

the subject a new, highly emphasized position in the curriculum—at all grade levels from kindergarten through high school.

Accordingly, schools across the United States are now gearing up to meet the new mandates to strengthen their classroom nutrition education programs—and school administrators and curriculum specialists acknowledge they need help with this challenge—from all appropriate sources—from both the public and private sectors. Indeed, the degree of help that will be forthcoming from the public sector is defined and limited, and

so support from the private sector, if appropriate and educationally sound is eagerly sought and willingly accepted.

Weight Watchers "Garden of Eating" program gives me hope that other responsible American business will undertake appropriate support of the curriculum in similar fashion. Indeed, a number of companies and trade organizations already are doing so. Obviously, neither Weight Watchers nor any other corporation is in a position to take on the sole responsibility for providing nutrition education materials for all grade levels and all schools. They are not even in a

position to do that for a single grade level. Nor, in my judgment, would it be appropriate for any company to take on a continuing burden of that dimension. But it seems to me that what the Weight Watchers nutrition education program does do—as do a few other similar public service efforts—is to point the way in which corporations working cooperatively with educators can share in meeting our schools' curriculum needs. These needs are large but so is businesses' capacity. The challenge today is to motivate the private sector to take on responsibilities in this arena.●

HOUSE OF REPRESENTATIVES—Friday, November 9, 1979

The House met at 9 a.m. and was called to order by the Speaker pro tempore, Mr. BRADEMAS.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

NOVEMBER 8, 1979.

I hereby designate the Honorable JOHN BRADEMAS to act as Speaker pro tempore on Friday, November 9, 1979.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

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

God is our refuge and strength, a very present help in trouble.

Therefore we will not fear, though the Earth be removed, and the mountains be carried into the midst of the sea.

The Lord of hosts is with us; the God of Jacob is our refuge.—Psalms 46: 1-3, 7.

Bless our Nation, and all the people, O Lord, and may Your spirit give us confidence and patience in the face of adversity. We pray for all those who are anxious or have special need that You will comfort them by Your presence. Encourage them with the promise of hope and the abiding assurance of the unity of our people. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

A 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. 668. An act to permit the Cow Creek Band of the Umpqua Tribe of Indians to file with the U.S. Court of Claims any claim such band could have filed with the Indian Claims Commission under the act of August 13, 1946 (60 Stat. 1049).

ACTION URGED TO COUNTER IRANIAN THREAT TO U.N. CHARTER

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

Mr. HUBBARD. Mr. Speaker, as the Ayatollah Khomeini-incited revolutionaries continue to threaten and hold hostage 60 Americans in Tehran, at this point we do need to give President Carter what he asks of us regarding this tragic crisis—"the continued support of the American people."

Yes, I admit I am humiliated and very angry about the events in Tehran. Iran is in obvious violation of the first principle of the United Nations Charter—that force or the threat of force should not be used to achieve national political objectives.

When will the world leaders of the United Nations take strong action against Iran's current mob rule—a dangerous affront to the U.N. Charter?

I have never been impressed by the ability of the United Nations to solve crises, but it would be refreshing to see the United Nations prove now they are capable of intervening to bring about a peaceful settlement of the conflict in Iran.

FURTHER DEMONSTRATIONS SEEN AS THREAT TO LIVES OF HOSTAGES IN TEHRAN

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

Mr. BROOMFIELD. Mr. Speaker, I am deeply concerned at reports that

District of Columbia officials may permit anti-American demonstrations today by Iranian students.

At a time when every American is deeply concerned about the lives of those U.S. Embassy employees being held hostage in Tehran, such a decision is not only ill-advised but dangerous.

While I am vitally concerned about preserving every citizen's right to free speech, the potential for violence in such demonstrations could only further inflame the situation, hinder the President's diplomatic efforts and endanger the lives of those American hostages.

I am much more concerned about preserving the rights—and the lives—of those Americans held hostage in Tehran than I am about the rights of those Iranian noncitizens who are, after all, guests in our country.

The President is to be commended for the restraint he has shown in dealing with this difficult situation. He clearly has placed the safety of the hostages ahead of all other considerations and I fully support the diplomatic initiatives he has undertaken to win their freedom.

There are indications that those efforts may now be making some progress and we all have a responsibility to make certain they are not upset.

ANOTHER PERSONNEL RESHUFFLING AT SSA

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

Mr. CONABLE. Mr. Speaker, Social Security Commissioner Stanford Ross recently announced his resignation, after barely a year on the job.

Serious questions can be raised about such short tenure in such an important post. But an overriding question, Mr. Speaker, is whether the Social Security Administration can stand another reorganization, which a new Commissioner understandably might wish to effect.

Over the past 5 years, this agency has been through three different reorganiza-

□ 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.

tions—plus the added burden of the supplemental security income program, and other duties assigned by Congress. It takes time for people to adjust to new work situations, and Social Security people have not had enough time to adjust to any of the three reorganizations.

They need that time. A fourth reshuffling could have a demoralizing effect. The work of the agency could be disrupted to the point of creating administrative chaos.

That should not be allowed to happen. There is too much at stake. The interests of 35 million beneficiaries and 110 million contributing taxpayers will not be well served by a Social Security Administration rendered less efficient through excessive reorganization.

Therefore, Mr. Speaker, I urge the President and the Secretary of HEW to exercise great care in the choice of a successor to Mr. Ross, and to take personal interest in the stability, morale, and administrative efficiency of the SSA's personnel.

Our constituents have the right to expect the thoughtful attention and consideration skilled and well-organized Social Security workers are capable of giving them. The new Commissioner should not be asked to make no changes at all, but to be aware of the SSA's history of recent organizational turmoil.

UNITED NATIONS INACTION IN IRAN SUGGESTS WITHDRAWAL OF SUPPORT

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

Mr. DEVINE. Mr. Speaker, while our State Department officials nervously sit around a table and look at each other and wonder what to do, I wonder what has happened to the United Nations Security Council. What has happened to the peacekeeping function of the United Nations?

It seems to me if they, too, are going to sit around and do nothing, we should seriously consider whether there is any value in belonging to this organization. I think that unless the United Nations makes a positive move to release the hostages in Iran, we should seriously consider withdrawing any further financial support from the United Nations and perhaps go the next step of disassociating from the organization altogether and moving the U.N. out. Most of the members vote against the U.S. positions anyway, and are interested only in our money.

ALMONDS AND EEC ENLARGEMENT

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

Mr. THOMAS. Mr. Speaker, I followed the course of the multilateral trade negotiations closely because of their importance to the State of California and to my district. Overall the trade package

brought home by our negotiators represented distinct gains for U.S. agriculture, and I was pleased to vote for passage of the Trade Agreements Act of 1979.

The almond industry in California, however, was very disappointed in the outcome of the negotiations with the European Economic Community. Its primary negotiating objective was to obtain a zero duty for exports of almonds to the EEC. It is my understanding that our U.S. negotiators requested this, but were unable to accomplish it. Our negotiators assured the almond industry that it would begin negotiations on almonds again this fall. Based on these assurances, the almond industry also supported passage of the Trade Agreements Act of 1979.

Spain, the largest competitor for California almond growers, is soon to begin negotiations leading toward membership in the EEC. I would urge our negotiators to resume immediately negotiations with the EEC on almonds. Once negotiations between the EEC and Spain begin, it may well be too late. I feel certain that the United States still wants to achieve this important concession on almonds from the EEC.

LOW-LEVEL RADIOACTIVE WASTE SITES

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

Mr. McCORMACK. Mr. Speaker, the Nation is facing a difficult problem caused by the closing of low-level radioactive waste sites. Recently we have had three sites in operation; one in South Carolina, one in Nevada, and one in Washington State. Two of these have been closed, either temporarily or permanently, and one is operating on limited regulations.

The major constituents of these low-level radioactive wastes come from hospitals, medical schools, pharmaceutical manufacturers, trace elements removed in the water cleanup at nuclear powerplants, and many uses in industry.

We simply cannot allow the medical treatment of millions of Americans to stop and the diagnoses of thousands of Americans needing care to stop because of the inadequate management and policy in handling these low-level radioactive wastes. We cannot allow the many benefits of nuclear power and the many beneficial uses of radioactive materials to be reduced or interrupted by a lack of adequate facilities or by the lack of a national policy or program for managing and disposal of low-level radioactive wastes.

We have this week held hearings on this matter in the Subcommittee on Energy Research and Production, and I have this week submitted legislation that would create about 12 regional low-level radioactive waste disposal sites in this country. The gentleman from South Carolina (Mr. DERRICK) has also submitted legislation which has a similar goal.

I call this matter to the attention of the Members of the House at this time because it is a critical matter. We must direct our attention to it at once. We must have these low-level radioactive waste disposal sites in operation in this country in the very near future.

UNITED STATES SHOULD ACT ON AMERICAN HOSTAGES IN TEHRAN

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

Mr. BAUMAN. Mr. Speaker, the surest way to compound the danger of the hostages being held in the U.S. Embassy in Tehran is to continue to display weakness on the part of the Government of the United States.

There are a number of options available to the President of the United States which would at least affirm that we are serious in doing something serious about this predicament. We could, for instance, close the Iranian Embassy and all of its consulates in the United States. We could embargo all trade. We could deport all of those Iranian students who act in an illegal manner, and we could deny demonstration permits, as I call upon the Mayor of this city, the District of Columbia, to do immediately this morning. But most of all, the President of the United States could open his mouth and say something. He could stand up and make the world understand that we mean to act as a strong nation instead of acting like the doormat of the world.

DESIGNATING FEDERAL BUILDING LOCATED AT 727 EAST DURANGO, SAN ANTONIO, TEX., AS THE JOHN H. WOOD, JR., BUILDING

Mr. LEVITAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 1728) to designate the U.S. Federal Courthouse Building located at 655 East Durango, San Antonio, Tex., as the "John H. Wood, Jr., Federal Courthouse," with House amendments thereto, and recede from the House amendments.

The Clerk read the title of the Senate bill.

The Clerk read the House amendments, as follows:

Strike out all after the enacting clause, and insert:

That the Federal Building located at 727 East Durango, San Antonio, Texas, shall hereinafter be called and designated as the "John H. Wood, Jr., Building". Any reference in law, map, regulation, document, record, or other paper of United States to such building shall be held to be a reference to the John H. Wood, Jr., Building.

Amend the title so as to read: "An Act to designate the Federal Building located at 727 East Durango, San Antonio, Texas, as the 'John H. Wood, Jr., Building'."

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, are the House

amendments germane to the bill, and what do they do?

Mr. LEVITAS. If the gentleman will yield, this is a bill which names a Federal courthouse in San Antonio, Tex., after the late John H. Wood, Jr. The differences between the Senate and the House bills are these: The Senate designated a courthouse building as the appropriate place to be named. The House had designated a Federal building. It was agreed that we would designate the courthouse as the building to be named after the late John H. Wood, Jr.

Mr. Speaker, I rise today to concur in the fact that in honor of Federal Judge John H. Wood, Jr., who was assassinated last May 29, 1979, in the middle of a brilliant career that it is fit and proper that a building where he served with great distinction for 8 years be named in his honor. Namely, the U.S. Federal courthouse building located at 655 East Durango, San Antonio, Tex., shall be designated the "John H. Wood, Jr., Federal Courthouse."

This will, indeed, symbolize by such designation Judge Wood's lifelong devotion to the law, the course of justice, and vigorous law enforcement.

Mr. BAUMAN. Mr. Speaker, I thank the gentleman for his explanation, and I withdraw my reservation of objection.

● Mr. JOHNSON of California. Mr. Speaker, I would like to lend my strong endorsement to this legislation to designate the U.S. Federal courthouse building in San Antonio, Tex., as the "John H. Wood, Jr. Federal Courthouse." The untimely death by an assassin's bullet of Judge John H. Wood on May 29 last took from the ranks of the judiciary one of its most distinguished and able members. Judge Wood served the western district of Texas for 8 years and he exemplified the Federal judiciary working at its best, and I believe this is a fitting tribute to an outstanding jurist. ●

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

There was no objection.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2603, DEPARTMENT OF ENERGY NATIONAL SECURITY AND MILITARY APPLICATIONS OF NUCLEAR ENERGY AUTHORIZATION ACT OF 1980

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 471 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 471

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2603) to authorize appropriations for the Department of Energy for national security programs for fiscal year 1980, and

for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. It shall be in order to consider the amendment recommended by the Committee on Armed Services now printed on page 14, lines 4 through 25 of the bill, and all points of order against said amendment for failure to comply with the provisions of clause 7, rule XVI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 2603, it shall be in order in the House to take from the Speaker's table the bill S. 673 and to move to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 260 as passed by the House.

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. DERRICK) is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi (Mr. LOTT), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 471 provides for the consideration of H.R. 2603, which authorizes appropriations for the Department of Energy for national security programs for fiscal year 1980, and for other purposes.

This is an open rule providing for 1 hour of general debate on the bill. The time is to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Armed Services. A motion to recommit is in order upon completion of the consideration of the bill.

It shall be in order to consider the amendment recommended by the Committee on Armed Services now printed on page 14, lines 4 through 25 of the bill, and all points of order against said amendment for failure to comply with the provisions of clause 7, rule XVI, the germaneness rule, are hereby waived.

After passage of the bill, it shall be in order in the House to take from the Speaker's table the bill S. 673 and to move to strike out all after the enacting clause of the Senate bill and insert in lieu thereof the provisions of H.R. 2603 as passed by the House.

Mr. Speaker, H.R. 2603 authorizes appropriations of \$2.9 billion for the operating expenses and plant and equipment expenses of the national security programs for the Department of Energy. The bill authorizes appropriations for such programs as defense waste management, nuclear materials security and safeguards, weapons activities, naval reactors development, and so forth.

Mr. Speaker, for 30 years now we have enjoyed the benefits of nuclear power. Yet we have not come to grips with the problem of nuclear waste management. We must develop means for the safe and

permanent disposal of nuclear waste. This bill authorizes appropriations for nuclear waste management programs and other essential nuclear energy programs. I urge my colleagues to adopt House Resolution 471 so that we may proceed to the consideration of this very important legislation, H.R. 2603.

□ 0920

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

Mr. Speaker, this is a 1-hour, open rule, making in order that consideration of H.R. 2603, Department of Energy National Security and Military Applications of Nuclear Authorization Act of 1980. The bill is to be read for amendment by titles, instead of by sections. Under the terms of the rule, an amendment recommended by the Armed Services Committee on the last page of the bill is made in order notwithstanding clause 7, rule XVI, the germaneness rule. After passage of H.R. 2603, it will be in order to take S. 673 from the Speaker's table, strike out all after the enacting clause, and insert in lieu thereof the text of H.R. 2603.

The bill would authorize appropriations for the use of the Department of Energy in the amount of \$2,946,427,000 for fiscal year 1980. The DOE programs included involve national security matters including research, development, and production in support of the armed services, the production of strategic, and critical materials, and the military applications of nuclear energy.

The DOE National Security and Military Applications of Nuclear Energy Authorization Act of 1979 requires the Secretary of Energy to submit to the Congress for fiscal year 1980 and thereafter, a single request for authorizations for appropriations for all programs of the Department of Energy involving national security and national defense matters. The DOE request for fiscal 1980 is the first authorization request submitted under that statute.

