, and the servant of the majority leader.

Mr. THOMAS of California. Excuse me, I anticipated.

Mr. FOLEY. Mr. Speaker, I would like to say in response to the gentleman's question there were unusual circumstances in which a number of

Members arrived on the floor, having believed they were still in time to record a vote that they thought was then pending. Inferentially, this group was about roughly half Republicans and half Democratic. It was balanced politically. And they arrived on the floor and found to their surprise that the rollcall had been concluded.

It was then determined that a request for unanimous consent to vacate the previous rollcall should be requested, and permission was granted and a new rollcall was held.

The problem is that on that second rollcall a few Members recorded on the first rollcall were not recorded on the second and those Members were thus disadvantaged by the repetition of the vote on the second rollcall.

This request is to vacate that first rollcall, No. 77, and substitute all those who voted on either rollcall on the RECORD on rollcall 78 so everyone is protected, and yes, I will tell the gentleman it is an unusual circumstance that I hope is not necessary to repeat.

Mr. THOMAS of California. Further reserving the right to object, would the current majority whip agree that this is in no way a precedent for this type of procedure and that other parliamentary remedies are available and should be used in the future.

Mr. FOLEY. I would tell the gentleman that it is certainly no precedent for any future action and as a unanimous-consent request any Member is entitled to block this request or any similar one in the future, and I hope that the situation does not arise again. I agree with the gentleman.

Mr. THOMAS of California. Further reserving the right to object would the current majority whip agree with me then that if this current situation arises in the future, if I am on the floor, I will object, and if he is on the floor, he will object to a unanimous consent?

Mr. FOLEY. I would hope that the gentleman would not attempt to bind my objection. If he is on the floor, he certainly can exercise his right to object. I would prefer to say that I hope the circumstances do not arise again.

All Members, however, have a commendable zeal in carrying out their duties to wish to be recorded on votes. And I think we have to take into effect that that is what we are allowing Members to do, to record the vote that they cast on one of these two occasions and to be so recorded in the RECORD.

I hope the gentleman does not object. I hope this can be accepted. I hope it does not occur again.

Mr. THOMAS of California. Mr. Speaker, I withdraw my reservation of objection.

NAYS—35

Anderson	Gregg	Paul
Archer	Hall (OH)	Reid
Badham	Hansen (UT)	Rudd
Bethune	Holt	Schaefer
Chappie	Lungren	Schneider
Conable	Mack	Shumway
Craig	MacKay	Smith, Denny
Crane, Daniel	Martin (IL)	Stark
Crane, Philip	McDonald	Stump
Dannemeyer	Nielson	Vucanovich
Dreier	Ottinger	Zschau
Fields	Packard	

NOT VOTING—19

Annunzio	Lantos	Stratton
Barnard	Martin (NY)	Taylor
Campbell	McCain	Towns
Daschle	McKinney	Vander Jagt
Eckart	Miller (CA)	Wright
Hall (IN)	Schumer	
Johnson	Solarz	

□ 1630

Messrs. DANIEL B. CRANE, CHAPPIE, REID, CRAIG, and PACKARD changed their votes from "yea" to "nay."

Messrs. MOORE, LUKEN, and LIVINGSTON changed their votes from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ECKART. Mr. Chairman, on rollcall No. 79 I was detained on official business and arrived in the Chamber moments after the vote was concluded. Had I been present, I would have voted "aye."

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1190, EMERGENCY AGRICULTURAL CREDIT ACT OF 1983

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1190, the Clerk be authorized to correct section numbers, punctuation marks, and cross references, and to delete the section headings on page 2, line 5 and on page 9, line 4.

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

There was no objection.

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

Mr. COURTER. Mr. Speaker, reserving the right to object, I do so to ask the distinguished gentleman, the majority whip, a couple of questions.

In the majority whip's recollection, when was the last time that this type of a unanimous-consent request was made, does the gentleman know?

Mr. FOLEY. Well, I can recall a condition where one of our Members, very recently deceased, asked that a vote be vacated on a bill in order that a rollcall be had. The vote was taken by voice, and the Member requested that the vote be vacated so that a rollcall vote could be taken.

I cannot recall any circumstance precisely similar to the ones that are involved here, but I again would suggest to the gentleman that what we are doing is simply reflecting in one rollcall vote what occurred in two and allowing every Member who voted on either one of those rollcalls to be recorded in the RECORD and to expunge the first vote.

Mr. COURTER. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from California (Mr. LUNGREN).

Mr. LUNGREN. Mr. Speaker, if I could address the distinguished majority whip, it is my understanding that at least one if not more than one Member voted one way on one vote and another way on the other.

And my question is, if that is the case, how are we going to count this out? I mean this is an extremely extraordinary situation we have.

The SPEAKER pro tempore. The Chair would like to advise the gentleman from California (Mr. LUNGREN) that he is advised that there are no changed votes involved.

Mr. FOLEY. I would say to the gentleman that that is my understanding, that there are no changed votes. If there were any, I would suggest that the last vote control.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

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

Mr. DE LA GARZA. I thank the gentleman for yielding.

Mr. Speaker, I would like to tell the gentleman that managing the bill under quite difficult circumstances as we were working very diligently to strike a compromise in what can be technically complicated legislation, one of the votes that was taken was asked by a Member to really allow some time for the conclusion of the agreement.

Then I was informed as there were about 20 or 25 Members in the well of the House that the clock in the committee room was not working properly, and that that was the reason for their

coming a few seconds beyond the time that the vote was finalized.

The SPEAKER pro tempore. The Chair would like to advise the Members of the House and especially the gentleman from California (Mr. LUNGREN) that there was at least one changed vote. The Chair has since been advised that there was a changed vote.

The Chair advised the gentleman from California (Mr. LUNGREN) that there were no changed votes.

The Chair has been advised that there is a changed vote.

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

Mr. COURTER. Further reserving the right to object, I yield to the gentleman from Washington, the majority whip.

Mr. FOLEY. Mr. Speaker, although I had been advised there are no changed votes, I would like to say for the RECORD that I am requesting unanimous consent that anyone who voted on rollcall Nos. 77 or 78 be recorded on rollcall 78 and that 77 be expunged from the RECORD and the Journal.

In the event that a Member voted on both such rollcalls it shall be conclusive that his vote on 78 will be included as the final vote of that particular amendment.

So in the event there are any such differences, the rollcall on 78 will in all cases control for a Member who voted on rollcall 78.

□ 1650

Only in the case where a Member voted on rollcall No. 77 and not on rollcall No. 78 will we be transferring a vote from one rollcall to another.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. COURTER. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Texas.

Mr. DE LA GARZA. I appreciate the gentleman's yielding.

Mr. Speaker, just to conclude the reasoning behind the request, as I stated to the gentleman, there were 20 or 25 Members, one of whom expressed concern that the clock in the committee room did not work and that they were timing themselves accordingly. Were it just a matter of one Member being here late, I would not have done so. Therefore, in the spirit of compromise that permeated what we were doing with the substance of the legislation, I felt that I would do to others as I would have them do unto me. It was for that reason that I made the motion to vacate the vote at the time.

I feel some responsibility for the concern of the gentleman, but I want to assure him and the gentleman from California that I certainly would not make the same motion again; but under the circumstances at the time, the way that the legislation was pro-

gressing and in the spirit that we were working, I felt it appropriate, even though it was an extraordinary motion, and that was the main reason behind making the motion. No objection was heard at the time.

Mr. COURTER. Further reserving the right to object, how would the chairman respond to the problem: I have been assured that, according to the recollection of people on the floor, this has never been done before, and I am sure, also, that if we do it today, if it is permitted today, there is going to be a compatible reason tomorrow or next week, there is going to be perhaps 30 Members here late and they are going to attempt to gain this type of recognition for this type of unanimous-consent request.

I would like either one of the two gentlemen to respond to the question as to what type of precedent this is going to set.

Now, you can say it is not going to, but I submit that it is obviously going to.

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

Mr. COURTER. Further reserving the right to object, Mr. Speaker, I yield to the majority whip, the gentleman from Washington.

Mr. FOLEY. Mr. Speaker, I would say to the gentleman that I think this has been a difficult experience for everybody on the floor, and I think, because of that, we are not going to have any repetition of the request or the agreement of the request to take an additional vote.

That is what led to this problem. The gentleman from Texas was acting in very good faith as the bill manager.

Now, having done so, there are some Members who voted on the first rollcall who were not present on the second. Our only hope is to protect those Members from being disadvantaged by expunging the RECORD on rollcall No. 77 and allowing their vote to be attached to rollcall No. 78. They are, to some extent, those who are the unfortunate bystanders, so to speak, of this process, who would be disadvantaged a bit by what has happened.

But because the gentleman raises the question about this procedure, I think it is clear that we are not going to have it, for just this reason, as a precedent or as a pattern for any kind of future action. I would hope that we could get this one permission, with the understanding that all of us on both sides of the aisle—and I will make the undertaking that the gentleman from California asked me to undertake—and I will try to prevent such an occurrence from happening again if I am on the floor.

Mr. COURTER. Mr. Speaker, further reserving the right to object, I

yield to the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Speaker, I just wanted to further assure the gentleman that, as far as precedent is concerned, under this type of situation there is no precedent set as long as there is always on the floor one of like mind of the gentleman. I assure the gentleman that, because of the experience today and the emphasis which the gentleman has placed on the procedure, one of like mind of the gentleman will conceivably be present on every occurrence of a similar nature. So we set no precedent but only take care of the immediate situation.

Mr. COURTER. Mr. Speaker, further reserving the right to object, I yield to the gentleman from North Carolina (Mr. MARTIN).

Mr. MARTIN of North Carolina. I thank the gentleman for yielding.

Mr. Speaker, I would hope that the gentleman would reconsider his unanimous-consent request. I appreciate the motivation that he has in wanting to make the record of votes that were taken today reflect the way that Members would like for the record to reflect the votes rather than what actually happened. But the fact is that there were two votes taken, one of which was vacated by unanimous-consent request, which itself was a bad precedent, but two votes were taken. To then say that we are going to combine those votes in a way that would make it appear in the record that only one such vote was taken would seem to me to be a very serious mistake for the House of Representatives. It would compound the error of having allowed the first unanimous-consent request to go unchallenged.

The House has always allowed Members to put in the record an explanation of the circumstances that against their wishes had prevented them from being on the House floor in order to take a vote. Members can still do that. They can still put in the record by unanimous-consent request why they were unable to be present for a vote. But we have never before allowed them to change the record of a vote to show something different from the way it was actually cast.

Now, a question has been raised as to whether some Members voted one way on rollcall No. 77 and another way on rollcall No. 78. I have been advised by floor staff that indeed that did occur in at least two instances where a Member voted one way on one of the votes, and then after it was vacated and a second vote was taken, they voted the opposite way. Now, they may prefer for the record to show one way. That is certainly understandable. But the record is that they voted two different ways, and that should be the record of the House of Representatives. It should be what actually hap-

pened on a vote and not what Members wish had happened.

So I hope that the Chair will sustain the gentleman's objection.

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

Mr. COURTER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REQUEST THAT ROLLCALL NO. 77 BE EXPUNGED FROM THE RECORD AND THE JOURNAL

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that rollcall No. 77 be expunged from the RECORD and from the Journal.

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

Mr. COURTER. Mr. Speaker, reserving the right to object, under my reservation I wonder if the majority whip would explain the difference between that unanimous-consent request and the one he just made.

Mr. FOLEY. In the request I previously made I asked that anyone who was recorded on rollcall No. 77 be included in rollcall No. 78 if he did not record a vote on rollcall No. 78, and that all of those who recorded a vote on both be recorded as finally having voted on rollcall No. 78 and that rollcall No. 77 be expunged from the RECORD and the Journal.

Now I am just requesting that rollcall No. 77 be expunged from the RECORD and the Journal, which leaves rollcall No. 78 as the final vote, which does not in any way move one vote from one rollcall to another.

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

Mr. MARTIN of North Carolina. Mr. Speaker, reserving the right to object, I am sorry that I am here, in a way, but I do feel constrained to object to this.

Again, the vote was taken on rollcall No. 77. There are some who were not here, just as there were some who were not for rollcall No. 78. It seems to me that the vote was vacated, and so it has no effect. But it should not be expunged from the RECORD, and so I do object.

The SPEAKER pro tempore. Objection is heard.

TAX FREEDOM DAY

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

Mr. BETHUNE. Mr. Speaker, the Arkansas Gazette recently made note that May 1 was Tax Freedom Day.

That is the day when Americans have worked long enough to pay off their taxes for the year, and they can finally begin working for themselves.

Meanwhile, liberals in the tax-and-spend crowd are working hard to increase taxes and move Tax Freedom Day to later in the year. If the third year of the individual tax cut and indexing are repealed, it will not be long until Tax Freedom Day will take place after July 1. Of course that will not be much of a celebration since the people will be working half a year or longer just to pay off the taxman.

Mr. Speaker, I do not think the people agree with the tax-and-spend crowd. The people, I believe, want to keep the third year of the tax cut and indexing and there are at least three good reasons why they do:

First reason: The people are smart enough to know that if the third year of the tax cut is repealed, that Congress would not use the revenue to reduce the deficit; Congress would simply spend their money as it has in the past. If anyone doubts that, they should look at the budget which was drafted by the liberals who control the House of Representatives, which was titled, "A Democratic Plan for Economic Recovery." In that document, the tax-spend-and-elect crowd called for \$35 billion in new revenues for next year by repealing the third year, as well as raising other taxes, and they did not use it to reduce the deficit. They predictably increased runaway social spending that we have worked so hard to hold down over the past 2 years.

Second reason: The people also know that this is not a question of giving up a tax cut. Taxes have not been cut, and the average worker knows that. Taxes are going up. The tax changes that have been made in the last 2 years merely neutralized increases that were going to occur under our progressive tax system. When you consider the bracket creep that made people pay a higher percentage of tax as they were pushed into higher brackets by inflation, and when you consider the social security payroll tax increases and other taxes that have been laid on the people in the last few years, it is ludicrous to suggest that repeal of the third year is nothing more than cancellation of a tax cut. It is a tax increase, and it is a big one. In fact, if the big spenders and liberals are successful in the repeal of this third year of the tax cut, the average Arkansas family will pay \$1,729 more in new taxes over the next 5 years. Most people just got through digging deep into their pockets to pay their Federal income tax, and I am quite sure they know that they cannot afford to pay \$1,729 more to Uncle Sam so that Congress can poop it away by continuing the spending

binge that is the real driving force behind the Federal deficit.

The increased taxes that would be required for giving up indexing in addition to the tax cut are even more outrageous. The average Arkansas family would pay \$2,706 more each year should the tax-and-spend crowd prevail.

Third reason: No respected economist or close observer of budget and economic conditions has suggested that we should raise income taxes on the people just as we are coming out of a recession. To the contrary, almost everyone agrees that we should wait and see how the economy develops before we make any decisions on the revenue side. Who ever heard of raising taxes on people when they are just beginning to have a chance to work, save, produce, and invest—thus creating the growth that will do more to reduce budget deficits than anything else.

The tax-and-spend policies of Jimmy Carter and TIP O'NEILL got us into this economic mess and a return to those policies will put us right back where we were. Some here in Washington may want to keep on raising taxes so they can keep on spending, but the people do not, and that is why they do not want to repeal the third year of the tax cut and indexing.

PERMISSION FOR SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY AND TRADE OF COMMITTEE ON FOREIGN AFFAIRS TO MEET TOMORROW, MAY 4, 1983

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on International Economic Policy and Trade of the Committee on Foreign Affairs be permitted to meet tomorrow, Wednesday, May 4, 1983, for purposes of completing the markup on legislation renewing the Export Administration Act of 1979.

Mr. Speaker, this unanimous-consent request has been cleared with the minority on the Committee on Foreign Affairs.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

□ 1700

EXTENSION OF INTERNATIONAL FISHERY AGREEMENT BETWEEN THE UNITED STATES AND THE SOVIET UNION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 98-59)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, with-

out objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed.

(For message, see proceedings of the Senate of today, Tuesday, May 3, 1983.)

EXTENSION OF INTERNATIONAL FISHERY AGREEMENT BETWEEN THE UNITED STATES AND POLAND—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 98-60)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed.

(For message, see proceedings of the Senate of today, Tuesday, May 3, 1983.)

POLISH CONSTITUTION DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 60 minutes.

GENERAL LEAVE

Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on my special order today on Polish Constitution Day.

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

There was no objection.

Mr. LIPINSKI. Mr. Speaker, my esteemed colleague from Pennsylvania, the Honorable ROBERT BORSKI, had planned to call this special order commemorating Polish Constitution Day, and I was to participate with Mr. BORSKI in this special order. Because Mr. BORSKI cannot be with us on the floor today, the honor falls upon me to join with people of Polish ancestry all over the world to celebrate the 192d anniversary of the signing of the May 3 Polish Constitution.

The Polish Constitution of 1791 was based on our Declaration of Independence of 1776 and was the first of its kind in Europe.

While the May 3 Polish Constitution was a significant event in Polish history, the accomplishments of our Polish ancestors have been going on for a long time.

Recorded Polish history began in the year 966 under Duke Mieszko, who first began the unification of Poland.

In the 14th century, Casimir the Great united all the Polish people into one kingdom. At the same time Nicholas Copernicus, the father of modern astronomy, was responsible for the start of the scientific revolution.

Later in the history of Poland, King John Sobieski and the Austrians defeated the Turks and saved Christianity in Europe at the Battle of Vienna in 1683.

Women of Poland made their mark in history when Madame Marie Sklodowska Curie, with her husband, jointly received the Nobel Prize in physics in 1903 for their work with radioactivity.

Poland's contribution to America began at the very birth of our Republic, during the Revolutionary War. Brig. Gen. Casimir Pulaski, a cavalry officer, was a hero of the Battles of Brandywine and Savannah. Brig. Gen. Thaddeus Kosciuszko distinguished himself at the Battle of New York and in the Carolinas. As a colonel of engineers, Kosciuszko built the fortifications at West Point. Thaddeus Kosciuszko also declared for and fought for the May 3, 1791, Polish Constitution. He is, perhaps, the greatest freedom fighter for democracy Europe and America had ever shared.

I would be remiss if I did not mention the names of Ignace Paderewski and Joseph Pilsudski, who recreated Poland in 1918 and helped Poland in the only period of freedom it had in the last 200 years.

The list of prominent Poles and Polish Americans goes on and on—Chopin, Stan Musial, Zigmunt Brzenski, Carl Yastremski, Edmund Muskie, Dan Rostenkowski, and the list continues on. Lech Walesa, the leader of Solidarity. A man who believes in religion, family, freedom, and dignity. A man in the spirit of Thaddeus Kosciuszko, a man with a spirit that cannot be crushed. A man that has become an international symbol of mankind's eternal fight for freedom and dignity.

And finally, the leader of the Roman Catholic Church, Pope John Paul II, the worldwide leader for peace and brotherhood. The millions who turned out to celebrate Mass with the Pope when he returned home to Poland demonstrated the strength of the Polish spirit. As Polish Americans, we can be proud to have the same roots and traditions as Pope John Paul II.

On this day, let us remember the thousands of Poles who came to this land of liberty who never made the history books but helped to build this Nation with their work in the coal mines, on the railroads, in the stockyards, and in the steel mills.

Yes, today we celebrate the anniversary of the May 3 Polish Constitution, but, more importantly, I believe, we should celebrate and take great pride in the contributions of the Poles and the Polish-American people to the development of civilization and mankind.

Poles and Polish Americans are proud, hardworking, persistent, and

patriotic people. That is why their contribution has been so great.

Thank you, Stolat.

□ 1710

Mr. BETHUNE. Mr. Speaker, will the gentleman yield to me?

Mr. LIPINSKI. I yield the balance of my time to the gentleman.

Mr. BETHUNE. Mr. Speaker, I appreciate the gentleman yielding.

Recently, the gentleman from Wisconsin (Mr. OBEY) and five others, including myself, had the occasion to go to Poland. We were the first congressional delegation in there after martial law was declared.

I was provoked upon hearing the gentleman's comments this afternoon to come and make a small contribution. I am not a Pole. I have no Poles in my ancestry that I know of, but I am inspired, anytime I hear the story of the Polish people and what is going on in that country today, to make the point that I discovered when I went to Poland last year and that is that the Polish people are possessed of an indestructible spirit that has been growing for some 200 years, going back to the days of the Messianic poets, who used to write that the Poles were destined to prove to the world that freedom would prevail over totalitarian rule.

When we were there—we had occasion to have a half-hour audience with the Pope when we came out of Poland—we confirmed that that is the truth. The Polish people love freedom. They love America. They love Americans. You can sense this everywhere you go. They are engaged in a real battle as they struggle for this freedom.

I was particularly struck by the fact that they sit around their homes in the wintertime and paint little wooden eggs in different colors, depending on which region of the country they are from. This egg, of course, symbolizes the new life that came to them as a part of their culture and heritage from the Orthodox religions of the East. It says in one symbol everything that you need to know about the Polish people. They are a people of hope. They are determined to prove that freedom will prevail over totalitarian rule.

I think the gentleman is so right to come here today and make these points and to realize we have so many Polish people in this country. I am pleased to just be able to work with the gentleman this afternoon to communicate this point.

Perhaps everyone that is listening out there will have some better understanding of the Polish people as a result.

I thank the gentleman for yielding to me.

Mr. LIPINSKI. I thank the gentleman very much for his contribution to Polish Constitution Day. I certainly

appreciate it. I am certain that the millions of Poles in the United States also appreciate it.

● Mr. BIAGGI. Mr. Speaker, I am honored to join in this special order observing the 193d anniversary of Polish Constitution Day. It is an occasion when the people of Poland remember and renew their unswerving dedication to the principles of freedom, justice, equality, and individual liberty.

Unfortunately this year's observance like so many others in the past is conducted under the continued domination of the Polish people by the Soviet Union. The people of Poland were reminded just 2 days ago about how receptive the Soviets are to efforts by the citizens of Poland to march and demonstrate for basic human freedoms. The sight of policemen and soldiers clubbing and teargassing people at will shows in graphic form that the only way the Soviet philosophy will ever be accepted is through extreme coercion.

Yet the May Day demonstrations also pointed out to the world that the spirit of the Polish people is not and will not be broken. The leadership of the Solidarity Party and their inspired head Lech Walesa has renewed hopes in the hearts and minds not only of the working people of Poland but of all who seek an end to the yoke of Communist oppression in that land.

The people of Poland wait with great anticipation for the upcoming visit of the greatest Pole in the world today—Pope John Paul II—a man who has demonstrated in his own unique way his commitment to the cause of peace and freedom for all. His visit promises to be one which the world will not soon forget nor will the Soviet Union or their puppet government in Poland.

It is appropriate on this day to pay tribute not only to the history and traditions of Poland but also to the extensive Polish American community in this Nation which may be as many as 6 million strong. They are a vital part of our Nation—and the Polish American community has made significant and regular contributions to all facets of our society—from politics to the arts to the professions to sports.

The history of Poland is one which has always shown periods of tremendous personal courage by her people in times of tyranny, from the Warsaw ghetto uprising—to the demonstrations at Gdansk—it was the same spirit of love of freedom and liberty captured on that glorious day in 1791 that emerges once again. I am fortunate enough to represent the city of Yonkers in New York which has a most distinguished Polish community and with whom I have a close and working dialog. For my Polish friends in Yonkers and for the entire Polish American community of this Nation

let me extend my warmest best wishes on this Polish Constitution Day. ●

● Mr. BORSKI. Mr. Speaker, I appreciate the opportunity to participate in this special order with my good friend, the gentleman from Illinois. I would like to take this opportunity to insert in the RECORD remarks that I gave on Sunday, May 1, 1983, before the Polish American Congress, the eastern Pennsylvania chapter at the Shrine of our Lady of Czestochowa in Doylestown, Pa.:

POLISH CONSTITUTION DAY REMARKS,
SUNDAY, MAY 1, 1983

Thank you very much.

It gives me great pleasure to be with you today. I would like to thank the officers and members of the Polish American Congress for inviting me to join you in celebrating Polish Constitution Day.

This day commemorates that special moment in history when Poland established itself as a free, sovereign state. The Third of May Constitution is one of the greatest achievements in Polish history. It is one of the world's greatest documents of political freedom and religious toleration.

Poland was one of the first pioneers of freedom. The Third of May Constitution was the most liberal documents in all of Europe—years ahead of its time. It was only the second written constitution in history; second only to the Constitution of the United States. When word reached America that Poland had adopted a constitution our own George Washington wrote to a friend: "Poland by the public papers appears to have made large and unexpected strides toward freedom."

The authors of the Polish Constitution were influenced by the American experience. At first glance, it seems remarkable that two nations, so diverse in their history, culture, language, and heritage could arrive at so similar a goal.

Yet, it is really not so remarkable when we recognize that both documents—the Polish Constitution and the American Constitution—are expressions of mankind's inevitable destiny—to be free.

Through nearly two centuries, the spirit embodied in the Polish Constitution has never died in the hearts of the Polish people. Today, we see Poles striving again for national renewal and for freedom.

Although Poland is clamped in the grip of bondage, the Polish people persist in their efforts to ease the oppression imposed on them by the Communist government. And the Polish people will one day throw off this bondage. One day, freedom of speech, freedom of press, freedom of government, will be theirs.

Our fathers and grandfathers left their native land in search of a place where freedom rules, democracy lives, and equality prospers. Their dream has been realized in America.

But for Poland, the struggle for liberty continues.

As Polish Americans, we have a special obligation to act as the voices of our brothers and our sisters across the ocean. We cannot let the forces of darkness suppress the spirit of the Polish people to live free and unafraid. We cannot abandon them to domination by a harsh Communist system. Polish Americans have a special responsibility—a sacred responsibility—to speak out against this tyranny.

Many Poles—at great risk to themselves and their families—continue to call for a relaxation of restrictions on personal freedom. Can we do less? Can we do less than speak out for their cause for all the world to hear?

Last month, the Committee in Support of Solidarity sent a report to the House of Representatives Foreign Affairs Committee. The substance of that report disturbs me deeply because it underscores the growing repression of civil right in Poland. Since November of 1982, the Solidarity Committee reports that the Polish regime has forcibly conscripted thousands of Polish people into penal camps. Twenty such penal camps now exist. Most are located in forest areas, but the exact locations are not known. Those individuals incarcerated in these camps are persons previously interned by the Polish authorities and later released. Those suspected of being active Solidarity members are among the prisoners. Camp conditions are deplorable. Individuals live in densely crowded and poorly heated buildings. Their food is inedible. Their books and private papers have been confiscated. And they are not even permitted family visits. One escapee from a penal camp has alleged that the authorities in the camps—the Polish People's Army—have tortured conscripts.

The current regime in Poland is clearly violating human rights and fundamental freedoms which is Government pledged to observe.

I intend to ask the Congress to investigate these charges. What can we—as Polish Americans—do to aid the struggle for liberty?

We can support organizations such as the Polish American Congress and its charitable efforts. We can teach our children about their heritage, so that they learn the lessons of Polish history. We can encourage our children to strive for excellence in everything they do, to get the best possible education they can, to be moral, thinking Americans who can assume leadership roles in our national life.

And we must become active in government at all levels, and demand accountability from those who serve us. Believe me, the only way to force government to reflect the values and principles we believe in is to become active. Write to your legislators about issues that concern you and affect you. Do not shrink from your right to express your beliefs just because you feel that public policy issues belong only to the experts. Polish Americans must learn what other ethnic groups have discovered—that citizen lobbyists have a quality of understanding from which the experts can learn.