The Committee on Armed Services on May 8, 1979, approved H.R. 2603 by a rollcall vote of 41 to 0. I have no objection to the rule and support the bill's immediate consideration.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. BAUMAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 641]

Abdnor	Annunzio	Baldus
Addabbo	Anthony	Barnard
Akaka	Aspin	Barnes
Albosta	Atkinson	Bauman
Alexander	Badham	Beard, Tenn.
Anderson,	Bafalis	Bedell
Calif.	Bailey	Benjamin

Bennett	Green	Nowak
Bereuter	Grisham	O'Brien
Bethune	Guarini	Oakar
Blaggi	Gudger	Oberstar
Bingham	Guyer	Obey
Blanchard	Hagedorn	Panetta
Boner	Hall, Ohio	Pashayan
Bonior	Hall, Tex.	Patten
Bonker	Hamilton	Patterson
Bouquard	Hammer-	Paul
Brademas	schmidt	Pease
Breaux	Hanley	Perkins
Brinkley	Hansen	Peyster
Broadhead	Harkin	Preyer
Broomfield	Hefner	Price
Brown, Calif.	Hightower	Quillen
Broyhill	Hillis	Rahall
Burgener	Hollenbeck	Railsback
Burlison	Hopkins	Ratchford
Butler	Horton	Regula
Byron	Howard	Rinaldo
Campbell	Hubbard	Ritter
Carney	Huckaby	Robinson
Carr	Hughes	Rodino
Carter	Hutto	Rose
Chappell	Hyde	Rostenkowski
Coleman	Ireland	Roth
Collins, Ill.	Jacobs	Roybal
Collins, Tex.	Jeffords	Rudd
Conable	Jeffries	Russo
Conte	Jenkins	Sabo
Corcoran	Johnson, Colo.	Sawyer
Coughlin	Jones, Tenn.	Schulze
Courter	Kazen	Sensenbrenner
Crane, Daniel	Kelly	Shannon
D'Amours	Kildee	Sharp
Daniel, Dan	Kindness	Shelby
Daniel, R. W.	Kogovsek	Shumway
Danielson	Kostmayer	Shuster
Dannemeyer	Kramer	Simon
Daschle	LaFalce	Slack
Davis, Mich.	Lagomarsino	Smith, Iowa
Davis, S.C.	Latta	Smith, Nebr.
Deckard	Leach, Iowa	Snyder
Dellums	Leach, La.	Solomon
Derrick	Lederer	Spence
Derwinski	Lehman	Stack
Devine	Levitas	Staggers
Dickinson	Lewis	Stangeland
Donnelly	Lloyd	Stanton
Dornan	Loeffler	Stenholm
Dougherty	Long, La.	Stewart
Downey	Long, Md.	Stockman
Drinan	Lott	Stratton
Duncan, Tenn.	Lowry	Studds
Early	Luken	Stump
Edwards, Calif.	McClory	Swift
Emery	McCormack	Tauke
Erdahl	McHugh	Thomas
Ertel	Madigan	Thompson
Evans, Del.	Markey	Traxler
Evans, Ind.	Marks	Trible
Fary	Marlenee	Van Deerlin
Fascell	Marriott	Vanik
Fazio	Martin	Vento
Ferraro	Mathis	Volkmer
Fish	Matsui	Walgren
Fisher	Mavroules	Wampler
Fithian	Mica	Watkins
Flippo	Michel	Weaver
Florio	Miller, Calif.	Weiss
Ford, Tenn.	Miller, Ohio	White
Forsythe	Mineta	Whitehurst
Fountain	Minish	Whitley
Fowler	MoLohan	Whittaker
Frenzel	Montgomery	Williams, Mont.
Frost	Moore	Williams, Ohio
Fuqua	Moorhead,	Wilson, Bob
Gaydos	Calif.	Wirth
Gibbons	Mottl	Wolf
Gilman	Murphy, Ill.	Wolpe
Gingrich	Murphy, Pa.	Wyatt
Glickman	Murtha	Wylie
Gonzalez	Myers, Ind.	Yates
Goodling	Myers, Pa.	Yatron
Gore	Natcher	Young, Mo.
Gramm	Neal	Zablocki
Grassley	Nelson	Zeferetli

□ 0930

The SPEAKER pro tempore. On this rollcall, 282 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Chirton, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On October 31, 1979:

H.R. 1825. An act to protect archaeological resources on public lands and Indian lands, and for other purposes;

H.R. 5386. An act to amend the Higher Education Act of 1965 to provide that any reduction in the amount appropriated for fiscal year 1980 pursuant to section 101(a) of such act from the amount so appropriated for fiscal year 1979 shall be borne equally by all the States; and

H.R. 5506. An act to amend the Energy Policy and Conservation Act to extend for 2 months certain authorities relating to the international energy program.

On November 1, 1979:

H.R. 3923. An act to amend chapter 25 of title 44, United States Code, to extend for one year the authorization of appropriations for the National Historical Publications and Records Commission, and for other purposes.

On November 2, 1979:

H.J. Res. 3. Joint resolution designating November 4, 1979, as "Will Rogers Day."

On November 5, 1979:

H.R. 4394. An act making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1980, and for other purposes; and

H.R. 2515. An act to authorize on a temporary basis certain business and agricultural loans, notwithstanding interest limitations in State constitutions or statutes, and for other purposes.

□ 0940

PROVIDING FOR CONSIDERATION OF H.R. 2335, SOLAR POWER SATELLITE RESEARCH, DEVELOPMENT, AND EVALUATION PROGRAM ACT OF 1979

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 458 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 458

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2335) to provide for a research, development, and evaluation program to determine the feasibility of collecting in space solar energy to be transmitted to Earth and to generate electricity for domestic purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and ordered on the bill and amendments thereto

to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. Frost) for 1 hour.

Mr. FROST. Mr. Speaker, for purposes of debate only I yield the customary 30 minutes to the gentleman from Tennessee (Mr. Quillen), pending which I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to amend the rule to make a technical change on page 2, line 7, of House Resolution 458 to correct a printing error. The rule mistakenly calls for "on hour" of general debate instead of "one hour" of general debate.

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

There was no objection.

Mr. FROST. Mr. Speaker, House Resolution 458 is an open rule providing for the consideration of H.R. 2335 to provide for a research, development, and evaluation program to determine the feasibility of collecting in space solar energy to be transmitted to Earth and to generate electricity for domestic purposes.

The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. House Resolution 458 is a simple open rule permitting any germane amendment when H.R. 2335 is considered under the 5-minute rule.

Mr. Speaker, H.R. 2335 authorizes appropriations of \$25 million for fiscal year 1980 to the Department of Energy for a solar power satellite research, development, and evaluation program to test the feasibility of electrical power generation by solar satellites. The funds authorized in H.R. 2335 are in addition to the \$5 million already appropriated in the fiscal year 1980 energy appropriation bill for an existing NASA-DOE paper study of the solar power satellite concept. H.R. 2335 requires the Department of Energy, in consultation with NASA, to go beyond the ongoing study to formulate a comprehensive solar power program plan, including on-the-ground tests of the technology used in the satellite.

Mr. Speaker, I would urge my colleagues to adopt this resolution so that the House may proceed to the consideration of H.R. 2335.

Mr. QUILEN. Mr. Speaker, I yield myself as much time as I may use.

Mr. Speaker, the provisions of the resolution have been adequately explained. Mr. Speaker, what is happening in Iran at this very moment clearly demonstrates the need for research and development for alternative sources of energy. The threat of cutting off the oil supply from that country, with the high-rising cost of crude oil from the other Mideast countries mandates that this Nation must go forward and be self-sufficient energywise, and solar energy is one of those alternatives that we must go forward and develop.

This is a modest bill of only \$25 million. We passed it almost in the same form last year by a tremendous majority, but the Senate did not take it up. So

whenever we consider here on the floor of the House alternative sources of energy such as solar, geothermal, more production of coal and coal gasification, and nuclear—you name it—we should go forward without delay and develop an energy program satisfactory to the people of America, and say to those countries over there who would blackmail us, "We can stand on our own two feet."

Mr. Speaker, I have no requests for time on the rule, but I reserve the remainder of my time.

Mr. FROST. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. MOTT. 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 319, nays 1, answered "present" 1, not voting 112, as follows:

[Roll No. 642]

YEAS—319

Abdnor	Collins, Tex.	Glickman
Addabbo	Conable	Gonzalez
Akaka	Conte	Goodling
Albosta	Corcoran	Gore
Alexander	Courter	Gramm
Anderson, Calif.	Crane, Daniel	Grassley
Annunzio	D'Amours	Green
Anthony	Daniel, Dan	Grisham
Applegate	Daniel, R. W.	Guarini
Archer	Danielson	Gudger
Aspin	Dannemeyer	Guyser
Atkinson	Daschle	Hagedorn
AuCoin	Davis, Mich.	Hall, Ohio
Badham	Davis, S.C.	Hall, Tex.
Bafalis	Deckard	Hamilton
Balley	Dellums	Hammer-
Barnard	Derrick	schmidt
Barnes	Derwinski	Hanley
Bauman	Devine	Hansen
Beard, R.I.	Dickinson	Harkin
Beard, Tenn.	Dingell	Hefner
Bedell	Dixon	Hightower
Bellenson	Donnelly	Hillis
Benjamin	Dornan	Hinson
Bennett	Dougherty	Hollenbeck
Bereuter	Burton	Hopkins
Bethune	Drinan	Horton
Bevill	Duncan, Tenn.	Howard
Biaggi	Early	Hubbard
Bingham	Eckhardt	Hughes
Blanchard	Edwards, Calif.	Hutto
Boland	Emery	Hyde
Boner	EnGLISH	Ichord
Bonior	Erdahl	Ireland
Bonker	Ertel	Jacobs
Bouquard	Evans, Del.	Jeffords
Brademas	Evans, Ind.	Jeffries
Breaux	Fary	Jenkins
Brinkley	Fascell	Johnson, Colo.
Brodhead	Fazio	Jones, Tenn.
Broomfield	Ferraro	Kastenmeyer
Brown, Calif.	Fish	Kazen
Broyhill	Fisher	Kelly
Buchanan	Fithian	Kildee
Burgener	Filippo	Kogovsek
Burlison	Florio	Kostmayer
Burton, Phillip	Foley	Kramer
Butler	Ford, Tenn.	LaFalce
Byron	Forsythe	Lagomarsino
Campbell	Fountain	Latta
Carney	Fowler	Leach, Iowa
Carr	Frenzel	Leach, La.
Carter	Frost	Lederer
Chappell	Fuqua	Lehman
Chisholm	Gaydos	Leland
Clay	Gialmo	Lent
Coleman	Gibbons	Levitas
Collins, Ill.	Gilman	Lewis
	Gingrich	Lloyd

Loeffler	Obey	St Germain
Long, La.	Ottinger	Staggers
Long, Md.	Panetta	Stangeland
Lott	Pashayan	Stanton
Lowry	Patten	Steed
Luken	Patterson	Stenholm
Lundine	Paul	Stewart
McClory	Pease	Stockman
McCormack	Perkins	Stokes
McDade	Petri	Stratton
McHugh	Peyster	Studds
Madigan	Preyer	Stump
Markey	Price	Swift
Marks	Pursell	Tauke
Marlenee	Quillen	Thomas
Marriott	Rahall	Thompson
Martin	Rallsback	Traxler
Mathis	Ratchford	Trible
Matsui	Regula	Van Deerin
Mattox	Reuss	Vander Jagt
Mavroules	Rinaldo	Vanlk
Mica	Ritter	Vento
Michel	Robinson	Volkmer
Miller, Calif.	Rodino	Walgren
Miller, Ohio	Rose	Walker
Mineta	Rostenkowski	Wampler
Minish	Roth	Watkins
Mitchell, N.Y.	Roybal	Weaver
Moakley	Rudd	Weiss
Moffett	Russo	White
Mollohan	Sabo	Whitehurst
Montgomery	Santini	Whitley
Moore	Satterfield	Whittaker
Moorhead, Calif.	Sawyer	Whitten
Moorhead, Pa.	Schulze	Williams, Mont.
Motti	Sensenbrenner	Williams, Ohio
Murphy, Ill.	Shannon	Wilson, Bob
Murphy, Pa.	Sharp	Wirth
Murtha	Shelby	Wolf
Myers, Ind.	Shumway	Wolpe
Myers, Pa.	Shuster	Wyatt
Natcher	Simon	Wylie
Neal	Slack	Yates
Nelson	Smith, Iowa	Yatron
Nowak	Smith, Nebr.	Young, Mo.
O'Brien	Snyder	Zablocki
Oakar	Solarz	Zerferetti
Oberstar	Solomon	
	Spence	

NAYS—1

McDonald

ANSWERED "PRESENT"—1

Stack

NOT VOTING—112

Ambro	Ford, Mich.	Nichols
Anderson, Ill.	Garcia	Nolan
Andrews, N.C.	Gephardt	Pepper
Andrews,	Ginn	Pickle
N. Dak.	Goldwater	Pritchard
Ashbrook	Gradison	Quayle
Ashley	Gray	Rangel
Baldus	Hance	Rhodes
Boggs	Harris	Richmond
Bolling	Harsha	Roberts
Bowen	Hawkins	Roe
Brooks	Heckler	Rosenthal
Brown, Ohio	Hefel	Rousselot
Burton, John	Holland	Royer
Cavanaugh	Holt	Runnels
Holtzman	Holtzman	Scheuer
Clausen	Huckaby	Schroeder
Cleveland	Jenrette	Sebelius
Clinger	Johnson, Calif.	Seiberling
Coelho	Jones, N.C.	Skelton
Conyers	Jones, Okla.	Snowe
Corman	Kemp	Spellman
Cotter	Kindness	Stark
Coughlin	Leath, Tex.	Symms
Crane, Phillip	Lee	Synar
de la Garza	Livingston	Taylor
Dicks	Lujan	Treen
Diggs	Lungren	Udall
Dodd	McCloskey	Ullman
Duncan, Oreg.	McEwen	Waxman
Edgar	McKay	Wilson, C. H.
Edwards, Ala.	McKinney	Wilson, Tex.
Edwards, Okla.	Maguire	Winn
Erlenborn	Mazzoli	Wright
Evans, Ga.	Mikulski	Wydler
Fenwick	Mitchell, Md.	Young, Alaska
Findley	Murphy, N.Y.	Young, Fla.
Flood	Nedzi	

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So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REFUGEE ASSISTANCE APPROPRIATIONS, 1980 AND 1981

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4955) to authorize additional appropriations for migration and refugee assistance for the fiscal years 1980 and 1981 and to authorize humanitarian assistance for the victims of the famine in Cambodia, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment and the proposed House amendment to the Senate amendment.

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

Strike out all after the enacting clause and insert: That section 102(a)(4) of the Department of State Authorization Act, fiscal years 1980 and 1981 is amended for fiscal year 1980 by striking out "\$248,951,000" and inserting in lieu thereof "\$456,241,000" and for fiscal year 1981 by striking out "\$254,188,000" and inserting in lieu thereof "\$457,798,000".

SEC. 2. Section 610(a) of the Foreign Assistance Act of 1961 is amended by striking the period at the end thereof and inserting the following: "except that for the purpose of providing food, medicine, and other humanitarian assistance to the people of Cambodia up to \$30,000,000 may be transferred to, and consolidated with, the funds made available for section 491."

SEC. 3. (a) Section 2(b) of the Indochina Migration and Refugee Assistance Act of 1975, as amended, is further amended to read as follows:

"(b) None of the funds authorized to be appropriated by subsection (a) may be available for obligation after September 30, 1981."

(b) The amendment made by this section shall take effect on October 1, 1979.

SEC. 4. Chapter 9 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:

"SEC. 495H. CAMBODIAN DISASTER RELIEF ASSISTANCE.—(a) The Congress, recognizing that prompt United States assistance is necessary to alleviate human suffering arising from famine, disease, and war in Cambodia, authorizes the President to furnish humanitarian assistance, on such terms and conditions as he may determine, for the people of Cambodia. Such assistance may include food, medicine and medical care, clothing, housing and other forms of shelter, and transportation for emergency supplies and personnel. In addition to amounts otherwise available for such purposes, there is authorized to be appropriated for the fiscal year 1980 for the purposes of this section \$30,000,000, which amount is authorized to remain available until expended.

"(b) Assistance under this section shall be provided in accordance with the policies and general authority contained in section 491.

"(c) Obligations incurred prior to the date of enactment of this section against other appropriations or accounts for the purpose of providing humanitarian assistance to the people of Cambodia may be charged to the appropriations authorized under this section.

"(d) Nothing in this section shall be interpreted as endorsing the Vietnamese invasion of Cambodia or as recognizing any group claiming to be the Government of Cambodia."

Sec. 5. All funds authorized under this or any other Act to provide humanitarian assistance to the people of Cambodia shall, to the maximum extent practicable, be provided through international agencies and private voluntary organizations, among others, such as the World Relief Committee, World Medical Missions, Inc., Cama Services, World Vision, Food for the Hungry, Thailand Baptist Mission, Catholic Relief Services, OXFAM, and International Rescue Committee.

Sec. 6. Within sixty days after the date of the enactment of this Act, the President shall report to the Senate and the House of Representatives—

(1) the estimated total costs to the United States, during fiscal year 1980 and fiscal year 1981, of domestic and foreign assistance to refugees under all programs of the United States Government, and

(2) the estimated total costs to State and local governments during such fiscal years for assistance to refugees which is attributable to such programs.

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

SUPPLEMENTAL MIGRATION AND REFUGEE ASSISTANCE AUTHORIZATION

SECTION 1. Section 102(a)(4) of the Department of State Authorization Act, Fiscal Years 1980 and 1981 (title I of Public Law 96-60), is amended by striking out "\$248,951,000 for the fiscal year 1980, and \$254,188,000 for the fiscal year 1981" and inserting in lieu thereof "\$456,241,000 for the fiscal year 1980, and \$457,798,000 for the fiscal year 1981".

CAMBODIAN DISASTER RELIEF ASSISTANCE

SEC. 2. Chapter 9 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:

"SEC. 495H. CAMBODIAN DISASTER RELIEF ASSISTANCE.—(a) The Congress recognizes that prompt United States assistance is necessary to alleviate the human suffering arising from famine and disease in Cambodia. Accordingly, the President is authorized to furnish assistance, on such terms and conditions as he may determine, for disaster relief to alleviate the suffering of the victims of famine and disease in Cambodia. Assistance provided under this section shall be for humanitarian purposes and limited to the civilian population, with emphasis on providing food, medicine and medical care, clothing, temporary shelter, transportation for emergency supplies and personnel, and similar assistance to save human lives.

"(b) Assistance provided under this section or any other provision of law to alleviate the human suffering caused by famine and disease in Cambodia shall be provided, to the maximum extent practicable, through international agencies and private voluntary organizations such as (among others) the World Relief Committee, World Medical Missions, Inc., Cama Services, World Vision, Food for the Hungry, Thailand Baptist Mission, Catholic Relief Services, Oxfam, and the International Rescue Committee.

"(c) (1) In providing assistance under this section, the President shall satisfy himself that adequate procedures have been established to ensure that such assistance reaches the innocent victims of famine and disease for whom it is intended. Such procedures shall include end use monitoring of deliveries on a periodic basis by individuals having freedom of movement where the assistance is being distributed within Cambodia.

"(2) Not later than 90 days after the enactment of this section, the President shall report to the Congress on compliance with this subsection.

"(d) (1) In addition to amounts otherwise available for such purposes, there is authorized to be appropriated for purposes of this section \$30,000,000 for the fiscal year

1980, which amount is authorized to remain available until expended.

"(2) Obligations incurred, prior to the enactment of appropriations to carry out this section, against other appropriations or accounts for the purpose of alleviating the human suffering caused by famine and disease in Cambodia may be charged to the appropriations authorized by paragraph (1) of this subsection.

"(3) The President may exercise the authority of section 610(a) of this Act (without regard to the 20 percent limitation contained in that section on increase in accounts) in order to transfer, for use in carrying out this section, up to \$30,000,000 of the funds made available for the fiscal year 1980 to carry other provisions of this Act.

"(4) Priority shall be given in allocating assistance under the Agricultural Trade Development and Assistance Act of 1954 to furnishing agricultural commodities for use in carrying out this section.

"(e) Assistance under this section shall be provided in accordance with the policies and utilizing the general authorities provided in section 491."

INDOCHINA MIGRATION AND REFUGEE ASSISTANCE PROGRAM

SEC. 3. (a) Section 2(b) of the Indochina Migration and Refugee Assistance Act of 1975 is amended by striking out "1979" and inserting in lieu thereof "1981".

(b) The amendment made by subsection (a) shall be effective as of October 1, 1979.

REPORT ON COST OF REFUGEE ASSISTANCE PROGRAMS

SEC. 4. Not later than 60 days after the date of enactment of this Act, the President shall report to the Congress—

(1) the estimated total costs to the United States Government, during fiscal year 1980 and fiscal year 1981, of domestic and foreign assistance to refugees under all programs of the United States Government, and

(2) the estimated total costs to State and local governments during such fiscal years for assistance to refugees which is attributable to such programs.

Mr. FASCELL (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment to H.R. 4955 and the proposed House amendment thereto be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. BUCHANAN. Mr. Speaker, reserving the right to object, I reserve the right to object in order that the distinguished subcommittee chairman might explain these amendments.

First of all, let me ask the gentleman, is there any additional authorization involved beyond that which the House authorized earlier in this legislation?

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

Mr. BUCHANAN. Yes.

Mr. FASCELL. There is not. The money amounts are exactly the same as in the House-passed version and as the gentleman knows, the appropriation has already been adopted for the full amount.

Mr. BUCHANAN. Mr. Speaker, would the chairman then explain what changes are involved in the Senate amendment?

Mr. FASCELL. The first change, I will say to the gentleman, was one which

would allow an additional \$30 million for Cambodian relief to be transferred from other accounts. It is not mandated, but it simply provides the President with additional flexibility.

Mr. BUCHANAN. Are there any other changes?

Mr. FASCELL. Well, there is a provision extending until September 30, 1981, the authority on reimbursement in the Indochinese program for State and local governments until such time as a new Refugee Act is passed. H.R. 2816 is expected to come to the floor of the House shortly. Until such time as that passes, this bill extends until September 30, 1981, the reimbursement provisions of that act.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield.

Mr. BUCHANAN. Yes, certainly.

Mr. DERWINSKI. Mr. Speaker, I think this is a necessary step we are taking. It is consistent with what I believe is the overwhelming intent of the Congress and certainly the intent of the public, that we show the kind of leadership that we are expected to in this Cambodian tragedy.

I commend the gentleman for this expeditious handling.

Mr. BUCHANAN. Mr. Speaker, continuing to reserve the right to object, I think there is much merit in what the gentleman says.

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

Mr. BUCHANAN. Yes, I yield to the distinguished chairman of the Committee on Foreign Affairs.

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

Mr. Speaker, I rise in support of the unanimous-consent request that the House agree to the Senate amendment to H.R. 4955, with an amendment.

The distinguished gentleman from Florida (Mr. FASCELL) has thoroughly described the contents of the Senate version of this legislation and the proposed amendment thereto. So I will not take the time of the House to discuss those details any further.

I do, however, want to emphasize the importance of quick action on this legislation. Not only is there a need for the refugee funds authorized in this bill, but there is also a more urgent need to provide immediate and massive humanitarian assistance to the millions of Cambodian people who are being victimized by a terrible famine which, if not reversed, could result in the extinction of an entire people.

Mr. Speaker, at a special U.N. General Assembly session on this urgent matter last Monday, 51 nations pledged more than \$200 million to relieve the famine and disease now ravaging Cambodia. This legislation, by providing authorization to appropriate \$30 million for this purpose and by providing appropriate transfer authority, will enable the United States to meet its pledge of \$69 million for the famine relief program.

Mr. Speaker, I urge the House to support this procedure so that we may facilitate enactment of this urgently needed legislation.

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

Mr. BUCHANAN. Yes. I yield to the gentleman from New York.

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

Let me concur in what the chairman has just said on the U.N. Conference. It far exceeded the amount that we anticipated and it was due to the leadership of the Congress that really this conference was called.

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

Mr. BUCHANAN. Yes, I yield to the gentleman from Georgia.

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

I wish also to add my voice and my support to this legislation. I do rise in support of it.

I would inquire as to the nature of this unanimous-consent request. It is only for the reading, this is not a unanimous consent concerning final passage of the measure, is it?

Mr. BUCHANAN. Yes; I would say to the gentleman, the unanimous-consent request is to make possible an agreement between the House and the Senate pertaining to the legislation we have already passed. It is the refugee authorization and the only changes pertain to the Cambodian program. As the chairman has explained, there is no new authorization, rather we are agreeing to transfer authority in addition to the additional funds we authorized for Cambodian relief earlier; also, there are certain other changes.

Let me yield to the chairman.

Mr. FASCELL. Mr. Speaker, this is the same bill we passed just a little while back 362 to 10.

Mr. BRINKLEY. Mr. Speaker, if the gentleman will yield further, I understand that. I do not object at all to that. I support that, but I understood the nature of this unanimous-consent request was as to the reading. It is not as to final passage.

Mr. BUCHANAN. Mr. Speaker, I will say the gentleman made two unanimous-consent requests. I did not object to the first, nor did anyone else, which was for the amendment to be considered as read. That followed a unanimous-consent request which is the basic proposition before the chairman has just described, to which I did reserve the right to object. So, the gentleman did make two requests, but there was no objection to the request pertaining to the reading.

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

Mr. BUCHANAN. Yes, I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I did not understand the last amendment that the chairman explained extending the time to 1981. That deals with something other than just the \$30 million that we are talking about?

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Mr. BUCHANAN. Mr. Speaker, I will say—and the chairman of the subcommittee can explain it further—that we are dealing with the entire refugee package passed recently by the House by an overwhelming vote. All of that is before

us. This is the only item in disagreement that does not pertain strictly to Cambodian refugee relief.

There is no new authorization involved. This is simply a Senate variation on what we had included in the overall package in the earlier refugee bill.

Mr. SOLOMON. Mr. Speaker, if the gentleman will yield further, I supported that bill, but I just wanted to make sure that this amendment concurring with the Senate action does not deal with giving direct aid to Vietnam or to the Cambodian Government.

Mr. FASCELL. Mr. Speaker, if the gentleman from Alabama will yield, I can assure the gentleman from New York that it does not.

Mr. BUCHANAN. No; it does not. Mr. Speaker, I will assure the gentleman from New York (Mr. SOLOMON) that if that were the case, I would indeed object to this request. That is not the case, and I support the proposition.

Mr. Speaker, I withdraw my reservation of objection.

● Mr. WOLFF. Mr. Speaker, I am pleased to join with the chairman in support of the proposed legislation. The passage of this bill marks the culmination of congressional efforts to provide humanitarian assistance to the people of Cambodia.

As you know, those efforts began in June when eight Members of the House and Senate joined in a letter to the President calling for immediate humanitarian assistance to the countless thousands of Cambodian refugees then along the Thai-Cambodian border.

Legislative action began on September 26, with the introduction by the members of the Subcommittee on Asian and Pacific Affairs of House Resolution 431, a resolution calling on the President to seek an emergency agenda item before the United Nations General Assembly to inaugurate an emergency food and medical relief program for the people of Cambodia.

On September 27, the Honorable JOHN ANDERSON of Illinois, and the Honorable STEPHEN SOLARZ, of New York, introduced H.R. 5443 and on October 9, I joined with the chairman of the House Foreign Affairs Committee, the Honorable CLEMENT J. ZABLOCKI, of Wisconsin, to introduce H.R. 5199. Both bills authorized the appropriation of funds for U.S. participation in an international emergency relief program for the people of Cambodia.

On October 10 and again on October 17, the Subcommittee on Asian and Pacific Affairs met to take public testimony on the proposed legislation and at the conclusion of the October 17 hearing, unanimously recommended favorably consideration of the legislation by the full Foreign Affairs Committee.

And, on October 24, the legislation was reported out by the Foreign Affairs Committee and passed the House the following day.

Also on October 24, President Carter announced that the United States would participate in an international relief effort for Cambodia. And, on November 6, at the United Nations General Assembly, Secretary of State Cyrus Vance pledged

a total of \$69 million as the U.S. contribution to the international relief program.

Today's action is the culmination of all our efforts. Today the Congress and the people of the United States join with the administration and the international community in an effort to save the people of Cambodia. As I have noted elsewhere, the issue of famine relief for the people of Cambodia is, quite simply a matter of life and death for 3 million human beings. And, our response today is an affirmation of our finest traditions and values.

Finally, as chairman of the Subcommittee on Asian and Pacific Affairs, let me take this occasion to express my appreciation to the members of the subcommittee, to the chairman and members of the Foreign Affairs Committee, and to my colleagues in the House for their efforts in this truly humanitarian cause.●

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Florida (Mr. FASCELL)?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

DEPARTMENT OF ENERGY NATIONAL SECURITY AND MILITARY APPLICATIONS OF NUCLEAR ENERGY AUTHORIZATION ACT OF 1980

Mr. PRICE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2603) to authorize appropriations for the Department of Energy for national security programs for fiscal year 1980, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2603, with Mr. BRODHEAD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Illinois (Mr. PRICE) will be recognized for 30 minutes, and the gentleman from California (Mr. BOB WILSON) will be recognized for 30 minutes.

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

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

Mr. Chairman, on behalf of the Committee on Armed Services it is my privilege to bring before the House the bill H.R. 2603 with the unanimous recommendation of the committee for its passage, as amended.

H.R. 2603 would authorize appropriations only for the national security and military applications of nuclear energy programs administered by the Department of Energy for fiscal year 1980. Other programs of the Department are included in another bill, H.R. 3000, which has been reported by other committees.

The Committee on Armed Services has been mindful of its jurisdiction, and has sought to eliminate from H.R. 2603 those programs which do not have national defense and national security applications.

In my brief comments, I will explain the highlights of the bill and the committee amendments. But first, by way of background, I will say that the President's fiscal year 1980 budget request has been most thoroughly reviewed by the Subcommittee on Procurement and Military Nuclear Systems which I have the honor to chair.

The subcommittee held 8 full days of hearings during which we heard more than 20 witnesses. In addition, a great deal of information was supplied for the record.

In arriving at its recommendations, the committee considered the paramount objectives of the DOE's national security programs. These objectives are the production and maintenance of a reliable offensive and defensive nuclear deterrent for the United States. The committee gave first priority to the programs essential to these primary missions and made adjustments within a tight budget.

The committee also considered certain situations which came about subsequent to the preparation of the budget request and which, in the committee's judgment, required a change in priorities for the next fiscal year.

The bill as reported by the committee is much more responsive to national security requirements than the budget request.

HIGHLIGHTS OF H.R. 2603

The bill, as amended by the committee, would authorize appropriations totaling \$2.946 billion—which is \$107.5 million below the amount requested.

Principal increases were made by the committee in operating expenses for weapons testing and production, and for special materials production. These programs were substantially underfunded by the budget request.

The committee recommends other reductions in operating expenses requested for long-term and terminal waste management research and development programs which were poorly defined and justified by the information presented. Reductions are also recommended in several construction projects for which authorizations were requested in excess of required appropriations. These changes are summarized on pages 6 and 7 of the report, and are explained in detail in other parts of the report.

In addition to authorizations for research and development, testing and production of weapons, the bill would continue the very important inertial confinement fusion research program. The bill would also authorize appropriations for the development of improved naval propulsion reactors, and for technology to improve our ability to monitor foreign nuclear tests.

The committee adopted three amendments to title II, the general provisions of the bill.

The first of these amendments, section 210, prohibits the use of authorized appropriations for the licensing of DOE defense activities by the Nuclear Regulatory Commission.

The second, section 211, would bar the use of funds authorized to be appropriated for the purposes of paying fines and other penalties under the provisions of the Clean Air Act where it is physically impossible to comply with the act by July 1, 1979, or where the President has asked for the funds to permit compliance and the Congress has not provided appropriations.

The third amendment to title II would require the Secretary of Energy to renegotiate an existing contract with the Washington public power supply system for the delivery of byproduct steam in order to assure that the Federal Government receives the fair market value of the steam.

As the committee's report emphasizes, the nuclear arsenal of the United States exists only for the purpose of supporting our national security policy. This policy includes the deterrence of a nuclear attack upon the United States or its allies. It includes the deterrence of war against our NATO allies. It includes the protection of Japan. H.R. 2603 is in support of that policy.

H.R. 2603 would authorize appropriations in support of the President's decisions to develop the MX and Trident strategic missiles, the air-launched strategic cruise missile, and the ground-launched and sea-launched cruise missiles. The bill also supports the Presidents pledge to modernize NATO's tactical nuclear forces.

While this authorization bill represents only 2 percent of the President's total request for national defense for fiscal year 1980, its importance and contribution to our future strategic posture is much greater than its percentage indicates.

The bill deserves the support of the House and I ask for its overwhelming approval.

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

Mr. Chairman, I rise in support of H.R. 2603 and wish to associate myself with the remarks of the distinguished chairman of the Committee on Armed Services and of the Subcommittee on Procurement and Military Nuclear Systems.

As Chairman PRICE has explained, this bill would authorize appropriations for a national security program of the Department of Energy (DOE) for fiscal

year 1980. This bill is most important to the national security and to the defense of the United States.

While the defense programs of the DOE have little visibility, it is these programs which have provided and will continue to provide all of the deterrent power which resides in our strategic nuclear systems and in our tactical nuclear forces. All of the strategic missiles in our ICBM and SLBM forces would be useless unless they were supported by the research, development, testing, and maintenance effort which this bill would support.

In addition, this bill supports the important naval reactor development program which is constantly improving the propulsion plants of our nuclear-powered Navy and the very important task of training naval reactor operators and supervisory personnel. One goal of the naval reactor development program is to develop a powerplant which will not have to be refueled during the 30-year life of a naval vessel. I predict that Admiral Rickover and his team of engineers and contractors will reach this goal eventually.

Also supported by this bill are the nuclear materials security and safeguards program and the program for management of radioactive wastes in an environmentally safe manner.

The Committee on Armed Services reported H.R. 2603 on May 15 of this year, more than 5 months ago. The Subcommittee on Procurement and Military Nuclear Systems conducted thorough hearings on the budget request and made certain structural changes in several programs. In addition, title II contains several housekeeping items which are needed for congressional oversight purposes.

Mr. Chairman, since H.R. 2603 was reported in May, several new requirements have emerged with respect to Department of Energy national defense programs. These requirements were not known and could not be addressed when H.R. 2603 was reported. For the same reason, these requirements were not addressed by the Senate counterpart to H.R. 2603. I understand that several amendments will be offered by Chairman PRICE at an appropriate time to provide for additional authorization for three programs. I will support these amendments when they are offered. This bill is noncontroversial. H.R. 2603 was reported unanimously by the subcommittee and by the full Armed Services Committee. We have brought out a good bill. I support it and strongly recommend its passage.

Mr. PRICE. Mr. Chairman, I yield such time as he may require to the gentleman from South Carolina (Mr. DERRICK).

Mr. DERRICK. Mr. Chairman, I thank the gentleman for yielding me this time.

I would like to engage in a colloquy with the chairman of the Armed Services Committee, if he would be so kind.

Mr. PRICE. If the gentleman from South Carolina would yield, I would be happy to engage in a colloquy with my colleague.

Mr. DERRICK. With regard to the

waste presently being stored in tanks at the Savannah River plant in South Carolina, can the chairman advise me of the committee's intention to pursue alternatives for the permanent disposal of the waste?

Mr. PRICE. It is the intention of the committee to see that a long-term waste management program is developed for the Savannah River plant that will result in the waste being processed in the safest and most economical manner. It is further the committee's desire to see that this matter is actively pursued, so that the waste can be permanently disposed of as quickly as is technically feasible.

Mr. DERRICK. It is my hope that the committee shares my concerns that the waste not remain in the tanks for 50 or 60 years, but rather, that through continued research and through plant engineering and design work, a process can be developed that will allow the facility to proceed with due speed toward long-term waste management. Toward that goal, I plan on offering an amendment that will provide the Savannah River plant with the authority to proceed with plant engineering and design work on a waste solidification process. This will allow the plant to not only continue with its research work, but also work toward the design of the waste processing facility. This will help insure that the waste will be properly taken care of, but does not commit the Department of Energy to any one particular process.

Mr. PRICE. The committee shares your concerns and will agree to the gentleman's amendment when it is offered.

Mr. DERRICK. Mr. Chairman, I thank the gentleman for his considerations and also wish to commend the distinguished chairman for the most capable manner in which he has served this Chamber.

Mr. PRICE. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, I thank the very distinguished chairman of this very important committee for yielding me this time.

Mr. Chairman, I rise to ask a question in order that I may more fully understand the meaning of the language in section 205, on page 12 of the bill, which reads as follows:

When so specified in an appropriation Act, funds authorized to be appropriated by this Act may be transferred to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred may be merged with the appropriations to which they are transferred.