Our culture is one with a deep respect for God and church, for character and virtue, for family and home. Speak out for these values and work actively in their behalf. As a community, we must strive to promote the best interests of our heritage.

One hundred and ninety-two years ago, Poland adopted a constitution that swept away the past and asserted its hopes for freedom. This historic document abolished class distinction, established absolute religious toleration, and declared the equality of all citizens under the law.

Let us pledge to continue to work together so the cause of freedom—a cause that is so much a part of us today—does not die. Let us pray for peace—here and in Poland. And let us take action and speak out for our beliefs. Thank you. ●

A TRIBUTE TO THE HONORABLE HENRY B. GONZALEZ

The Speaker pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Brooks) is recognized for 60 minutes.

Mr. BROOKS. Mr. Speaker, today I pay tribute to my friend and colleague, the distinguished Representative from the 20th Congressional District of Texas, HENRY B. GONZALEZ, on the 30th anniversary of his first election to public office.

As dean of the Texas delegation, I have had the privilege to serve with men and women of great integrity and distinction. HENRY B. GONZALEZ' work in Congress and his dedication to his constituents place him in this category.

There are Members elected to this body who have left it frustrated by the legislative process, or lured away by other offers. HENRY's outstanding 30-year record of public service demonstrates his deep commitment to public service and his thorough knowledge of House procedure.

Prior to his election to the U.S. House of Representatives in 1961, HENRY served his native San Antonio as a member of the city council, and as the city's mayor pro tem. He was subsequently elected to the Texas State Senate where he is remembered as a champion of those less fortunate, and for his filibusters against legislation which sought to uphold or to facilitate the principles of segregation.

When HENRY came to Washington in 1961, he brought these concerns and more. His legislative agenda included housing, the need for lower interest rates, education, water, adequate energy supply at a reasonable price, more industry for San Antonio, minimum wage standards, and a host of other issues.

An ambitious agenda to be certain, but HENRY has always been ready to expend the effort it takes to get the job done.

We are all well aware of HENRY's fine work as the chairman of the House Banking Subcommittee on Housing and Community Development. Long before he ran for public office, HENRY had been interested in housing. He became active in the movement to bring public housing to San Antonio while still in college. In the Texas State Senate, he sponsored the enabling legislation to provide for urban renewal and slum clearance in the State of Texas. This work and dedication to insure equal housing opportunity for all people is reflected in his legislative record. Since 1962, through his efforts on the Housing Subcommittee, he has been instrumental in the passage of every major new housing bill at the national level.

Democratic Members of the House are also well aware of HENRY's efforts on behalf of the Democratic Party.

HENRY has been an articulate spokesman in Presidential politics since 1960, when he served as the national co-chairman of the "Viva KENNEDY" campaigns. Today he is 1 of 20 Democratic whips responsible for polling Members of the Texas delegation.

Mr. Speaker, we honor a man who has worked to improve the quality of life for all men and women. The House of Representatives is fortunate to have Members like HENRY B. GONZALEZ; individuals who do not hesitate to fight and work for what they believe in.

I know that HENRY's wife, Bertha, and his 8 children and 13 grandchildren are proud of his many accomplishments. It is a pleasure and a honor to pay tribute to HENRY's outstanding record on the 30th anniversary of his election to public office, and to extend him many happy returns on May 3, his 67th birthday.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

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

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman for yielding.

I want to commend our distinguished leader of the Texas delegation for securing the time today to extend our best wishes to our colleague, the gentleman from Texas (Mr. HENRY GONZALEZ).

My career goes back almost to the beginning or our colleague's entry into the political arena. I would like to say that as a probation officer, juvenile probation officer in San Antonio, as a councilman, later serving in the State senate at the time that I had the privilege of serving in the State house, we were able to work together in many of the causes which he espoused.

The name of HENRY GONZALEZ is admired and revered throughout this Nation and beyond for the things in which he has become involved in the political arena, in the civic and the cultural life of his community and in our country.

I would like to state something that I cannot forget or pass by as we honor HENRY GONZALEZ, that in some very difficult years in the State senate I remember then State Senator GONZALEZ like the voice crying in the wilderness in the middle of the night, speaking for decency, for equality, for people having the right to enjoy the privileges, the God-given privileges, that we have as creatures of God and those guaranteed by our Constitution, when there were but very few in Texas or in any of the adjoining States raising their voices in this endeavor.

□ 1720

For that he has the respect and admiration of all of the people of Texas, but he had the courage at the time to espouse a cause that now has become

more in the exact nature of the law of the land.

So I join my other colleagues in extending my commendation and my sincere best wishes to our colleague for all that he has done in behalf of humanity and in behalf of the people in his congressional district which jointly enabled him to in his own time be revered as a legend.

I thank the gentleman for yielding.

Mr. BROOKS. I now yield to the gentleman from Texas (Mr. HIGHTOWER).

Mr. HIGHTOWER. I thank the gentleman for yielding.

Mr. Speaker, a long time ago a wise man said that if one would be great he must first be good. I think this certainly applies to HENRY GONZALEZ, because if we are to talk about those fine qualities that we know that HENRY demonstrates so well, we would say first of all that he is a good man. He is a good friend and a good associate, a good colleague, a good man to work with, somebody that you can trust and know that he is going to be there when you need him.

Yet he has some additional qualities I think that could best be defined as part of being great. He has demonstrated so many times his tenacious qualities and he can be tenacious. If a man is to do an effective job as a legislator, as he has done for so many years in representing the people of Bexar County, he has demonstrated many times that he can be tenacious. When he gets on to a project where he knows that he is right, he does not turn loose and we praise him for it. Those who know him well know that he is that.

He is also a brave man because he does not hesitate or back off because something might not be politically popular with a lot of people. If he believes it to be right and he is convinced that it must be done, he has the qualities of bravery to see the project through.

So he is first of all a good man and he has demonstrated many times that he has the qualities of greatness that are so seldom found in these Halls. I am so grateful to the dean of the Texas delegation, Congressman BROOKS, for taking this special order in order that we might make note of the 30th anniversary of HENRY GONZALEZ' public service, because we need to talk about our own and we need to recognize these qualities when they are found among our colleagues.

I salute HENRY GONZALEZ and wish him many, many more years of service to the people of his district and the Nation.

I thank the gentleman.

Mr. BROOKS. I now yield to the gentleman from Texas (Mr. SAM B. HALL, JR.).

Mr. SAM B. HALL, JR. Mr. Speaker, I thank the dean of the Texas delega-

tion for taking this special order to honor our dear friend and colleague, HENRY GONZALEZ. This is a special week for HENRY, because it marks the 30th anniversary of his first election to public office and we also celebrate his birthday today. As we all know, HENRY's many friends here in Washington get together every year on this day and give him a party to end all parties. In the finest tradition of the city of San Antonio, his party is a celebration of life and friendship. It is truly one of the social events of the year here on Capitol Hill.

HENRY GONZALEZ is a gentleman of the first order. He enjoys tremendous respect and popularity in San Antonio, and for those of my colleagues who have not had an opportunity to visit this beautiful, historic city, let me point out that upon your visit, there will be no doubt in your mind that it is HENRY GONZALEZ country. Most notable people must pass from the scene before streets and public buildings are named for them, but HENRY is the exception. It is difficult to go anywhere in San Antonio and not see his name prominently mentioned. Even in areas where his name may not be inscribed, everyone can tell you who he is and how he has done so much for the 20th District of Texas.

HENRY GONZALEZ and his family constitute a great link in the proud history of the State of Texas. His ancestors were the original colonists in the State of Durango in Northern Mexico, and his parents came to Texas during the upheavals in Mexico prior to World War I. Since that time the Gonzalez family has been prominent and instrumental in the growth and development of San Antonio and Bexar County.

HENRY is a champion of liberty and justice. We know him as a man of wonderful character and personal strength who is forthright and honest in his dealings with others. He stands up for the little guy, and he does not mind grabbing a tiger by the tail if it involves principle. A great example is his unflinching work to achieve justice in the tragic killing of a courageous Federal judge—Judge Wood—down in Texas.

He is a wonderful family man, and as so many of us know, HENRY is justifiably proud of his grandchildren who spend time with him here in Washington. This is indeed a great moment for him, and the accolades that come his way this week are well deserved. I wish my dear friend, HENRY GONZALEZ, continued success and happiness.

Mr. BROOKS. I now yield to the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. Mr. Speaker, today we pay tribute to a legendary figure in Texas and American politics—a man whose accomplishments at every level of public service have already earned him a place in history. HENRY B. GON-

ZALEZ' 30-year elective career has taken him from the San Antonio City Council, where he served as mayor pro tem in his second term; to the Texas Senate, where, as his colleague for almost a year, I witnessed firsthand his dedication to justice and human dignity; and then to this House where he has chaired two banking subcommittees and serves as a zone whip for the majority.

HENRY's record of struggle and triumph in the cause of social justice goes back to his first term on the city council, when he sponsored the ordinance ending segregation in the city's recreational facilities. It continued through his service in the Texas Senate, where he once teamed with our colleague, then-State Senator "Chick" Kazen, in a 36-hour filibuster against racist legislation. And it continues through his work on the Housing and Community Development Subcommittee, where he has fought for equitable treatment of families displaced from their homes by renewal or slum clearance projects.

His record for social progress is rivaled by his work for the cultural and scientific advancement of his city. Through years of diligent effort in the Texas Senate, HENRY was able to bring the University of Texas Medical School to San Antonio. A few years later, he won approval for the Audie Murphy Hospital, a state-of-the-art facility for the care of our veterans. Together, these institutions are the nucleus of the South Texas Medical Center, the basis for San Antonio's preeminent status in medicine.

All of this would serve well as a monument to any legislative career—but "HENRY B." is one of the few Members of this body who also can claim a role in literally reshaping the skyline of a great American city. Elected on a platform of bringing the World's Fair to San Antonio—the first such event held south of St. Louis—freshman Congressman GONZALEZ won the Kennedy administration's approval for planning and financing. He helped to get a bond issue passed by the city of San Antonio. He won congressional passage of the resolution needed for international approval and sanction. He got Congress to authorize the two-part Federal pavilion, which was to become a permanent U.S. office complex. Today, the city has many times the convention facilities it had before "HemisFair '68" and the Tower of the Americas now rivals the Alamo as an emblem of San Antonio.

I have continued to admire firsthand the effectiveness and leadership of HENRY B. GONZALEZ—right from my first day in Congress, when he presided at the reenactment of my congressional oath. I know that I will continue to benefit from his example. And today, as we recognize his continuing

accomplishments, I want to wish him many happy returns of the day.

□ 1730

Mr. BROOKS. Mr. Speaker, I yield to the gentleman from Houston.

Mr. LELAND. Mr. Speaker, it is with pleasure and pride that I rise today to join my colleagues in honoring our friend, the Honorable HENRY B. GONZALEZ of Texas, on the occasion of his 67th birthday and the 30th anniversary of his election to public office.

The challenge I face in finding the right words to honor Congressman GONZALEZ is not in coming up with superlatives. They spring to mind: dedicated, compassionate, determined, principled, and courageous. The challenge is adequately capturing in a few words the impact he has had in the three decades he has devoted to public service.

Since his election to the San Antonio City Council in 1953, he has faithfully served that city as mayor pro tem and as a member of the Texas Senate, and, for the last 22 years, as a Member of this body. Those he has served, however, live all over Texas and all over America.

As a member of the Texas Legislature and the Congress of the United States, HENRY B. GONZALEZ has fought for the common people, for those too often forgotten by society, and for those who have been trodden under the cruel heel of racism, and prejudice and oppression. He has been a dynamic advocate of the Hispanic community and of all of America's minorities.

We who have been honored to serve with him have seen, time and again, evidence of his integrity and the courage born of commitment as he has taken on tough issues. Many times, I am sad to say, he has been alone in these battles. But the failure of others to recognize injustice, or their lack of willingness to battle it, have never deterred him. It is a source of comfort to me, as it is to so many, to know that he is here and ready to pitch the battle against the foes of equality and justice.

True to his Texas heritage, HENRY B. GONZALEZ has demonstrated a rugged individualism and a richness of character which sets him apart. He is truly one of the richest treasures of Texas.

Those of us who are privileged to serve with him in the Texas delegation have benefited time and again from his leadership and his counsel. His Texas colleagues are not alone, however, in the knowledge that we are richer for his presence among us. All who serve in this body are beneficiaries of his service to America.

Mr. Speaker, I wish him feliz cumpleaños adelante siempre buena suerte, HENRY B.

Thank you.

Mr. BROOKS. Mr. Speaker, I yield to the gentleman from Texas.

Mr. KAZEN. I thank the gentleman for yielding.

Mr. Speaker, I rise to associate myself with all of the remarks that have been made concerning my friend and our colleague, HENRY B. GONZALEZ.

I guess that I have been closer to HENRY than any other Member of this Congress.

We served together in the Texas Senate. As has already been stated, we teamed up against several race bills back there when it was really hard to stand up against discrimination.

Mr. Speaker, HENRY has been a champion of the people. He has always looked after the underdog. He has been very tenacious in his effectiveness in his pursuit of justice for all of the people of not only his district but all over this country.

Mr. Chairman, for me it is a tremendous pleasure to wish my colleague and my friend HENRY GONZALEZ the very best of the future that lies ahead of him. I can guarantee you, Mr. Speaker, that as long as HENRY GONZALEZ wants to be a Member of this body, his district is going to keep sending him here, regardless of what anyone says about HENRY and as far as I am concerned HENRY can stay here as long as he wishes.

Mr. BROOKS. I yield to the gentleman from Nevada (Mr. REID).

Mr. REID. Mr. Speaker, in 1961 when Mr. GONZALEZ came to Congress I was attending law school here in Washington. I worked evenings as a Capitol Policeman here at the Capitol. I remember not, over the years that have gone by since 1961, the things that the other Members have spoken about Mr. GONZALEZ being a great legislator, a person who is a leader of his own party and those other things. But what I do remember over these years is the fact that as a policeman here in the Capitol I remember a Congressman, who in the evenings working late, would stop on his way out of the building, going to get something to eat or whatever he might be doing, and he would always stop at my station and ask me if there is anything he could do for me, could he bring me a sandwich back, a cold drink, a hot drink, whatever the case may be. I do not know of anyone during the time I was in Washington who was nicer to me than HENRY GONZALEZ. As a freshman Member of Congress I have had very few dealings legislatively with HENRY GONZALEZ. But I do say here publicly that over these many years since I first met HENRY GONZALEZ I have wanted an opportunity to be able to thank him for the kindness he extended to someone who needed a hand of friendship. And I do want all those people in Texas who are so proud of HENRY GONZALEZ to know that his generosity and his kindness goes beyond

the bounds of Texas. I want to testify to everyone that HENRY GONZALEZ is a man who does live the golden rule.

Mr. BROOKS. The gentleman is very gracious to remember that. I yield to the gentleman from Texas.

Mr. HANCE. I too would like to associate myself with the remarks about my colleague, HENRY B. GONZALEZ. He is a great American, a great Texan. I can think of no other Member who serves his district as well as HENRY GONZALEZ. He goes home each and every weekend.

I believe in all the times I have met people in San Antonio and people from San Antonio, he must know everyone that is there except one who moved into town last night or the night before and he will probably meet them this weekend.

He does work hard for his people and also speaks up for the working people of this country. He does an outstanding job. It has been a pleasure to serve with him in this Congress.

Mr. BROOKS. I yield to the gentleman from Iowa (Mr. BEDELL).

Mr. BEDELL. I thank the gentleman for yielding.

It has been my pleasure to serve on the Small Business Committee with HENRY GONZALEZ and indeed to serve not only on the committee but on subcommittees with him. The reason I wanted to come down to say something is because I belong to the Populist Caucus. If there ever was a populist in the Congress, certainly it is HENRY GONZALEZ.

In everything that comes along HENRY's concern is what is in the best interest of the common people of our country. At least in my opinion we need voices such as that in the Congress. I am grateful he is here to serve with us.

Mr. BROOKS. I yield to the gentleman from Kentucky (Mr. HUBBARD).

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

Mr. Speaker, I am pleased to have this opportunity to express my deep personal admiration for and pay tribute to my good friend and colleague, the Honorable HENRY B. GONZALEZ of the 20th District of Texas.

Representative GONZALEZ began his distinguished career in public service 30 years ago—in 1953. Throughout the years he has served his constituents well—starting at the local level as a member of the San Antonio City Council and serving as mayor pro tem during part of his second term. He was then elected to the Texas State Senate in 1956 and was reelected in 1960. In 1961 he was elected to the 87th Congress and has been reelected to each succeeding Congress.

Indeed, I have had the privilege of serving with Representative HENRY GONZALEZ in the House for 9 years. During that time I have also worked

with him as a member of the House Banking Committee and for 7 years as a member of the Subcommittee on Housing and Community Development, of which he is chairman.

In addition to working diligently on behalf of his constituents, Representative GONZALEZ has made significant contributions on the national level, serving on numerous House committees and actively participating in the House leadership organization.

Therefore, along with my colleagues here today, I appreciate this opportunity to express my personal respect and admiration for my good friend HENRY B. GONZALEZ on the 30th anniversary of his first election to public office and to wish him many happy returns on this, his 67th birthday.

Incidentally, he was my Congressman during my 13 months in Air Force active duty at Lackland and Brooks Air Force Bases in San Antonio.

□ 1740

Mr. BROOKS. I wish the gentleman would not refer to 1953 as ancient history. That is the year I was sworn into Congress.

Mr. HUBBARD. When I mentioned Brooks Air Force Base, I thought that might have been named for our distinguished senior Congressman from Texas.

Mr. BROOKS. Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. I thank the gentleman for yielding.

Obviously 1953 was a vintage year for Texas politicians and I am glad to be able to participate today in commemorating that event.

I was assigned to the Subcommittee on Housing of the Banking Committee shortly after being elected a little over 2 years ago and thus came to begin an association with the Honorable HENRY GONZALEZ, which has been one of the highlights for me of a congressional career that I have generally enjoyed.

His commitment to poor and working people, to people who have been disadvantaged and who can easily get forgotten is really an inspiration. This has not been a time, these past 2 years, when those kinds of concerns have gotten from the Congress the attention that they seem to me to deserve. And the unflagging zeal, and good cheer, and diligence, and creativity which HENRY GONZALEZ has brought to the job of meeting the needs of those who might otherwise be left behind has been, as I said, inspirational to many of us on that subcommittee.

So I am delighted to join in honoring a colleague, a leader of my subcommittee, a friend, and a man who has shown that while in some cases excessive service in a Government position may atrophy some of the vital juices, it need not do so. In the case of

HENRY GONZALEZ the 30 years that he has given to public service have been 30 very good years for the people of this country.

And I thank the gentleman for calling this special order.

Mr. BROOKS. Mr. Speaker, I yield to the gentleman from New York (Mr. WEISS).

Mr. WEISS. I thank the gentleman for yielding to me and I just want to express my appreciation to the gentleman for taking this special order and to share with him and the other Members of the Texas delegation our respect and commendation for the gentleman from Texas (Mr. GONZALEZ). He has been an idol of mine since long before I came to Congress and has continued to be since I have been here.

I wish him well on his 67th birthday and the 30th anniversary of his entry into public life.

● Mr. BOLAND. Mr. Speaker, it is a great pleasure for me to join the many friends of HENRY B. GONZALEZ in celebrating the 30th anniversary of his election to public office, and his 67th birthday. On May 3, 1953, HENRY was elected to the San Antonio City Council where he served 3 years. HENRY continued his career in State and local public service until his election to the 87th Congress in 1961, having served as chief probation officer in Bexar County, and as a member of the Texas State Senate from 1956 to 1960. Throughout his career, HENRY GONZALEZ has distinguished himself as a scholar of the law, and a forceful advocate of those who have suffered injustice. As chairman of the Subcommittee on Housing and Community Development of the House Banking Committee, HENRY has made innumerable contributions to the work of the House. His record of public service is truly outstanding, and we are fortunate to have him among us today. I wish HENRY many years of continued success.●

● Mr. MONTGOMERY. Mr. Speaker, I want to join with my many colleagues in paying tribute to HENRY GONZALEZ, of Texas, on the occasion of his 30th anniversary as an elected official.

He has compiled a truly outstanding record of public service over those years. HENRY was first elected in 1953 to the San Antonio City Council and then was elected to the Texas State Senate in 1956. He earned the respect of his colleagues in that chamber and his hard work and dedication were rewarded in 1961 by election to the U.S. House of Representatives.

I have known HENRY GONZALEZ for 15 years. I can say that it has been a great pleasure to work with him in the House of Representatives. I especially appreciate his help and input as a member of the Select Committee on the Missing in Action in Southeast Asia.

HENRY currently serves on the Banking, Finance, and Urban Affairs Committee, along with the Small Business Committee. He has been a most valuable member of both of these panels.

In addition, over the years he has served seven times as a House delegate to the United States-Mexico Interparliamentary Conference.

HENRY GONZALEZ has represented the people of San Antonio well over the years and his service to this country as a Member of the House of Representatives has also been most outstanding. I understand that tomorrow is his 67th birthday. I want to wish him well and also wish for him many happy returns, and many more years of service in this Chamber.

He is a good friend and I am glad we are taking this time to honor him today.●

● Mr. YATES. Mr. Speaker, I am delighted to join with my many colleagues in paying tribute to our dear friend, the distinguished gentleman from the 20th District of Texas, HENRY B. GONZALEZ, on the 30th anniversary of his first election to public office, and upon his 67th birthday.

HENRY and I have known each other for more than 20 years. For all that time, HENRY has been a crusader and battler for civil liberties and individual rights. He has been in the forefront of the fight for clean water and against the misuse of nuclear power. He is a dedicated and sincere statesman and we in the House are lucky to have him with us.●

● Mr. SUNIA. Mr. Speaker, today I join my colleagues in honoring a man who has set a fine example to us all, and has done that for 30 years. It is appropriate that on this, his 30th anniversary of serving in public office, Congressman HENRY B. GONZALEZ be honored.

I feel that this 30 years is of particular importance, not only because of the accomplishments HENRY GONZALEZ has made, but because he has spent 22 years of these 30 here in Washington, D.C., as a Member of the U.S. House of Representatives.

The people of the 20th District of Texas can be proud that they have a 12th term Congressman who knows their needs and has the experience to satisfy them.

I take this opportunity to congratulate Mr. GONZALEZ, to wish him continued success and also to extend happy birthday wishes from the territory of American Samoa.●

● Mr. YATRON. Mr. Speaker, I would like to take this opportunity to join with my colleagues and say a few kind words about a good friend and one of the most esteemed Members of the U.S. House of Representatives, HENRY B. GONZALEZ.

This is a very special occasion for HENRY. I want to wish him a very

happy birthday and the very best in the future. This also marks the 30th year of devoted and outstanding service to the public by this fine American statesman.

No one who has ever served in this Chamber has done a better job of representing his or her constituents than HENRY GONZALEZ. His record of achievements is well known and widely respected, and extend from his days on the San Antonio City Council to the Texas State Senate and to the U.S. Congress.

I have served with HENRY GONZALEZ since my election to the House and I have learned a great deal from him over the years. He is, without a doubt, one of the most effective, dedicated, sincere, and accomplished Members of Congress. As chairman of the House Subcommittee on Housing and Community Development, he has had a major impact on some of the most important programs affecting our country, to the benefit of all Americans.

I have enjoyed working with HENRY, and look forward to continuing our close cooperation. Once again, HENRY, happy birthday.●

● Mr. DYSON. Mr. Speaker, I join many of my distinguished colleagues today in paying tribute to our celebrated friend and colleague, HENRY GONZALEZ, from Texas, for the unwavering dedication and unlimited resolve he has demonstrated in his respective duties. For 30 years in public office, HENRY GONZALEZ has faithfully and efficaciously served his constituents, his fellow citizens, and his country in a manner that is only befitting of a true representative of the people.

It has been three decades since this dynamic San Antonio legislator first entered politics, with being elected to the San Antonio City Council. Subsequently, he competently proved himself as an effective Texas State Senator from 1957 to 1961, before winning a U.S. House of Representatives seat in a special election in 1961. Since 1961, HENRY GONZALEZ has consistently shown himself to be a most worthy, effective, and greatly respected Congressman.

Over the 22 years in Congress, HENRY GONZALEZ has risen to chair the salient House Banking Subcommittee on Housing and Community Development. He still remains a leading Democrat on the House Banking, Finance and Urban Affairs Committee. He also remains a prominent figure on the House Small Business Committee.

HENRY GONZALEZ has certainly been an imposing asset in this House over the past two decades. He has valiantly served his citizens and country. Mr. Speaker, it is my sincere hope HENRY GONZALEZ will recognize that although we now pay tribute to him in commemoration of his outstanding 30 years in public life, as well as to mark his 67th birthday, he will know we cer-

tainly look forward to many more years with him as a distinguished friend and colleague.●

● Mr. ADDABBO. Mr. Speaker, it is an honor that we pay tribute today to my dear friend, Congressman HENRY B. GONZALEZ, as he celebrates his 30th anniversary of his first election to public office.

HENRY and I both started our terms on the Hill during the 97th Congress and since 1961 it has always been an absolute pleasure to work with him.

HENRY is a man to be admired. He has led the fight for the disadvantaged and has become an institution and a tradition as a concerned liberal in a State not known for its liberal political policies. It is because he cares about the people that HENRY has received absolute support from his constituency during the 20 years that he has sought reelection to Congress.

At present, Congressman GONZALEZ is serving as the chairman of the House Subcommittee on Housing and Community Development. He has been instrumental in expanding public housing programs throughout the Nation. He was the founder of the all important model cities program, clearing the path for Federal assistance to slum and urban renewal projects. He has contributed his expertise in the design of the urban development action grant programs, the urban homesteading programs, and the homeownership assistance programs for low- and moderate-income families.

The list of HENRY's achievements does not stop here. He has on a continuous basis been outspoken for small businesses, insuring that these businesses receive equitable treatment. In addition, GONZALEZ role in investigating the assassinations of Dr. King and President Kennedy has been invaluable.

For HENRY, this tribute can only serve as a small thanks for all his service to the State of Texas and to the Nation. I know HENRY will continue to effectively serve our Nation guaranteeing that minorities and the poor receive the proper attention. I want to thank HENRY and commend him for all the good he has done so far and will continue to do in the future.●

● Mr. DWYER. Mr. Speaker, it is an honor for me to join in this special tribute to our good friend and colleague, HENRY GONZALEZ.

When I first came to the Congress in 1980, I found in HENRY a fine example of the kind of Representative to which we all aspire: honest, fairminded, and truly dedicated to his constituents and the people of our country.

HENRY has shown this commitment and strength throughout his public life, first, in his hometown of San Antonio as city councilman and mayor, and later, as a member of the Texas State Senate.

For more than a generation in this House, that conviction has been extended and refined, particularly in areas that are vital to our people and our economy: housing, community development, and small business.

In these areas and so many others, HENRY GONZALEZ has been one of our most compassionate and effective leaders—an ardent advocate of causes that are just and a true friend and spokesman for those less fortunate.