The question I have is this: Does this transcend the national defense aspect? I ask the question because it does not limit it to what agency these authorizations may be transferred in an appropriation act over which, of course, this committee would not have any control.

Mr. PRICE. Mr. Chairman, if the gentleman will yield, I would say to the gentleman from Texas (Mr. GONZALEZ) that this language has been in this bill for at least the last 10 years.

It has been requested by the Committee on Appropriations, and evidently it helps them in the normal process of handling these funds.

Mr. GONZALEZ. But it is not the understanding of the committee that such transfer would be to another agency unconnected with a defense or security situation?

Mr. PRICE. The language states, currently for the performance of the work for which the appropriation is made. So it is tied down specifically to language in the appropriation bill.

□ 1020

Mr. GONZALEZ. So that that in effect really would have reference to the defense appropriation?

Mr. PRICE. That is right. I would say so, because it is limited to the purpose of the appropriation.

Mr. GONZALEZ. Because you do not specify which appropriation act. And I assume that we would then have a common understanding that it would refer to the defense or the military appropriation act.

Mr. PRICE. Yes; at the present time, at least this year, the appropriation act is the energy and water development appropriation bill.

Mr. GONZALEZ. I thank the gentleman very much.

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

Mr. BOB WILSON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the bill by titles.

The Clerk read as follows:

H.R. 2603

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980".

TITLE I—NATIONAL SECURITY PROGRAMS

OPERATING EXPENSES

SEC. 101. Funds are hereby authorized to be appropriated to the Department of Energy (hereinafter in this title referred to as the "Department") for fiscal year 1980 for operating expenses incurred in carrying out national security programs, including scientific research and development in support of the armed services, strategic and critical materials necessary for the common defense, and military applications of nuclear energy, in the amount of \$2,394,364,000.

PLANT AND CAPITAL EQUIPMENT

SEC. 102. Funds are hereby authorized to be appropriated to the Department for fiscal year 1980, for plant and capital equipment, including planning, construction, acquisition, or modification of facilities (including land acquisition), and for acquisition and fabrication of capital equipment not related to construction, necessary for national security programs, as follows:

(1) For inertial confinement fusion:

Project 80-PE&D-1, plant engineering and design, \$1,500,000.

Project 75-3-b, high energy laser facility, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$8,000,000, for a total project authorization of \$62,500,000.

(2) For naval reactors development:

Project 80-AE-1, fluids and corrosion test

facilities upgrading, various locations, \$17,900,000.

Project 80-GPP-1, general plant projects, \$3,300,000.

(3) For weapons activities:

Project 80-AE-4, addition to computer facility, Sandia Laboratories, Livermore, California, \$2,800,000.

Project 80-AE-5, ground launched cruise missile (GLCM) warhead production facilities, various locations, \$7,000,000.

Project 80-AE-6, utilities and equipment restoration, replacement and upgrade, various locations, \$69,300,000.

Project 80-AE-7, relocate water towers, Mound Facility, Miamisburg, Ohio, \$1,400,000.

Project 80-AE-8, advanced size reduction facility, Rocky Flats, Golden, Colorado, \$10,000,000.

Project 80-AE-9, new polymer production facility, Bendix Plant, Kansas City, Missouri, \$1,400,000.

Project 80-AE-10, additional loading facilities, Savannah River Plant, Aiken, South Carolina, \$3,500,000.

Project 80-GPP-1, general plant projects, \$25,400,000.

Project 80-PE&D-1, plant engineering and design, \$3,600,000.

Project 71-9, fire, safety, and adequacy of operating conditions projects, various locations, an additional sum of \$7,000,000, for a total project authorization of \$287,000,000.

Project 77-11-c, 8" Artillery Fired Atomic Projectile (AFAP) production facilities, various locations, an additional sum of \$4,600,000, for a total project authorization of \$27,200,000.

Project 78-16-d, weapons safeguards, various locations, an additional sum of \$2,000,000, for a total project authorization of \$28,000,000.

Project 78-16-g, radioactive liquid waste improvement, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$6,200,000, for a total project authorization of \$12,500,000.

Project 79-7-b, fire protection improvements, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$2,500,000, for a total project authorization of \$4,500,000.

Project 79-7-c, proton storage ring, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$16,100,000, for a total project authorization of \$21,100,000.

Project 79-7-1, system research and development laboratory, Sandia Laboratories, Albuquerque, New Mexico, an additional sum of \$12,000,000, for a total project authorization of \$13,000,000.

Project 79-9-n, utility system restoration, Y-12 plant, Oak Ridge, Tennessee, an additional sum of \$15,800,000, for a total project authorization of \$18,000,000.

Project 79-7-o, universal pilot plant, Pantex Plant, Amarillo, Texas, an additional sum of \$3,900,000, for a total project authorization of \$7,400,000.

(4) For materials production:

Project 80-AE-2, replace obsolete processing facilities, HB Line, Savannah River, South Carolina, \$19,000,000.

Project 80-AE-3, steam generation facilities, Idaho Chemical Processing Plant, Idaho, \$23,500,000.

Project 80-GPP-1, general plant projects \$15,000,000.

Project 80-PE&D-1, plant engineering and design, \$3,400,000.

Project 77-13-a, fluorine dissolution process and fuel receiving improvements, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, Idaho, an additional sum of \$84,400,000, for a total project authorization of \$149,400,000.

Project 78-18-e, environmental, safety and security improvements to waste management and materials processing facilities, Richland,

Washington, an additional sum of \$11,500,000, for a total project authorization of \$40,000,000.

Project 79-7-h, utilities replacement and expansion, Idaho Chemical Processing Plant, Idaho Falls, Idaho, an additional sum of \$5,500,000, for a total project authorization of \$10,500,000.

Project 79-7-1, transmission and distribution systems upgrading, Richland, Washington, an additional sum of \$7,000,000, for a total project authorization of \$14,000,000.

(5) For defense waste management:

Project 80-GPP-1, general plant projects, \$8,880,000.

Project 80-PE&D-1, plant engineering and design, \$21,320,000.

Project 77-13-f, Waste Isolation Pilot Plant, Delaware Basin, southeast New Mexico (A-E, land lease acquisition and long-lead procurement), an additional sum of \$55,000,000, for a total project authorization of \$93,000,000.

(6) For capital equipment not related to construction, \$179,924,000.

Mr. PRICE (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment to title I.

The Clerk read as follows:

Committee amendment: Page 2, line 10, strike out "in the amount of \$2,394,364,000." and insert in lieu thereof "as follows:".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment to title I.

The Clerk read as follows:

Committee amendment: Page 2, line 12, insert the following:

(1) For the defense inertial confinement fusion program—

(A) for glass laser experiments, \$44,200,000;

(B) for gas laser experiments, \$29,300,000;

(C) for electron and particle beam experiments, \$12,200,000;

(D) for supporting research and experiments, \$15,500,000, of which no more than \$2,800,000 may be used to finance contract modification numbered ED-78-C-08-1598 or any revision or modification thereof; and

(E) for personnel, \$1,090,000.

(2) For the naval reactor development program—

(A) for the naval reactor development program, \$232,600,000; and

(B) for personnel, \$8,767,000.

(3) For weapons activities—

(A) for research and development, \$421,143,000;

(B) for weapons testing \$225,000,000;

(C) for production and surveillance \$772,000,000; and

(D) for personnel, \$37,098,000.

(4) For verification and control technology (including personnel), \$36,800,000.

(5) For materials production, to be administered by the Assistant Secretary for Defense Programs—

(A) for production reactor expenses, \$180,300,000;

(B) for the processing of nuclear materials, \$82,400,000;

(C) for supporting services, \$59,714,000;

(D) for fluorinel processing of nonproduction fuels and related activities, \$21,390,000;

(E) for advanced isotope separation research, \$5,000,000; and

(F) for personnel, \$944,000.

(6) For defense waste management (including \$1,691,000 for personnel) \$211,250,000, of which no funds may be used for the Waste Isolation Pilot Plant, Delaware Basin southeast New Mexico.

(7) For the nuclear materials security and safeguards technology development program (defense program), including \$3,560,000 for personnel, \$43,227,000.

Mr. PRICE (during the reading). Mr. Chairman, I ask unanimous consent that the committee 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.

AMENDMENT OFFERED BY MR. PRICE TO THE COMMITTEE AMENDMENT

Mr. PRICE. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. PRICE to the committee amendment: In paragraph (5) (C) of the matter proposed to be inserted by the committee amendment (page 3, line 19), strike out "\$59,714,000" and insert in lieu thereof "\$67,714,000, of which \$15,000,000 shall be used for the fiscal year 1980 increment of startup costs for the Purex chemical processing plant at Richland, Washington".

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. PRICE) to the committee amendment.

The amendment to the committee amendment was agreed to.

AMENDMENT OFFERED BY MR. STRATTON TO THE COMMITTEE AMENDMENT, AS AMENDED

Mr. STRATTON. Mr. Chairman, I offer an amendment to the committee amendment, as amended.

The Clerk read as follows:

Amendment offered by Mr. STRATTON to the committee amendment, as amended: In paragraph (1) (D) of the matter proposed to be inserted by the committee amendment (page 2, line 19), strike out "\$15,500,000" and insert in lieu thereof "\$38,300,000".

Mr. STRATTON. Mr. Chairman, I will be offering two closely related amendments in relation to the inertial confinement fusion program. The first amendment would increase the authorization for operating expenses for the ICF program which is included in section 101 of the committee amendments. The other amendment, which will be offered later, would decrease the amount authorized for capital equipment for the ICF program which is included in section 102 of the committee amendments.

Mr. Chairman, these amendments will add \$22.8 million to the operating expenses line for the inertial confinement fusion program of the Department of Energy, while at the same time reducing the inertial confinement fusion equipment line by \$7.3 million. This amounts to a net increase in the whole authorization of only \$15.5 million.

My purpose in introducing these amendments is to take care of requirements which have emerged since H.R. 2603 was reported by the Armed Services Committee.

As the committee points out in its report, the amount requested for this important field of inertial confinement fusion research was insufficient to support needed programs and to offset the unexpected double-digit inflation which has occurred and which we can expect to continue. These programs are carried out primarily at the Government-owned laboratories at Livermore, Calif., at Los Alamos, N. Mex., and in Albuquerque, N. Mex.

Other Government supported laser fusion programs have also been carried out by KMS Fusion at Ann Arbor, Mich., and at the National Laser Fusion Users Facility at the University of Rochester in New York.

Discussions I have had with Dr. Deutch, the Under Secretary of Energy for Defense Programs, indicate that the Department wants to expand the role of the Rochester facility in support of the basic research program at the Livermore Laboratory. This, however, will require a modest supplemental appropriation, probably during the next session.

In addition, Mr. Chairman, the House Armed Services Committee has been advised that all inertial confinement fusion programs will suffer as a result of inflation and underfunding unless such a supplemental appropriation is received. The Secretary of Energy, I understand, will be submitting a supplemental request. The laser fusion program is now estimated to require a total budget of \$135.2 million for fiscal year 1980. This bill, H.R. 2603, presently provides only \$119.7 million. My amendments therefore provide a needed additional authorization of \$15.5 million.

I have discussed these amendments with DOE officials and they support them. I have also discussed the amendments with the distinguished chairman of the committee, Mr. PRICE, and with the ranking minority member, Mr. WILSON. I have also discussed the matter with the chairman of the Committee on Science and Technology, Mr. FUQUA, and the gentleman from Washington (Mr. McCORMACK) who also have a great interest in this research program.

Mr. Chairman, I move the adoption of the first amendment.

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

Mr. STRATTON. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the gentleman's amendment. I commend him for offering this amendment. I think it is a very modest amount to offer, in view of the tremendous potential that the inertial confinement fusion program has to offer for civilian energy application needs. For a public leery and concerned about the radioactivity aspect of our conventional nuclear program, I think the laser fusion program is a tremendous contribution to make to this country for our future energy supplies. I am very pleased that the gentleman recognizes the KMS Co. in Ann Arbor, Mich., an area that I am familiar with, which on its own independently has initiated research in this field, and I certainly

hope the gentleman's amendment will be accepted.

Mr. STRATTON. Mr. Chairman, I want to thank the gentleman for his support. There is no question about the fact that laser fusion offers a new type of energy which, hopefully, will be available by the year 2000, and it would be in many ways an improvement on nuclear fission that we are already familiar with. As the gentleman knows, the projects at KMS and at Rochester do provide an opportunity for the civilian community to understand these important new developments.

Mr. BOB WILSON. Mr. Chairman, will the gentleman yield?

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

Mr. BOB WILSON. I thank the gentleman for yielding.

Mr. Chairman, as the gentleman indicated in his remarks, we have examined the gentleman's amendments, and we find full concurrence with them. I urge the adoption of this amendment.

Mr. STRATTON. I thank the gentleman.

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

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

Mr. PRICE. Mr. Chairman, I, too, have carefully examined this amendment, and I have discussed it with the gentleman from New York. I find no problem with the amendment, and I respectfully urge that the Committee adopt the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. STRATTON) to the committee amendment, as amended.

The amendment to the committee amendment, as amended, was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

□ 1030

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk proceeded to read the committee amendment.

Mr. PRICE (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendments 3 through 11 of the bill be considered en bloc and, further, that they 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.

The committee amendments are as follows:

Committee amendments: Page 4, after line 20, insert the following:

Project 80-AE-11, target fabrication facility, Los Alamos Scientific Laboratory, New Mexico, \$1,000,000.

Project 80-AE-12, target fabrication facility, Lawrence Livermore Laboratory, California, \$1,000,000.

Page 5, line 18, strike out "\$7,000,000" and insert in lieu thereof "\$4,000,000".

Page 5, line 19, strike out "\$69,300,000" and insert in lieu thereof "\$39,400,000".

Page 5, strike out lines 20 and 21.

Page 5, line 3, strike out "\$10,000,000" and insert in lieu thereof "\$5,000,000".

Page 7, line 7, strike out "\$16,100,000, for a total project authorization of \$21,100,000" and insert in lieu thereof "\$11,700,000, for a total project authorization of \$16,700,000".

Page 8, line 2, strike out "23,500,000" and insert in lieu thereof "\$10,000,000".

Page 8, line 11, strike out "\$84,400,000 for a total project authorization of \$149,400,000" and insert in lieu thereof "\$54,400,000, for a total project authorization of \$119,400,000".

Page 8, strike out lines 19 through 22.

The committee amendments were agreed to.

The CHAIRMAN. The Clerk will report the remaining committee amendment.

The Clerk read as follows:

Committee amendment: Page 9, line 7, strike out "\$21,320,000" and insert in lieu thereof "\$5,000,000".

AMENDMENT OFFERED BY MR. DERRICK TO THE COMMITTEE AMENDMENT

Mr. DERRICK. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DERRICK to the committee amendment: In lieu of the matter proposed to be inserted by the committee amendment, insert page 9, line 7: "\$8,000,000, of which \$3,000,000 shall be available only for plant engineering and design at the Savannah River Plant Aiken, South Carolina".

Mr. DERRICK. Mr. Chairman, for 30 years now we have enjoyed the benefits of nuclear power. Yet we have not come to grips with the long-term problem of nuclear waste disposal. What I propose today is a modest step, and yet a very important one, toward addressing this problem. We must accept the responsibility for developing a means to safely and permanently dispose of our Nation's nuclear wastes.

I am offering today an amendment authorizing \$3 million for fiscal year 1980 for the engineering and design of vitrification project at the Savannah River plant in South Carolina. This project ultimately lead to the solidification of high-level nuclear waste, so that it may then be put in a permanent repository rather than continued to be stored in temporary storage tanks, as it is today.

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

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

Mr. McCORMACK. Mr. Chairman, I congratulate the gentleman for his amendment and for his desire to move forward with the program of glassifying or vitrifying the wastes at Savannah River. This is an important step. These high level military wastes that have been accumulating there since the Second World War. The Savannah River storage area must be considered as a temporary facility because of the geologic and hydrologic conditions there.

The wastes must be classified for permanent deep geologic burial. This provides us with an excellent opportunity to demonstrate to the entire world that we can convert these old military wastes to glass for permanent geologic disposal. We will also demonstrate how we will eventually handle the high-level wastes for our nuclear energy program, which

will evolve in the future after we establish a reprocessing program.

Accordingly, I congratulate the gentleman from South Carolina on his amendment, and urge its acceptance.

Mr. DERRICK. I thank the gentleman.

Mr. BOB WILSON. Mr. Chairman, will the gentleman yield?

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

Mr. BOB WILSON. Mr. Chairman, I congratulate, also, the gentleman and commend him for his amendment.

I think the gentleman is approaching and facing a problem that is, if anything, the Achilles heel of the entire nuclear program in this country.

I think his amendment would go a long way toward solving that problem. We support it enthusiastically on this side.

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

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

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

Mr. PRICE. Mr. Chairman, I have had an opportunity to discuss the amendment with the gentleman from South Carolina (Mr. DERRICK), and since it would require no additional funds to be appropriated, I see no reason why we should not approve the amendment.

Mr. DERRICK. Mr. Chairman, I thank the distinguished gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina (Mr. DERRICK) to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 9, beginning on line 10, strike out "an additional sum of \$55,000,000, for a total project authorization of \$93,000,000" and insert in lieu thereof "a reduction in the amount previously authorized of \$30,000,000, for a total project authorization of \$38,000,000".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 9, line 16, strike "\$179,924,000" and insert "as follows."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 9, after line 17, insert the following:

(A) For inertial confinement fusion, \$17,400,000 of which \$9,400,000 shall be used for a high energy national laser fusion users facility.

(B) For naval reactors development, \$15,800,000.

(C) For weapons activities, \$104,164,000.

(D) For verification and control technology, \$1,060,000.

(E) For materials production, \$35,000,000.
(F) For defense waste management, \$12,000,000.

(G) For nuclear materials security and safeguards, \$3,400,000.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. STRATTON TO THE COMMITTEE AMENDMENT

Mr. STRATTON. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. STRATTON to the committee amendment: In subparagraph (A) of the matter proposed to be inserted by the committee amendment (page 9, beginning on line 17), strike out "\$17,400,000, of which \$9,400,000 shall be used for a high energy national laser fusion users facility" and insert in lieu thereof "\$10,100,000".

Mr. STRATTON. Mr. Chairman, this is the other amendment which goes along with the one that was approved a moment ago to take care of the national laser fusion users facility. This amendment reduces the amount for equipment for inertial confinement fusion by some \$7 million. I urge its immediate approval.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. STRATTON) to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENTS OFFERED BY MR. PRICE

Mr. PRICE. Mr. Chairman, I offer two amendments:

The Clerk read as follows:

Amendments offered by Mr. PRICE: After line 5, page 6, insert the following language:

Project 80-AE-11. Pershing II warhead production facilities, various locations. \$5,000,000.

After line 14, page 9, insert the following language:

Project 75-1-c, new Waste Calcining Facility, Idaho Falls, Idaho, an additional sum of \$25,000,000, for a total project authorization of \$90,000,000.

Mr. PRICE. Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc, and printed in the RECORD.

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

There was no objection.

Mr. PRICE. Mr. Chairman, both of the amendments I am offering now are to take care of urgent requirements of the Department of Energy defense program which have emerged subsequent to May 15, when H.R. 2603 was reported.

PERSHING II PRODUCTION FACILITIES

The first amendment would provide a \$5 million authorization for Pershing II missile warhead facilities. The fiscal year 1980 budget, submitted in January, supported production of the Pershing II warhead beginning in 1984. After the budget was submitted, a very high national priority was assigned to the Pershing II missile and the Department of Energy must now support a production schedule which has been accelerated by 16 months.

To meet this new schedule, an additional line item authorization is required. The Department is not requesting new appropriations for fiscal year 1980. Funds will be allocated from lower priority programs for these facilities. This line item authorization is required before funds can be reprogrammed for these facilities.

NEW WASTE CALCINING FACILITY

The second amendment deals with a nuclear waste treatment facility at the Department of Energy facility in Idaho Falls, Idaho. The amendment would provide an additional authorization of \$25 million for this 1975 project.

This project is now authorized at the level of \$65 million. However, under the cost variation provisions of the law, \$81 million has been appropriated to date. The project is now 75 percent complete.

To prevent a work stoppage and a delay of from 1 to 2 years which would result in very high cost increases, it is prudent to provide an additional authorization above the amount which has already been appropriated. Without this additional authorization the Department could not legally reprogram funds in order to keep the project going.

Mr. Chairman, I move the adoption of the amendments.

Mr. BOB WILSON. Mr. Chairman, will the gentleman yield?

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

Mr. BOB WILSON. Mr. Chairman, we concur in these amendments on this side of the aisle.

Mr. PRICE. I thank the gentleman.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois (Mr. PRICE).

The amendments were agreed to.

The CHAIRMAN. Are there further amendments to title I? If not, the Clerk will read title II.

The Clerk read as follows:

TITLE II—GENERAL PROVISIONS

Sec. 201. Except as otherwise provided in this Act—

(1) no amount appropriated pursuant to this Act may be used for any program in excess of either (A) 105 percent of the amount authorized for that program by this Act, or (B) \$10,000,000 more than the amount authorized for that program by this Act, whichever is the lesser, and

(2) no amount appropriated pursuant to this Act may be used for any program which has not been presented to, or requested of, the Congress,

unless a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after the appropriate committees of Congress receive notice from the Secretary of Energy containing a full and complete statement of the action proposed to be taken and the facts and cir-

cumstances relied upon in support of such proposed action, or unless each such committee before the expiration of such period has transmitted to the Secretary written notice to the effect that such committee has no objection to the proposed action.

Sec. 202. The Secretary of Energy is authorized to start any project provided for under the general plant projects provisions set forth in this Act only if—

(1) the then maximum currently estimated cost of such project does not exceed \$750,000 and the then maximum currently estimated cost of any building included in such project does not exceed \$300,000, except that the building cost limitation may be exceeded if the Secretary determines that it is necessary to do so in the interest of efficiency and economy, and

(2) the total cost of all projects undertaken under all general plant projects provisions in this Act does not exceed the estimated cost of all such projects by more than 25 percent.

Sec. 203. (a) Whenever the currently estimated cost of a line item construction project for which appropriations are authorized in section 102 of this Act exceeds by more than 25 percent the estimated cost for such project on the date of the enactment of this Act, such project may not be started or additional obligations incurred in excess of the amounts currently appropriated, as the case may be, unless (1) a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three days to a day certain) has passed after the appropriate committees of Congress receive a notice from the Secretary containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (2) each such committee before the expiration of such period has transmitted to the Secretary of Energy written notice to the effect that such committee has no objection to the proposed action.

(b) The provisions of this section shall not apply to any project which has a currently estimated cost of less than \$5,000,000.

Sec. 204. Subject to the provisions of appropriation Acts, amounts appropriated pursuant to this Act for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

Sec. 205. When so specified in an appropriation Act, funds authorized to be appropriated by this Act may be transferred to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred may be merged with the appropriations to which they are transferred.

Sec. 206. The Secretary of Energy is authorized to perform construction design services for any construction project of the Department of Energy in support of national security programs which have been presented to the Congress, in amounts not in excess of the amounts specified in section 102 for plant engineering and design. In any case in which the estimated design cost for any project is in excess of \$300,000, the Secretary shall notify the appropriate committees of Congress in writing of the estimated design cost for such project at least thirty days before any funds are obligated for design services for such project.

Sec. 207. In addition to construction design services performed with plant engineering and design funds, the Secretary of Energy is authorized to perform construction design services for any Department of Energy construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Secretary, and (2) the Secretary determines that the project

is of such urgency in order to meet the needs of national defense or protection of life and property or health and safety that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

Sec. 208. Appropriations authorized by this Act for salary, pay, retirement, or other benefits for Federal employees may be increased by such amounts as may be necessary for increases in such benefits authorized by law.

Sec. 209. When so specified in an appropriation Act, amounts appropriated for "Operating expenses" or for "Plant and capital equipment" may remain available until expended.

Mr. PRICE (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois (Mr. PRICE)?

There was no objection.

□ 1040

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment to title II.

The Clerk read as follows:

Committee amendment: Page 12, line 1, insert "of Energy" after "Secretary".

The committee amendment was agreed to.

Mr. HALL of Ohio. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would ask the distinguished chairman of the committee to engage in a colloquy for one or two questions.

Mr. Chairman, on page 16 under the weapons testing program, with specific reference to U.S. nuclear weapons testing, I see where the administration, asked for \$198 million and the committee, through deliberation, increased that sum to \$225 million.

My first question is how will this additional sum be used relative to nuclear testing? Will there be more underground testing?

Mr. HALL of Ohio. My question is, Mr. Chairman, what is the increased funding going to be used for?

Mr. PRICE. For additional tests, to get additional information and test data that is needed, of course, for keeping the stockpile in the most modern condition and to be certain that the weapons are reliable after years of storage.

Mr. HALL of Ohio. My second question, Mr. Chairman, is, Did the Armed Services Committee receive any kind of testimony from any of the witnesses relative to any kind of an environmental impact concerning underground testing?

Mr. PRICE. Yes, we did. In addition to receiving testimony from any outside witnesses—I would make this clear, the Armed Services Committee has never been closed to any group, and anyone who requested to testify on any subject before the Armed Services Committee has always been heard by the Armed Services Committee.

Environmental considerations receive a great deal of attention in the nuclear weapons test field. Every proposed test is

reviewed in the greatest detail to assure that detrimental environmental effects will not result. In addition, the test site is monitored to assure that any unforeseen environmental effects result from the tests.

Mr. HALL of Ohio. I thank the gentleman for yielding.

The CHAIRMAN. The Clerk will report the next committee amendment to title II.

The Clerk read as follows:

Committee amendment: Page 13, line 11, insert "defense activity" after "Department of Energy".

The committee amendment was agreed to.

Mr. PRICE (during the reading). Mr. Chairman, I ask unanimous consent that sections 210, 211, and 212 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.

The committee amendment was agreed to.

The CHAIRMAN. Are there further amendments to title II?

The CHAIRMAN. The Clerk will report the next committee amendment to title II.

The Clerk read as follows:

Committee amendment: Page 14, after line 3, insert the following new sections:

Sec. 210. None of the funds authorized to be appropriated by this or any other Act may be used for any purpose related to licensing of any defense activity or facility of the Department of Energy by the Nuclear Regulatory Commission.

Sec. 211. None of the funds authorized to be appropriated by this or any other Act may be used to pay any penalty, fine, forfeiture, or settlement resulting from a failure to comply with the Clean Air Act (42 U.S.C. 7401 et seq.) with respect to any defense activity of the Department of Energy if (1) the Secretary of Energy finds that compliance is physically impossible within the time prescribed for compliance, or (2) the President has specifically requested appropriations for compliance as a part of the budgetary process and the Congress has failed to make available such appropriations.

Sec. 212. Beginning in fiscal year 1980, the Secretary of Energy shall ensure that the contract for the delivery of byproduct steam to the Washington Public Power Supply System is renegotiated in such a manner that the United States will recover the fair market value of the steam so delivered.

AMENDMENT OFFERED BY MR. PRICE

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

The Clerk read as follows:

Amendment offered by Mr. PRICE: At the end of the bill, add the following new section:

Sec. 213. (a) The Secretary of Energy shall proceed with the Waste Isolation Pilot Plant construction project authorized to be carried out in the Delaware Basin of southeast New Mexico (project 77-13-f) in accordance with the authorization for such project as modified by this section. Notwithstanding any other law, the Waste Isolation Pilot Plant is authorized as a defense activity of the Department of Energy, administered by the Assistant Secretary of Energy for Defense Programs, for the express purpose of providing a research and development facility to demonstrate the safe disposal of radioactive wastes resulting from the defense activities

and programs of the United States exempted from regulation by the Nuclear Regulatory Commission.

(b) (1) In carrying out such project, the Secretary shall consult and cooperate with the appropriate officials of the State of New Mexico, with respect to the public health and safety concerns of such State in regard to such project and shall, consistent with the purposes of subsection (a), give consideration to such concerns and cooperate with such officials in resolving such concerns.

(2) The Secretary of Energy may not enter into any agreement or make any commitment under which the State of New Mexico, or any official of such State, could in effect veto such project.

(c) No law enacted after the date of the enactment of this Act shall be held, considered, or construed as amending, superseding, or otherwise modifying any provision of this section unless such law does so by specifically and explicitly amending, repealing, or superseding this section.

Mr. PRICE (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. PRICE. Mr. Chairman, the consideration of the waste isolation pilot plant, or WIPP, project has consumed a very large share of time of the Committee on Armed Services for the past 2 years. We have held extensive hearings on this project since it was first submitted to our committee early in 1977. We held our last hearing on the project on July 18 of this year.

Unfortunately, the WIPP project has become embroiled in bureaucratic politics within the current administration and in the politics of the State of New Mexico. I think that even those in the highest level of management in the Department of Energy (DOE) will admit that the project has been mishandled by the Department.

Mr. Chairman, this amendment will simply return the project to the same status that it was in when it was first presented to our committee. The amendment specifically authorizes this project as a defense activity of the DOE for the express purpose of providing the Department with a research and development facility.

The purpose of the project is to demonstrate whether or not the radioactive wastes which have been and will be generated as a result of the nuclear weapons program and other defense programs of the Department of Energy can be safely stored and isolated from the environment in deep-lying salt beds. The amendment simply restates current law, that is, section 202 of the Energy Reorganization Act of 1974, Public Law 93-438. That section exempts research and development projects such as the WIPP from the regulatory authority of the NRC. The amendment makes no change in existing law nor does the amendment give the project any special consideration with respect to environmental laws.

The amendment recognizes and reiterates the responsibility of the Secretary of Energy to consider the environmental health and safety concerns of the State

in which the facility will be located. In addition, Mr. Chairman, I would expect the Secretary of Energy and State officials to arrive at an understanding and procedures by which State and Federal officials may cooperate with each other on these matters. The amendment makes clear, however, that these understandings and procedures will not serve to thwart the purpose of the Congress in authorizing this project by means of a veto by State officials. This part of the amendment merely recognizes and reinforces the so-called "supremacy" and "property" clauses of the Federal Constitution. I do not believe that any Member of this body would agree to the expenditure of Federal funds for the purpose of constructing any kind of a Federal project which, after its completion, could not be used as a result of political action within a State.

Mr. Chairman, this R. & D. project is the only one in the entire country which is now in progress and which can begin to demonstrate the means to more safely isolate the radioactive wastes which now exist. It is important that we get on with the project and that is the purpose of this amendment. If this amendment is adopted, I can support negotiation with Senate conferees as to the level of authorization for the project. If the amendment is not adopted, I cannot support further funding of the project because it would have little chance of success in the future.

This amendment is a responsible exercise of congressional power and represents, I believe, a response to the desire of the public that something be done about radioactive wastes. I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. PRICE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BOB WILSON OF CALIFORNIA

Mr. BOB WILSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOB WILSON of California: At the end of the bill, add the following new section:

SEC. 213. (a) As soon as practicable and not later than February 1, 1980, the Secretary of Energy shall submit to the Congress a plan for the termination of the performance of work of the Department of Energy at the Ernest Orlando Lawrence Livermore Laboratory and at the Los Alamos Scientific Laboratory under contracts numbered W-7405-ENG-36 and W-7405-ENG-48 between the United States and the Regents of the University of California (a corporation of the State of California). Such plan shall include provisions to assure that such a termination of work would be conducted in accordance with the terms of such contracts.

(b) The Secretary of Energy shall study the types of contracts that would best provide for the continued performance of the work performed under the contracts referred to in subsection (a). The Secretary shall include in any contract proposed to replace such contracts terms to assure that—

(1) the paramount objectives and missions of such laboratories continue to be in the field of national security;

(2) the transition from management of such laboratories by the University of California to management by any new contractor will be orderly, involve a minimum of un-

certainty, and provide employee rights and benefits (including rights and benefits with respect to pensions and retirement) reasonably comparable to those currently provided employees of the laboratories by the Regents of the University of California; and

(3) any new contractor may retain as many of the current management officials and employees of the laboratories as may be consistent with maintaining and fostering excellence in carrying out the functions assigned to the laboratories.

(c) (1) The Los Alamos Scientific Laboratory at Los Alamos, New Mexico, shall after the date of the enactment of this act be known and designated as the "Los Alamos National Scientific Laboratory". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Los Alamos Scientific Laboratory shall after such date be considered to be a reference to the Los Alamos National Scientific Laboratory.

(2) The Ernest Orlando Lawrence Livermore Laboratory at Livermore, California, shall after the date of the enactment of this act be known and designated as the "Ernest Orlando Lawrence Livermore National Laboratory". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Ernest Orlando Lawrence Livermore Laboratory shall after such date be considered to be a reference to the Ernest Orlando Lawrence Livermore National Laboratory.

(3) The Sandia Laboratories at Albuquerque, New Mexico, and Livermore, California, shall after the date of the enactment of this act be known and designated as the "Sandia National Laboratories". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Sandia Laboratories shall after such date be considered to be a reference to the Sandia National Laboratories.

Mr. BOB WILSON (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 California?

There was no objection.

Mr. BOB WILSON. Mr. Chairman, this amendment, in all modesty, should be called the Wilson amendment because it was drafted by Representative CHARLES WILSON who is unable to be here this morning, and I am offering it in his name.

Mr. Chairman, the amendment I have offered will add a new section 213 to the committee bill. The purpose of the amendment is very simple.

Since the creation of the Department of Energy's nuclear weapons laboratories at Los Alamos, N. Mex., in 1943 and at Livermore, Calif., in 1952, these weapons facilities have been managed under contracts with the regents of the University of California. Over the years the Atomic Energy Commission, the Energy Research and Development Administration, and to some extent the Department of Energy have enjoyed a harmonious relationship with the university.

In recent years, pressures have developed within the university, and outside the university which now make it undesirable and no longer in the best national interest for the Government to maintain the current management relationship. The laboratories now being managed by the regents were originally authorized, funded, and supported by the

Congress for the sole purpose of research, development, design, testing, and evaluation of the U.S. nuclear weapons stockpile. While it is true that these laboratories now do other types of work on a not-to-interfere basis, weapons work remains as their No. 1 reason for existence. This is in accord with the longstanding policy of the United States that defense and national security objectives are paramount where nuclear energy is concerned.

The weapons laboratories at Los Alamos and Livermore are absolutely essential to the maintenance of the nuclear deterrent of the United States. They will remain essential for as long as world conditions require this country to have a nuclear weapons arsenal. These laboratories, with their sophisticated equipment, are national assets. The greatest assets, however, are the more than 10,000 dedicated and highly trained scientists, engineers, technicians, and other people who work at the laboratories.