Mr. Speaker, I would like to thank my colleague, Mr. BROOKS, for calling this special order, affording Members an opportunity to offer HENRY our warm congratulations on his birthday and humble thanks for 30 years of dedicated and distinguished service to his country.●

● Mr. TORRES. Mr. Speaker, I rise today to join with my other colleagues in paying tribute to the distinguished gentleman from Texas, Mr. HENRY B. GONZALEZ. Long before I entered political life, early in my youth as an auto-worker at the Chrysler Corp. in Los Angeles, Calif., I had occasion to know of a great Texas legislator who represented working people in the State legislature. As I moved up on the ladder of leadership in the labor movement I came to appreciate the commitment of Mr. GONZALEZ in championing the cause of working people, the poor, the powerless, and all those who looked for justice in this country. It was indeed a joyous occasion when I learned of his election to the U.S. House of Representatives. As the years progressed, I followed his distinguished record in the House as a dynamic spokesperson for civil rights and progressive legislation. His roots in Texas and his heritage stemming from people who pioneered in that State after leaving a country in revolutionary turmoil gave Mr. GONZALEZ an extraordinary sensitivity in dealing with problems and issues that affected the lives of so many Americans in their quest for social and economic justice.

Mr. Speaker, today HENRY B. GONZALEZ has not wavered one iota from the progressive course he established in this House 30 years ago in promoting legislation to enhance the quality of life in this Nation. At this very time HENRY B. GONZALEZ is the unequivocal champion of seeking legislation to deal with the great issue of adequate and decent housing for all Americans. He has done so with his effective leadership as chairman of the Subcommittee on Housing and Community Development of the larger Committee on Banking, Finance and Urban Affairs on which I also have the honor to serve.

Mr. Speaker, for these and many other reasons I join my colleagues here in paying tribute to a great man who has been an inspiration to me and

a whole generation of Mexican Americans who saw HENRY B. GONZALEZ as the best expression of what is only possible in America: The ability to overcome poverty, bigotry, discrimination, and to rise above these and to give leadership for their eradication from the face of our society.

Thank you, Mr. Speaker.●

● Mrs. ROUKEMA. Mr. Speaker, today marks a special occasion for an able and senior colleague in the House, Congressman HENRY B. GONZALEZ of Texas. I join in today's bipartisan salute to Chairman GONZALEZ, with whom I have the privilege of serving on the Banking Committee and the Housing Subcommittee.

In 30 years of service to his Texas constituents, HENRY GONZALEZ has compiled a record of accomplishment that few can match.

His 21 years of service on the Housing Subcommittee have brought many positive results. He has been a leader in our Nation's efforts to create affordable housing for the lower- and middle-income families. He coauthored the urban development action grant program, perhaps one of the most promising redevelopment programs our Nation has seen. He has combined compassion and innovation with the legislative process.

A personal observation is in order. As chairman, Representative GONZALEZ has shown courtesy, diplomacy, and an extraordinary sense of democratic fair play in the conduct of the business of the committee.

HENRY GONZALEZ has a tremendous record of achievement at the local level as well. His interest in housing was spurred by his service on the San Antonio Housing Authority and his subsequent election as city councilman in that city 30 years ago. Here in Congress, it was the efforts of this Congressman which brought HemisFair to San Antonio in 1969, bringing with it a new convention center and revitalized downtown area. It is most fitting that the convention center is named for Chairman GONZALES.

Thirty years ago this week, HENRY GONZALEZ won his first election and he has been winning them ever since. His constituents know and appreciate his abilities, and so do those of us who serve with him here in Washington.●

● Mr. GAYDOS. Mr. Speaker, if you admire the towering English political thinker, Edmund Burke, you are likely to believe that the only thing necessary for the triumph of evil is for good men to remain silent or do nothing.

But, if you have worked more than a year with HENRY GONZALEZ, you are equally likely to believe that evil is overmatched as long as he serves with us, as I do.

It is not in Mr. GONZALEZ to stand silent in the face of evil or injustice, which is a benefit to the Nation, his district, and the disenfranchised.

Nothing is the only thing this colleague of ours does not do well in Burke's business of representative government.

In fact, he seems to approach the job as Burke recommended: By giving his constituents his industry and his judgment—by doing what humanity, reason, and justice say ought to be done.

In his series of more than 30 special orders on the murder of a Texas judge, Mr. GONZALEZ by his action rewrote the definition of perseverance. Indictments have been returned in this case that went unprosecuted for too long.

In his record in housing, in his mortgage bill in the current Congress, he has demonstrated a devotion to the dictates of reason, justice, and humanity.

Whether speaking in special orders on a Central American policy for the United States or on the Federal Reserve Board and the monetary system, he is significantly diligent in his business.

These are only samples of his record, but as the great Spanish writer Cervantes said, "by a sample we may judge the whole piece."

When Mr. GONZALEZ talks, I listen. He makes a special kind of music. It is not quite the Texas swing that memorialized the town he represents, but by any contemporary measure this colleague of ours truly is the San Antonio rose. We are fortunate to have him in service with us, and I hope this service continues unabated and unbroken for years and years to come.●

● Mr. COELHO. Mr. Speaker, I would like to take this opportunity to commend my esteemed colleague, the Honorable HENRY B. GONZALEZ, for his service to his district, to the State of Texas, and to this Nation for the past 30 years. An energetic and hardworking public official, HENRY has served as an outstanding model to all of us; his vast legislative experience and skill make him a valuable Member of this body.

In his role as chairman of the Subcommittee on Housing and Community Development, he has sought to increase the amount of Federal moneys available for housing at a time when this administration is attempting to reduce funding for housing programs. Because of his determination, HENRY has proven to be a leader in Congress, and his efforts deserve to be recognized.●

● Mr. VANDERGRIF. Mr. Speaker, HENRY B. GONZALEZ is the personification of public service at its best. He challenges those of us who work alongside him by his dedication and his effectiveness and by setting such an example he contributes far more than his rightful share toward the goal of ever better government.

It was my privilege to first meet Congressman GONZALEZ when he was a member of the Texas State Senate a quarter of a century ago. Obviously, he was already completely consumed with the joy of working for and with people, and it did not take very long to realize that no constituency in Texas was represented by a Senator more responsive and sensitive to the needs of those he was attempting to serve than Senator GONZALEZ. It also was apparent he was destined for a much greater responsibility in the years ahead and thus it was not surprising at all when he was elected to Congress.

The residents of his own district and, indeed, all the people of the United States are vastly the better because HENRY GONZALEZ has been at work in their behalf here in Congress these past two decades. He has, time and again, been an articulate spokesman for those who are least able to speak for themselves. He inspires the best in all of us and thereby sets a standard every other Member would do well to emulate.●

● Mr. ANDERSON. Mr. Speaker, I commend the gentleman from Texas (Mr. Brooks) for arranging this special order today allowing us to pay tribute to our friend and colleague, the Honorable HENRY B. GONZALEZ, on this his 67th birthday and the 30th anniversary of his first election to public office.

Three decades ago HENRY began his career in public office when he was first elected to the San Antonio City Council. During the latter part of his 3 years on the council, he served as mayor pro tem. From there, he was elected to the Texas State Senate in 1956. Although HENRY was reelected to the Texas State Senate in 1960, he was elected the following year to the U.S. Congress to fill the unexpired term of Paul J. Kilday. And, he has been with us ever since.

We, and millions of other Americans, are very fortunate that HENRY chose to come to Washington and serve in this Chamber. His tireless efforts on behalf of all the people in this country—and not just a select few—are truly remarkable.

On this his 67th birthday, I congratulate HENRY on a fine record of service to his community, State, and the Nation. My wife, Lee, also joins me in wishing HENRY, his wife, Bertha, and their children, Henry, Rose Mary, Charles, Bertha, Stephen, Genevieve, Francis, and Anna Maria all the best in their future endeavors.●

● Mr. FROST. Mr. Speaker, today is the 30th anniversary of HENRY GONZALEZ' first election to public office and it is appropriate that his friends in the House of Representatives, where he has spent most of his public career, pay special tribute to him on this day.

HENRY B. GONZALEZ remains an unabashed liberal whose first run for Congress in 1961 became a national referendum on the New Frontier policies of John F. Kennedy, who HENRY had campaigned for and whose policies HENRY strongly supported. His entire public life has stood for the New Frontier causes for the poor, the disadvantaged, the deprived, and those who cannot defend themselves. Few politicians have so steadfastly defended those principles over the years as HENRY GONZALEZ.

HENRY is a first-generation American of Mexican descent. He was the first Mexican American to serve in the Texas State Senate and he was the first Mexican American to be sent to Congress from Texas. Of all the contributions HENRY has made to the people of his district, none will endure as long as his unremitting opposition to segregation and the policies that deprived his constituents of the right to the franchise. HENRY attracted national attention during his service in the Texas Senate for his filibusters against what were known as the race laws—legislation designed to exempt Texas from the civil rights legislation that was sweeping the country. And in 1962 when he was first elected to Congress, HENRY immediately introduced legislation to abolish the poll tax in the five States where it still existed. That proposal was subsequently incorporated into the 1965 Voting Rights Act.

Most of us think of HENRY for his accomplishments in the housing field, which have been many. But his forcible defense of civil rights at every level of his political career is what his people back home most remember about HENRY B. GONZALEZ. He has rightfully earned himself a reputation for decency, compassion, and principles. He is a man whom I personally admire and with whom I look forward to many more years of close association.●

● Mr. LEATH of Texas. Mr. Speaker, I want to join my colleagues in paying tribute to a great public servant, my friend, HENRY B. GONZALEZ. In the 30 years that HENRY has served the public he has tenaciously fought in support of his convictions, not letting obstacles which would dishearten less persistent men deter him from pursuing his goals. This unfaltering spirit has earned HENRY the deserving respect of his colleagues.

HENRY has compiled a very impressive record of public service, having served in government on the city, State, and Federal level. His first elective office was as a San Antonio City Council member. Later, as a senator in the Texas Legislature, he demonstrated his dedicated fighting spirit through his filibusters against bills upholding segregation.

In 1961, HENRY was elected to the U.S. Congress. Since that time, he has continued his struggle to protect the poor and to fight discrimination. To enumerate all of his accomplishments would be too immense of an undertaking. I would like him to know, however, that his efforts have been noticed and appreciated, and that he serves as an example to all of us of a man who is willing to tenaciously battle for what he believes is right.●

● Mr. PICKLE. Mr. Speaker, we know our national leaders simply by their initials—F. D. R., J. F. K., and L. B. J. You can add to that list the abbreviated name of one of our distinguished colleagues from Texas who is known universally as HENRY B. When you quote HENRY B. everybody knows you are talking about HENRY B. GONZALEZ. This is a remarkable recognition, and it comes to a man who has been so active for so long for the right causes that he has gained this special recognition.

HENRY B.'s public service began 30 years ago. His service on the San Antonio City Council, in the State senate and as the first Hispanic to ever serve in the U.S. Congress HENRY B. has earned him this special recognition.

HENRY B. is recognized for his constant battle for the little man and, in a lighter vein, for his special orders at the close of every business day. Why if Congressman BROOKS had not arranged for this special order, HENRY B. probably would have arranged one for himself.

He is different, unique, and unpredictable, except that he will do what he thinks is right. He is dependable, lovable, and a great believer in the Democratic Party. You do not take HENRY B. for granted, and you know he is going to speak out every day on some vital issue.

I have often wondered how HENRY B. can keep getting reelected when he is so outspoken on so many issues—local or national. He does it every day. He is just as liable to speak out on a national issue as he is to take the hide off a local politician. But the people in his district know that is just HENRY B., and they must approve because they keep sending him back to Washington—and thank goodness for it.

Another reason for our celebration today is HENRY B.'s birthday—so happy birthday, HENRY. You are the top banana, the jefe grande, the big tamale of your city and the Texas delegation. We know you are not going to slow down; so we will just offer to aid and abet you—and say "sic em" HENRY B.●

● Mr. COLEMAN of Texas. Mr. Speaker, it is a great honor for me to join my colleagues in paying special tribute to our friend HENRY GONZALEZ of San Antonio during this very special week for him.

Three decades of service to one's city, State, and Nation is indeed a milestone not easily achieved. More important than this, however, is the unity among HENRY's constituents he has inspired along the way. Time and time again, his candidacy demonstrated that compassion, responsiveness, integrity, and leadership are far more important than one's ethnicity or a community's history of polarized voting. Not only does HENRY serve as a role model for young Hispanics to emulate, he serves as a model for all Americans to follow.

I am proud to have this opportunity to work with HENRY GONZALEZ and to gain from his wisdom on matters before this body.

I wish my colleague from Texas further success during his tenure in Congress, a most happy birthday, and a feliz cinco de Mayo.●

● Mr. EDWARDS of California. Mr. Speaker, I would like to take this opportunity to thank the gentleman from Texas, JACK BROOKS, for this chance to speak in tribute to the Honorable HENRY B. GONZALEZ.

May 1, 1983, marked the 30th anniversary of Mr. GONZALEZ in public office. During this time, I have come to know HENRY very well and consider him a good personal friend. He has been an inspiration to all of us here in Congress, particularly with respect to his constant attempts to help the poor and needy in our society.

Since I have a large Hispanic population in my district, the 10th Congressional District in California, HENRY's efforts for Hispanic rights have meant a lot to the people of my district. HENRY has visited San Jose numerous times and has always had spirited messages of hope and inspiration for my constituents.

I will always consider HENRY a national leader in housing and community development, sensitive to the wants and needs of minorities and lower income families. He is a true representative of the people, and today I would like to say thanks for all his efforts and for the outstanding work he has done. I know the American people will continue to benefit from his dedication and commitment for many years to come.●

● Mr. ROE. Mr. Speaker, I take great joy in rising today to join in this well-deserved salute to our colleague from the great State of Texas, HENRY GONZALEZ, on the occasion of the 30th anniversary of his first election to public office.

The story of HENRY GONZALEZ' career can truly serve as an inspiration to all Americans, but especially those who come from Hispanic origins.

The son of Mexican American parents in San Antonio, HENRY became involved in politics when he ran for and was elected to the San Antonio

City Council in 1953; 3 years later he won election to the Texas State Senate.

HENRY's Horatio Alger story culminated dramatically in 1961 when he was elected to the House, becoming the first person of Mexican American heritage from Texas ever to win a House seat.

During the past 22 years, HENRY GONZALEZ has never lost any of his vigorous dedication to the needs of his constituents. His belief that a Member of the House of Representatives is here to serve the people back home is best exemplified by the motto on his Rayburn office door: "This office belongs to the people of the 20th Congressional District of Texas."

As the chairman of the important Housing Subcommittee on Banking, HENRY has shown the same fight in helping secure passage of legislation that guarantees decent housing opportunities for all Americans.

Mr. Speaker, HENRY GONZALEZ has always been the champion of those members of our society, the young, the poor, and the aged, and others who often have no one to speak out in their behalf.

It is my hope that 30 years from now, HENRY GONZALEZ will be congratulated again on this House floor for another 30 years of tireless devotion to the people of Texas and the Nation as a whole.●

● Ms. OAKAR. Mr. Speaker, I would like to join you in paying tribute to my distinguished friend and colleague, the Honorable HENRY B. GONZALEZ, on the occasion of the 30th anniversary of his first election to public office as well as the celebration of his 67th birthday.

Congressman GONZALEZ is my chairman on the Housing and Community Development Subcommittee. In the time he has served in this capacity I can say that he has made remarkable and important inroads in his extremely fair and judicial handling of the very critical situation that affects our Nation's housing and people. I have found him to be a man of the people whose integrity impresses both his colleagues and all people who have observed him in this important position on this crucial subcommittee.

I would like to congratulate him on this, his 30th anniversary in public office, and his 67th year as a person who cares for others and is not afraid to put himself on the line. He is a man of courage, foresight, and fairness.

Congratulations, HENRY.●

● Mr. MITCHELL. Mr. Speaker, I am proud to join my colleagues in honoring Congressman HENRY B. GONZALEZ on two very special occasions. Two days ago, on May 1, HENRY marked the 30th anniversary of his first election to public office. Today, he marks his 67th birthday.

HENRY has stood continuously in the forefront to promote equal opportuni-

ties for all citizens. He has been a stalwart in protecting the rights of minorities and the elderly. His untiring, compassionate commitment to decent affordable housing for low income citizens shines through daily in his capacity as the chair of the House Banking Committee's Subcommittee on Housing. I have served with him as a member of this subcommittee for years, and he is truly an inspiration to us all.

On this special day, HENRY GONZALEZ is receiving a distinct honor—a tribute from those who have the privilege of serving with him in the House. This is a high honor and he truly deserves it.

I want to extend my heartiest wishes for a happy anniversary and a fantastic birthday to this champion.●

● Mr. PATTERSON. Mr. Speaker, it gives me great pleasure to pay tribute to my distinguished friend and colleague, the Honorable HENRY B. GONZALEZ, of Texas, on the occasion of his 67th birthday.

I have had the honor of serving in Congress with HENRY GONZALEZ for nearly 9 years. He is a man who has dedicated 30 years of service to his constituents in San Antonio, Tex. Beginning his public service career in 1953 as a member of the San Antonio City Council, HENRY continues to serve the people of San Antonio as a member of the House Committee on Banking, Finance and Urban Affairs, and more specifically, through his leadership as chairman of the Subcommittee on Housing and Community Development.

As a colleague of HENRY's on the Banking Committee, serving with him on the Housing Subcommittee, I have had the honor of working with HENRY to develop legislation that will meet the challenge posed by our Nation's critical housing problems. As HENRY pointed out during hearings in March 1982, the questions we face in the housing arena are of fundamental importance. At that time, HENRY noted that:

The blunt truth is . . . the Nation must decide whether or not it will maintain its commitment to a national housing program and policy, and whether or not we will address the ills of the industry, and whether or not we will continue our historic effort to provide safe, decent, and affordable housing for the American people.

It is clear that HENRY believes we must maintain this commitment to housing; and his actions demonstrate this conviction. Just last week, under HENRY's chairmanship, the Housing Subcommittee took the bold step of approving major housing legislation, H.R. 1—the Housing and Urban-Rural Recovery Act of 1983. Not only does this legislation reaffirm our historical commitment to meeting the housing needs of American citizens but it proposes to do so using a number of innovative, more cost-effective ways that

reflect the constraints of today's budget realities.

I look forward to continuing to work with HENRY on the House Banking Committee and its Subcommittee on Housing.

And on this day, his 67th birthday, I would like to extend to HENRY warm wishes for a happy, healthy, and prosperous year.●

● Mr. ST GERMAIN. Mr. Speaker, the State of Texas has two monuments by which the great city of San Antonio is known nationwide—the Alamo and HENRY B. GONZALEZ.

Both are symbols of courage and the willingness to stand up against seemingly impossible odds.

We may not always agree with our good friend and colleague from San Antonio, but there is no one in this House who for a moment questions the sincerity of HENRY B. GONZALEZ' convictions. And when we are considering shelter for the homeless, housing for low- and moderate-income families in America, HENRY GONZALEZ speaks not of consensus, but of compassion.

We do not need to go back in history to illustrate this point. Last week, the Housing Subcommittee, under the chairmanship of Mr. GONZALEZ, reported out a bill which pushes for a revival of housing for low- and moderate-income families in the United States—for keeping the commitment the Congress has made to the American people that each should have decent, safe, and sanitary shelter.

Later this week, the House will consider for Emergency Housing Assistance Act which seeks to provide temporary assistance to homeowners facing foreclosure because of involuntary unemployment. The legislation also includes assistance for States and local governments to provide emergency shelter and essential services for the homeless. Few will forget the testimony given to Mr. GONZALEZ' subcommittee last December from the Salvation Army, from other church groups, and mental health associations, from community groups trying to help the homeless aging, and from some of the people living in these community shelters.

These efforts are more benchmarks in a career marked by concern for the poor, the disadvantaged—the little man in our economic system.

We honor HENRY B. GONZALEZ, a man of independence and compassion. Happy birthday, HENRY.●

● Mr. ACKERMAN. Mr. Speaker, I rise along with my colleagues in order to pay tribute to the Honorable HENRY B. GONZALEZ on the occasion of the 30th anniversary of his election to public office. Congressman GONZALEZ has been a beacon for those of us who once thought that our ethnic identity would prevent our election to public

office. Congressman GONZALEZ was one of the first Mexican American candidates for public office back in 1953. Again, when he was elected to the House in 1961, he was one of the first Mexican American Members of this body. He followed his educational path through the San Antonio Public School System and the University of Texas. It culminated with a law degree from St. Mary's University School of Law.

Mr. GONZALEZ is to be praised for his commitment and dedication to his community. By working for the publication of bilingual literature, teaching math and citizenship classes in veterans training programs, and through his work with the San Antonio Housing Authority, he helped to bridge the gap between newly arrived American citizens and their new country. The people of San Antonio recognized his dedication to civic affairs by electing him to the city council in 1953, elevating him to the State senate in 1956, and sending him to the House in 1961. As a Member of this body, he has served on many standing and select committees, distinguishing himself on each of them.

As a freshman in the House, I would be honored to emulate Congressman HENRY B. GONZALEZ, and be one of the Members of the House to wish him a happy birthday.●

● Mr. LONG of Maryland. Mr. Speaker, I congratulate my distinguished colleague from Texas, Mr. GONZALEZ, on his 67th birthday and on the beginning of his 31st year of dedicated public service.

For as long as I have been a Member of this body, Mr. GONZALEZ has shown the kind of courage and conviction which we should all emulate. His constituents and his colleagues are fortunate that he has been so generous in giving his career to public service.

I wish my good friend HENRY GONZALEZ the happiest of birthdays today and many more beyond. I look forward to serving with him for many years to come.●

● Mr. LEVINE of California. Mr. Speaker, I would like to thank my colleague from Texas (Mr. BROOKS), for providing us with the opportunity today to honor a distinguished and accomplished Member of Congress, HENRY B. GONZALEZ, on the occasion of the 30th anniversary of his election to public office.

During the 21 years he has served here, Mr. GONZALEZ has established a reputation as an effective champion of the causes he cares so much about.

At the top of the list of those causes is improving the quality of housing for Americans. For more than 20 years Mr. GONZALEZ has played an important role in fashioning housing legislation considered by the House of Representatives.

His concern for the civil rights of Americans was clearly demonstrated by the first bill he introduced—a resolution calling for the abolition of the poll tax which had for years been used to prevent blacks and Hispanics from voting.

He has shown the same kind of leadership on a list of causes which include full employment, consumer product safety, veterans affairs, and many more too numerous to mention here.

I am pleased to have the opportunity to take part in this special order to recognize an outstanding Member of Congress.●

● Mr. LOEFFLER. Mr. Speaker, as a member of both the Texas and San Antonio delegation, I am pleased to join with my colleagues today in extending congratulations and best wishes to our friend HENRY B. GONZALEZ who, on May 1, marked 30 years of dedicated public service as an elected official at the local, State, and National levels for San Antonio and Bexar County, Tex.

From the junior member of the San Antonio delegation to its dean, it is also my high pleasure to extend happy 67th birthday greetings and best wishes for a pleasant and memorable day.●

● Mr. CORRADA. Mr. Speaker, I am honored to join this tribute today commemorating the 30th anniversary of the first election to public office of our illustrious colleague, HENRY B. GONZALEZ.

As Resident Commissioner from Puerto Rico, it has been a privilege to serve, as a colleague, with Congressman GONZALEZ since I came to Congress in 1977.

All of us, as Congressmen, have special respect for our mentors. In this capacity, I note proudly that having served with Congressman GONZALEZ—particularly as a fellow member of the Hispanic Caucus I have benefited immeasurably from his counsel, his advice, and, perhaps most importantly of all, from his example he has set for all of us and for me personally in serving his constituents and his country.

Over the years, as a city council member, as a State senator in Texas, and as a Congressman, HENRY GONZALEZ has been in the forefront of many social issues and causes that have helped his fellow Hispanic-American citizens, and the city of San Antonio, Tex.

May he serve many more. I wish HENRY on this occasion, the very best of wishes, and I am happy to join in this special tribute for a very special person.●

● Mr. RICHARDSON. Mr. Speaker, today marks the 30th year of public service by my distinguished colleague from the State of Texas, Congressman HENRY B. GONZALEZ. Our Nation is grateful for HENRY's unyielding ef-

forts on behalf of the poor, the elderly, low-income families, small businessmen, farmers, and minorities. Hispanic Americans take particular pride in his 23 years in this body, where he is now the dean of the Hispanic Caucus.

On this special occasion I think it is important for my colleagues to reflect on HENRY's longstanding commitment to civil rights and the public interest. In San Antonio, when swimming pools and parks were closed to members of minority groups, HENRY GONZALEZ led the fight to open the facilities to all the citizens of the city. In the Texas State Legislature, HENRY fought tirelessly against legislation that would have perpetuated segregation in Texas.

When HENRY came to the Congress in 1961, he continued his fight for equality under the law. He strongly supported the landmark civil rights bills of the sixties. HENRY worked hard and quickly won the admiration of his colleagues. His thoroughness continues today on the Banking Committee, where he chairs the Subcommittee on Housing.

Mr. Speaker, HENRY GONZALEZ has a plaque outside the door to this office in the Rayburn Building. The plaque states that "This office belongs to the people of the 20th District of Texas." HENRY, who is a lawyer, represents the people of his district very well, and they are indeed fortunate to have him as their advocate.●

● Mr. ANNUNZIO. Mr. Speaker, I am delighted to join my distinguished colleague, the Honorable JACK BROOKS, in saluting our good friend and esteemed colleague, the Honorable HENRY B. GONZALEZ, on his 30th anniversary of election to public office, and also on his birthday today.

I am honored to have served with HENRY in the House of Representatives since 1965, and to have benefited from his counsel and advice as a fellow member of the House Banking, Finance and Urban Affairs Committee.

Congressman GONZALEZ began his career of public service with his election to the San Antonio City Council in 1953. During part of his second term, he also served as mayor pro tem. In 1956 and 1960, he was elected to the Texas State Senate, and began his career in the House of Representatives with his election as Congressman from the 20th District of Texas in 1961.

HENRY's diligent efforts as chairman of the Subcommittee on Housing and Community Development of the House Banking, Finance and Urban Affairs Committee, and as a member of the House Small Business Committee have been both fruitful and beneficial to the citizens of this Nation, and indeed, these successful efforts have made America a more prosperous and productive country.

Congressman GONZALEZ has also served as the chairman of the ad hoc subcommittee on the Robinson-Patman Act, antitrust legislation, and related matters, as a member of the Select Committee on the Missing in Action in Southeast Asia, as vice chairman of the House Select Committee on Assassinations, as a House delegate to the United States-Mexico Interparliamentary Conference, and as a member of the National Commission on Consumer Finance.

He continues to give his best in service to his Texas constituents and to the people of our Nation. His outstanding dedication to high standards is an inspiration to his friends and fellow citizens and his record of excellence is most commendable.

Again, HENRY, congratulations and I extend to you my warmest best wishes for abundant good health and ever-increasing success as you continue to serve your State and your Nation in devotion to the highest principles.●

● Mr. BIAGGI. Mr. Speaker, I rise today to join in offering hearty congratulations to my friend and colleague, HENRY GONZALEZ, as he celebrates two milestones in his life—his 30th anniversary of holding public office and his 67th birthday.

During HENRY's long and colorful career as a public official, he has captured the hearts of the people of the 20th District of Texas and especially his charming hometown, San Antonio. Having been elected to the San Antonio City Council in 1953 and having served as mayor pro tem during part of his second term, HENRY quickly gained the love and respect of his constituents who saw fit to elect him to the Texas State Senate in 1956 and finally to the House of Representatives in 1961, where we now enjoy his contributions and his dynamic personality.

It is not hard to figure out why HENRY's constituent's love him so. He has spent the last 30 years of his life fighting for the rights of his people with a deep and burning commitment which surely comes from his forefathers. HENRY's ancestors were some of the original colonists of the State of Durango in northern Mexico who, having fled to our country during the revolution, became some of the most responsible and valued citizens of our Nation. Now, HENRY, in true American fashion, has kept their spirit alive.