The management of weapons laboratories by the university is now strongly opposed by California's Governor, Edmund G. Brown, Jr., and his position is supported by a considerable number of the regents themselves, and by a considerable number of the university's faculty. This opposition has placed a considerable burden on the personnel at the laboratories, the laboratories' management and management personnel within the Department of Energy. On May 18, 1979, Governor Brown proposed that the board of regents withdraw from its contract with the Federal Government for the development of nuclear weapons. However, he proposed that the Livermore Laboratory remain under the university's management for non-weapons purposes. This is an impossible suggestion since the removal of weapons work from the Livermore Laboratory would disrupt the U.S. weapons program, cripple the laboratories, and cost hundreds of millions of dollars.

Governor Brown and certain of the university's regents, by their statements and actions, have created serious uncertainties in the minds of the management and the employees of the laboratories. This amendment will resolve those uncertainties if it is necessary to bring about new management for the laboratories.

My amendment directs the Secretary of Energy to submit a contingency plan by February 1, 1980, to terminate the existing contracts with the university regents when they expire on September 30, 1982, and plan to implement alternative arrangement for the management of the laboratories. The Secretary is directed to assure that the primary national defense objectives and missions of the laboratories are continued, and that the transition be orderly and adequately preserve employee rights and benefits, including their pension rights. The amendment is intended to preserve the excellent laboratory work force.

The amendment further would change the names of the laboratories by adding the word "national" to each laboratory designation. The purpose of these

changes is to emphasize the character of these laboratories as national laboratories.

I believe that my amendment is in the best interest of the country and is the only sensible way for the government to proceed. I have discussed the amendment with the chairman of the committee and I hope he will accept it. An identical amendment was adopted by the House to H.R. 3000, which applies only to the Lawrence Berkley Laboratory. This amendment was offered by the distinguished chairman of the Committee on Science and Technology.

Mr. Chairman, I urge the adoption of the amendment.

□ 1050

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

Mr. BOB WILSON. I will be happy to yield to the gentleman from Washington.

Mr. McCORMACK. I thank the gentleman for yielding. I would like to ask the gentleman if he would explain to me and to the members of the Committee whether or not the amendment assumes that the existing contractual relationships will be terminated, or whether it simply sets up a mechanism by which this matter can be resolved as to whether or not they shall be terminated.

Mr. BOB WILSON. No, it does not assume anything, I would say to the gentleman from Washington. The management of the weapons laboratories by the university is now strongly opposed by the Governor of California, Edmund G. Brown, Jr., and his position is supported by a considerable number of the regents themselves and by a considerable number of the university's faculty. This opposition has placed a real burden on the personnel of the laboratories—the laboratories' management and the management personnel within the Department of Energy.

On May 18, 1979, Governor Brown proposed that the board of regents withdraw from its contract with the Federal Government for the development of nuclear weapons. So I would say that clearly the State of California would like to disassociate itself from weapons development and weapons maintenance.

Mr. McCORMACK. If the gentleman will yield further, I would like to suggest that I believe he is reading a little more into this, into the situation, than is my interpretation of the situation.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. McCORMACK, and by unanimous consent, Mr. BOB WILSON was allowed to proceed for 3 additional minutes.)

Mr. McCORMACK. If the gentleman will yield further, it is quite legitimate to open this matter to discussion, but I am deeply concerned with the presumption that relationships between the University of California and the laboratory should be terminated, and that seems to be the thrust of the amendment the gentleman is offering.

Mr. BOB WILSON. No. The thrust is merely to set up a commission that would study the proposition and report

back to us. This is not a statutory change; it is merely the setting up of a study to see if this meets with the concurrence of the regents of the University of California. From all we can see from prior evidence, that is the case.

Mr. McCORMACK. All right, then, if there is no presumption that the contract should be terminated, and there is no presumption in the amendment of the position of the people of California, then I have no objection to it. I think it is perfectly acceptable to open the discussion from both ends, an arm's length discussion between the people of the government of California and the Department of Energy or the Department of Defense.

Mr. BOB WILSON. As I said, all we are asking for is that the Secretary of Energy submit a contingency plan by February 1 with regard to the contract with the university regents. At that time we will have a chance to argue the merits of the plan that will be submitted.

Mr. McCORMACK. I thank the gentleman.

Mr. BOB WILSON. Mr. Chairman, I yield back the remainder of my time.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rose in connection with a similar amendment which was proposed in the DOE bill, the other portion of it, and I wanted to make clear in the record what my views are with regard to this specific amendment so that there would be no misunderstandings about the matter. I am well aware of the history of discussion within the academic community at the University of California with regard to the desirability of continuing with the contractual relationships. That has been a matter, as has happened on most campuses, where there is a defense relationship. It has been a matter of debate amongst some of the students and amongst the faculty and has been going on for several years in California.

The distinguished gentleman from California, the ranking minority member (Mr. BOB WILSON), said that the State of California had clearly indicated its views on this matter, and I think he was referring to this debate that has been going on and to the position of the Governor, which was for canceling the contract. But the actual position of the State of California is clearly represented by a vote of the board of regents to continue with this contract, after years of debate. There is no question about the position of the State of California, which is not always, as I think the Members of this House know, set forth accurately by the Governor of the State. So my concern is that we not misunderstand this. The regents, the governing body of the University of California, have overwhelmingly voted to continue with these contracts. Any presumption to the contrary is unwarranted, and the merit of this amendment is only as a contingency measure in the event that there should be some change in a situation, which I do not anticipate and I do not think anyone else anticipates.

Furthermore, I am deeply concerned, and I think sufficiently concerned, to

vote against this amendment because of the fact that it singles out the University of California, when this same identical foment with regard to defense contracts and DOE contracts managed by universities exists wherever those contracts are. Hence, this contingency plan, which I concur with the gentleman is valuable, should be extended to all situations where circumstances of this sort might develop. I would hope the gentleman would concur with me in that.

Mr. BOB WILSON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. Yes, I would be happy to yield to the gentleman.

Mr. BOB WILSON. Yes. I would say I would concur with the gentleman. As I said before, this is a proposal that they bring in a contingency plan and let us investigate it and study it. There is a problem, as the gentleman knows, among the requests. Some of the regents want to cancel the program entirely; some want to cancel just the military aspects of it and separate out the nonmilitary, and we cannot do it that way. It just does not work, and it is really an impossible suggestion. To have this thing sort of stirred up constantly is, I think, degrading somewhat the capability of the laboratories. I am very hopeful that when the Secretary of Energy does submit a contingency plan that we can have debate on the floor that will clear up this thing so that we will know that the Laboratories themselves can go ahead with the very good work that they are doing, not only in defense matters but in non-defense-related matters.

Mr. BROWN of California. I thank the gentleman for his point, with which I happen to agree. The personnel at the laboratory are disturbed by this foment. They are even going to be more disturbed by this amendment, I might say, because it is going to lead them to feel that despite the firm position taken by the regents and their own views for continuing the contract, the Congress may, because it has singled them out, singled the labs out with this amendment, feel that the situation ought to be changed. In other words, their fears are going to be changed from being directed at the regents to being directed at the Congress, and I would regret that very much. I would hope that the members of the committee, who I know are concerned with the best interests of the laboratories as well as with the defense of the country, could make it clear that this is merely prudent contingency planning and that it should be extended to every situation, we will say at least where there is a university-administered contract where this possibility is equally possible as it is at the University of California. I hope the committee will consider these points.

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

Mr. Chairman, the gentleman from California (Mr. BROWN) I think analyzed and stressed the fact that these conditions exist. I certainly will go along with the amendment, and I urge the Committee to approve the amendment.

□ 1100

The CHAIRMAN. The question is on

the amendment offered by the gentleman from California (Mr. Bob Wilson).

The amendment was agreed to. The CHAIRMAN. Are there further amendments to the bill? If not, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BRODHEAD, Chairman of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2603) to authorize appropriations for the Department of Energy for national security programs for fiscal year 1980, and for other purposes, pursuant to House Resolution 471, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 304, nays 28, not voting 101, as follows:

[Roll No. 643]

YEAS—304

Abdnor	Brown, Calif.	Dougherty
Addabbo	Broyhill	Drinan
Akaka	Buchanan	Duncan, Tenn.
Albosta	Burgener	Edwards, Okla.
Alexander	Burlison	Emery
Ambro	Butler	English
Anderson, Calif.	Byron	Erdahl
Annunzio	Campbell	Ertel
Anthony	Carney	Evans, Del.
Applegate	Carter	Evans, Ind.
Archer	Chappell	Fary
Aspin	Coleman	Fascell
Atkinson	Collins, Ill.	Fazio
Badham	Collins, Tex.	Ferraro
Bafalis	Conable	Fish
Bailey	Conte	Fisher
Baldus	Corcoran	Flithan
Barnard	Coughlin	Flippo
Barnes	Courter	Foley
Bauman	Crane, Daniel	Ford, Tenn.
Beard, R.I.	D'Amours	Fountain
Beard, Tenn.	Daniel, Dan	Fowler
Benjamin	Daniel, R. W.	Frenzel
Bennett	Danielson	Frost
Bereuter	Dannemeyer	Fuqua
Bethune	Daschle	Gaydos
Bevill	Davis, Mich.	Gephardt
Blaggi	Davis, S.C.	Gibbons
Blanchard	Deckard	Gilman
Boland	Derrick	Gingrich
Boner	Derwinski	Glickman
Bonker	Devine	Goldwater
Bouquard	Dickinson	Gonzalez
Brademas	Diggs	Goodling
Breaux	Dingell	Gore
Brinkley	Dixon	Gramm
Brodhead	Dodd	Grassley
Broomfield	Donnelly	Green
	Dornan	Grisham

Guarini	Madigan	Satterfield
Gudger	Marks	Sawyer
Guyer	Marlenee	Scheuer
Hagedorn	Mariotti	Schulze
Hall, Ohio	Martin	Sensenbrenner
Hall, Tex.	Matsui	Shannon
Hamilton	Mattox	Sharp
Hammer-	Mavroulos	Shelby
schmidt	Mica	Shumway
Hanley	Michel	Shuster
Hansen	Miller, Ohio	Slack
Harkin	Mineta	Smith, Iowa
Harsha	Minish	Smith, Nebr.
Hefner	Mitchell, N.Y.	Snyder
Hightower	Moakley	Solarz
Hills	Mollohan	Solomon
Hinson	Montgomery	Spence
Hollenbeck	Moore	St Germain
Hopkins	Moorhead, Pa.	Stack
Horton	Calif.	Staggers
Howard	Moorhead, Pa.	Stangeland
Hubbard	Motti	Stanton
Hughes	Murphy, Ill.	Steed
Hutto	Murphy, Pa.	Stenholm
Hyde	Murtha	Stewart
Ichord	Myers, Ind.	Stockman
Jacobs	Myers, Pa.	Stratton
Jeffords	Natoher	Studds
Jeffries	Neal	Stump
Jenkins	Nelson	Swift
Johnson, Colo.	Nowak	Tauke
Jones, Tenn.	O'Brien	Thomas
Kazen	Oberstar	Thompson
Kelly	Obey	Traxler
Kildee	Panetta	Trible
Kindness	Pashayan	Van Deerlin
Kogovsek	Patten	Vander Jagt
Kostmayer	Patterson	Vank
Kramer	Pease	Vento
LaFalce	Perkins	Volkmer
Lagomarsino	Petri	Walgren
Latta	Peyser	Walker
Leach, Iowa	Preyer	Wampler
Leach, La.	Price	Watkins
Lederer	Pritchard	White
Lehman	Pursell	Whitehurst
Leland	Quillen	Whitley
Lent	Rallsback	Whittaker
Levitas	Rangel	Whitten
Lewis	Ratchford	Williams, Mont.
Lloyd	Regula	Williams, Ohio
Loeffler	Reuss	Wilson, Bob
Lone, La.	Rinaldo	Wirth
Long, Md.	Ritter	Wolf
Lott	Robinson	Wolpe
Lowry	Rodino	Wyatt
Luken	Roe	Wyle
Lundine	Rose	Yates
McClary	Rostenkowski	Yatron
McCormack	Roth	Young, Mo.
McDade	Roybal	Zablocki
McDonald	Rudd	Zerferetti
McHugh	Russo	
McKinney	Santini	

NAYS—28

AuCoin	Eckhardt	Paul
Bellenson	Edwards, Calif.	Rahall
Bingham	Forsythe	Sabo
Bonior	Gray	Seiberling
Burton, Phillip	Kastenmeyer	Simon
Chisholm	Maguire	Stokes
Clay	Markey	Weaver
Conyers	Miller, Calif.	Weiss
Dellums	Moffett	
Downey	Otinger	

NOT VOTING—101

Anderson, Ill.	Early	Jones, N.C.
Andrews, N.C.	Edgar	Jones, Okla.
Andrews,	Edwards, Ala.	Kemp
N. Dak.	Erlenborn	Leath, Tex.
Ashbrook	Evans, Ga.	Lee
Ashley	Fenwick	Livingston
Bedell	Findley	Lujan
Boggs	Flood	Lungren
Bolling	Florio	McCloskey
Bowen	Ford, Mich.	McEwen
Brooks	Garcia	McKay
Brown, Ohio	Gialmo	Mathis
Burton, John	Ginn	Mazzoli
Carr	Gradison	Mikulski
Cavanaugh	Hance	Mitchell, Md.
Cheney	Harris	Murphy, N.Y.
Clauser	Hawkins	Nedzi
Cleveland	Heckler	Nichols
Clinger	Heftel	Nolan
Coelho	Holland	Oakar
Corman	Holt	Pepper
Cotter	Holtzman	Pickle
Crane, Philip	Huckaby	Quayle
de la Garza	Ireland	Rhodes
Dicks	Jenrette	Richmond
Duncan, Oreg.	Johnson, Calif.	Roberts

Rosenthal	Spellman	Waxman
Rousselot	Stark	Wilson, C. H.
Royer	Symms	Wilson, Tex.
Runnels	Synar	Winn
Schroeder	Taylor	Wright
Sebelius	Treen	Wyder
Skelton	Udall	Young, Alaska
Snowe	Ulman	Young, Fla.

□ 1110

The Clerk announced the following pairs:

Mr. Richmond with Mr. Anderson of Illinois.
 Mrs. Boggs with Mr. Gradison.
 Mr. Corman with Mr. Quayle.
 Mr. Hawkins with Mr. Andrews of North Dakota.
 Mr. Gialmo with Mr. Brown of Ohio.
 Mrs. Spellman with Mr. Hance.
 Mr. Ulman with Mrs. Holt.
 Mr. Murphy of New York with Mr. Rouse-
 lot.
 Mr. Mitchell of Maryland with Mr. Royer.
 Mr. Jones of North Carolina with Mr. Young of Florida.
 Mr. Jenrette with Mr. Wyder.
 Mr. Cotter with Mr. McEwen.
 Mr. John L. Burton with Mr. Lujan.
 Mr. Brooks with Mr. Clinger.
 Mr. Ashley with Mr. Clausen.
 Mr. Ford of Michigan with Mr. Kemp.
 Ms. Holtzman with Mr. Symms.
 Mr. Ireland with Mr. Taylor.
 Mr. Johnson of California with Mr. Cheney.
 Mr. Mazzoli with Mr. Cleveland.
 Mr. Nedzi with Mr. McCloskey.
 Mr. Wright with Mr. Livingston.
 Mr. Charles H. Wilson of California with Mr. Philip M. Crane.
 Mr. Nichols with Mr. Edwards of Alabama.
 Mr. Pepper with Mr. Erlenborn.
 Ms. Oakar with Mr. Wynn.
 Mr. Roberts with Mr. Synar.
 Mr. Rosenthal with Mrs. Snowe.
 Mrs. Schroeder with Mrs. Fenwick.
 Mr. Stark with Mr. Findley.
 Mr. Pickel with Mr. Sebelius.
 Mr. Udall with Mr. Young of Alaska.
 Mr. Waxman with Mr. Huckaby.
 Ms. Mikulski with Mr. Leath of Texas.
 Mr. Mathis with Mr. Lee.
 Mr. Heftel with Mr. Lungren.
 Mr. Garcia with Mr. Andrews of North Carolina.

Mr. Bedell with Mrs. Heckler.
 Mr. Ginn with Mr. Jones of Oklahoma.
 Mr. Harris with Mr. Skelton.
 Mr. Nolan with Mr. Charles Wilson of Texas.

Mr. Runnels with Mr. Holland.
 Mr. McKay with Mr. Ashbrook.
 Mr. Florio with Mr. Coelho.
 Mr. Early with Mr. Dicks.
 Mr. de la Garza with Mr. Edgar.
 Mr. Bowen with Mr. Evans of Georgia.
 Mr. Carr with Mr. Flood.
 Mr. Cavanaugh with Mr. Duncan of Oregon.

Mr. BINGHAM and Mr. SIMON changed their votes from "yea" to "nay." So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. PRICE. Mr. Speaker, pursuant to the provisions of House Resolution 471, I call up from the Speaker's table the Senate bill (S. 673) to authorize appropriations for the Department of Energy for national security programs for fiscal year 1980, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. PRICE

Mr. PRICE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PRICE moves to strike out all after the enacting clause of the Senate bill, S. 673, and to insert in lieu thereof the provisions of the bill, H.R. 2603, as passed, as follows: That this Act may be cited as the "Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980".

TITLE I—NATIONAL SECURITY PROGRAMS

OPERATING EXPENSES

Sec. 101. Funds are hereby authorized to be appropriated to the Department of Energy (hereinafter in this title referred to as the "Department") for fiscal year 1980 for operating expenses incurred in carrying out national security programs, including scientific research and development in support of the armed services, strategic and critical materials necessary for the common defense, and military applications of nuclear energy, as follows:

(1) For the defense inertial confinement fusion program—

(A) for glass laser experiments, \$44,200,000;

(B) for gas laser experiments, \$29,300,000;

(C) for electron and particle beam experiments, \$12,200,000;

(D) for supporting research and experiments, \$38,300,000, of which no more than \$2,800,000 may be used to finance contract modification numbered ED-78-C-08-1598 or any revision or modification thereof; and

(E) for personnel, \$1,090,000.

(2) For the naval reactor development program—

(A) for the naval reactor development program, \$232,600,000; and

(B) for personnel, \$8,767,000.

(3) For weapons activities—

(A) for research and development, \$421,143,000;

(B) for weapons testing, \$225,000,000;

(C) for production and surveillance, \$772,000,000; and

(D) for personnel, \$37,098,000.

(4) For verification and control technology (including personnel), \$36,800,000.

(5) For materials production, to be administered by the Assistant Secretary for Defense Programs—

(A) for production reactor expenses, \$180,300,000;

(B) for the processing of nuclear materials, \$82,400,000;

(C) for supporting services, \$67,714,000, of which \$15,000,000 shall be used for the fiscal year 1980 increment of startup costs for the Purex chemical processing plant at Richland, Washington;

(D) for fluorinel processing of nonproduction fuels and related activities, \$21,390,000;

(E) for advanced isotope separation research, \$5,000,000; and

(F) for personnel, \$944,000.

(6) For defense waste management (including \$1,691,000 for personnel) \$211,250,000, of which no funds may be used for the Waste Isolation Pilot Plant, Delaware Basin, southeast New Mexico.

(7) For the nuclear materials security and safeguards technology development program (defense program), including \$3,560,000 for personnel, \$43,227,000.

PLANT AND CAPITAL EQUIPMENT

Sec. 102. Funds are hereby authorized to be appropriated to the Department for fiscal year 1980, for plant and capital equipment, including planning, construction, acquisition, or modification of facilities (including land acquisition), and for acquisition and fabrication of capital equipment not related

to construction, necessary for national security programs, as follows:

(1) For inertial confinement fusion:

Project 80-PE&D-1, plant engineering and design, \$1,500,000.

Project 80-AE-11, target fabrication facility, Los Alamos Scientific Laboratory, New Mexico, \$1,000,000.

Project 80-AE-12, target fabrication facility, Lawrence Livermore Laboratory, California, \$1,000,000.

Project 75-3-b, high energy laser facility, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$8,000,000, for a total project authorization of \$62,500,000.

(2) For naval reactors development:

Project 80-AE-1, fluids and corrosion test facilities upgrading, various locations, \$17,900,000.

Project 80-GPP-1, general plant projects, \$3,300,000.

(3) For weapons activities:

Project 80-AE-4, addition to computer facility, Sandia Laboratories, Livermore, California, \$2,800,000.

Project 80-AE-5, ground launched cruise missile (GLCM) warhead production facilities, various locations, \$4,000,000.

Project 80-AE-6, utilities and equipment restoration, replacement and upgrade, various locations, \$39,400,000.

Project 80-AE-8, advanced size reduction facilities, Rocky Flats Plant, Golden, Colorado, \$5,000,000.

Project 80-AE-9, new polymer production facilities, Bendix Plant, Kansas City, Missouri, \$1,400,000.

Project 80-AE-10, additional loading facilities, Savannah River Plant, Aiken, South Carolina, \$3,500,000.

Project 80-AE-11, Pershing II warhead facilities, various locations, \$5,000,000.

Project 80-GPP-1, general plant projects, \$25,400,000.

Project 80-PE&D-1, plant engineering and design, \$3,600,000.

Project 71-9, fire, safety, and adequacy of operating conditions projects, various locations, an additional sum of \$7,000,000, for a total project authorization of \$287,000,000.

Project 77-11-c, 8" Artillery Fired Atomic Projectile (AFAP) production facilities, various locations, an additional sum of \$4,600,000, for a total project authorization of \$27,200,000.

Project 78-16-d, weapons safeguards, various locations, an additional sum of \$2,000,000, for a total project authorization of \$28,000,000.

Project 78-16-g, radioactive liquid waste improvement, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$6,200,000, for a total project authorization of \$12,500,000.

Project 79-7-b, fire protection improvements, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$2,500,000, for a total project authorization of \$4,500,000.

Project 79-7-c, proton storage ring, Los Alamos Scientific Laboratory, New Mexico, an additional sum of \$11,700,000, for a total project authorization of \$16,700,000.

Project 79-7-1, system research and development laboratory, Sandia Laboratories, Albuquerque, New Mexico, an additional sum of \$12,000,000, for a total project authorization of \$13,000,000.

Project 79-7-n, utility system restoration, Y-12 plant, Oak Ridge, Tennessee, an additional sum of \$15,800,000, for a total project authorization of \$18,000,000.

Project 79-7-o, universal pilot plant, Pantex Plant, Amarillo, Texas, an additional sum of \$3,900,000, for a total project authorization of \$7,400,000.

(4) For materials production:

Project 80-AE-2, replace obsolete processing facilities, HB Line, Savannah River, South Carolina, \$19,000,000.

Project 80-AE-3, steam generation facili-

ties, Idaho Chemical Processing Plant, Idaho, \$10,000,000.

Project 80-GPP-1, general plant projects, \$15,000,000.

Project 80-PE & D-1, plant engineering and design, \$3,400,000.

Project 77-13-a, fluorinel dissolution process and fuel receiving improvements, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, Idaho, an additional sum of \$54,400,000, for a total project authorization of \$119,400,000.

Project 78-18-e, environmental, safety and security improvements to waste management and materials processing facilities, Richland, Washington, an additional sum of \$11,500,000, for a total project authorization of \$40,000,000.

Project 79-7-1, transmission and distribution systems upgrading, Richland, Washington, an additional sum of \$7,000,000, for a total project authorization of \$14,000,000.

(5) For defense waste management:

Project 80-GPP-1, general plant projects, \$8,880,000.

Project 80-PE&D-1, plant engineering and design, \$8,000,000, of which \$3,000,000 shall be available only for plant engineering and design at the Savannah River Plant, Aiken, South Carolina.

Project 77-13-f, Waste Isolation Pilot Plant, Delaware Basin, southeast New Mexico (A-E, land lease acquisition and long-lead procurement), a reduction in the amount previously authorized of \$30,000,000, for a total project authorization of \$38,000,000.

Project 75-1-c, new Waste Calcining Facility, Idaho Falls, Idaho, an additional sum of \$25,000,000, for a total project authorization of \$90,000,000.

(6) For capital equipment not related to construction, as follows:

(A) For inertial confinement fusion, \$10,100,000.

(B) For naval reactors development, \$15,800,000.

(C) For weapons activities, \$104,164,000.

(D) For verification and control technology, \$1,060,000.

(E) For materials production, \$35,000,000.

(F) For defense waste management, \$12,000,000.

(G) For nuclear materials security and safeguards, \$3,400,000.

TITLE II—GENERAL PROVISIONS

Sec. 201. Except as otherwise provided in this Act—

(1) no amount appropriated pursuant to this Act may be used for any program in excess of either (A) 105 percent of the amount authorized for that program by this Act, or (B) \$10,000,000 more than the amount authorized for that program by this Act, whichever is the lesser, and

(2) no amount appropriated pursuant to this Act may be used for any program which has not been presented to, or requested of the Congress,

unless a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after the appropriate committees of Congress receive notice from the Secretary of Energy containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or unless each such committee before the expiration of such period has transmitted to the Secretary written notice to the effect that such committee has no objection to the proposed action.

Sec. 202. The Secretary of Energy is authorized to start any project provided for under the general plant projects provisions set forth in this Act only if—

(1) the then maximum currently estimated cost of such project does not exceed

\$750,000 and the then maximum currently estimated cost of any building included in such project does not exceed \$300,000, except that the building cost limitation may be exceeded if the Secretary determines that it is necessary to do so in the interest of efficiency and economy, and

(2) the total cost of all projects undertaken under all general plant projects provisions in this Act does not exceed the estimated cost of all such projects by more than 25 percent.

SEC. 203. (a) Whenever the currently estimated cost of a line item construction project for which appropriations are authorized in section 102 of this Act exceeds by more than 25 percent the estimated cost for such project on the date of the enactment of this Act, such project may not be started or additional obligations incurred in excess of the amounts currently appropriated, as the case may be, unless (1) a period of thirty days (not including any day in which either House of Congress is not in session because of adjournment of more than three days to a day certain) has passed after the appropriate committees of Congress receive a notice from the Secretary of Energy containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (2) each such committee before the expiration of such period has transmitted to the Secretary of Energy written notice to the effect that such committee has no objection to the proposed action.

(b) The provisions of this section shall not apply to any project which has a currently estimated cost of less than \$5,000,000.

SEC. 204. Subject to the provisions of appropriation Acts, amounts appropriated pursuant to this Act for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 205. When so specified in an appropriation Act, funds authorized to be appropriated by this Act may be transferred to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred may be merged with the appropriations to which they are transferred.

SEC. 206. The Secretary of Energy is authorized to perform construction design services for any construction project of the Department of Energy in support of national security programs which have been presented to the Congress, in amounts not in excess of the amounts specified in section 102 for plant engineering and design. In any case in which the estimated design cost for any project is in excess of \$300,000, the Secretary shall notify the appropriate committees of Congress in writing of the estimated design cost for such project at least thirty days before any funds are obligated for design services for such project.

SEC. 207. In addition to construction design services performed with plant engineering and design funds, the Secretary of Energy is authorized to perform construction design services for any Department of Energy defense activity construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Secretary, and (2) the Secretary determines that the project is of such urgency in order to meet the needs of national defense or protection of life and property or health and safety that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

SEC. 208. Appropriations authorized by this Act for salary, pay, retirement, or other

benefits for Federal employees may be increased by such amounts as may be necessary for increases in such benefits authorized by law.

SEC. 209. When so specified in an appropriation Act, amounts appropriated for "Operating expenses" or for "Plant and capital equipment" may remain available until expended.

SEC. 210. None of the funds authorized to be appropriated by this or any other Act may be used for any purpose related to licensing of any defense activity or facility of the Department of Energy by the Nuclear Regulatory Commission.

SEC. 211. None of the funds authorized to be appropriated by this or any other Act may be used to pay any penalty, fine, forfeiture, or settlement resulting from a failure to comply with the Clean Air Act (42 U.S.C. 7401 et seq.) with respect to any defense activity of the Department of Energy if (1) the Secretary of Energy finds that compliance is physically impossible within the time prescribed for compliance, or (2) the President has specifically requested appropriations for compliance as a part of the budgetary process and the Congress has failed to make available such appropriations.

SEC. 212. Beginning in fiscal year 1980, the Secretary of Energy shall ensure that the contract for the delivery of byproduct steam to the Washington Public Power Supply System is renegotiated in such a manner that the United States will recover the fair market value of the steam so delivered.

SEC. 213. (a) The Secretary of Energy shall proceed with the Waste Isolation Pilot Plant construction project authorized to be carried out in the Delaware Basin of southeast New Mexico (project 77-13-f) in accordance with the authorization for such project as modified by this section. Notwithstanding any other law, the Waste Isolation Pilot Plant is authorized as a defense activity of the Department of Energy, administered by the Assistant Secretary of Energy for Defense Programs, for the express purpose of providing a research and development facility to demonstrate the safe disposal of radioactive wastes resulting from the defense activities and programs of the United States exempted from regulation by the Nuclear Regulatory Commission.

(b) (1) In carrying out such project, the Secretary shall consult and cooperate with the appropriate officials of the State of New Mexico, with respect to the public health and safety concerns of such State in regard to such project and shall, consistent with the purposes of subsection (a), give consideration to such concerns and cooperate with such officials in resolving such concerns.

(2) The Secretary of Energy may not enter into any agreement or make any commitment under which the State of New Mexico, or any official of such State, could in effect veto such project.

(c) No law enacted after the date of the enactment of this Act shall be held, considered, or construed as amending, superseding, or otherwise modifying any provision of this section unless such law does so by specifically and explicitly amending, repealing, or superseding this section.

SEC. 214. (a) As soon as practicable and not later than February 1, 1980, the Secretary of Energy shall submit to the Congress a plan for the termination of the performance of work of the Department of Energy at the Ernest Orlando Lawrence Livermore Laboratory and at the Los Alamos Scientific Laboratory under contracts numbered W-7405-ENG-36 and W-7405-ENG-48 between the United States and the Regents of the University of California (a corporation of the State of California). Such plan shall include provisions to assure that such a termination of work would be conducted in accordance with the terms of such contracts.

(b) The Secretary of Energy shall study the types of contracts that would best provide for the continued performance of the work performed under the contracts referred to in subsection (a). The Secretary shall include in any contract proposed to replace such contracts terms to assure that—

(1) the paramount objectives and missions of such laboratories continue to be in the field of national security;

(2) the transition from management of such laboratories by the University of California to management by any new contractor will be orderly, involve a minimum of uncertainty, and provide employee rights and benefits (including rights and benefits with respect to pensions and retirement) reasonably comparable to those currently provided employees of the laboratories by the Regents of the University of California; and

(3) any new contractor may retain as many of the current management officials and employees of the laboratories as may be consistent with maintaining and fostering excellence in carrying out the functions assigned to the laboratories.

(c) (1) The Los Alamos Scientific Laboratory at Los Alamos, New Mexico, shall after the date of the enactment of this Act be known and designated as the "Los Alamos National Scientific Laboratory". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Los Alamos Scientific Laboratory shall after such date be considered to be a reference to the Los Alamos National Scientific Laboratory.

(2) The Ernest Orlando Lawrence Livermore Laboratory at Livermore, California, shall after the date of the enactment of this Act be known and designated as the "Ernest Orlando Lawrence Livermore National Laboratory". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Ernest Orlando Lawrence Livermore Laboratory shall after such date be considered to be a reference to the Ernest Orlando Lawrence Livermore National Laboratory.

(3) The Sandia Laboratories at Albuquerque, New Mexico, and Livermore, California, shall after the date of the enactment of this Act be known and designated as the "Sandia National Laboratories". Any reference in any law, map, regulation, document, record, or other paper of the United States to the Sandia Laboratories shall after such date be considered to be a reference to the Sandia National Laboratories.

The motion was agreed to. The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize appropriations for the Department of Energy for national security programs for fiscal year 1980, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 2603) was laid on the table.

□ 1120

APPOINTMENT OF CONFEREES ON S. 673

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the Senate bill, S. 673, and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. KAZEN). Is there objection to the request of the gentleman from Illinois? The Chair hears none and, without objection, appoints the following conferees: Messrs. PRICE, CHARLES H. WILSON of California, DAN DANIEL, CARR, STUMP,

BOB WILSON, Mrs. HOLT, and Mr. ROBERT W. DANIEL, JR.

There was no objection.

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENROSSMENT OF HOUSE AMENDMENTS TO S. 673

Mr. PRICE. Mr. Speaker, I ask unanimous consent that in the engrossment of the House amendments to the Senate bill, S. 673, the Clerk be authorized to make necessary technical corrections, including section numbers, punctuation and cross references, as may be necessary, to reflect the actions of the House in amending the bill, H.R. 2603.

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

There was no objection.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON S. 673 AT CERTAIN TIMES

Mr. PRICE. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. PRICE moves that, pursuant to rule XXVIII, paragraph 6. (a) of the House rules, the conference committee meetings between the House and the Senate on the Senate bill, S. 673, be closed to the public at such times as national security information is under consideration: *Provided, however*, That any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. The Chair will advise the House that this motion will require a rollcall vote.

The gentleman from Illinois (Mr. PRICE) is recognized for 1 hour.

Mr. PRICE. Mr. Speaker, I ask for a vote, and I yield back the balance of my time.

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

The previous question was ordered.

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

All those in favor of the motion will vote, "yea," those opposed will vote "nay."