As chairman of the Subcommittee on Housing and Community Development of the House Banking, Finance and Urban Affairs Committee, HENRY has led the fight to secure adequate and proper housing for Americans of all incomes. He has been a valued member of the Small Business Committee, and has served seven times as a House delegate to the United States-Mexico Interparliamentary Conference.

HENRY's contribution as a U.S. Congressman have been outstanding. It is my personal privilege and pleasure to offer to HENRY and his entire family my best wishes on this happy occasion. May he enjoy many, many happy returns.●

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

And, Mr. Speaker, I would like to include remarks from about 15 of my fellow Members.

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

There was no objection.

SOVIET "COLD WAR" IN CENTRAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 30 minutes.

Mr. BURTON. Mr. Speaker, I have been very distressed over the past few days because there are some activities going on in the House Intelligence Committee which concern me a great deal.

There is a move by the committee to cut off aid to our CIA operatives in Central America because of the Boland amendment which deals with the issue of Nicaragua.

There is a definite Marxist expansionist movement in Central America which I think endangers the security of the United States of America and I think it is singularly inappropriate for the House Intelligence Committee to do anything right now which is going to jeopardize the future security of this country.

I think we can all look at Central America and really be concerned. The Nicaraguan Government is building up a massive army down there. They plan to export revolution throughout Central America. Some of their leaders who have been captured have said in public interviews that they anticipate a Central American revolution, including Honduras, Costa Rica, El Salvador, Belize, Guatemala, and ultimately even Mexico. And this puts the United States in a very precarious position.

And one of the best articles that I have read recently on this issue was written by George Will, who is a columnist for the Washington Post Co., and because his article is so good, I thought I would read it into the RECORD today, because it covers almost every aspect of the problem and the confrontation in Central America.

Question: Since détente was codified at the Nixon-Brezhnev summit in 1973, the Soviet Union has fomented a

nuclear alert by threatening to intervene with troops in the October 1973 war in the Middle East, a war incited and financed by the Soviet Union; they have organized and financed the destruction of the Paris accords and a U.S. ally; has intervened with Cubans and others in Angola, Ethiopia, Yemen, Cambodia, Nicaragua, and El Salvador; has invaded Afghanistan; and I might add murdered hundreds of thousands of Afghans; has orchestrated the crushing of Poland; has made a mockery of the Helsinki agreements; has repeatedly violated the informally agreed to Threshold Test Ban Treaty, although we even changed the way we measure violations, in an effort to avoid the need to make protests that would dampen détente; has tried to murder the Pope; is violating the terms of SALT II which is an amazing feat, considering that SALT II is a tissue of loopholes and ambiguities; is funding and organizing terrorism worldwide; and is continuing an arms buildup unambiguously designed for political intimidation and military aggression.

So the first question is, Why is there a return to the cold war?

The answer: President Reagan gave a speech referring to the Soviet Union as an evil empire.

Second question: The Soviet Union has an army brigade, 2,600 to 3,000 men, 2,500 military advisers, increased by 500 last year, and 6,000 to 8,000 civilian advisers in Cuba. It gave Cuba 66,000 metric tons of military supplies in 1981, 68,000 metric tons of military supplies in 1982 worth over \$1 billion, Moscow's annual economic aid to Cuba is \$4 billion, more than one-quarter of Cuba's gross national product.

Cuba has 200 Soviet Migs, including two squadrons of Mig-23 floggers, at least 650 tanks, at least 90 helicopters, including MI-24 attack helicopters, a Koni-class frigate, two Foxtrot attack submarines, at least 50 torpedo attack boats, two amphibious assault ships. And a Grenada Minister says Cuba will use Grenada's new airport when supplying Cubans in Africa.

Cuba, with one-seventh of Mexico's population, has military forces twice the size of Mexico's. The Soviet Union is giving 20 times more military assistance to Cuba than the United States is giving to all of Latin America.

In the newest Soviet satellite, Nicaragua, 39 percent of all males over 18 are in uniform, and the regime intends to build a 250,000 person armed force, so that 1 in 10 Nicaraguans will soon be in the military or militia.

Now I submit to my colleagues that is more than adequate to defend their borders. What they are planning to do is export revolution and there is no doubt about it. When you consider the people they say they are concerned about, Honduras has 20,000 in their

army and El Salvador has a total of 32,000, and they are building a 250,000-person armed force.

Nicaragua's regime has built 36 new military bases and garrisons. The previous regime had only 13. Nicaraguan pilots and mechanics are being trained in Communist Bulgaria. The regime has received so far 50 Soviet tanks, 1,000 East German trucks, 100 anti-aircraft guns, Soviet 152-millimeter howitzers with a range of 17 miles.

Cuba has 4,000 to 5,000 civilian advisers in Nicaragua, plus 2,000 military and security advisers. There are also East Germans, Bulgarians, North Koreans, Soviets, and members of the PLO.

So the second question is: What in Central America does Congress seem to be most worried about?

And the answer: 45 U.S. trainers in El Salvador.

Events in Central America are spinning rapidly toward a decisive moment in U.S. history. None of the fictions that were used to rationalize acceptance of defeat in Vietnam can be used regarding Central America. The threat there is close, clear, and indisputable Communist. There the United States will show, will learn, whether it is any longer capable of asserting the will a great power requires, or whether the slide into paralysis is irreversible.

Governments such as Costa Rica's and Panama's are listening as congressional complaints mount. The complaints are against U.S. assistance to armed opponents of Nicaragua's Stalinists, and about even minimal aid for the democratically elected Government of El Salvador that is under attack from forces that are extensions, through Nicaragua and Cuba, of the Soviet Union.

The conjunction of these complaints can mean, in effect, the extension of the Brezhnev doctrine in this hemisphere. That is, Communist attacks on a regime leech away the regime's legitimacy, and produce pressures for negotiations aimed at power-sharing with Stalinists who do not believe in power sharing. But a Communist regime, however freshly planted and dependent on foreign totalitarians, as in Nicaragua, must be treated as legitimate and irreversible.

□ 1750

There is a war raging, and if all of the substantial determined military assistance is one way, there can be but one result. The result will be a Communist Central America and an Iran just a wade across the Rio Grande.

Mr. Speaker, I submit to my fellow Representatives that this is a dire set of circumstances, and each and every one of us should search our souls before we cast a vote to cut off aid to El Salvador or curtail the actions of the CIA at a very critical moment in our country's history.

FORMING A SHIPPER ASSOCIATION MAY SAVE LOCAL RAIL SERVICE

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

● Mr. CORCORAN. Mr. Speaker, I take this opportunity to bring to the attention of the Members an article entitled "Forming a Shipper Association May Save Local Rail Service." This article, from the February 1983 issue of *Farmer Cooperatives*, a monthly publication of the Agricultural Cooperative Service in the U.S. Department of Agriculture, highlights the importance of shipper associations in the current railroad industry environment, especially in redeveloping service on railines undergoing abandonment by a major rail carrier.

One group of shippers in central Illinois has already formed just such an organization, the Bloomer Shippers Railway Redevelopment League. With the sponsorship of one of our most distinguished colleagues, the gentleman from Illinois (Mr. MADIGAN), the league should become the direct recipient of Federal financial assistance for the acquisition of and rehabilitation of this line under section 511 of Public Law 97-468. Given the unique, transitional problems surrounding the Bloomer Line, the Bloomer Shippers Railway Redevelopment League can serve as an appropriate direct recipient of Federal financial assistance. Coupled with assistance from State, local, and individual shipper sources, I am optimistic that the Federal financial assistance, which the league should receive, will spur the redevelopment of the Bloomer Line during the next year and a half.

I include the text of the *Farmer Cooperatives* article in the RECORD, as follows:

[From the *Farmer Cooperative*, February 1983]

FORMING A SHIPPER ASSOCIATION MAY SAVE LOCAL RAIL SERVICE

(By Michael D. Kane and Arvin R. Bunker)

Railroad companies are merging and forming a limited number of large major carriers. Some transportation experts predict as few as four major rail carriers may be operating in the continental United States by the turn of the century.

National rail companies may not be interested in servicing under-used or duplicate lines. Wholesale rural abandonment may occur. Since November 1979, 9 major rail mergers have occurred, the 4 largest being Burlington Northern, with more than 29,000 miles of track after merger with the Frisco; CSX Corporation, now having 27,000 miles following merger of Chessie System and Seaboard Coast Line; Norfolk Southern Corporation with 18,000 miles via the merger of Southern and Norfolk and Western Railroads; and Pacific Rail Systems, with 22,800 miles after combining the Union Pacific, Western Pacific, and Missouri Pacific Railroads.

Cooperatives faced with loss of rail service may consider forming a nonprofit shipper association with other rail users in their trade territory. Many aspects of a shipper association, however, such as funding and services of a short-line railroad to fill the gap, should be carefully studied.

These associations can purchase and operate short lines, develop bargaining power with carriers for favorable rail rate and service contracts, secure financing, and gain limited antitrust and Interstate Commerce Commission (ICC) regulation exemptions. Some Federal assistance may be available, but cooperatives no longer can count on subsidies to refurbish short lines.

ICC GUARANTEES RIGHTS

Although not a funding source, ICC's Feeder Railroad Development Program may help cooperatives maintain rail service. This Federal program guarantees some rights to branch line owners, removing some barriers that once may have hindered success of some short lines. It calls for ICC to assure a qualified buyer a market value purchase price and trackage rights, and provides for negotiation of "equitable" reciprocal switching charges, and a fair distribution of joint revenues.

Unfortunately for some shippers, the feeder program applies only to lines listed with ICC for potential abandonment for which an application has not been filed and lines that are required or allowed to be sold. Carriers in bankruptcy proceedings do not fall under this program.

Until October 1, 1983, ICC has the power to require sale of lines that carried less than 3 million gross-ton-miles per mile of track in the preceding year. After this, ICC may require any rail line to be sold.

A shipper or group of shippers may qualify as buyers. State, regional, and local government or transportation authorities also can negotiate to buy a line. But some constitutions forbid the State government to become involved directly in rail line ownership and operation. Often, a shipper association may be the preferable way to purchase a branch line.

A shipper association usually begins as an informal group addressing a common problem such as loss of rail service through bankruptcy or abandonment. This informal group can determine which shippers are genuinely interested in supporting rail service and willing to make a financial commitment.

A more formal legal organization is necessary for the next step—dealing with carriers and local, State, and Federal officials. The group must decide if it wants a public or private operation.

PUBLIC OR PRIVATE ASSOCIATIONS

There are two basic types of public organizations. In many States, shipper associations can form under statutes authorizing port authorities, industrial development districts, and rural transportation authorities. These organizations can often issue industrial revenue bonds, levy taxes, and, sometimes, exercise eminent domain. Other public organizations are formed under common State incorporation statutes with membership open to any investor.

Private organizations limit membership to specific groups such as local shippers, those interested in local business development, and/or agricultural cooperatives.

Whether public or private, the shipper association should operate at cost to gain limited antitrust immunity and exemption from ICC jurisdiction. For example, a non-

profit association formed to benefit from volume freight rates can become exempt from ICC regulation under certain conditions. Department of Justice also exempts specific joint activities by such associations.

Purchase and rehabilitation of a rail line usually involves a major investment. Lack of guaranteed returns does not attract private investors other than local shipping interests. So public funds often are sought. These factors usually influence groups to form public shipper associations to make managerial and financial decisions in raising and using public funds. Some State laws recognize community shipping groups, grant them special privileges as transportation or regional rail authorities, transportation districts, or port authorities.

Traditionally, shipper groups have formed public organizations because of the significant financial advantages. They usually borrow funds at lower interest rates. Sometimes they have more accessibility to funds than private individuals or corporations such as sale of industrial revenue bonds, tax abatement or relief, Federal subsidies, and grants for economic development. The financial advantages of public acquisition generally result in initial lower costs of branch line ownership and operation. Such advantages help the association qualify for State and Federal funds and improve the economic well-being of the entire community.

However, if shippers can afford to purchase a rail line, they should consider a private, not-for-profit shipper association. Although financial responsibilities are limited to members, the association still gains limited antitrust and ICC exemptions. If present regulatory trends continue, exemptions will significantly help joint shippers negotiate large-volume contracts with carriers.

Ownership by a group of shippers on an operation-at-cost or not-for-profit basis may be a viable alternative to rail abandonment. Private ownership by a group of shippers has other advantages:

An owner-user has more incentive to use rail service even when truck shipments provide better margins.

Greater use of the line reduces the per-bushel cost of operation, so owner-users ship by rail to get a better return on their investment.

Owner-users may be able to rent or lease the branch line to the short-line operator for less. They may be content with a lower rate of return on their investment just to maintain a rail-marketing option.

Branch line repair or maintenance may be cheaper if owner-users do it themselves. If the venture isn't economical in the long run, the group may regain some return on their investment by selling land and scrap materials.

The new tax investment credits and accelerated cost recovery system of the Economic Recovery Tax Act of 1981 also may offer sufficient investment and depreciation incentives.

HELP DECIDE KEY ISSUES

A group forming a shipper association should plan carefully in deciding key issues on purchasing and operating the rail line. Many associations turn to short-line railroads operating companies for technical assistance.

Determining the condition of the track, right-of-way, bridges, and other facilities and equipment is a major task. Initial rehabilitation of often-neglected, light-density rail lines requires a large investment. Lines

must be upgraded to meet Federal safety standards.

The shipper association should rely on a railroad engineering expert for this evaluation. More than one estimate should be obtained because subjective studies on rehabilitation costs vary. Potential short-line companies often will provide an estimate. Consultants, retired railroad engineers, and local and State transportation agencies can also provide expertise.

Initial planning also should involve an objective evaluation of existing and potential traffic. Shippers must realize short line operations usually do not lower transportation costs. Many light-density lines have been put out of service, because past and projected low-traffic volume did not justify rehabilitation and operating costs. Traffic revenues must cover operating costs. The line should be profitable for the short-line company even during a recession.

Shippers should survey service needs, types of cars, alternative transportation costs, and commitment from potential users. From survey results, evaluate income and projected costs under light, average, and heavy short-line use. Shippers must consider the seasonality of their freight shipping requirements. Many railroad activities and costs are not seasonal.

Don't be surprised if a short-line company demands revenue or traffic commitment in a railrate and service contract. Short-line operators incur high costs in initial operations and seek to minimize risk. Realizing shippers choose the least expensive transportation, shipper-short-line operator contracts may require a minimal annual payment regardless of use, plus a specific contract rate agreement noting service and rates for each shipper.

The shipper association also may have to contract with the major carrier for unique car requirements and joint line and switching fees. The association must estimate these costs during planning to determine if the new venture will work.

FEDERAL FUND SOURCES

Other possible sources of capital may be Federal agencies.

USDA'S Farmer's Home Administration (FmHA), for example, guarantees loans to purchase and rehabilitate rail lines in rural areas. The agency's Community Facilities Division has limited loan funds for branch-line acquisitions.

Loans are available to public entities and other nonprofit organizations, including farmer cooperatives. The short line must serve residents of unincorporated rural communities of less than 20,000 people. Loans are available for construction, engineering, legal fees, materials, purchase, rehabilitation, and working capital.

The Business and Industry Division of FmHA offers guaranteed loan participation of short lines. Funds are distributed to State offices to develop or finance businesses and industry and increase employment opportunities.

U.S. Department of Commerce's Economic Development Administration offers financial aid to economically deficient localities. Grants may be made to political subdivisions or nonprofit economic development organizations, such as regional transportation authorities, districts, or shipper associations, if their proposals are designed to improve and expand growth in industry and commerce. Funding is uncertain for fiscal 1983.

Short-line operators have used funds from U.S. Department of Transportation's Feder-

al Highway Administration for many years. This agency has funds for rail/highway projects such as crossings, construction and maintenance, warning devices, crossing surface improvements, and new grade separations. Some programs require matching funds from State or local authorities, or both. Small Business Administration (SBA) provides loans as well as guarantees funds for small businesses. SBA can guarantee a private loan from a local bank for up to \$50,000. Direct loans can be made to \$150,000. SBA charges lower-than-market interest rates and payback periods are longer. ●

PRIVATE CALENDAR

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

● Mr. BOLAND. Mr. Speaker, I take this opportunity to set forth some of the history behind, as well as describe the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues:

Of the five House Calendars, the Private Calendar is the one to which all Private bills are referred. Private bills deal with specific individuals, corporations, institutions and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were private laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress—1885 to 1887—the First Congress for which complete workload and output data is available—passed 1,031 Private Laws, as compared with 434 Public Laws. At the turn of the century the 56th Congress passed 1,498 Private Laws and 443 Public Laws—a better than 3 to 1 ratio.

Private bills were referred to the Committee of the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd Congress changed this procedure by its rule XXIV, clause 6 which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932 and then adopted in its present form on March 22, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of Private bills: First, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood for private immigration bills. The 82d Congress passed 1,023 Private Laws, as compared with 594 Public Laws. The 88th Congress passed 360 Private Laws as compared with 666 Public Laws.

Under rule XXIV, clause 6, the Private Calendar is called the first and third Tuesday of each month. The consideration of the Private Calendar bills on the first Tuesday is mandatory unless dispensed with by a two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the Committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House as in Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matter so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members of official objectors system the House has established to deal with the great volume of private bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The objectors are on the floor ready to object to any private bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or a question about a particular private bill, he can get assistance from the objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. The rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. The agreement is as follows:

Reaffirming the policy initially adopted on June 3, 1958, the Members of the Majority Private Calendar Objectors Committee have agreed that during the 98th Congress, they will consider only those bills which have been on the Private Calendar for a

period of 7 calendar days, excluding the day the bill is reported and the day the calendar is called. Reports must be available to the Objectors for 3 calendar days.

It is agreed that the majority and minority clerks will not submit to the objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when House rules are suspended.

This agreement was entered into by: The gentleman from Massachusetts (Mr. BOLAND), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Virginia (Mr. BOUCHER), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from Virginia (Mr. BILEY), and the gentleman from Colorado (Mr. BROWN).

I feel confident that I speak for my colleagues when I request all Members to enable us to give the necessary advance consideration to private bills, by not asking that we depart from the above agreement unless absolutely necessary.

Edward P. Boland, Massachusetts; James L. Oberstar, Minnesota; Frederick C. Boucher, Virginia; F. James Sensenbrenner, Jr., Wisconsin; Thomas J. Biley, Jr., Virginia; Hank Brown, Colorado.●

ACQUIRED IMMUNE DEFICIENCY SYNDROME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WEISS) is recognized for 60 minutes.

Mr. WEISS. Mr. Speaker, I have requested this special order today in order to focus attention on the campaign against what may be the greatest health peril since polio, acquired immune deficiency syndrome, usually called by the acronym AIDS. First diagnosed in 1979, AIDS is a poorly understood disorder in which the body loses its immunity to disease. Victims of AIDS usually succumb to one of two diseases, a rare form of cancer called Kaposi's sarcoma, and a usually fatal lung disease called pneumocystis carinii pneumonia.

While the cause of AIDS is still unknown, experts believe that infectious agents and possibly repeated exposure to such agents may be responsible. The relentless spread of AIDS over the past 2 years leaves no question as to the severity of the epidemic. The latest figures show over 1,300 reported cases and more than 500 fatalities. The mortality rate for those who contracted the disorder 4 years ago is 100 percent; for those who contracted AIDS in 1980, it is 86 percent. The human tragedy of this outbreak is deepened by the youth of the victims, the debilitating and costly nature of their illness and the lack of any concrete information about its cause or cure.

Yet despite these frightening realities, it has become clear that the fight to discover a cure for AIDS is one of the most difficult struggles the medical scientific community has ever faced and perhaps ever will face. This

is because what we are all battling is more than a medical epidemic. As my colleagues may know, three-quarters of all victims are gay men. One cannot separate societal reluctance to address the AIDS epidemic from the larger problem of resistance to basic civil rights protection for homosexuals. In the past, disregard for their human rights has cost them job security, housing, adequate health cares and free self-expression. With the outbreak of AIDS, it is costing them their lives. In my judgment the underlying discrimination and prejudice have contributed significantly to the Nation's inadequate response to the epidemic.

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

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

Mrs. BOXER. I thank my colleague, the gentleman from New York, for arranging this special order.

Mr. Speaker, we are in the midst of an epidemic which is being called the worst since the swine flu outbreak of 1918 and 1919, and I implore my colleagues from every State to take note and to help.

The current epidemic of AIDS constitutes a major health crisis. I believe that we have before us a public health problem of enormous proportions, and I strongly believe that we must act now to minimize the opportunities for this epidemic to worsen.

Although 75 percent of the cases are found in the homosexual community, a large and growing number is turning up in the heterosexual community. The rapid spread of this disease, its extremely high mortality rate, its apparently long incubation period, and its apparent transmissibility mean that the Federal Government must engage in a massive research effort aimed at stopping this disease.

That the Federal research effort in this area has not expanded sufficiently to meet the need is a tragedy that can no longer be allowed to continue.

Mr. Speaker, I am totally committed to obtain the medical research funding that the health professionals have told us is necessary to combat this outbreak. We have a serious obligation to make maximum efforts to understand, contain and, hopefully, cure AIDS. The time is long since past when the many scientists eager to pursue the sources of this syndrome were held back by lack of sufficient financial support.

As the Representative from San Francisco, which has the second highest rate of AIDS nationally, I feel a particular urgency to act against a source of so much grief, pain, and mental anguish. Our late colleague, Congressman Philip Burton, whom this body so mourned at his passing, shortly before his death had introduced legislation to provide the rapid

increase in funding needed in this crisis. I reintroduced his bills last week and hope that through them we can go forward in combating this epidemic. My bills will increase the funding for AIDS research through the Center for Disease Control and through the National Institutes of Health. But our efforts must not end with my legislation. I am pleased that my colleague, the gentleman from New York (Mr. WEISS) is addressing the immediate pain and suffering of AIDS victims by making them eligible for health care assistance. I am very pleased to be supporting him in his effort.

I strongly feel the great concern and frustration of many of my constituents at the slow and uncertain course that the battle against AIDS has taken. I personally know of the tragic loss of so many young lives and the fears and the grief of their loved ones and friends. We in this House of the people will, I am certain, respond to their needs and provide the tools needed to end this suffering. For, Mr. Speaker, if we do nothing and the disease continues to increase at the current rate, the 1,000 dreaded cases will turn into the many hundreds of thousands and the 50-percent death rate or higher will continue to rise.

Last night, Mr. Speaker, in San Francisco a large group of concerned citizens led by several victims of AIDS gathered at the Federal Building to call attention to their great need and to appeal for our help. The lighted candles they held symbolized their hope for our recognition of that need and for our affirmative response. I hope and I know that this House will hear this call and will act to end this terrible outbreak of disease with all of the resources at our command.

Mr. Speaker, again I thank the gentleman from New York (Mr. WEISS) for this opportunity and I look forward to working together with my colleague on this issue.

□ 1800

Mr. WEISS. I thank the distinguished gentleman for her very significant statement.

Mr. Speaker, I am pleased to yield at this time to our distinguished colleague from Massachusetts (Mr. FRANK).

Mr. FRANK. I thank the gentleman for yielding.

Mr. Speaker, I want to congratulate the gentleman from New York for taking out this special order. It is only the latest in a long series of acts he has performed on behalf of people in need.

There can be some legitimate debate about the role of the Federal Government, but there does not seem to me to be room for debate about the obligation of the Federal Government to respond when a serious, fatal disease suddenly rises up and strikes down

hundreds and perhaps thousands of innocent people. It is urgent that the House and the Senate and the President act jointly to provide whatever funds will help in meeting this national health emergency.

Similar national health emergencies have called forth in the past similar responses. All of us hope that the fact that this is a disease which strikes gay men, one of America's persecuted minorities, will not interfere with the response that the Federal Government owes any of its citizens faced with this kind of serious hazard to their health and, indeed, to their very lives. We must not sit by and allow prejudice of any sort to interfere with the right of our fellow citizens to the best medical research and treatment that we can provide.

The legislation that has been put forward by the gentlewoman from San Francisco, the gentleman from New York, the work that has been done by the gentleman from California (Mr. WAXMAN), who chairs the Health Subcommittee, and others is essential. All of us have to support it.

There is a health emergency known as AIDS facing our fellow citizens, and I hope that we will promptly and expeditiously respond, and again, I congratulate the gentleman from New York for giving us an opportunity to underline the urgency of action in this regard.

Mr. WEISS. I thank the distinguished gentleman from Massachusetts for his profound statement.

Mr. Speaker, I am pleased at this time to yield to the distinguished gentleman from Massachusetts (Mr. STUDDS).

Mr. STUDDS. I thank the gentleman for yielding.

Mr. Speaker, I, too, want to join my colleague from Massachusetts in commending the gentleman from New York for taking time to do what, with respect to the subject before us, perhaps needs more doing than anything else, which is to talk about it, and to bring it to the attention of the American people and of this body.

With the permission of the gentleman, I am going to speak for a moment in joining him on this subject.

Mr. WEISS. I would be pleased to have his statement.

Mr. STUDDS. Mr. Speaker, the deadly new disease of AIDS is as relentless as it is tragic. With more than 1,400 victims and over 500 deaths, this disorder has already claimed more than twice the number of lives as did Legionnaires disease and toxic-shock syndrome combined. According to the most recent statistics, the mortality rate for those who contracted the disease in 1979 is 100 percent. Thus far, 86 percent of those afflicted with AIDS in 1980 have died. Epidemiologists, well aware of the potentially frightening dimensions of this epidem-

ic, warn that what we have seen thus far may be little more than the tip of the iceberg. Because it may take 2 years for a victim to develop any noticeable symptoms and because scores of new cases are only now being reported in the disease's formative stages, the head of AIDS research at the Center for Disease Control said recently that there is no way of predicting how large the iceberg eventually will become.

At the present time, we are shockingly ill-prepared to contain this disease. Federal health agencies—particularly the National Institutes of Health—continue to treat AIDS more like a common cold than a catastrophic national health emergency. Last year, NIH spent only one-quarter of 1 percent of its budget on AIDS research, and has refused to take steps to cut back the redtape involved in contracting out research on the disease. NIH has a broad mandate to use its considerable resources as it sees fit to study public health hazards. But, as one Government scientist recently observed:

Here's this huge, unprecedented wave of breakdowns in people's immune systems and they seem barely interested. A rare form of cancer is spreading epidemically for the first time in history and NIH is still deciding whether it's a major problem.

Congressional staffers have said that persuading NIH to pay greater attention to the AIDS epidemic is like re-routing a luxury liner that takes 10 miles to turn.

Why are health officials so inexplicably hesitant to investigate AIDS when afflicted Americans are dying by the dozens? The principal reason is that most AIDS victims—at least so far—have been homosexuals. As so eloquently outlined by Congressman WEISS last month at an AIDS symposium in New York, the reticence to address the health threat of AIDS cannot be separated from the overall resistance in our Nation to guaranteeing basic civil rights protection for gay persons. In the past, disregard for the human rights of gays has cost them their jobs, their housing, and denied them their right to self-expression. With the outbreak of AIDS, it is quite literally costing gay people their lives.

Remarkably enough, some accounts of the crisis have at least implied that gay persons afflicted with AIDS are not, in fact, victims at all. A recent New York Times Sunday Magazine account of the AIDS epidemic described nonhomosexual victims of AIDS as "innocent bystanders caught in the path of a new disease"—a new disease, we are presumably to assume, for which gay people are somehow liable. It is difficult not to speculate whether Federal health authorities might be paying greater attention if AIDS were taking a particularly heavy toll on

other, more innocent, segments of our population.

Across the country, community health clinics have reportedly overcome the institutional reluctance to make a serious start toward containing AIDS. As described in a New York Times op-ed article which follows my remarks, some small health centers—which have seen the debilitating effects of AIDS firsthand—are making a concerted yet sensitive attempt to address this urgent problem.

Regrettably, however, the same cannot be said for Federal health authorities. It is unusual and in some cases not entirely desirable, for the Congress to earmark precise spending priorities for NIH. If NIH cannot take the initiative so obviously demanded to safeguard public health, however, Congress cannot stand by idly.

Thus far, most AIDS fatalities have occurred in New York and California. There are, however, clear and ominous signs that this health emergency is spreading fast. The latest epidemiological statistics in my home State of Massachusetts, for example, show six deaths of persons with confirmed or probable AIDS afflictions over the last 10 months. Another 19 local persons are currently known to be suffering from confirmed or probable cases of AIDS.

Clearly, this dread disease knows no geographical bounds. Unless we as a nation take steps now to research its causes and develop its cure, AIDS will eventually reach into each and every area—indeed each and every congressional district—in the country. The terrifying prospect of an unchecked epidemic of such enormous proportions is not a fantasy. Nor should it be an issue clouded by partisan politics or by one's own views on sexual preference. What we have on our hands is a very real human catastrophe, which we have the solemn moral responsibility to investigate and resolve.

If the gentleman would continue to yield, I would like to read into the RECORD an op-ed piece in the New York Times of April 22 of this year by Dr. Kevin Cahill, director of the Tropical Disease Center at Lenox Hill Hospital, who I know participated, along with the gentleman, in a recent symposium in New York. Dr. Cahill wrote as follows:

[From the New York Times, Apr. 22, 1983]

CONQUERING AIDS

(By Kevin M. Cahill)

Several years ago, healthy young men began to die in large numbers from an unknown disease. As so often happens in the history of medicine, the early cases were considered isolated extremes in the normal spectrum of an illness and there was, in retrospect, an inadequate appreciation by the health profession of a growing disaster. Slowly, but inexorably, the numbers afflicted grew and an insidious outbreak exploded into a frightening epidemic.

People who had been previously healthy developed rare tumors and unusual infections. Studies showed that they suddenly and inexplicably lost their normal immunity to disease. They had an illness for which medicine had no name, and in our ignorance we called it Acquired Immune Deficiency Syndrome—or AIDS.

More and more cases have been recognized since AIDS was first seen in 1979-80. At first, most of the victims were homosexual men in New York City and California, but soon heterosexual Haitians and drug addicts were diagnosed as having AIDS. Then recipients of blood, particularly hemophiliacs, fell before the puzzling epidemic. There were many questions and few answers. Concern led to fear, then panic. There were demands for drastic action, but no one was quite certain what to do.

Federal officials seemed to approach the epidemic with embarrassment, declaring that the problem was a local issue; local authorities claimed they could do little without national support. Words and meetings became a substitute for rational action. Politicians handled the epidemic with unaccustomed wariness. Almost without exception, public leaders evaded the epidemic issue, avoiding even the usual expressions of compassion and concern. The victims' sexual orientation apparently made involvement risky, and the politicians directed their courage and energies elsewhere.

Still the young men continued to die. As of April 13, 1,339 people have been diagnosed as having AIDS—505 cases were fatal. In New York City alone, there have been 595, with 228 deaths. As the disaster escalated, the organized medical community was strangely absent. When a fatal infection struck down veterans attending an American Legion convention, health professionals across America joined in the search for a solution. When women using tampons became ill with toxic-shock syndrome, medical centers immediately focused their enormous talents on that problem. But when the victims were drug addicts and poor Haitian refugees and homosexual men, no major research programs were announced. Until it became clear that the disease could spread to the general population through blood transfusions, organized medicine seemed part of a conspiracy of silence.

But there have been many instances of individual courage, of simple adherence by physicians and nurses and technicians to a code as old as medicine itself. Clinical medicine is not built on heroic deeds but on steady, loyal service to patients. When they are dying in large numbers and when the mode of transmission of their disease is unknown, the daily routine of involved health workers assumes a quiet dignity and decency that deserves special respect. The clinician has a privileged role in an epidemic, for he shares the victims' sufferings, despair and dwindling hopes.

Added to the medical challenge has been a growing crisis in hospitals and social service departments faced with large numbers of AIDS patients. Because of the need for "isolation precautions," every facet of care—nursing, nutrition, laboratory work, housekeeping, etc.—becomes extremely costly. The duration of an AIDS hospital stay is usually measured in months, and hospital bills exceeding \$100,000 occur with ever increasing frequency. Health insurance coverage for the young and poor is usually inadequate, often nonexistent. Society had not planned for this epidemic.

To address some of these problems, a group of nationally known medical special-

ists recently gathered in New York City for a symposium on AIDS with the hope that their shared knowledge and experience might suggest promising avenues of investigation for researchers, lend practical aid to clinicians and chart a course out of this crisis.

The history of medicine assures us that, with time and effort, the terrible mystery will be unraveled and a cure found. When that day comes, we may look back and reflect with the same satisfaction that Albert Camus's character Dr. Rieux, in "The Plague," experienced as the epidemic finally vanished from Oran and he "resolved to compile this chronicle, so that he should not be one of those who hold their peace but should bear witness in favor of those plague-stricken people; so that some memorial of the injustice and outrage done them might endure; and to state quite simply what we learn in time of pestilence: that there are more things to admire in men than to despise."

□ 1810

May I say to the gentleman that I fervently hope that none of us in this Congress and none of us in this country will ever have to find ourselves looking back upon a nation in which epidemic has essentially run riot and uncontrolled and remember the oft quoted words of Pastor Niemoller, who said, as the gentleman well recalls, we spoke about this before:

In Germany, the Nazis first came for the Communists, and I did not speak up because I was not a Communist. Then they came for the Jews, and I did not speak up because I was not a Jew. Then they came for the Trade Unionists, and I did not speak up because I was not a Trade Unionist. Then they came for the Catholics, and I was a Protestant, so I did not speak up. Then they came for me.

Mr. Speaker, we have in this Nation what is essentially an outbreak of contagious cancer. It is an unspeakable tragedy for the individuals who have been touched to date. It is an emergency, if that word retains any meaning in the English language. We do not know what causes it. We do not know a cure for it.

Let us, while there is time, take the steps which we in this body have the power to take so that at some future time, some future Pastor Niemoller will not make a similar observation about us.

I should like again to commend the gentleman from New York for the leadership which he has assumed in this fight and encourage him to continue, as I know he will, and I thank the gentleman for the time.

Mr. WEISS. Mr. Speaker, I thank the gentleman for his very eloquent and moving statement.

The AIDS crisis, in sum, is providing an excuse, it seems to me, for our society to further deny homosexuals their basic rights, even their rights as victims.

Indeed, as the gentleman from Massachusetts has referred to, certain segments of public opinion seem to blame

the victims for the epidemic. For instance, a recent article about AIDS said that groups other than homosexuals were "innocent bystanders caught in the path of a new disease."

The implication is that gays themselves are not innocent and perhaps deserve the affliction. At the very least, there is the suggestion that the problem would be less worthy of attention if it were limited to the gay community.

AIDS has been described in the media as the gay plague, the gay disease, and the gay epidemic.

News accounts have included language such as "being gay is hazardous to your health," or, "homosexual plague strikes new victims," and "depravity kills."

Even worse, a group calling itself Dallas Doctors Against AIDS has organized with the sole purpose of criminalizing homosexual activity on the grounds that "it spreads AIDS and other diseases."

Such perspectives shift the focus of the real need, that is of extinguishing the epidemic, preventing and curing the disorder and caring for the afflicted.

The national response from government, the medical community, the media and the public at large, has been less than zealous when compared to the reactions which followed outbreaks of toxic shock and Legionnaires disease, and although AIDS has taken twice as many lives as those two epidemics combined, the country by and large has not been alerted, nor have our enormous resources been mobilized as quickly, as urgently, or as extensively as the situation warrants.

For nearly 2 years, the Government overall has not accepted its leadership responsibility fully or devoted sufficient expertise to fighting this insidious epidemic.

While others hesitated, the gay community itself has mobilized an unusual and exemplary effort against the epidemic in cities across the country.

The gentlewoman from California referred a few minutes ago to the candlelight march yesterday in California. There were similar marches in cities across the country.

For example, New York City's Gay Men's Health Crisis, GMHC, was the first new organization to acknowledge and confront AIDS. GMHC's 700 trained volunteers provide support services for AIDS victims and the at-risk population, act as a clearinghouse for data and current medical knowledge on AIDS, sponsor training seminars for medical and allied health professionals and have raised thousands of dollars to fund research projects.

In addition, the gay community has established a lobby in Washington, D.C., to fight for additional funds for AIDS research.

In fighting this health emergency, the gay community has laid the groundwork from which a more comprehensive effort must be built. As this epidemic continues to spread in affected populations, becoming an ever greater threat to the public at large, efforts to combat it must become even more urgent.

In recent months, as AIDS cases and deaths have escalated at an alarming rate, a corresponding collective response has begun to develop. It is clear and becoming clearer that as a society we can no longer afford a haphazard response to this public health crisis. We are beginning slowly to recognize that the tragedy now striking gay men, heterosexual, Haitians, hemophiliacs, and drug users, is in fact a national tragedy.

Any course of future action must be developed and executed in a cooperative manner involving victims, health providers, government, concerned citizens and organizations.

Gay men, hemophiliacs, Haitians, and other at-risk adverse populations must be active participants in the decisionmaking which affects their very survival. Unilateral decisionmaking and exclusionary dialog have no place in this crisis, particularly given the widespread misinformation about and discrimination against many of those affected by the outbreak.

All of us who share a commitment to an aggressive response have much work to do. First, Congress and the administration must act quickly to allocate additional resources to maintain and expand public health surveillance and epidemiological research and AIDS. Thus far, the Centers for Disease Control, CDC, in conjunction with local and State health departments, has been stretched to the limit in its capacity to cope with AIDS. CDC has spent not nearly the amount of money per case that it spent on toxic shock and Legionnaires disease. Even though the agency has shifted its internal resources and Congress passed a \$2 million appropriation for AIDS last December, CDC's work suffers for lack of money.

The agency desperately needs resources to extend surveillance work with health departments in cities hard hit by the AIDS epidemic.

New York is the only city thus far to have such an arrangement with CDC. In addition, CDC needs funding to conduct extensive epidemiological investigations and long-term, followup studies, not only of homosexual patients, but of other documented and emerging risk groups.

Patients are dying before CDC investigators are able to collect vital histories and information about possible patterns of AIDS transmission.

Finally, CDC needs financial support for laboratory work essential to isolate the cause of AIDS.

The Reagan administration has compromised the effectiveness of CDC's work on AIDS and other serious public health concerns through ill-advised and irresponsible budget cuts. The President's first budget for fiscal year 1982 effectively cut CDC's funding by almost 20 percent.

□ 1820

His fiscal year 1984 proposed budget provides no restorations to repair the damage. Legislation has been introduced in the House, with Representative Phillip Burton, whose untimely death this House has noted with great sorrow, as its main sponsor, to raise CDC funding for AIDS by \$10 million. I am pleased to note that the gentlewoman from California, BARBARA BOXER, has reintroduced this legislation but so far the proposal has not received the support or attention of the Budget Committee, the House leadership, or the administration.

I want to commend my colleagues who have taken leadership positions on his issue and members of the gay community who have mobilized a major lobbying effort for additional CDC money for AIDS.

I especially want to commend the gentleman from California (Mr. WAXMAN), chairman of the Health Subcommittee of the Committee on Energy and Commerce, who has taken a lead in so many of these areas.

Biomedical research on AIDS will also suffer if the National Institutes of Health, NIH, budget continues to be threatened by the White House. In fact, the President's original budget request funded NIH at a level that reduces money for new and competing grants by 25 percent. His revised budget leaves actual reductions in the Federal commitment to lifesaving biomedical research. Public support, particularly from the medical community, is essential to force Congress and the administration to rethink budget priorities that damage public health and impede efforts to fight AIDS.

An additional concern is the slow response of NIH to initiate biomedical research on AIDS. The National Cancer Institute's first request for application, RFA, for research on AIDS was issued a year and a half into the outbreak. It is estimated 1983 expenditures for AIDS-related research amount to approximately one-fourth of 1 percent of the entire \$4 billion NIH budget, or approximately \$9 million.

Dozens of scientists across the country are clamoring to do research on AIDS, and waiting for NIH to allocate additional money. While NIH deliberates over how to spend this embarrassingly small allocation, vital research is put on hold and individuals continue to die.

Recent public and congressional concern has focused on increasing NIH funds for AIDS research as well as on expediting the process by which awards are disseminated. An amendment has been attached to the NIH reauthorization by the gentleman from California (Mr. WAXMAN) of the House Subcommittee on Health that provides the Secretary of HHS with specific authority and procedures for speeding up the allocation of grant money in the event of a public health emergency.

Furthermore, legislation has been introduced by the gentleman from California (Mr. WAXMAN) which would create a public health emergency fund, providing money to be made available to the Secretary of HHS for research into the cause, treatment, and prevention of public health emergencies.

We must be vigilant in monitoring the NIH funding priorities to insure that every possible effort is made to research to answer the endless questions about AIDS. I have been informed that NIH soon will issue a new request for proposals for AIDS research. Details of the request have not yet been released.

Another area of concern for future action is improved medical surveillance and treatment. Physicians and medical associations must assume greater responsibility for educating all health providers on the most up-to-date information available on AIDS.

AIDS is spreading fast. This makes it especially critical for the medical community to constantly disseminate new information about the epidemic. Networks for medical referrals and consultations must be expanded and promoted. And it is very important that the medical community strive for a greater understanding of and sensitivity to the needs of the special population victimized by the disease.

I also believe that this public health crisis warrants an outpouring of psychological and social support for afflicted patients and communities. The demand for services in cities such as New York, Los Angeles, San Francisco, Houston, and Washington, D.C., is staggering.

Needed services cover a broad spectrum: individual and group therapy, legal assistance, home care, hospice care, medical referrals, crisis intervention, and guidance through the maze of public assistance, health and disability programs.

Compassion has guided tireless efforts to help AIDS victims as well as their friends and families cope with the reality of this life-threatening disorder. In many instances patients need additional support to deal with the feelings of isolation and loss that result from disruptions in their jobs, personal lives, and social networks.

Concern about the spread of AIDS has prompted some gay organizations and doctors to suggest preventive measures that might decrease the risk of contracting the disorder. They have advised that as long as there is inconclusive evidence about what causes AIDS there is a need for gay men to take precautions in their personal relationships.

Even with these support systems the needs are growing faster than available financial and human resources. Additional volunteers, particularly those with professional expertise, are needed to lend a hand. Money, supplies, and even space must be contributed generously by well-established social and human service organizations as well as by Government agencies. AIDS causes widespread human tragedy. It demands the most active and human response our society can give.

Another important element in our battle against AIDS is public education. Misconceptions about AIDS encourage panic and diffuse energy from efforts to meet the challenge that AIDS presents.

With the help of gay organizations across the country, hotlines are operating, public forums are being conducted, and thousands of newsletters and informational brochures are being distributed.

However, educating the public requires a true collaborative effort that enlists the support of Government and the medical community as well as the affected groups.

Needless to say, it is critical that those who are well informed work closely with members of the press to assure accurate and sensitive coverage. I want to commend Newsweek for taking a major step toward public education in its recent cover story on AIDS.

But I also think we ought to note that in New York, for example, over this past weekend, where Madison Square Garden was bought out in its entirety by the gay man health's crisis to provide funding as a benefit for the crisis for the epidemic with some 18,000 people present, and a tremendous moving program before the circus itself, not one line of print appeared in the New York papers nor any mention on the electronic media, although the mayor of the city of New York himself participated in those events, together with numerous other public officials.

Also last night, when the candlelight march and parade occurred in front of the Federal Building, although press and media were present, those who searched the morning papers again found scant mention of the event, although there was a picture in the New York Times.

My final point concerns access to care. This issue transcends any single epidemic or disease. It calls into ques-

tion the way in which our country organizes and pays for medical care.

On the one hand we offer the finest and most sophisticated medical care in the world; on the other we deny access to that care to lower income patients. This administration has exacerbated these inequities by cutting back on essential health care programs for those in need.

A few weeks ago a Presidential Commission on Medical Ethics emphasized that society has an ethical obligation to insure equitable access to health care. It also pointed out that we have fallen far short of meeting this responsibility.

AIDS victims fall victim not only to the dreaded disorder, but also to this unmet social obligation. It has been estimated that treatment for the first 300 AIDS cases cost a total of \$18 million, or \$60,000 per case on average. The reports indicate that the cost in individual cases very frequently exceeds \$100,000. Most AIDS patients are unable to afford such astronomical costs for medical care. Many have lost insurance coverage because their debilitating condition leaves them unable to work. Many have exhausted their insurance coverage because of the catastrophic nature of the illness.

□ 1830

Many do not qualify for public assistance. And those eligible for social security disability must wait 2 years before medicare coverage is available; most AIDS patients unfortunately do not live that long. As the cost of medical treatment for AIDS patients continues to escalate, many patients may be forced to choose between their homes and their health care.

I believe that Government and the medical community must launch a joint effort to insure that victims of this epidemic do not want for medical care because they lack sufficient resources. In the same way that emergency assistance is provided to protect lives and property ravaged by earthquakes and floods, we must provide emergency assistance to people and communities devastated by an epidemic.

To this end, I have introduced a bill which would grant AIDS patients categorical eligibility for medicare on an emergency basis. The program would be in effect for 2 years to meet the unusual needs of this health crisis. The hospital trust fund would not suffer any revenue loss as all costs would be paid out of general revenues. The bill would provide full medicare coverage for AIDS patients who have no other health insurance coverage. As with end stage renal disease patients, medicare would be a secondary payor for AIDS victims who have inadequate private insurance. With this legislation, AIDS patients would be assured

access to quality care without facing the threat of bankruptcy.

I feel that the response of the gay community coupled with the slowly building sense of urgency demonstrated in Congress, fuels hope for a positive resolution to the AIDS crisis. But as we crawl toward a solution, lives continue to be lost. Among the general public, there is no air of national emergency and collective sensitivity that put legionnaire's disease on the front pages of newspapers and kept it there until the problem was solved.

Research on AIDS may provide us with a better working knowledge of the immune system, infectious diseases, and cancer. But until the entire Nation is alerted that AIDS is a serious public health danger, capable of enveloping huge numbers of people at any time, the reality is that our efforts may prove to be too little and too late. A caring and responsible society must not allow that to happen.

SYMPTOMS

Profound fatigue, which may be accompanied by light-headedness or headache, that is not transient and not explained by physical activity or by a psychiatric or substance-abuse disorder.

Persistent fevers or night sweats.

Weight loss of more than ten pounds during a period of less than two months that is not related to diet or activity; loss of appetite.

Lymphadenopathy or enlarging, hardening, painful or otherwise prominent lymph nodes. Diseased lymph nodes or glands often are found in the neck, armpits, and groin and may be associated with a wide variety of non-AIDS conditions. When persistent for more than three months in at least two different locations, however, lymphadenopathy may be an important predictor of KS.

Recently appearing or slowly enlarging purplish or discolored nodules, plaques, lumps, or other new growths on top of or beneath the skin or on the mucous membranes (inside the mouth, anus, or nasal passages or underneath the eyelids).

A heavy, persistent, often dry cough that is not from smoking cigarettes and that has lasted too long to be a cold or flu.

Persistent diarrhea.

Thrush, a thick, persistent, whitish coating on the tongue or in the throat which may be accompanied by sore throat.

Easy bruising or unexplained bleeding from any orifice or from new growths on the skin or on the mucous membranes.

[From the Los Angeles Times, Apr. 21, 1983]

PRECURSOR TO FATAL ILLNESS IDENTIFIED

(By Harry Nelson)

UCLA researchers have identified a new condition in healthy homosexuals that they believe may later develop into the highly lethal disease known as AIDS, or acquired immune deficiency syndrome, which has stricken more than 1,200 people in the United States since it was first reported two years ago. The UCLA team discovered the new condition, which they call acquired immune augmentation, while doing blood studies on 89 young male homosexuals who had no signs of any kind of illness. In 29 of those studied, the researchers found an abnormal ratio of two types of white blood

cells that resemble, but are not the same as, the abnormal ratio of the same cells in AIDS patients.

The researchers, from the UCLA School of Public Health and the School of Medicine, speculate that acquired immune augmentation is a precursor of AIDS. According to Dr. Roger Detels, dean of the School of Public Health and the principal author of a report that appeared in a recent issue of *Lancet* a British journal, the subjects are being followed to see whether they subsequently develop AIDS symptoms.

In a telephone interview, Detels said that preliminary examination of the follow-up data indicates that at least two of the 89 subjects have developed symptoms of AIDS approximately nine months after the initial study, which was conducted last May and June.

The other members of the team are Dr. John L. Fahey, Dr. Barbara Visscher, Dr. Michael Gottlieb, Kendra Schwartz and Richard S. Greene.

An analysis of the specific sexual practices of the 89 subjects revealed that the risk of contracting acquired immune augmentation is associated with passive (receptive) anal intercourse, in contrast with active (insertive) anal intercourse or no anal intercourse.

Unlike AIDS, the new condition does not appear to be associated either with having a large number of partners or with drugs that are sometimes used by homosexuals as sexual stimulants. The researchers say they tend to favor the hypothesis that the development of AIDS may be a two-stage process—perhaps even with different risk factors—with acquired immune augmentation being the first stage.

EARLY SIGN

In both AIDS and acquired immune augmentation, an early sign is a change in the ratio of two types of white blood cells—called suppressor cells and helper cells. In AIDS, the change results from a decrease in the number of helper cells. In the newer condition, the change is in the result of an increase in suppressor cells.

Dr. Harold Jaffe, a Centers for Disease Control epidemiologist working on AIDS, said that a centers team in New York has found the same immunological abnormality the UCLA team discovered. Jaffe said that in the New York study of 70 subjects, one patient with the acquired immune augmentation condition so far has gone on to develop Kaposi's sarcoma, a form of cancer to which AIDS patients are especially susceptible.

In addition to sexually active male homosexuals, AIDS has also been diagnosed in drug addicts, recent Haitian immigrants and hemophiliacs. It is believed, although not yet proven, that AIDS is caused by a virus or other organism that is transmitted from person to person through blood, semen or other body fluid.

Detels said that he believes the common factor for all AIDS victims, including heterosexuals, is exposure to feces and poor hygiene. Drug addicts who use needles are notorious for poor hygiene and are subject to diseases such as hepatitis associated with feces, he said. For the hemophiliacs, the explanation generally is believed to be that they received a blood transfusion containing the agent responsible for AIDS that had been donated by an AIDS victim.

As for acquired immune augmentation, the UCLA researchers speculate it is due either to the presence of a causative virus or other agent in the feces of the passive sexual partner, or to the presence of the

agent in the semen of the active partner which in turn is transmitted to the passive partner's bloodstream through breaks in the rectal membranes.

[From Newsday, Mar. 22, 1983]

A SMALL CASUALTY IN AIDS WAR

(By B. D. Colen)

When Dr. Richard Ancona saw the X-ray he knew immediately why the little boy was coughing and having difficulty breathing. "It looked like a snowstorm", he said.

The X-ray showed pneumonia filling the chest of 11-year-old Carlton Secharan of Central Islip. But this was not just any pneumonia. As Ancona suspected, and a lung biopsy would later confirm, the fluid buildup in the boy's lungs was caused by *Pneumocystis carinii* pneumonia, a rare form of the disease usually seen only in persons with malfunctioning immune systems.

A few days earlier Carlton Secharan's parents had called Ancona, a pediatric hematologist and oncologist—specialist in diseases of the blood, and cancer—and asked him to take over the care of their son, a hemophiliac. Ancona had agreed, and first saw Carlton, who had a chronic cough, Friday, Feb. 18. He examined Carlton and gave him an antibiotic and a cough medicine, telling the boy's parents to return to University Hospital, at Stony Brook, if things didn't improve.

By the following day Carlton's condition had visibly deteriorated, and Ancona found himself facing the snowy X-ray and a particularly grim possibility—Carlton Secharan appeared to be a victim of AIDS, the Acquired Immune Deficiency Syndrome, a mysterious illness that has killed 434 of its 1,186 U.S. victims. In eight days, it would claim the life of Carlton Secharan.

The New York metropolitan area has had 545 AIDS cases. Of those New York cases, Nassau has had six cases, four of them fatal, and Suffolk has had nine cases three of them fatal. Most of the Long Island victims have been adults and most of them drug abusers, according to health officials in the two counties.

For Ancona, the suspicion of AIDS in Carlton's case was supported by several factors.

Hemophiliacs are one of the major groups at high risk of contracting AIDS. The others are male homosexuals, Haitian immigrants and users of illicit intravenous drugs.

Like most AIDS victims, Carlton had been physically run-down and had had a low-grade, chronic infection for months, and the little boy had received several units of Factor IX, the clotting factor he needs as a hemophiliac, approximately five months before becoming ill. Researchers suspect that whatever causes AIDS is entering the blood of hemophiliacs in the very blood products they need to live near-normal lives.

The following morning, Sunday, Feb. 20, Ancona met with Carlton's family in the conference room attached to Stony Brook's 11th floor pediatrics unit.

"I said he has an organism that is not usual for someone to have," the doctor recalls, "and given his condition—that he is a hemophiliac—and given this organism, I'm quite concerned that he has this disease called AIDS."

During a lengthy interview at their home in Central Islip, members of Carlton Secharan's extended family recalled a medical crisis beginning at Elmhurst Hospital in Queens last April.

"He had internal bleeding in April, so we took him to Elmhurst Hospital," where Carlton's hemophilia had been treated during the family's years in Queens, "and they gave him a couple units of blood and Factor IX," said the boy's father, whose name is also Carlton. "After a week they discharged him, and we took him home. He was okay, but in September he got a bad cough. We took him back to Elmhurst, and they said it was just a cough and gave him penicillin and cough medicine.

"We continued buying cough medicine for him," said the boy's father. "The cough stopped, and then it started back again, coming and going, coming and going." Until the Friday in February when they took the boy to Ancona, whom, the father says, also said it was "just a cough."

Carlton's mother, Tara Seecharan, stood staring out a window into the yard in which her son used to play. "They saw him at Elmhurst in September," she said quietly. "But they just gave him penicillin and sent him home." She slowly shook her head.

At that time, AIDS was not yet part of the national medical consciousness, and hemophiliacs were not yet considered a high-risk group. By mid-September there were still only 593 reported cases of the syndrome—half the present number—and only three cases in hemophiliacs. So the staff of Elmhurst had no real reason to suspect that the little boy might have had anything more than "just a cough."

And at that time, just six short months ago, neither the Seecharans, nor the families of the nation's approximately 15,000 other hemophiliacs, were yet living with the fear that the next infusion they received of clotting factor might carry with it whatever is causing an epidemic that researchers fear may eventually have a 90 to 100 per cent mortality rate.

Even if all concerned had been aware at the time of the risks, what choices did they have? The availability within the past 15 years of commercially produced clotting factor has dramatically changed the lives of hemophiliacs, freeing them from the constant fear of painful, debilitating episodes of internal bleeding, allowing them to lead near-normal lives.

One adult hemophiliac, Donald Goldman of New Jersey, put it this way: "There's very little choice that I have. It's simply one of the risks you have to deal with in order to live your life. Death is not very pleasant, and, ultimately, that's what you're talking about with AIDS. But I suppose I have to be fatalistic about it, whatever happens, happens."

But Goldman, a New Jersey attorney, does not have AIDS, and Carlton Seecharan did. And his family suffered through it with him.

As the family describes it, Carlton's condition steadily deteriorated from the time of his lung biopsy on Sunday, Feb. 20.

"Tuesday he had a very high fever, 106," said the boy's father, "and Ancona told me it's AIDS that he has, and they're getting medication from [the federal Centers for Disease Control] in Atlanta, and it's not working. They sent for more medication, and it's still not working. I asked him what are his chances, because of the way he's looking. He told me a 50-50 chance of survival."

Carlton's aunt, a nurse's aide whose name, like the boy's mother's, is Tara, referred to handwritten notes on an envelope. "Wednesday at 2 PM, they said his chances were 30-70. Wednesday at 8 PM, 20-80.

Wednesday at 9 I asked for odds, and he said nothing, he's not giving me any more odds."

"There was a doctor who came in from Rockefeller University around 9 PM," said the elder Carlton Seecharan. "He wanted to get some blood from my son for testing purposes, so I okayed it."

"He gave us a 10 per cent chance of survival," said the boy's aunt, referring to the Rockefeller physician, who was not involved in the care of her nephew. "I picked up the phone and called the CDC when I was not getting answers from the hospital. They told me the chance of survival was 10 per cent." That Wednesday was the worst day for the Seecharan family. Shortly before 11 AM, while Carlton's mother and father were in the room with him, a nurse came in and said she had to suction secretions from his lungs.

Prevented from talking by respirator tubes in his throat, the little boy scrawled a nearly illegible note reading, "Mommy don't leave," said the aunt. "So his Mommy held one hand and his Daddy held the other." Just before the nurse began her work, the little boy wrote another note. It read:

"I have to talk to you in private."

During the procedure, at 11 AM, Carlton suffered heart failure for the first time. He was revived, as he would be later in the day when his heart gave out a second time. While he would live for another three days, he would never again communicate with those around him.

According to Carlton's family, by 1 PM Thursday they were told he was blind in one eye. By that evening he was said to have suffered some brain damage. Friday morning they were told the sight was gone in the second eye and he had suffered 90 per cent brain damage.

"Saturday morning they said, 'We'll try to keep him alive for the grandmother to get here' " from the family's native Trinidad, the aunt recalled.

The AIDS epidemic and the genetic burden of hemophilia ended for Carlton Seecharan at 12:40 AM on Sunday, Feb. 27.

Since then, the family has visited the boy's gravesite once each week. Before one such visit, his father sat in the family's dining room, speaking of his son.

"I still don't believe he's gone," his father said. "I still can't accept the fact. I still want to know what he wanted to tell us in private. Each night I sit here—12:30, 1 in the morning—and I ask him what he wanted to tell us in private. But he doesn't come to me. Maybe because I can't believe he's dead."

A straight-A, sixth-grade student who was doing math on an eighth-grade level, Carlton Seecharan "loved television . . . westerns and country and western music," his father said. He'd decided that if he had to live with hemophilia, he had to live with it. The father recalled telling his son, during the first days of his illness, "Don't give up, you're going to make it." But he never did. Then when I saw he was losing his eyes and his brain, I went back and said 'Son, if you can't make it, just give up.'"

Carlton, his aunt recalled, used to walk his 6-year-old sister to school each morning—"held her hand and never let it go once, took off her coat and put it in the closet, kissed her, put her in her class and then went to his own," she said. "That child didn't really come here to stay."

H.R. 2880

A bill to make individuals suffering from acquired immunity deficiency syndrome (AIDS) eligible for coverage under the medicare program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any provision of the Social Security Act, any individual who—

(1) is not, and upon filing any appropriate application would not be, entitled under any other provision of law to hospital insurance benefits under part A of title XVIII of the Social Security Act,

(2) is medically determined to have acquired immunity deficiency syndrome, and

(3) has filed an application for benefits under this section within the two-year period beginning with the first day of the first month beginning 30 days after the date of the date of the enactment of this Act,

shall, in accordance with the succeeding provisions of this section, be entitled to benefits under part A and eligible to enroll under part B of title XVIII of the Social Security Act, subject to the deductible, premium, and coinsurance provisions of that title.

(b) Entitlement of an individual to benefits under part A and eligibility to enroll under part B of title XVIII of the Social Security Act by reason of this section on the basis of having acquired immunity deficiency syndrome—

(1) shall begin with the first month in which the individual meets the conditions described in subsection (a), and

(2) shall end with the third month after the month in which the individual is determined no longer to have acquired immunity deficiency syndrome or, if earlier, the first month in which the individual no longer meets the requirement of subsection (a)(1).

(c) Notwithstanding any provision of title XVIII of the Social Security Act, amounts otherwise payable under such title for any item or service provided to an individual entitled to benefits thereunder by reason of this section shall not be payable to the extent that any prepayment plan, group health plan (described in section 162(i)(2) of the Internal Revenue Code of 1954), or insurance policy covering such individual is legally obligated to make payment for such item or service.

(d) There are authorized to be appropriated to the Federal Hospital Insurance Trust Fund from time to time such sums as the Secretary of Health and Human Services deems necessary for any fiscal year on account of—

(1) payments to be made during such fiscal year from such Trust Fund with respect to individuals who are entitled to hospital insurance benefits under such part solely by reason of this section,

(2) the additional administrative expenses resulting or expected to result therefrom, and

(3) any loss in interest to such Trust Fund resulting from the payment of such amounts,

in order to place such Trust Fund in the same position at the end of such fiscal year in which it would have been if the preceding subsections of this section had not been enacted.

(e) For purposes of this section and section 162(i)(1) of the Internal Revenue Code of 1954, an individual is considered to have acquired immunity deficiency syndrome if the individual has a reliably diagnosed disease that is strongly suggestive of an under-

lying cellular immune deficiency, but who simultaneously has no known underlying cause of the deficiency nor any other cause of reduced resistance reported to be associated with that disease.

Sec. 2. (a) Section 162(i)(1) of the Internal Revenue Code of 1954 (relating to deductions for group health plans) is amended—

(1) by inserting "or acquired immunity deficiency syndrome" after "end stage renal disease" each place it appears, and

(2) by inserting "or treatment with respect to such syndrome" after "renal dialysis".

(b) The amendments made by subsection (a) shall apply to taxable years beginning on or after July 1, 1983.

LEGISLATION TO MAKE AIDS PATIENTS ELIGIBLE FOR MEDICARE COVERAGE

1. Bill makes AIDS patients categorically eligible for Medicare coverage based solely on a medical diagnosis. The closest precedent to this eligibility requirement is that end stage renal dialysis patients are also eligible for Medicare.

2. This emergency program is effective for two years, at which time Congress could reassess the situation.

3. The emergency care would be funded out of the treasury—the Hospital Trust Fund would be reimbursed for all costs—including administrative costs and any lost interest.

4. Any eligible individual would be entitled to Medicare Part A Hospitalization coverage and Part B Medical Coverage. Patients would be subject to all deductibles, copayments, and coinsurance payments. If an AIDS patient has private coverage, Medicare would be a secondary payor. This would help those AIDS patients with bare bones type insurance. (The bill also amends the IRS code (the section that provides deductions for group health plans) so that insurers will not begin discrimination against AIDS patients because federal coverage is available))

5. As a result of a recent Social Security policy change, AIDS patients will now be eligible for SSDI (Soc. Sec. disability insurance). However, Medicare coverage is not made available to SSDI beneficiaries until they have received benefits (or were eligible for benefits) for two years. Most AIDS patients will not live long enough to qualify for Medicare under current law. Yet, during the two year period after they contract their first opportunistic infection, they will run up enormous medical bills. At this point, they will not be working and probably have little, if any, health insurance.

6. Initial cost estimates ran about \$60,000 per patient. Estimates now go up to the \$100,000 to \$200,000 per patient.

7. Hospital costs for AIDS patients are especially high due to the extremely debilitating nature of the disorder and the precautionary measures that must be taken because of the infectious nature of the disease.

● Mr. TOWNS. Mr. Speaker, I am pleased to join the gentleman from New York in his special order on acquired immune deficiency syndrome (AIDS).

AIDS is a newly observed medical disorder which impairs the immune system and leaves affected individuals susceptible to certain types of cancer and other infectious diseases. The victims of this illness are largely gay, intravenous drug abusers, Haitians and

hemophiliacs. The Center for Disease Control (CDC) has also found 26 cases of an AIDS-like disease in children whose parents have evidenced a high risk of developing the disorder.

The debilitating nature of the disease is virtually unknown to the general public. Initial symptoms include skin lesions, enlarged lymph nodes, fever, weight loss, diarrhea, and shortness of breath. Individuals affected by AIDS usually succumb to opportunistic infections such as pneumonia. They may also acquire Kaposi's sarcoma, a rare form of cancer, and other malignancies.

In comparison with other public health emergencies, the mortality figures on AIDS victims are frightening. More deaths have been associated with AIDS than with toxic shock syndrome and Legionnaires' disease combined. In addition, the incidence of the syndrome has risen from about one case per day reported to the CDC in January 1982 to about three to four cases per day since that time. Over 80 percent of the patients diagnosis 2 years ago are now dead.

At the present time, there is no known cure for this disorder. Hospital costs for the care of such patients are enormous and the experimental treatments such as interferon, anticancer drugs, antileprosy drugs, bone marrow transplants, and plasmapheresis are expensive. According to CDC, costs for the first 1,000 cases are estimated at \$60 million in hospital expenses alone. The opportunistic infections associated with AIDS are extremely difficult to treat and for some illnesses there is no known treatment.

As a New York Representative, I am aware that New York City's public health facilities are not equipped to handle this problem, particularly since 50 percent of the Nation's cases are found there. While CDC has made a concentrated effort to research AIDS, the agency spent only \$2 million compared to the cumulative totals of \$9 million for Legionnaires' disease and \$1.25 million for toxic shock syndrome. Researchers have indicated that CDC's funds are probably insufficient since a routine immunological study costs \$1,000 or more per person. Clearly more Government funds are needed to support this research. It is a hopeful sign that the administration's fiscal year 1984 budget request \$11.5 million for AIDS research which is a \$1.4 million increase over the 1983 level.

I would hope that the Congress will act quickly on legislation, such as H.R. 2350 and H.R. 1697, which will expedite AIDS research by the National Institutes of Health. For years, sickle cell anemia research remained a low priority in the medical community because of racial prejudice. Treatment for the victims of any disease should not depend on that groups' status in

society. We must now allow societal prejudice against gays to limit our commitment in fighting this public health emergency.●

● Mr. CROCKETT. Mr. Speaker, several of my colleagues here today have spoken about the medical crisis that the acquired immune deficiency syndrome (AIDS) represents, and the need for both more research money and a faster release of research money to find the cause and cure of this frightening and deadly disease. In other words, they have spoken about the medical challenge that AIDS presents us with.

I would like to talk about the moral challenge that AIDS represents.

Although this disease is well-known in Africa, in the United States it has primarily struck only young gay men, Haitians, hemophiliacs, and intravenous drug users. It is the fact that young gay men are its principle victims here that presents us with a moral dilemma. On the one hand, people are dying at an incredible rate of a hideous disease, and no one wants that. On the other hand, there is still a persistent and pervasive feeling in this country that lesbians and gay men are sick and perverted.

People who hold this prejudice are likely to say or think that perhaps gay people somehow deserve to get AIDS. At the very least, people who are not gay may think that because they are not at much risk of getting the disease and because they do not know anyone who is at risk, they do not need to care. These attitudes may be slowing up the search for a cure, since we all know that it often takes massive amounts of public concern and pressure to create an effective public or governmental response to a problem. If most people do not bother to care because they think it is not important or does not affect them, this public pressure is not there.

But public attitudes toward homosexuality may be having far more of an impact on what is happening with this disease than simply how much attention the search for a cure is getting. Public attitudes may be affecting the victims, their families, and their friends, as well.

Detroit to date has only had five known cases of AIDS. Three of these people have already died. I did not know any of the victims, but I worry about them. Dying is hard enough. Did they die with loving friends and family around, or did they die of the ostracism, hatred, and self-questioning that homophobia—fear of hatred of homosexuals—can cause, as well as from the disease itself?

The moral challenge that AIDS presents us with is this: To come out of this crisis not only with a better understanding of cancer and disease, but also with a greater understanding of

and appreciation for those around us who, whether we have let them tell us this or not, are gay. The medical community is being challenged to find a cure. The challenge for the rest of us is not only to be as compassionate and helpful as we can, but also to seize this opportunity to examine our stereotypes and prejudices. None of these challenges are small orders. But each challenge must be met. The very outcome of lives, both now and in the future when AIDS has been conquered, depend on it.●

● Mr. WAXMAN. Mr. Speaker, for almost 2 years now, I have closely followed the spread of a new disease that was first identified in my district and in the surrounding Los Angeles area. The disease first was thought to be a rare pneumonia. Soon other medical researchers reported an outbreak of an unusual cancer. And then others found strangely high rates of serious infections.

After an increasing number of similar reports and much analysis by scientists from the centers for disease control, it became clear that the diseases themselves were symptoms of another, more fundamental problem—a selective collapse of the immune system, now known as acquired immune deficiency syndrome or AIDS.

The Subcommittee on Health and the Environment held a hearing on AIDS more than a year ago. At that time there were about 300 cases of AIDS. Today there are almost 1,400. The number of cases has doubled every 6 months for the past 2 years, and the eventual mortality rate may prove to be over 80 percent. And although most of the first cases were first found in young gay men, hemophiliacs, Haitians, and drug abusers, now more than 1 out of 20 cases is a member of "no known risk group."

The public response to AIDS has been mixed and sometimes reluctant. I believe that much of the lack of sympathetic media attention and of Federal research has arisen from discriminatory intent and self-righteous neglect.

Because this disease that first appeared among homosexual men has received press attention as a peril and a gay plague, not as a public health problem. And while the Centers for Disease Control have done good epidemiological work, the Federal research establishment has, until very recently, responded with a business-as-usual approach to research.

But such discrimination is not the only problem.

In 1982, just as the epidemic was beginning, the budget for the Centers for Disease Control was effectively cut by 20 percent. And for 1984, the President has proposed funding for the National Institutes of Health at a level that would reduce new research grants by 25 percent.

My colleague from California, Mr. ROYBAL, authored an amendment to the continuing resolution for 1983 to add money to CDC's budget for AIDS research. I congratulate him on that and would note that the amount of money provided by that amendment will be spent twice over in this investigation, even though the administration requested no assistance.

But we cannot continue to rely on the goodwill, foresight, and timing of individual Members of Congress to address the needs of public health emergencies. As AIDS has pointed out to us, public health needs are not always predictable. No matter how organized and systematic the administration and the Congress may be in their budget and appropriations cycles, it is not possible to design line item amounts for such problems. We cannot plan a year in advance for epidemics, contaminants, or emergencies.

I have introduced legislation, H.R. 2713, to address such situations. That bill would create a fund to allow the Secretary of HHS to fund research and control efforts in situations of public health emergency. A number of Members from both sides of the aisle have joined in cosponsoring this legislation. I urge other Members to consider AIDS as one of the most prominent examples of the ad hoc budgeting that is forced upon us in extreme health crises and to join me in offering a standing reserve for funding the control of such emergencies.●

● Mr. ROYBAL. Mr. Speaker, during the last session of Congress, I added \$2 million to the Centers for Disease Control portion of the Labor-Health and Human Services appropriations bill for fiscal year 1983 to stimulate investigation into the etiology of AIDS, provide surveillance in the major cities of occurrence and search for a solution to this baffling illness.

The CDC has used these funds to expand their surveillance activities, epidemiological studies and laboratory investigations. Some of our major institutions of higher education, such as UCLA, Harvard, and New York University, are cooperating with the CDC in lab studies. Although it is early for results, research investigations by the CDC have brought us closer to finding the cause of AIDS. CDC estimates that it will spend \$4,500,000 on AIDS for fiscal year 1983. The AIDS problem has worsened.

Since November of last year when I offered my AIDS amendment, the number of AIDS cases have nearly doubled. Since 1981, CDC has received reports of over 1,370 individuals who fit the case definition used by CDC; 76 of these cases were reported from 16 foreign countries.

New cases are now being reported at an average rate of between four and five per day.

Death has occurred in nearly 40 percent of all reported cases with the mortality rate over time expected to exceed 80 percent.

CDC is becoming increasingly concerned about the possibility of additional thousands of persons who do not fit the current restriction definition of AIDS but may be suffering from less severe immune deficits that are treatable through chemotherapy.

The National Institutes of Health will spend \$9,582,000 in fiscal year 1983 for AIDS research and is requesting \$12,461,000 in fiscal year 1984 to continue its efforts. An institute-by-institute breakdown of funding follows:

	Fiscal year—	
	1983	1984
National Cancer Institute.....	\$4,400,000	\$4,700,000
Allergy and infectious diseases.....	4,050,000	6,050,000
Heart, lung and blood.....	346,000	846,000
Neurological communicative disorders and stroke.....	72,000	76,000
Research resources.....	644,000	701,000
National Eye Institute.....	45,000	58,000
Dental research.....	25,000	30,000

NIH is also cooperating with the CDC and the Federal Drug Administration and the CDC in its research efforts. Out of its fiscal year 1983 budget, FDA will spend \$200,000 in coordinated research with these agencies. It is currently investigating possible sterilization techniques for blood and blood products and has issued guidelines for blood donors that recommend persons in high-risk groups to forego donating blood until we have more about AIDS and its methods of transmission. The Division of Virology is working on vaccines for cytomegalovirus and studying its role in AIDS. To continue its work in fiscal year 1984, the FDA has requested \$400,000.

Now, all of this is bringing us closer to solving the AIDS problem. But we have a long way to go. We are still looking for a causal agent, its method of transmission and a medical cure.

I spoke recently with Dr. William Foege, Director of the CDC. We discussed ways in which the CDC could expand its surveillance and research activities.

In July, the CDC will announce an award being made to the San Francisco Health Department to enhance surveillance activities there. The centers are also planning to recruit three Public Health advisers during the next few weeks to be located in San Francisco, Los Angeles, and Miami, areas with major concentrations of reported cases of AIDS. These advisers will be conducting case followups involving interviews with victims and location of contacts.

During the hearings of the Labor-HHS Appropriations Subcommittee. I called attention to the AIDS epidemic and the need for a timely and coordi-

nated response from the biomedical research community to study AIDS and give it the attention it demands. Today, during our subcommittee markup on the Labor, Health and Human Services and Education supplemental bill, I indicated that I would seek additional funds to respond to the AIDS epidemic for fiscal year 1984.

I believe we must move aggressively on this problem and hope that you will join me in this commitment.●

● Mr. EDGAR. Mr. Speaker, the unremitting spread of acquired immune deficiency syndrome [AIDS] is a national tragedy and should be a national concern. For those of us who share an interest in our Nation's health, a focus on the causes and possible cures for AIDS must be a vital concern.

The origin of AIDS is unknown, but we do know who the victims are, and we know the intensity with which it strikes. In just 2 years, the disease has taken 450 lives. As of April 7, a total of 1,300 people had been diagnosed as having AIDS—with an overall mortality rate of 37.6 percent. Within the group most affected by AIDS, gay and bisexual men, 933 known cases have been investigated—among this group there is a 35-percent mortality rate; 217 cases have been reported among intravenous drug users, with a 40-percent mortality rate; 64 cases have been reported among Haitian refugees, with a 55-percent mortality rate; 11 cases have been reported among the Nation's 20,000 hemophiliacs, with a 73-percent mortality rate. The possibility that AIDS has spread to children is under investigation in 20 instances; there is an alleged mortality rate of 50 percent among children; 75 other cases have been reported, in this group there is a 43-percent mortality rate.

The first cases of AIDS were reported among gay men in large urban areas, but the disease has spread to drug users and others. Cases sprang up in Haiti at roughly the same time gay men in New York and San Francisco were found to have the disease. No one knows where the disease came from and its method of spreading is unclear, although it has been argued that extremely intimate contact or exposure to blood is probably necessary for infection.

Victims of AIDS, whose immune systems have been seriously debilitated, are likely to catch other disease—such as, among gay men, Kaposi's sarcoma [KS], a rare cancer usually confined to the skin and found in elderly men of Mediterranean ancestry. With the arrival of AIDS, however, young, formerly healthy men were stricken by the cancer which began to manifest new symptoms and new effects, and spread to internal organs. Pneumocystis carinii pneumonia [PCP], a parasitic lung infection accompanied by fever and shortness of breath, has begun to

affect AIDS sufferers. Others fall victim to a form of herpes which attacks the central nervous system, or toxoplasmosis, an infection which can cause serious brain damage.

Treatment for AIDS has proved to be unsatisfactory as evidenced by the high mortality rate. While AIDS sufferers can be treated for various individual infections typical of the syndrome, their weakened immunity leaves them open to one disease after another. Some AIDS victims have received interferon, a virus-fighting substance used in treating certain forms of cancer, which interferes with virus replication. Although it has effected remission in some AIDS sufferers, interferon is not the cure.

Attention must be focused on this infectious disease which has claimed so many lives in so short a time. I laud and am grateful for the work done by the Sloan-Kettering Cancer Center in New York, the Center for Disease Control in Atlanta, the National Institute of Health, and other centers and researchers nationwide who have worked to understand and treat AIDS. More must be done. I support Representative WAXMAN in his efforts to allocate \$40 million for research into AIDS and other public health emergencies. It has been suggested that part of the reason why AIDS has been ignored for so long is that the major victims of this disease are gay men, whose civil rights and human rights have been ignored for so long. I can only hope that this is not the case. When our Nation's health is at stake, corners cannot be cut, petty stipulations cannot be made, prejudices cannot be respected. The fight for the public's health is a vital one which cannot be ignored. The fight against AIDS must continue.●

● Mr. ADDABBO. Mr. Speaker, it is of the utmost importance today that we join together to support efforts to combat the disease, acquired immune deficiency more commonly known as AIDS.

This disease has in the past 2 years reached epidemic proportions. Not only do the number of cases increase day by day—1,300 to date—but after looking at the mortality rate, I was amazed at how varied and how high the number of deaths were for different cross sections of our society.

I feel great sadness that our Congress has not reacted more quickly and effectively in addressing the AIDS epidemic. This disease has inflicted the young, the old, women, and men alike. Without some type of immediate action on our part, this disease will reach even more diverse areas throughout the United States.

Although research is being conducted throughout major research centers in the United States, more money is needed to be allocated to subsidize the

present research efforts that are only in their initial stages.

I, personally, will support legislation that provides money for researching the causes of this disease. At present, doctors do not even have a clue on where AIDS has originated. Even more sad is the fact that doctors are not able to console those people who are already afflicted by this disease because there is no cure.

At least, we, as Members of Congress have the power to provide that available means and money which will enable the experts to find a cure for AIDS before it is too late.

I call upon the appropriate subcommittees, dealing with health-related issues, to expedite action immediately which would aim us toward combatting the escalating AIDS dilemma which now confronts our country.●

● Mr. EDWARDS of California. Mr. Speaker, I thank my colleague from New York (Mr. WEISS) for providing the opportunity to speak about the alarming epidemic of acquired immune deficiency syndrome [AIDS].

I am proud to participate in this effort to call attention to this virulent disease that has rapidly become a medical crisis. Initially it was assumed that AIDS afflicted only a segment of our population, but we can no longer make that erroneous judgment. Some of its victims are gays and intravenous drug users. But they are not alone in their fight against this incurable illness. Children, hemophiliacs of all ages, and Haitians are among those who have been diagnosed as having immune deficiencies. AIDS is not only a gay community problem. It is not only a drug users' problem. It is a national crisis, and it must be of concern to all of us.

Newsweek Magazine recently chose AIDS for its cover story. I commend the coverage done by the article's authors. The article will help in the campaign to insure that Americans become aware of the seriousness of this tragic disease. But awareness is only half the battle. As Newsweek pointed out, the increasing number of AIDS cases is shocking, but equally disturbing is the lack of information about its cause or cure. Research worldwide has yet to identify the origin of the disease or how it is transmitted from one person to another. The research is in its infancy and must be continued, but the funds for this work are limited.

It is crucial that AIDS research gets the financial resources it needs. The research must go on until medical professionals have found a way to successfully diagnose and treat victims of the AIDS epidemic. It appears, however that providing money to continue work on the disease will not be an acceptable thing to do until the stigma of it being the gay community's prob-

lem is lifted. I think the Newsweek article said it best:

You can be sure that if the victims (of AIDS) were heterosexual bankers, the money would be gushing out of Washington as it did during the Legionnaires' Disease period . . . How many people have to die before there is an all-out effort?

I encourage my colleagues to support continued funding for research to solve the riddle of this baffling and devastating disease. We must not tolerate a 100-percent mortality rate for those afflicted with AIDS. Beleaguered researchers need resources so that they can forge ahead, for the sake of all of us. ●

● Mr. LOWRY of Washington. Mr. Speaker, I commend the gentleman from New York for focusing the attention of the Congress on AIDS. Acquired immune deficiency syndrome is a devastating illness which has produced a public health emergency of epidemic proportions. In this country, at least 1,300 people have been stricken by AIDS; the death toll to date is 489. Once thought to strike gay men, AIDS has now been found in Haitians, hemophiliacs, and users of intravenous drugs. In addition, one out of five of its victims are members of no known risk group, opening up the possibility that the entire population may be at risk.

Since first reported a few years ago, AIDS has been detected in 35 States and 15 foreign countries. In my own State of Washington, nine cases of AIDS have been reported; three have been fatal, and one more person is expected to die shortly. The Seattle-King County Department of Public Health, which now has an active surveillance system for AIDS, reports that there is also an increasing incidence of impaired immunity, an illness less severe than AIDS, but potentially afflicting the same victims. It is especially frightening that since mid-1981, the national incidence of AIDS has doubled every 6 months. One study estimates that almost six new cases are reported each day.

No collection of statistics can begin to communicate the human suffering caused by AIDS. The body's immune system is totally ravaged, leaving the person vulnerable to a vast number of rare and lethal diseases and infections. A victim of AIDS is unlikely to ever fully recover; more likely, he or she will die after months of agonizing physical and emotional pain. In addition to the tragic cost in lives, the illness is also taking a large toll on the Nation's health bill. According to the Center for Disease Control, costs for the first 1,000 AIDS cases have been estimated to be \$60 million in hospital expenses alone.

A public health emergency of this proportion demands a substantial national commitment of resources, but the response of the Federal Govern-

ment to the AIDS epidemic has been slow and inadequate. Although AIDS has killed more people than Legionnaires' disease and toxic shock combined, it has failed to attract the same degree of media and Government attention. Although we know little about what causes the disease, and nothing about its cure, the Federal Government has made only a modest commitment to AIDS research through activities of the National Institutes of Health and the Center for Disease Control. NIH has been slow to distribute its funds, and it remains unclear to what extent these funds are being used to respond to the immediate emergency. CDC's efforts have been greatly underfunded. Last year, the Congress targeted \$2 million in supplemental appropriations for AIDS-related activities at the CDC; AIDS is not even mentioned in the Reagan administration's 1984 budget request for CDC.

I believe that Congress should take immediate action to focus more of the Nation's resources on this very pressing public health concern. In the remaining months of fiscal year 1983, the Center for Disease Control should be given additional funds targeted on AIDS activities. Such funds would allow the CDC to broaden its surveillance activities, focus more energies on primate research, and permit the establishment of a national blood and specimen bank so that research can be expedited on the role of blood in transmitting AIDS. For fiscal year 1984, I urge that the Congress target a portion of CDC funds for AIDS related activities.

The AIDS emergency has demonstrated that the Federal Government is limited in its ability to respond to public health crises in a timely and adequate fashion. The constraints of annual budgeting and planning do not allow for the type of immediate and comprehensive response that is demanded by epidemics, food and drug contaminations, and other health emergencies. For this reason, I am pleased to be a cosponsor of H.R. 2713, introduced by Congressman WAXMAN. This bill would create a public health emergency fund for use by the U.S. Public Health Service, to be used at the discretion of the Secretary of Health and Human Services to respond to public health emergencies. The Secretary is authorized to act through the National Institutes of Health, the Center for Disease Control, and the Food and Drug Administration. I urge my colleagues to support this much-needed proposal. ●

● Mr. LEVINE of California. Mr. Speaker, I appreciate having the opportunity to join our colleague, TED WEISS, in focusing concern on the spread of acquired immune deficiency syndrome [AIDS].

Currently, little is known about this mysterious disease which attacks and destroys the body's immunity against infection. Its cause and treatment have yet to be found. What is known, however, is that the disease is spreading beyond homosexual men, hemophiliacs, recipients of blood transfusions, and even children. The Center for Disease Control reports between three to five new cases daily.

Although the disease is gradually becoming more widespread, over 70 percent of its sufferers are homosexual men. Frustration with the lack of progress in attacking AIDS is growing among gays who live in my district, in my State and across the Nation. They are living in fear of the unknown.

Substantial research is now underway, but it is not enough. Funds for additional tests and studies are crucial. Last week, our colleague, HENRY WAXMAN, introduced legislation to establish a public health emergency fund, which would give the Secretary of Health and Human Services the authority to use earmarked money for research, treatment, and prevention of unanticipated outbreaks of life-threatening diseases. I am cosponsor and encourage my colleagues to join in support of this legislation.

I am pleased to participate in this important discussion, and wish to thank Representative WEISS for arranging for this special order. We must act now to stop this epidemic and to stop people from becoming future AIDS victims. ●

● Mrs. SCHNEIDER. Mr. Speaker, today's special order calls attention to a very serious health problem which for too long has remained on the back pages of newspapers, or has not been reported at all. It is a problem the likes of which we have never seen before. The disease, for which no known cause or cure exists to date, strikes at the heart of the body's defense system and leaves its victims prey to numerous other life-threatening diseases. As such, it has been given the name AIDS—the acquired immune deficiency syndrome.

Though the first reported case was in 1979, it has taken some 4 years for the public to become generally aware of the seriousness of AIDS. To date, over 1,300 cases have been reported to the Center for Disease Control, of which 500 were fatal. Further, the mortality rate for those who contracted the disease 4 years ago is now 100 percent. AIDS, which by destruction of the body's ability to fight disease leaves its sufferers prone to multiple chronic conditions, is surely one of the cruelest outbreaks in memory.

Unfortunately, Mr. Speaker, there is little incentive for private research into the causes and cures for AIDS. Because the disease strikes a relatively small number of people, as compared

to other chronic conditions, the millions of dollars required in the battle against AIDS will not be recovered by private pharmaceutical interests. Therefore, like other "orphans," Federal intervention provides the only realistic key.

It is this spirit that I urge my fellow colleagues to join me in supporting H.R. 2713, introduced by Representative WAXMAN. The bill would provide \$40 million for the establishment of an emergency Public Health Services fund to combat sudden health emergencies such as AIDS. This would cut through the redtape which has hindered the Government's response to this serious problem which was not the case with victims of toxic shock syndrome and Legionnaire's disease.

Again, Mr. Speaker, the numbers may appear small, but the devastation is immense. The time for action is now, and I urge all my colleagues to assist fellow Americans who are in fact facing a life and death situation due to AIDS.●

● Mr. GREEN. Mr. Speaker, all of us are aware of the AIDS epidemic which is growing at a rapid pace in our Nation. This disease, which is focused primarily among the gay male population, is also sweeping through the Haitian and hemophiliac communities. This epidemic, properly called acquired immune deficiency syndrome, knocks out the body's natural ability to fight disease, leaving the victim vulnerable to dangerous infections, cancer, or both. AIDS has generated increasing alarm within the medical community, because its source is an unknown entity of a lethal nature. As of the beginning of this year more than 800 people in the United States had contracted AIDS, and about 300 of them, or 38 percent died from its symptoms. This serious threat to public health has claimed more lives than Legionnaires' disease, toxic shock syndrome, swine flue, and Tylenol contamination combined, all of which received major attention from the Center for Disease Control, or the CDC as it is known. It is up to those of us in Congress to insure that an appropriate level of scientific research is devoted to stamping out this killer.

As a member of the Appropriations Committee, I spoke in favor of an amendment to increase funding for AIDS research when the 1983 appropriations bill for the Department of Health and Human Services came before the House for consideration. This amendment sought to allocate an additional \$3.6 million to the CDC. Fortunately, this amendment was approved by the House. Although the Senate was not willing to fund this effort at the \$3.6 million House requested level, during the conference committee meeting it was agreed that the Center for Disease Control would receive \$2.1 million during fiscal year

1983 for the study and prevention of this dangerous illness. I thought this was a minimal amount, but, given the fiscal constraints under which we are operating, I was pleased with this victory. I am also a cosponsor of H.R. 2712 which is an attempt to free up some of the discretionary money appropriated for AIDS research. To date, the executive branch has been far too slow in responding in a responsible fashion to this epidemic and not enough of the earmarked discretionary funds have actually been assigned to AIDS research.

This increased funding, however, is just a first step in combating this dreaded disease. The problem is still escalating, as is evidenced by the 100-percent mortality rate for those who contracted the disease 4 years ago. Greater funding is absolutely imperative. The time has come for the Government and the medical community to respond adequately to this deadly malady. Toward this end I will continue to meet regularly with my colleagues on the Appropriations Committee and the Energy and Commerce Committee's Subcommittee on Health and the Environment, who have jurisdiction over the funding and authorization of AIDS bills, respectively. There is no doubt that we need to devote substantially greater sums of Federal money to this killer. Let me assure all Americans that there are those of us in the Congress who are laying the groundwork to give CDC and the National Institutes of Health the resources they need to fight this battle.

At this time, I would like to commend the Gay Men's Health Crisis. Located in Manhattan, this organization was founded by members of New York's gay community in response to the medical crisis posed by AIDS. Currently, 50 percent of all reported AIDS cases are in the State of New York. GMHC is a completely volunteer organization which provides clear and accurate information explaining what we know of this medical crisis to the gay community as well as needed services to those diagnosed with AIDS. It is through their herculean efforts that GMHC has raised over \$100,000, \$50,000 of which was donated to New York City hospitals conducting AIDS research.

Last evening, I had the privilege of addressing the AIDS network at its May 2 demonstration. Among the five speakers present were Ginny Appuzzo, executive director of the National Gay Task Force; Dr. Roger Enlow, director of the Office of Gay and Lesbian Health Concerns of New York City; and my colleague, the gentleman from New York, Mr. WEISS. This rally at Federal Plaza helped mark the mobilization of an organized and cohesive force to help attack this most deadly illness. It is my sincere hope that ral-

lies such as this, along with today's congressional special order, will help focus much-needed attention on this disease.●

● Mr. RANGEL. Mr. Speaker, I would like to take this opportunity to express my support of this effort to focus national attention on acquired immune deficiency syndrome [AIDS], a deadly and unrelenting disease which destroys the body's immune system.

A growing number of AIDS cases began surfacing in 1981. Since that time, the disease has struck 1,300 Americans, 486 of whom have died.

This disorder is one which has baffled the medical profession—and for just reason. To date, the disease's place of origin has not been determined, its cause is unknown, and its cure has yet to be found. To further complicate matters, doctors are not experiencing much success in treating victims with the disease. As a result, a victim's immunity system becomes increasingly weak, thus leaving him or her vulnerable to a host of other diseases.

Early records show that the disease primarily claimed homosexuals as its victims. However, more recent records show that the disease has spread among other groups as well, namely intravenous drug users, Haitians, hemophiliacs, and children. And, as time goes on, it appears that more and more heterosexuals are contracting AIDS. It is anticipated that by year's end, there will be 2,000 cases in the United States.

Mr. Speaker, while experts have begun studying this lethal disease, and its victims, more research and greater public awareness is obviously needed. It is my hope that this special order will help galvanize support toward this end.●

GENERAL LEAVE

Mr. WEISS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the subject of my special order today.

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

There was no objection.

NEW ORLEANS PHYSICIAN RECEIVES VA'S HIGHEST HONOR FOR MEDICAL RESEARCH

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

● Mr. MONTGOMERY. Mr. Speaker, the Veterans' Administration's highest honor for medical research, the William S. Middleton Award, was present-

ed yesterday to Abba J. Kastin, M.D., Chief of the Endocrinology Department at the New Orleans VA Medical Center.

Dr. Kastin, an endocrinologist and professor of medicine at Tulane University School of Medicine, received the award for his "pioneering contributions in bringing about a better understanding of brain chemicals and their actions." The award is named for the late Dr. Middleton, a researcher, clinician, and educator who led the VA's Department of Medicine and Surgery from 1955 to 1963.

Dr. Kastin's 20-year study of neuro-peptides has opened doors to new lines of research that could lead to improved diagnosis and treatment of a variety of central nervous system disorders, including Parkinson's disease, depression, and mental retardation. His findings are based on the theory that naturally occurring brain peptides exert direct effects on the central nervous system separate from and in addition to stimulating the release of hormones from the pituitary gland. This activity was confirmed in Parkinsonian patients, and subsequent studies by Dr. Kastin and others suggest that these studies represent a promising approach to the search for an effective treatment for Parkinson's disease and mental depression.

A native of Cleveland, Dr. Kastin graduated from Harvard Medical School in 1960. His association with the VA and Tulane University dates back to 1964, when he was awarded a special National Institutes of Health postdoctoral fellowship to work with VA endocrinologist Dr. Andrew V. Schally, who himself won the Middleton Award in 1970 and the Nobel Prize in 1977.

The award was presented to Dr. Kastin yesterday afternoon at VA Central Office by the agency's Deputy Administrator, Everett Alvarez, Jr. I know my colleagues join me in expressing to him warm congratulations and appreciation. His contributions truly benefit the Veterans' Administration, the world, and all mankind. ●

BUDGET ISSUES ON LEGISLATIVE CALENDAR

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

● Mr. PANETTA. Mr. Speaker, for the benefit of the Members, I would like to place in the RECORD a summary of the legislation we are scheduled to consider this week and any Budget Act issues raised by these measures:

BUDGET ISSUES RELATING TO THE LEGISLATIVE CALENDAR

BILLS TO BE CONSIDERED UNDER SUSPENSION

Tuesday, May 3

S. 1011—Federal Deposit Insurance Act Amendments:

Defines issuance of net worth certificates under the Federal Deposit Insurance Act as not constituting a default under the terms of any debt obligations subordinated to the claims of general creditors which were outstanding when such net worth certificates were issued. No Budget Act problem.

H.R. 2307—Amends Tribally Controlled Community College Assistance Act of 1978:

This bill authorizes appropriations for fiscal year 1985-1987 and makes amendments to the Act to provide for planning grants, establishment of an endowment program, and construction of new facilities. No Budget Act problem.

FLOOR ACTION: BILLS UNDER A RULE

Tuesday, May 3

H.R. 1190—Emergency Agricultural Credit Act of 1983:

This bill would authorize appropriations of new budget authority in fiscal year 1983 to carry out farm credit programs and to provide additional insured and guaranteed loan authority.

Budget Act/Budget Resolution issues:

(1) Authorization not reported by May 17, 1982. (2) Insured and guaranteed loan authority not subject to advance appropriations. Waiver supported by HBC and granted by Rules Committee. Since the bill was not reported by May 17, 1982, and since the new insured and guaranteed loan authority would not be subject to an advance appropriation, the bill would violate section 402(a) of the Budget Act and section 3 of the First Concurrent Resolution on the Budget for Fiscal Year 1983, respectively. The House-passed budget resolution for fiscal year 1984 assumes funding for this program in fiscal years 1983 and 1984.

Wednesday, May 4, and balance of the week

H.J. Res. 13—Mutual and Verifiable Nuclear Weapons Freeze.

H.R. 1983—Emergency Housing Assistance Act of 1983:

This bill would authorize \$760 million in new budget authority in fiscal year 1983 to make emergency assistance payments in homeowners facing foreclosure of their conventional or VA guaranteed mortgages and \$100 million to provide shelter for the homeless.

Budget Act issue:

Authorization not reported by May 17, 1982. Waiver supported by HBC and granted by rules. Since the bill was not reported by May 17, 1982, it would violate section 402(a) of the Budget Act. The House-passed budget resolution for fiscal year 1984, which also revised the fiscal year 1983 budget, assumes funding for this measure.

H.R. 2175—Justice Assistance Act of 1983 (subject to a rule being granted):

This bill amends the Omnibus Crime Control and Safe Streets Act of 1968 and, as a major feature, creates a block grant program for criminal justice funds. In doing so, the bill includes reductions in authorization for various law enforcement grants from \$750 million to \$170 million in 1983, and authorizes appropriations for a number of law enforcement programs for fiscal years 1984 through 1986. No Budget Act problems. ●

CHANGING TENOR OF UNITED STATES-CANADIAN RELATIONS

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

● Mr. WEAVER. Mr. Speaker, "I want to change the course of America." This is the ambition of our Secretary of Interior, James Watt, as quoted in a recent Washington Post article. Now it appears that one of Secretary Watt's assistants wants to change the tenor, if not the course, of United States-Canadian relations as well.

An internal memorandum apparently penned by Dave Russell, Deputy Director of the Minerals Management Service, has come to my attention. Mr. Russell comments on a diplomatic message sent by the Canadian Embassy to the Department of State. Canada is formally protesting the assumption of jurisdiction by the Department of the Interior over minerals on and under the seabed on the Outer Continental Shelf, in the areas of Juan de Fuca and Gorda Ridge in the Pacific Ocean.

Mr. Russell, in his memo, suggests that:

Our response to Canada's terse note should be "Dear Canada: Our F.R. notice obviously pertained to our offshore areas, not yours. Therefore, up yours! Love, America".

I am bringing this memo and the Canadian note to the attention of my colleagues because the crudeness of the expression used by Mr. Russell is highly indicative of a certain state of mind. To put such thoughts on paper and then to circulate them in one's official capacity reveals an arrogance, an insensitivity, a lack of professionalism and a self-righteousness that is absolutely breathtaking.

This attitude permeates the public statements of Secretary Watt in his references to environmentalists, to liberals, to native American officials and to people of this kind who dare to get in his way. I suspect that Mr. Russell is all too typical of the individuals Secretary Watt has brought into the Department of the Interior to help him dispense America's vast public lands and resources. If so, this Nation is in far worse trouble than we may realize.

The Canadian Embassy note and Mr. Russell's memo follow, in their entirety.

NOTE NO. 021

The Embassy of Canada presents its compliments to the Department of State and has the honour to refer to the "Notice of Jurisdiction of the Department of the Interior Relating To Minerals, Other Than Oil, Gas and Sulphur" on the outer continental shelf of the United States, published in the Federal Register (Volume 47, number 236, pages 55313-4) on December 8, 1982.

The said notice purports to assert the jurisdiction of the Department of the Interior of the United States over "the subsoil and seabed of the areas of Juan de Fuca and Gorda Ridge in the Pacific Ocean". The Department of State will be aware that the Juan de Fuca area includes areas of the seabed and subsoil that clearly fall within the jurisdiction and sovereign rights of Canada under international law. The Gov-

ernment of Canada must make clear that it does not recognize as valid any assertion of jurisdiction on the part of the United States Government or any of its departments or agencies with regard to any resources of the seabed or subsoil within the limits of the continental shelf of Canada off the Pacific Coast, to the seaward limit defined in Section 2 of the Canada Oil and Gas Act and to the southern limit of Canadian Fishing Zone 5 described in Canada Gazette, Part II, Volume III Extra, 1 January 1977; the Government of Canada formally reserve all its rights concerning the matters touched upon in the notice under reference and, in particular, wishes to emphasize that the site of the recent discovery of polymetallic sulfides on the Juan de Fuca Ridge in the vicinity of 48 degrees North latitude, 129 degrees West longitude, lies within the continental shelf of Canada as defined above, and that all activities relating to these resources fall under Canada's jurisdiction and control.

The Government of Canada further wishes to express its profound concern that the Government of the United States should have authorized the publication of an official notice that could be interpreted as asserting United States jurisdiction over an area of the continental shelf undisputably appertaining to Canada, and that wholly ignores Canada's sovereign rights and geographic presence in the region. The Government of Canada expects that such assertions will not be repeated in future and that the Government of the United States will not take any action in respect of any Canada/USA maritime boundary region without prior notice and consultation. The outstanding maritime boundary questions between the two countries are such that it is incumbent on both sides to refrain from measures that would exacerbate disputes and make them more difficult to resolve.

The Canadian authorities, on another point, note that the document under reference also appears to assert jurisdiction over the continental shelf off the Pacific Coast of the United States beyond the seaward limit of the continental margin and beyond the seaward limit of the 200 mile fishing zone of the United States, on the basis of the "exploitability test" in the 1958 Convention on the Continental Shelf. The Canadian authorities would be grateful to learn whether this assertion represents the official policy of the United States with regard to the outer limit of the continental shelf under international law. At the same time, they would be grateful for information on the statutory basis, under United States law, for the assertion of United States jurisdiction over the seabed within 200 miles of the coast but beyond the outer edge of the continental margin.

The Embassy of Canada avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

WASHINGTON, D.C., January 17, 1983.

JANUARY 30.

Re: Polymetallics off Ore. & Wash.

PERRY.—Offshore is preparing a F.R. notice which lays out our plan for offering lease tracts for polymetallic sulfides.

Our response to Canada's terse diplomatic note should be "Dear Canada: Our F.R. notice obviously pertained to our offshore areas, not yours. Therefore, up yours! Love, America." (Same to DOC.)

MMS will not be engaging in research on offshore sulfide deposits, except for work necessary to identify tracts and formulate

lease stipulations—and that will be minimal. We will leave the research up to GS and NOAA. If Bu Mines wants to engage in "several million dollars" of research, whether shared with Reynolds or otherwise, they should get together with GS/NOAA. If Mines wants to assist us in our minimal resource evaluation work, within existing budgets, we'd like that (P.S. shared research w/Reynolds is not a justifiable expenditure of Fed. funds, in my opinion).

Be tough on those that would like to study, talk and delay. We're moving ahead.

DAVE.●

SPECIAL ORDERS GRANTED

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

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

Mr. WALKER, for 30 minutes, today.

Mr. BURTON, for 30 minutes, today.

Mr. CORCORAN, for 5 minutes, today.

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

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BOLAND, for 5 minutes, today.

Mr. WEISS, for 60 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. LONG of Maryland, for 5 minutes, today.

Mr. WEAVER, for 5 minutes, today.

Ms. OAKAR, for 5 minutes, today.

Mr. RICHARDSON, for 60 minutes, on May 5.

Mr. LUNDINE, for 60 minutes, on May 10.

EXTENSION OF REMARKS

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

Mr. DAUB, immediately prior to recorded vote on Dorgan amendment to H.R. 1190 in the Committee of the Whole today.

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

Mr. WORTLEY in two instances.

Mr. McGRATH.

Mr. YOUNG of Alaska.

Mr. WOLF in two instances.

Mr. SHUMWAY.

Mr. GILMAN in two instances.

Mr. BOEHLERT.

Mr. RITTER.

Mr. ZSCHAU.

Mr. YOUNG of Florida.

Mr. SMITH of New Jersey.

Mr. WEBER in two instances.

Mr. PAUL in two instances.

Mr. SKEEN in two instances.

Mr. KEMP in three instances.

Mr. MILLER of Ohio in three instances.

Mr. CORCORAN.

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

Mr. MAVROULES.

Mr. BARNES in three instances.

Mr. BOSCO in two instances.

Mr. GAYDOS in three instances.

Mr. RANGEL.

Mr. HAWKINS.

Mr. DYMALLY in two instances.

Mr. ROSE.

Mr. BERMAN.

Mr. STUDDS in two instances.

Mr. PANETTA in two instances.

Mr. OTTINGER.

Mr. FLORIO.

Mr. MURTHA.

Mr. FUQUA.

Mr. SIMON.

Mr. HARRISON in two instances.

Mr. ZABLOCKI in two instances.

Mr. LUKE in two instances.

Mr. VENTO in two instances.

Mr. McDONALD in three instances.

Mr. LEHMAN of Florida in two instances.

Mr. EDGAR.

Mr. AKAKA in three instances.

Mr. HUBBARD.

Mr. HARKIN in two instances.

Ms. MIKULSKI.

Mr. CARR.

Mr. AU COIN in two instances.

Mr. ACKERMAN in two instances.

Mr. EDWARDS of California.

Mr. TOWNS.

Mr. THOMAS of Georgia.

Mr. WAXMAN in two instances.

Mr. FORD of Michigan.

Mr. DE LA GARZA in 10 instances.

Mr. FAUNTROY.

Mrs. SCHROEDER.

Mr. MATSUI.

Mr. GORE.

Mr. MOAKLEY.

Mr. WEISS.

Mr. BOLAND.

ENROLLED BILL SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2600. An act to dedicate the Golden Gate National Recreation Area to Congressman Phillip Burton.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 4, 1983, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

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

1054. A letter from the Assistant Secretary of Defense (Comptroller), transmitting selected acquisition reports and SAR summary tables for the quarter ended March 31, 1983, pursuant to section 811(a) of Public Law 94-106, as amended; to the Committee on Armed Services.

1055. A letter from the Secretary of the Treasury, transmitting the annual report on the economic viability of depository institutions for the period of April 1, 1982, through March 31, 1983, pursuant to section 206 of Public Law 96-221; to the Committee on Banking, Finance and Urban Affairs.

1056. A letter from the Assistant Secretary for Congressional Relations, transmitting reports on political contributions by various ambassadorial nominees and by members of their families, pursuant to section 304(b)(2) of Public Law 96-465; to the Committee on Foreign Affairs.

1057. 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, as amended; to the Committee on Foreign Affairs.

1058. A letter from the Secretary of Health and Human Services, transmitting a special report to Congress on the feasibility and advisability of a refugee impact aid program, pursuant to section 413(d) of the Immigration and Nationality Act as amended; to the Committee on the Judiciary.

1059. A letter from the Secretary of Health and Human Services, transmitting a special report to Congress on alternative methods for the provision of cash assistance, medical assistance, and case management for refugees, pursuant to section 413(c)(1) of the Immigration and Nationality Act as amended; to the Committee on the Judiciary.

1060. A letter from the Director, Office of Management and Budget, transmitting a Soll Conservation Service plan for the Brundage Watershed, Idaho, pursuant to section 5 of Public Law 83-566, as amended; to the Committee on Public Works and Transportation.

1061. A letter from the Assistant Secretary of the Army (Civil Works), transmitting for referral to the Committee on Appropriations, a final supplemental environmental statement on the Minnesota River at Chaska project, Minnesota, pursuant to section 404(r) of the Clean Water Act; to the Committee on Public Works and Transportation.

1062. A letter from the Chairman, U.S. International Trade Commission, transmitting the Commission's 33d quarterly report on trade between the United States and the nonmarket economy countries, pursuant to section 410 of the Trade Act of 1974; to the Committee on Ways and Means.

1063. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal that paragraph of the act of March 4, 1913, as amended, that designates 10 percent of all national forest receipts for the construction of roads and trails on the national forests (37 Stat. 843); jointly, to the Committees on Agriculture and Interior and Insular Affairs.

1064. A letter from the Comptroller General of the United States, transmitting a report on the analysis of migration characteristics of children served under the migrant education program (GAO/HRD-83-40; May 2, 1983); jointly, to the Committees on Government Operations and Education and Labor.

1065. A letter from the Secretary of Health and Human Services, transmitting a report entitled, "Health Hazards Related to Nuclear Resource Development on Indian Land," pursuant to section 707(a) of the Indian Health Care Amendments, Public Law 96-537; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

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

Mr. PEPPER: Committee on Rules. House Resolution 179. Resolution providing additional procedures during the consideration of the joint resolution (H.J. Res. 13) calling for a mutual and verifiable freeze on and reductions in nuclear weapons (Rept. No. 98-78). Referred to the House Calendar.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 1381. A bill to amend the Ocean Thermal Energy Conversion Act of 1980 to provide for additional authorizations, and for other purposes; with amendments (Rept. No. 98-79). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1398. A bill to promote energy conservation by providing for daylight saving time on an expanded basis, and for other purposes; with an amendment (Rept. No. 98-80). Referred to the Committee of the Whole House on the State of the Union.

Mr. FUQUA: Committee on Science and Technology. H.R. 2587. A bill to authorize appropriations to the Department of Energy for civilian research and development programs for the fiscal year 1984; with amendments (Rept. No. 98-81). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND
RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAXMAN:

H.R. 2861. A bill to amend the Public Health Service Act to increase the authorization for fiscal year 1984 for primary care block grants; to the Committee on Energy and Commerce.

H.R. 2862. A bill to amend the Social Security Act to increase the authorization for fiscal year 1984 for maternal and child health services block grant; to the Committee on Energy and Commerce.

By Mr. AKAKA:

H.R. 2863. A bill to deauthorize the Kalihi Channel portion of the navigation project for Honolulu Harbor, Hawaii; to the Committee on Public Works and Transportation.

H.R. 2864. A bill to amend the Small Business Act to provide that, with respect to any possession of the United States or any State located outside the contiguous 48 States, the set-aside programs shall not require certain contracts to be performed by small business concerns located outside such a State or possession; to the Committee on Small Business.

By Mr. CLINGER:

H.R. 2865. A bill to provide an emergency public works jobs program by providing funds to States and local governments to carry out short-term infrastructure repair projects and by increasing by \$600,000,000 the authorization for construction grants under the Federal Water Pollution Control Act for fiscal year 1984, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. CONYERS:

H.R. 2866. A bill to amend the Immigration and Nationality Act to reform the immigration laws; to the Committee on the Judiciary.

By Mr. FLORIO (for himself, Mr. LENT, Ms. MIKULSKI, Mr. ECKART, Mr. TAUZIN, and Mr. RICHARDSON):

H.R. 2867. A bill to amend the Solid Waste Disposal Act to authorize appropriations for the fiscal years 1984 through 1986, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRADISON:

H.R. 2868. A bill to require that programs financed through the Federal Financing Bank be included in the Federal budget, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

By Mr. HEFTEL of Hawaii:

H.R. 2869. A bill providing for the conveyance of certain Federal property in the State of Hawaii, and for other purposes; to the Committee on Government Operations.

By Mr. KOSTMAYER:

H.R. 2870. A bill to extend the trade adjustment assistance programs for workers and firms until October 1, 1988; to the Committee on Ways and Means.

By Mr. LAGOMARSINO:

H.R. 2871. A bill to amend the Internal Revenue Code of 1954 to allow an extension of time for paying the estate tax attributable to real property to be acquired for conservation purposes by certain charitable organizations; to the Committee on Ways and Means.

By Mr. LIPINSKI:

H.R. 2872. A bill to eliminate the collection of tolls on the U.S. portion of the St. Lawrence Seaway, to terminate the St. Lawrence Seaway Development Corporation and establish a St. Lawrence Seaway Development Administration in the Department of Transportation, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. LUKEN (for himself and Mr. OXLEY):

H.R. 2873. A bill to amend the Communications Act of 1934 in order to encourage and develop marketplace competition in the provision of certain broadcast services and to provide certain deregulation of such broadcast services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCKINNEY:

H.R. 2874. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to reduce from 30 to 7 legislative days the period for congressional review of acts of the Council of

the District of Columbia which do not involve a Federal interest, to allow such acts to take effect during a congressional recess or adjournment, to repeal the authority of the Council of the District of Columbia to enact temporary emergency legislation, and for other purposes; to the Committee on the District of Columbia.

By Mr. SIMON:

H.R. 2875. A bill to establish a Presidential Advisory Panel for Coordination of Government Debt Collection and Delinquency Prevention Activities; to the Committee on Government Operations.

H.R. 2876. A bill to establish a commission to make recommendations for changes in the role of nonparty multicandidate political action committees in the financing of campaigns of candidates for Federal office; to the Committee on House Administration.

H.R. 2877. A bill to repeal the section of the Economic Recovery Tax Act of 1981 which provides for tax indexing; to the Committee on Ways and Means.

By Mr. SIMON (for himself, Mr. PERKINS, Mr. FORD of Michigan, Mr. KOGOVSEK, Mr. OWENS, and Mr. GUNDERSON):

H.R. 2878. A bill to amend and extend the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. TORRICELLI:

H.R. 2879. A bill to amend section 4208 of title 18 of the United States Code to provide victims of crime (and their survivors) opportunity to be heard at Federal parole determinations; to the Committee on the Judiciary.

By Mr. WEISS (for himself and Mrs. BOXER):

H.R. 2880. A bill to make individuals suffering from acquired immunity deficiency syndrome (AIDS) eligible for coverage under the medicare program; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. KOSTMAYER:

H.R. 2881. A bill to amend the Trade Act of 1974 to insure fair trade opportunities, and for other purposes; jointly, to the Committees on Ways and Means and Rules.

By Mrs. KENNELLY (for herself, Mr. RATCHFORD, Mr. MCKINNEY, Mr. GEDENSON, Mr. MORRISON of Connecticut, and Mrs. JOHNSON):

H.J. Res. 256. Joint resolution designating May 1983 as "Purple Heart Month," and honoring the three original recipients of the Purple Heart; to the Committee on Post Office and Civil Service.

By Mr. McCANDLESS (for himself and Mr. LEWIS of California) (by request):

H.J. Res. 257. Joint resolution to designate June 22 through June 28, 1983, as "National Friendship Week"; to the Committee on Post Office and Civil Service.

By Mr. MOAKLEY:

H.J. Res. 258. Joint resolution designating August 3, 1983, as "National Paralyzed Veterans Recognition Day"; to the Committee on Post Office and Civil Service.

By Mr. SIMON:

H.J. Res. 259. Joint resolution proposing an amendment to the Constitution of the United States to provide for 4-year terms for Representatives, and to prohibit the candidacy of Representatives for the office of Senator; to the Committee on the Judiciary.

By Mr. TORRICELLI:

H. Con. Res. 121. Concurrent resolution expressing the sense of the Congress opposing cuts in library programs; to the Committee on Education and Labor.

By Mr. LEVITAS:
H. Res. 180. Resolution relating to a citation of contempt; to the Committee on Public Works and Transportation.

By Mr. YATES:
H. Res. 181. Resolution to disapprove the administration of territories deferral; to the Committee on Appropriations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

101. By the SPEAKER: Memorial of the Legislature of the State of New York, relative to tuition assistance programs; to the Committee on Education and Labor.

102. Also, memorial of the Legislature of the State of New York, relative to natural gas prices; to the Committee on Energy and Commerce.

103. Also, memorial of the Legislature of the State of New York, relative to Klaus Barbi; to the Committee on Foreign Affairs.

104. Also, memorial of the Legislature of the State of New York, relative to discontinuance of civil defense planning and efforts to deescalate the nuclear arms race; jointly, to the Committees on Armed Services and Foreign Affairs.

105. Also, memorial of the Legislature of the State of New York, relative to a U.S. Academy of Peace and Conflict resolution; jointly, to the Committees on Foreign Affairs and Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ROSE:

H.R. 2882. A bill providing for a 17-year extension of patent numbered 3,376,198; to the Committee on the Judiciary.

By Mr. SHAW:

H.R. 2883. A bill to admit certain passenger vessels to the coastwise trade; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 171: Mr. MCKINNEY, Mr. CORCORAN, Mr. GRAMM, and Mr. MOLLOHAN.

H.R. 283: Mr. TORRICELLI and Mr. LUKEN.

H.R. 500: Mr. ROGERS.

H.R. 538: Mr. PORTER.

H.R. 569: Mr. SIMON and Mrs. SCHNEIDER.

H.R. 777: Mr. RICHARDSON, Mrs. HALL of Indiana, Mr. SEIBERLING, Mr. EDWARDS of California, Mr. DOWNEY of New York, Ms. KAPTUR, and Mr. RANGEL.

H.R. 953: Mr. DONNELLY, Mr. KASTENMEIER, Mr. GRADISON, Mr. BILIRAKIS, Mr. STOKES, Mr. LANTOS, Mr. ROE, Mr. ST GERMAIN, Mr. MARKEY, and Mrs. BYRON.

H.R. 954: Mr. MOLINARI.

H.R. 965: Mr. DEWINE.

H.R. 1020: Mrs. KENNELLY, Mr. WYDEN, Mr. STUDDS, Mr. BEDELL, Mr. LOWRY of Washington, Mr. MINETA, Mr. WAXMAN, Mr. SIMON, Mr. SEIBERLING, Mr. HARKIN, Mr. CROCKETT, Mr. LELAND, and Mr. BARNES.

H.R. 1027: Mr. FLORIO, Mr. GINGRICH, Mr. LOTT, Mr. MILLER of California, Mr. STANGELAND, and Mr. SUNDQUIST.

H.R. 1029: Mr. BADHAM, Mrs. BOXER, Mr. COELHO, Mr. GINGRICH, Mr. KOGOVSEK, Mr. KINDNESS, Mr. MAZZOLI, Mr. MILLER of California, Mr. PURSELL, Mr. SMITH of Florida, Mr. STANGELAND, and Mr. SUNDQUIST.

H.R. 1030: Mr. BADHAM, Mrs. BOXER, Mr. COELHO, Ms. FERRARO, Mr. GINGRICH, Mr. MILLER of California, Mr. STANGELAND, Mr. SUNDQUIST, and Mr. WAXMAN.

H.R. 1083: Mr. RODINO, Mr. UDALL, Mr. ACKERMAN, Mr. BROWN of California, Ms. FERRARO, Mr. KOSTMAYER, Mr. MOODY, Mr. WALGREN, Mr. WIRTH, and Mr. YATRON.

H.R. 1092: Mr. MOAKLEY and Mr. FORD of Tennessee.

H.R. 1104: Mr. NEAL, Mr. RANGEL, Mr. EVANS of Illinois, Mr. McDONALD, and Mr. PASHAYAN.

H.R. 1137: Mr. BRYANT, Mr. ROWLAND, Mr. NEAL, and Mr. SOLARZ.

H.R. 1199: Mr. RANGEL, Mr. WOLF, Mr. GAYDOS, Mr. STRATTON, Mr. RODINO, and Mr. GREGG.

H.R. 1200: Mr. LELAND, Mr. BONIOR of Michigan, and Mr. RANGEL.

H.R. 1242: Mr. AKAKA, Mr. BORSKI, Mr. DUNCAN, Mr. FAZIO, Mr. FEIGHAN, Mr. HEFNER, Mr. HEPTEL of Hawaii, Mr. HUNTER, Mr. JONES of Tennessee, Mr. KOSTMAYER, Mr. MINISH, Mr. QUILLEN, Mr. ROSE, Mr. RODINO, Mr. ROE, Mr. SCHUMER, Mr. SIKORSKI, Mr. STARK, Mr. SUNDQUIST, Mr. ACKERMAN, Mr. EDGAR, Ms. KAPTUR, and Mr. MURPHY.

H.R. 1266: Mr. MITCHELL and Mr. ACKERMAN.

H.R. 1357: Mr. DE LUGO and Mr. TAUKE.

H.R. 1430: Mr. BEILENSON and Mr. HYDE.

H.R. 1611: Mr. MADIGAN.

H.R. 1633: Mr. LIVINGSTON.

H.R. 1641: Mr. O'BRIEN.

H.R. 1644: Mr. LIPINSKI, Ms. KAPTUR, Mr. OTTINGER, Mr. FRANK, and Ms. FERRARO.

H.R. 1676: Mr. BOLAND, Mr. CONTE, Mr. D'AMOURS, Mr. RAHALL, Mr. RICHARDSON, and Mr. SISISKY.

H.R. 1700: Mr. SUNIA, Mr. MATSUI, Mr. FAUNTROY, Mr. D'AMOURS, Mr. FAZIO, Mr. BATES, Mr. BEVILL, Mr. CROCKETT, Mr. PRITCHARD, Mr. STENHOLM, Mr. NEAL, Mr. OBERSTAR, Mr. PATMAN, Mr. COLLINS, Mr. MRAZEK, Mr. GARCIA, Mr. GRAY, Mr. HUCKABY, and Mr. MITCHELL.

H.R. 1720: Mr. DELLUMS, Mr. LANTOS, Mr. LEVINE of California, Mr. LOWRY of Washington, Mr. OTTINGER, Mr. SHANNON, and Mr. TALLON.

H.R. 1724: Mr. LONG of Louisiana, Mr. DYSON, Mr. BEREUTER, Mr. PRITCHARD, Mr. SWIFT, Mr. SMITH of Florida, Mr. HUTTO, Mr. MADIGAN, Mr. ORTIZ, Mr. JEFFORDS, Mr. JONES of North Carolina, Mr. CONYERS, Mr. MRAZEK, Mr. LAFALCE, Mr. PARRIS, Mr. FUQUA, Mr. STAGGERS, Mr. TAUKE, Mr. FAZIO, Mr. FEIGHAN, Mr. JENKINS, Mr. VANDER JAGT, Mr. LOWRY of Washington, Mr. GARCIA, Mr. WINN, Mr. STOKES, Mr. ST GERMAIN, and Mr. WEAVER.

H.R. 1743: Mr. FEIGHAN, Mr. BERMAN, Mr. WEISS, Mr. SABO, Mr. GARCIA, Mr. ASPIN, Mr. ACKERMAN, Mr. WON PAT, Mr. WEAVER, Mr. FAUNTROY, Mr. FLORIO, Mr. FROST, Mr. MATSUI, Mr. GAYDOS, Mr. D'AMOURS, Mr. MITCHELL, Mr. STOKES, Mr. CLAY, Ms. KAPTUR, Mr. CONYERS, Mr. WILSON, Mr. STUDDS, Mr. DASCHLE, Mr. KILDEE, Mr. LOWRY of Washington, Mr. McCLOSKEY, Mr. GLICKMAN, Mr. MARTINEZ, Mr. CARR, Mr. ADABBO, Mr. OBERSTAR, and Mr. GUARINI.

H.R. 1795: Mr. DICKINSON and Mr. McNULTY.

H.R. 1817: Mr. FEIGHAN and Mr. LELAND.

H.R. 1841: Mr. FRENZEL, Mr. NIELSEN of Utah, Mr. STOKES, Mr. HYDE, and Mr. HUTTO.

H.R. 1904: Mr. BARNES, Mr. BEREUTER, Mr. BEVILL, Mr. BONIOR of Michigan, Mr. COLEMAN of Missouri, Mr. CORCORAN, Mr. COUGHLIN, Mr. EMERSON, Mr. FRENZEL, Mr. KEMP, Mr. LAGOMARSINO, Mr. McGRATH, Mr. MAZZOLI, Ms. OAKAR, Mr. RAHALL, Mr. REID, Mr. ROE, Mr. ROTH, Mr. SENSENBRENNER, Mr. SCHEUER, Mr. WEAVER, Mr. WILSON, Mr. LEACH of Iowa, Mr. MARTINEZ, Mr. GREGG, Mr. WYDEN, and Mr. HORTON.

H.R. 1918: Mr. TORRICELLI and Mr. CORCORAN.

H.R. 1931: Mr. BARNES.

H.R. 1950: Mr. CONYERS and Mr. ROE.

H.R. 1951: Mrs. KENNELLY, Mr. MORRISON of Connecticut, Mr. GEJDENSON, and Mr. MCKINNEY.

H.R. 2023: Mr. RANGEL, Mr. FORSYTHE, and Mr. NIELSON of Utah.

H.R. 2027: Mr. STENHOLM.

H.R. 2034: Mr. MITCHELL and Mr. OWENS.

H.R. 2053: Mr. MCKINNEY.

H.R. 2061: Mr. WILSON, Mr. HUGHES, Mr. EMERSON, and Mr. MCCOLLUM.

H.R. 2088: Mr. LEHMAN of Florida, Mr. SUNIA, Mr. STOKES, Mr. BROWN of California, Mr. LEVIN of Michigan, Mr. EDWARDS of California, Mr. FORD of Tennessee, Mr. McNULTY, and Mr. ROE.

H.R. 2097: Mr. LELAND and Mr. BARNARD.

H.R. 2099: Mr. DWYER of New Jersey, Mr. FORSYTHE, Mr. EDWARDS of California, Mr. KEMP, Mrs. BOXER, Ms. MIKULSKI, Mr. EDWARDS of Oklahoma, Mr. NIELSON of Utah, Mr. FAUNTROY, Mr. WHEAT, Mr. GUARINI, Mr. HYDE, Mr. SABO, Mr. CRAIG, Mr. PANETTA, Mr. WEBER, and Mr. EVANS of Iowa.

H.R. 2100: Mr. VENTO, Mr. EDWARDS of California, Mrs. BOXER, Ms. MIKULSKI, Mr. FAUNTROY, Mr. RANGEL, Mr. CROCKETT, Mr. SABO, and Mr. EVANS of Iowa.

H.R. 2164: Mr. SNYDER and Mr. HUBBARD.

H.R. 2225: Mr. CHANDLER, Mr. WYLIE, and Mrs. HOLT.

H.R. 2262: Mr. GRAMM, Mr. SAM B. HALL, Jr. Mr. IRELAND, Mr. KRAMER, Mr. LELAND, Mr. SIMON, Mr. WILLIAMS of Montana, Mr. WINN, and Mr. WRIGHT.

H.R. 2276: Mr. HATCHER, Mr. FORD of Michigan, Mr. FRANK, Mr. RAY, Mr. STOKES, Mr. VANDERGRIF, Mrs. BOXER, Mr. ADDABBO, Mr. MORRISON of Connecticut, Mr. HOWARD, Mr. LEVIN of Michigan, and Mr. WILSON.

H.R. 2299: Mr. APPELEGATE and Mr. MOLLOHAN.

H.R. 2323: Mr. LEVIN of Michigan, Mr. SEIBERLING, Mr. SABO, Mr. WAXMAN, Mr. MITCHELL, Mr. GUNDERSON, and Mr. MORRISON of Connecticut.

H.R. 2342: Mr. FORD of Tennessee.

H.R. 2355: Mr. TORRES, Mr. LONG of Louisiana, Mr. BRITT, Mr. EDWARDS of California, Mr. COYNE, Mr. EDWARDS of Oklahoma, and Mr. CORRADA.

H.R. 2379: Mr. LELAND, Mr. SABO, and Mr. BARNES.

H.R. 2403: Mr. BEDELL, Mr. LOWRY of Washington, Mr. DELLUMS, Mr. TOWNS, Mr. SMITH of Florida, and Mr. MITCHELL.

H.R. 2432: Mr. IRELAND, Mr. SMITH of New Jersey, Ms. OAKAR, Mr. SIMON, Mr. CORRADA, Mr. DANIEL, Mr. MITCHELL, Mr. MONTGOMERY, Mr. OXLEY, Mr. EDWARDS of Oklahoma, Mr. VANDERGRIF, Mr. RAHALL, Mr. ADDABBO, Mr. RUDD, Mr. BEVILL, Mr. FORSYTHE, and Mr. TALLON.

H.R. 2438: Mr. BOLAND, Mr. SCHUMER, and Mr. OTTINGER.

H.R. 2448: Mr. FRENZEL.

H.R. 2489: Mr. HUGHES, Mr. EDGAR, Mr. MURPHY, Mr. FRANK, and Mr. MAVROULES.

H.R. 2560: Mr. McCURDY, Mr. MAVROULES, Mr. DAVIS, Mr. DYSON, Mr. SIMON, Mr. COELHO, Mr. GINGRICH, and Mr. KRAMER.

H.R. 2582: Mr. FORD of Michigan, Mr. BERMAN, Mr. FRANK, Mr. WEISS, Mr. HOWARD, and Mr. SIKORSKI.

H.R. 2583: Mr. SMITH of Iowa, Mr. DE LA GARZA, Mr. HOWARD, Mr. DE LUGO, Mr. TORRES, Mr. KASTENMEIER, Mr. WON PAT, Mr. LUKEN, Mr. OTTINGER, Mr. ROE, Mr. CLAY, Mr. BATES, Mr. FRANK, Mrs. BOGGS, Mr. STOKES, Mr. LELAND, Mr. DWYER of New Jersey, Mr. PANETTA, Mr. FAUNTROY, Mr. OBERSTAR, Mr. CROCKETT, Mr. CORRADA, Mr. HARRISON, Mr. FEIGHAN, Mr. SUNIA, Mr. BIAGGI, and Mr. SIMON.

H.R. 2615: Mr. FISH, Mr. JEFFORDS, Mr. YATES, Mr. D'AMOURS, Mrs. COLLINS, Mr. DASCHLE, Mr. RODINO, Mr. LOWRY of Washington, Mr. FORD of Tennessee, Mr. SOLARZ, Mr. ADDABBO, Mr. FAUNTROY, Mr. HARRISON, Mr. LELAND, Mr. SMITH of Florida, Mr. ACKERMAN, Mr. ROE, Mr. KASTENMEIER, Mr. FEIGHAN, Mr. McNULTY, Mr. GUARINI, Mr. BONKER, Mr. MITCHELL, Mr. FORD of Michigan, Mr. FAZIO, Mr. FROST, Mr. PERKINS, Mr. SABO, Mr. BEDELL, Mr. FRANK, Mr. BARNES, Mr. WOLPE, Mr. MORRISON of Connecticut, Mr. TOWNS, Mr. LEVIN of Michigan, and Mr. CROCKETT.

H.R. 2777: Mr. JONES of North Carolina and Mr. HAWKINS.

H.J. Res. 21: Mr. SIKORSKI.

H.J. Res. 29: Mr. FOGLIETTA, Mr. HILER, Mr. KOSTMAYER, Mr. DYSON, Mr. WHITEHURST, and Mr. SISISKY.

H.J. Res. 59: Mr. PETRI.

H.J. Res. 97: Mr. VENTO.

H.J. Res. 133: Mr. HARTNETT.

H.J. Res. 176: Mr. ANNUNZIO, Mr. LEACH of Iowa, Mr. SWIFT, Mr. RAY, Mr. HANCE, Mr. LOWRY of Washington, Mr. STENHOLM, Mr. JENKINS, Mr. SHELBY, Mr. BARNARD, Mr. THOMAS of Georgia, Mr. FASCCELL, Mr. McDONALD, Mr. REGULA, Mr. GINGRICH, Mr. HORTON, Mr. OXLEY, Mr. TAUZIN, Mr. FISH, Mr. MARRIOTT, Mr. CHANDLER, Mr. BREAUX, and Mr. GREGG.

H.J. Res. 190: Mr. WILSON, Mr. McNULTY, Mr. FORSYTHE, Mr. COATS, Mr. GILMAN, Mr. RANGEL, Mr. HUTTO, Mr. CHANDLER, and Mr. TAUKE.

H.J. Res. 208: Mr. LEVIN of Michigan, Mr. MITCHELL, and Mr. BARNARD.

H.J. Res. 210: Mr. ROE, Mr. LOWRY of Washington, Mr. HOWARD, Mr. LaFALCE, Mr. SMITH of Florida, Mr. DELLUMS, Mr. STOKES, Mr. CLAY, Mr. WHEAT, Mr. MARTINEZ, Mr. LELAND, Mr. EDWARDS of Alabama, Mr. HUGHES, Mr. CLARKE, Mr. DIXON, Mr. TRAXLER, Mr. BEDELL, Mr. DANIEL, Mr. CARNEY, Mr. FRENZEL, Mr. STUDDS, Mr. WAXMAN, Mr. GUARINI, Mr. CONYERS, Mr. PEPPER, Mr. TOWNS, and Mr. SIMON.

H.J. Res. 220: Mr. FORD of Michigan, Mr. SHANNON, Mr. ROSTENKOWSKI, and Mr. ECKART.

H.J. Res. 225: Mr. HYDE, Mr. McEWEN, Mr. WEISS, Mrs. COLLINS, Mr. REGULA, Mrs. HOLT, Mr. BROWN of California, Mr. WAXMAN, Mr. THOMAS of California, Mr. BERMAN, Mr. BARNES, Mr. DIXON, Mr. STOKES, Mr. YATES, Mr. FAZIO, Mr. SMITH of Florida, Mr. YOUNG of Florida, and Mr. CROCKETT.

H.J. Res. 228: Mr. BROWN of Colorado, Mr. MINETA, Mr. ORTIZ, Mr. WILSON, Mr. FAZIO, Mr. FRANK, Mr. ERDREICH, Mr. McNULTY, Mr. ROE, Mr. BERMAN, Mr. FRENZEL, Mr. DIXON, Mr. EDGAR, Mr. LEVIN of Florida, Mr. MORRISON of Connecticut, and Mr. WHITLEY.

H.J. Res. 236: Mr. FORSYTHE, Mr. PARRIS, Mr. STANGELAND, Mr. LAGOMARSINO, Mr.

PRITCHARD, Mr. SOLARZ, Mr. WALGREN, Mr. ROE, Mr. KINDNESS, Mr. KASICH, Mr. RODINO, Mr. WINN, Mr. KEMP, Mr. SMITH of Florida, Mr. DAUB, Mr. FAZIO, Mr. GARCIA, Mr. STOKES, Mr. DANIEL B. CRANE, Mr. BONIOR, of Michigan, Mr. LENT, Mr. DE LA GARZA, Mr. ROGERS, Mr. PATMAN, Mr. WILSON, Mr. DWYER of New Jersey, Mr. BATES, Mr. LELAND, Mr. MARKEY, Mr. BARNES, Mrs. VUCANOVICH, Mr. FAUNTROY, Mrs. BOXER, Mr. LIPINSKI, Mr. MCCAIN, Mr. FEIGHAN, Mr. HUGHES, Mr. BEVILL, Mr. CHANDLER, Mr. KILDEE, Mr. WAXMAN, Mr. EVANS of Illinois, Mr. NIELSON of Utah, Mr. RAHALL, Mr. DANIEL, Mr. FAZIO, Mr. FRENZEL, Mr. EDWARDS of Oklahoma, and Mr. HANSEN of Idaho.

H. Con. Res. 89: Mr. HIGHTOWER.

H. Res. 15: Mr. MILLER of California, Mr. STUDDS, and Mr. AKAKA.

H. Res. 17: Mr. COOPER, Mr. HARKIN, Mr. HUGHES, Mr. MARKEY, and Mr. STUDDS.

H. Res. 139: Mr. ACKERMAN, Mr. ALBOSTA, Mr. BORSKI, Mr. CARPER, Mr. CLINGER, Mr. DWYER of New Jersey, Mr. ECKART, Mr. FAUNTROY, Mr. GILMAN, Mrs. JOHNSON, Mr. McDADE, Mr. McHUGH, Mr. MCKERNAN, Mr. MacKAY, Mr. MARTINEZ, and Mr. MINETA.

H. Res. 151: Mr. DYMALLY, Mr. SYNAR, Mr. CHAPPELL, Mr. RICHARDSON, Mr. PRITCHARD, Mr. HOWARD, Mr. STOKES, Mr. FOLEY, Mr. PEPPER, Mr. FISH, Mr. FROST, Mr. ACKERMAN, Mr. NIELSON of Utah, Mr. LOWRY of Washington, Mr. GOODLING, Mr. BONKER, Mr. BROWN of California, Mr. STENHOLM, Mr. VANDERGRIF, Ms. OAKAR, Mr. THOMAS of Georgia, Mr. DE LA GARZA, Mr. ADDABBO, Mr. HANSEN of Idaho, Mr. ROBERT F. SMITH, Mr. MCCAIN, Mr. FRANKLIN, Mr. HARRISON, Mr. KINDNESS, Mr. CORCORAN, Mr. LEWIS of Florida, Mr. MORRISON of Washington, Mr. HIGHTOWER, Mr. EMERSON, Mr. WEBER, Mr. SCHUMER, Mr. DICKS, Mr. KASICH, Mr. LEVIN of Michigan, Mr. MITCHELL, Mr. TAUKE, Mr. WON PAT, Mr. ANDREWS of Texas, Mr. FORD of Tennessee, Mr. SWIFT, Mr. KEMP, Mr. BURTON, and Mr. McDADE.

H. Res. 155: Mr. COOPER, Mr. DAUB, Mr. GUARINI, Mr. HUGHES, Mr. LEVIN of Michigan, Mr. MRAZEK, Mr. RAHALL, Mr. SEIBERLING, Mr. SMITH of Iowa, and Mr. TALLON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.J. Res. 13

By Mr. HYDE:

(Amendment to the amendment in the nature of a substitute by Mr. AuCOIN.)
—After the last line of the amendment in the nature of a substitute insert the following new section:

SEC. . In all negotiations pursuant to this Resolution the United States shall make every effort to ensure that any agreement reached shall provide for full compliance by all parties with preexisting international treaties, obligations, and commitments.

By Mr. LEVITAS:

(Amendment to the amendment in the nature of a substitute by Mr. AuCOIN.)

—At the end of (5) in the first section, immediately before the period, insert “, with such reductions to be achieved within a reasonable, specified period of time”.

By Mr. COLEMAN of Missouri:

(Amendment to the amendment in the nature of a substitute by Mr. AuCOIN.)

—After the last line of the amendment in the nature of a substitute insert the following new section:

Sec. . For purposes of this resolution, a nuclear delivery vehicle is a device whose primary or exclusive mission requires it to carry a nuclear weapon into territory of our occupied by hostile forces.

—After the last line of the amendment in the nature of a substitute insert the following new section:

Sec. . A freeze agreement in accordance with this resolution will not preclude the one-for-one replacement of nuclear delivery vehicles in order to preserve the credibility

of the United States nuclear deterrence, provided the new weapon or delivery vehicle is the same type as the old.

H.R. 1983

By Mr. COLEMAN of Texas:

—Page 16, after line 11, insert the following new subsection:

“(h) In providing assistance under this title, the Secretary shall (1) seek to assure a reasonable distribution of funds among districts in which the program established in this title is in effect; and (2) take into consideration the rates of residential mortgage foreclosure and unemployment in the units

of general local government in which the properties involved are located and whether such units of general local government are eligible for assistance under section 119 of the Housing and Community Development Act of 1974, giving particular consideration to units of general local government that have rates of unemployment exceeding the national average or are eligible for assistance under such section 119. In carrying out the provisions of this subsection, the Secretary shall utilize the most recent information available from the Secretary of Labor with respect to rates of unemployment.”.