The vote was taken by electronic device, and there were—yeas 325, nays 0, answered "present" 1, not voting 107, as follows:

[Roll No. 644]

YEAS—325

Abdnor	Bethune	Clay
Addabbo	Bevill	Coleman
Akaka	Blaggi	Collins, Ill.
Albosta	Bingham	Collins, Tex.
Alexander	Blanchard	Conable
Ambro	Boland	Conte
Anderson, Calif.	Boner	Conyers
Annunzio	Bonior	Corcoran
Anthony	Bouquard	Coughlin
Applegate	Brademas	Courter
Aspin	Breaux	Crane, Daniel
Atkinson	Brinkley	D'Amours
AuCoin	Brodhead	Daniel, Dan
Badham	Broomfield	Daniel, R. W.
Bafalis	Brown, Calif.	Danielson
Balley	Broyhill	Dannemeyer
Baldus	Buchanan	Daschle
Barnard	Burgener	Davis, Mich.
Barnes	Burlison	Davis, S.C.
Bauman	Burton, Phillip	DeCard
Beard, R.I.	Butler	Dellums
Beard, Tenn.	Byron	Derrick
Bellenson	Campbell	Derwinski
Benjamin	Carney	Devine
Bennett	Carr	Dickinson
Bereuter	Carter	Dingell
	Chappell	Dixon

Dodd	Kelly	Rallsback	Heftel	Mazzoli	Skelton
Donnelly	Kildee	Rangel	Holland	Mikulski	Slack
Dorman	Kindness	Ratchford	Holt	Mitchell, Md.	Snowe
Dougherty	Kogovsek	Regula	Holtzman	Murphy, Ill.	Solarz
Downey	Kostmayer	Reuss	Huckaby	Murphy, N.Y.	Spellman
Drinan	Kramer	Rinaldo	Ireland	Nedzi	Stark
Duncan, Tenn.	LaFalce	Ritter	Jenrette	Nichols	Symms
Eckhardt	Lagomarsino	Robinson	Johnson, Calif.	Nolan	Synar
Edgar	Leach, Iowa	Rodino	Jones, N.C.	Oakar	Taylor
Edwards, Calif.	Leach, La.	Roe	Jones, Okla.	Pepper	Traxler
Edwards, Okla.	Lederer	Rose	Kemp	Pickle	Treen
Emery	Lehman	Rostenkowski	Latta	Quayle	Udall
English	Leland	Roth	Leath, Tex.	Rhodes	Ullman
Erdahl	Lent	Roybal	Lee	Richmond	Waxman
Ertel	Levitas	Rudd	Livingston	Roberts	Wilson, C. H.
Evans, Del.	Lewis	Russo	Lujan	Rosenthal	Wilson, Tex.
Evans, Ind.	Lloyd	Sabo	Lungren	Rousselot	Winn
Fary	Loeffler	Santini	McCloskey	Royer	Wright
Fascell	Long, La.	Satterfield	McEwen	Runnels	Wyder
Fazio	Long, Md.	Sawyer	McKay	Schroeder	Young, Alaska
Ferraro	Lott	Scheuer	Mathis	Sebelius	Young, Fla.
Fish	Lowry	Schulze			
Fisher	Luken	Selberling			
Fithian	Lundine	Sensenbrenner			
Flippo	McClory	Shannon			
Florio	McCormack	Sharp			
Foley	McDade	Shelby			
Ford, Mich.	McDonald	Shumway			
Ford, Tenn.	McHugh	Shuster			
Forsythe	McKinney	Simon			
Fountain	Madigan	Smith, Iowa			
Fowler	Maguire	Smith, Nebr.			
Frenzel	Markey	Snyder			
Frost	Marks	Solomon			
Fuqua	Marlenee	Spence			
Gaydos	Marriott	St Germain			
Gephardt	Martin	Stack			
Gialmo	Matsui	Staggers			
Gibbons	Mattox	Stangland			
Gilman	Mavroules	Stanton			
Gingrich	Mica	Steed			
Goldwater	Michel	Stenholm			
Gonzalez	Miller, Calif.	Stewart			
Goodling	Miller, Ohio	Stockman			
Gore	Mineta	Stokes			
Gramm	Minish	Stratton			
Grassley	Mitchell, N.Y.	Studds			
Gray	Mocley	Stump			
Green	Moffett	Swift			
Grisham	Mollohan	Tauke			
Guarini	Montgomery	Thomas			
Gudger	Moore	Thompson			
Guyer	Moorhead,	Trible			
Hagedorn	Calif.	Vander Jagt			
Hall, Tex.	Moorhead, Pa.	Vanik			
Hamilton	Mottl	Vento			
Hammer	Murphy, Pa.	Volkmer			
Schmidt	Murtha	Walgren			
Hanley	Myers, Ind.	Walker			
Hansen	Myers, Pa.	Wampler			
Harkin	Natcher	Watkins			
Harsha	Neal	Weaver			
Hefner	Nelson	Weiss			
Hightower	Nowak	White			
Hillis	O'Brien	Whitehurst			
Hinson	Oberstar	Whitley			
Hollenbeck	Obey	Whittaker			
Hopkins	Ottinger	Whitten			
Horton	Panetta	Williams, Mont.			
Howard	Pashayan	Williams, Ohio			
Hubbard	Patten	Wilson, Bob			
Hughes	Patterson	Wirth			
Hutto	Paul	Wolf			
Hyde	Pense	Wolpe			
Ichord	Perkins	Wyatt			
Jacobs	Petri	Wylie			
Jeffords	Peyster	Yates			
Jeffries	Preyer	Yatron			
Jenkins	Price	Young, Mo.			
Johnson, Colo.	Pritchard	Zablocki			
Jones, Tenn.	Pursell	Zeferetti			
Kastenmeier	Quillen				
Kazen	Rahall				

NAYS—0

ANSWERED "PRESENT"—1

Van Deerlin

NOT VOTING—107

Anderson, Ill.	Cavanaugh	Edwards, Ala.
Andrews, N.C.	Cheney	Erlenborn
Andrews, N. Dak.	Chisholm	Evans, Ga.
Archer	Clausen	Fenwick
Ashbrook	Cleveland	Findley
Ashley	Clineer	Flood
Bedell	Coelho	Garcia
Boegs	Corman	Ginn
Bolling	Cotter	Glickman
Bonker	Crane, Philip	Gradison
Bowen	de la Garza	Wall, Ohio
Brooks	Dicks	Hance
Brown, Ohio	Diggs	Harris
Burton, John	Duncan, Oreg.	Hawkins
	Early	Heckler

Heftel	Mazzoli	Skelton
Holland	Mikulski	Slack
Holt	Mitchell, Md.	Snowe
Holtzman	Murphy, Ill.	Solarz
Huckaby	Murphy, N.Y.	Spellman
Ireland	Nedzi	Stark
Jenrette	Nichols	Symms
Johnson, Calif.	Nolan	Synar
Jones, N.C.	Oakar	Taylor
Jones, Okla.	Pepper	Traxler
Kemp	Pickle	Treen
Latta	Quayle	Udall
Leath, Tex.	Rhodes	Ullman
Lee	Richmond	Waxman
Livingston	Roberts	Wilson, C. H.
Lujan	Rosenthal	Wilson, Tex.
Lungren	Rousselot	Winn
McCloskey	Royer	Wright
McEwen	Runnels	Wyder
McKay	Schroeder	Young, Alaska
Mathis	Sebelius	Young, Fla.

□ 1130

So the motion was agreed to. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PRICE. 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 bill just passed and on the motion to close the conference.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON HOUSE JOINT RESOLUTION 440, FURTHER CONTINUING APPROPRIATIONS, 1980

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a report on the joint resolution (H.J. Res. 440) making further continuing appropriations for fiscal year 1980.

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

There was no objection.

MAKING IN ORDER ON TUESDAY NEXT, OR ANY DAY THEREAFTER, CONSIDERATION IN THE HOUSE, AS IN COMMITTEE OF THE WHOLE, HOUSE JOINT RESOLUTION 440, FURTHER CONTINUING APPROPRIATIONS, 1980

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday next, or any day thereafter, to consider in the House as in the Committee of the Whole the joint resolution (H.J. Res. 440) making further continuing appropriations for fiscal year 1980, and for other purposes.

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

There was no objection.

CONFERENCE REPORT ON S. 239, DOMESTIC VOLUNTEER SERVICE ACT AMENDMENTS OF 1979

Mr. PERKINS submitted the following conference report and statement on the Senate bill (S. 239) to authorize

appropriations for programs under the Domestic Volunteer Service Act of 1973, to amend such act to facilitate the improvement of programs carried out thereunder, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 96-606)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 239) to authorize appropriations for programs under the Domestic Volunteer Service Act of 1973, to amend such Act to facilitate the improvement of programs carried out thereunder, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Domestic Volunteer Service Act Amendments of 1979".

ASSIGNMENT OF VOLUNTEERS

SEC. 2. (a) Section 103(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) (hereinafter in this Act referred to as "the Act") is amended by—

(1) striking out in the second sentence "Prior to" and inserting in lieu thereof "Not later than 30 days after"; and

(2) adding at the end the following new sentence: "The Director shall offer to provide each volunteer enrolled for a period of full-time service of not less than one year under this title, and, upon the request of such volunteer, provide such volunteer with an individual and updated plan as described in the preceding two sentences."

(b) Section 103(d) of the Act is amended by—

(1) inserting "in a program or project" after "work";

(2) inserting "or project" after "program"; and

(3) striking out in the first sentence "has not" and all that follows through the end of such subsection and inserting in lieu thereof "such Governor or other chief executive officer has not, within 45 days of the date of such submission, notified the Director in writing, supported by a statement of reasons, that such Governor or other chief executive officer disapproves such program or project. In the event of a timely request in writing, supported by a statement of reasons, by the Governor or other chief executive officer of the State concerned, the Director shall terminate a program or project or the assignment of a volunteer to a program or project not later than 30 days after the date such request is received by the Director, or at such later date as is agreed upon by the Director and such Governor or other chief executive officer."

SUPPORT SERVICES

SEC. 3. The first sentence of section 105(a) (2) of the Act is amended to read as follows: "Stipends shall be payable only upon completion of a period of service, except that under such circumstances as the Director shall determine, in accordance with regulations which the Director shall prescribe, the accrued stipend, or any part of the accrued stipend, may be paid to the volunteer, or, on behalf of the volunteer, to members of the volunteer's family or others during the period of the volunteer's service."

LIMITATION ON USE OF FUNDS FOR CERTAIN GRANTS

SEC. 4. (a) Section 108 of the Act is amended by—

(1) striking out "20" and inserting in lieu thereof "16"; and

(2) adding at the end the following new sentence: "During the fiscal year ending September 30, 1980—

"(1) in no event may in excess of \$5,800,000 be used pursuant to grants and contracts under this part for the direct cost of supporting such volunteers; and

"(2) funds obligated pursuant to such grants and contracts for such cost may be used to support no greater number of years of volunteer service than the number of such years supported during the fiscal year ending September 30, 1979, pursuant to grants and contracts for such cost."

(b) Section 108 of the Act, as amended in subsection (a), is further amended by inserting "(a)" after "Sec. 108." and by adding at the end the following new subsection:

"(b) No funds shall be obligated under this part pursuant to grants or contracts made after the date of the enactment of the Domestic Volunteer Service Act Amendments of 1979 for new projects for the direct cost of supporting volunteers unless the recipient of each such grant or contract has been selected through a competitive process which includes—

"(1) public announcements of the availability of funds for such grants or contracts, general criteria for the selection of new recipients, and a description of the application process and the application review process; and

"(2) a requirement that each applicant for any such grant or contract identify, with sufficient particularity to assure that the assignments of volunteers under such grants and contracts will carry out the purpose of this part, the particular poverty or poverty-related human, social, or environmental problems on which the grant or contract will focus, and any such grant or contract shall specifically so identify such problems."

SERVICE IN UNIVERSITY YEAR FOR ACTION PROGRAMS

SEC. 5. Section 113(a) of the Act is amended by striking out "and" and inserting in lieu thereof "except that volunteers serving in the University Year for ACTION program may be enrolled for periods of service of not less than the duration of an academic year, but volunteers enrolled for less than 12 months shall not receive stipends under section 105(a)(1). Volunteers serving under this part"

SPECIAL SERVICE-LEARNING PROGRAMS

SEC. 6. Section 114(a) of the Act is amended by—

(1) striking out in the first sentence "10" and inserting in lieu thereof "22"; and

(2) striking out in the last sentence "\$6,700,000" both places it appears and inserting in lieu thereof "\$4,000,000".

SPECIAL VOLUNTEER PROGRAMS

SEC. 7. (a) Section 122(a) of the Act is amended by—

(1) inserting "in urban and rural areas" after "programs" the first place it appears;

(2) striking out "and" the first place it appears, and by inserting after "abusers" a comma and "a program of assistance to victims of domestic violence, a program to provide technical and management assistance to distressed communities, a program designed to provide personal and group financial counseling to low-income and fixed-income individuals (utilizing volunteers with specialized or technical expertise), and a Helping Hand program"; and

(3) adding at the end the following new sentence: "In carrying out programs authorized by this part, the Director is authorized to provide for the recruitment, selection, and training of volunteers."

(b) Section 122(a) of the Act, as amended in subsection (a), is further amended by inserting "(1)" after "Sec. 122. (a)" and by adding at the end the following new paragraph:

"(2) For purposes of this subsection, the term 'Helping Hand' program means a program utilizing person-to-person services to reduce the necessity for institutionalization (in hospitals, mental institutions, nursing homes, other extended-care settings, and other facilities) and to ameliorate residential isolation (through senior centers, half-way house facilities, and other residential settings) of older persons, handicapped persons, and other affected persons, stressing interactions between persons from various age groups, particularly young and old, and carried out in coordination with the appropriate State system for the protection and advocacy of the rights of persons with developmental disabilities established pursuant to section 113 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6012)."

(c) Section 122(c) of the Act is amended to read as follows:

"(c) (1) The Director, in accordance with regulations which the Director shall prescribe, may provide to volunteers enrolled for periods of part-time service of not less than 20 hours per week for not less than 26 consecutive weeks under this part such allowances, support, and services as are described in section 105(b) and as the Director determines are necessary to carry out the purpose of this part, and shall apply the provisions of sections 104(c) and 105(b) to the service of volunteers enrolled for full-time service under this part.

"(2) The Director, in accordance with regulations which the Director shall prescribe with respect to volunteers enrolled for periods of full-time service of not less than one year under this part—

"(A) may provide to such volunteers such stipends, in total amounts not in excess of stipends provided under section 105(a) to volunteers serving under part A of this title, as the Director determines are necessary to carry out the purpose of this part; and

"(B) to the extent that the terms and conditions of the service of such volunteers are of similar character to the terms and conditions of the service of volunteers enrolled under part A of this title, shall apply to the service of such volunteers enrolled under this part the provisions of sections 103(b) relating to low-income community volunteers, 103(d), 104(d), and 105(a) to the extent such provisions are applied to the service of volunteers enrolled under such part A."

(d) Not later than 18 months after funds are first made available to carry out activities under the amendments to part C of title I of the Act made by this section, the Director of the ACTION Agency shall submit to the appropriate committees of the Congress a report on programs, activities, grants, and contracts so carried out, including a description of all programs established and contracts and grants made under such amended provisions, the amounts of funds obligated for such programs, activities, grants, and contracts under such amended provisions, and the specific arrangements for the conduct of evaluations of such programs, activities, grants, and contracts pursuant to section 417 of the Act.

PROHIBITION OF USE OF FUNDS FOR CERTAIN POLITICAL OR LOBBYING ACTIVITIES

SEC. 8. (a) Section 403(a) of the Act is amended by—

(1) inserting in the first sentence "or the outcome of any election to any State or local public office," after "Federal office,"; and

(2) inserting in the last sentence "(when referring to an election for Federal office)" before "has the same meaning" the first place it appears.

(b) Section 403(b) of the Act is amended by—

(1) inserting "(1)" after "(b)";

(2) redesignating clause (1), clause (2), and clause (3) as clause (A), clause (B), and clause (C), respectively;

(3) designating the last sentence of such subsection as subsection (c); and

(4) inserting after paragraph (1) (as so redesignated in clause (1) of this subsection), and before subsection (c) (as so designated in clause (3) of this subsection), the following new paragraph:

"(2) No funds appropriated to carry out this Act shall be used by any program assisted under this Act in any activity for the purpose of influencing the passage or defeat of legislation or proposals by initiative petition, except—

"(A) in any case in which a legislative body, a committee of a legislative body, or a member of a legislative body requests any volunteer in, or employee of, such a program to draft, review, or testify regarding measures or to make representations to such legislative body, committee, or member; or

"(B) in connection with an authorization or appropriations measure directly affecting the operation of the program."

SPECIAL LIMITATIONS

SEC. 9. Section 404(g) of the Act is amended by—

(1) inserting "(1)" after "(g)";

(2) inserting before the period at the end of such paragraph (as so redesignated in clause (1) of this section) a comma and "except that this paragraph shall not apply in the case of such payments when the Director determines that the value of all such payments, adjusted to reflect the number of hours such volunteers are serving, is equivalent to or greater than the minimum wage then in effect under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) or the minimum wage, under the laws of the State where such volunteers are serving, whichever is the greater"; and

(3) adding at the end the following new paragraph:

"(2) Notwithstanding any other provision of law, a person enrolled for full-time service as a volunteer under title I of this Act who was otherwise entitled to receive assistance or services under any governmental program prior to such volunteer's enrollment shall not be denied such assistance or services because of such volunteer's failure or refusal to register for, seek, or accept employment or training during the period of such service."

COORDINATION WITH OTHER PROGRAMS

SEC. 10. Section 410 of the Act is amended by adding at the end the following new sentence: "The Director, in consultation with the Director of the Office of Personnel Management and the Secretaries of Labor, Commerce, and the Treasury and officials of other appropriate departments and agencies, shall take all appropriate steps to encourage State and local governments, charitable and service organizations, and private employers (1) to take into account experience in volunteer work in the consideration of applicants for employment; and (2) to make provisions for the listing and description of volunteer work on all employment application forms."

APPLICATION OF FEDERAL LAW

SEC. 11. (a) Section 415(b) of the Act is amended by—

(1) striking out in the first sentence "in programs under title I of this Act for periods of service of at least one year" and inserting in lieu thereof "as volunteers for periods of full-time service, or, as the Director deems appropriate in accordance with regulations, for periods of part-time service of not less than 20 hours per week for not less than 26 consecutive weeks, under title I of this Act";

(2) striking out in clause (3) "and";

(3) striking out in clause (4)(A) "the monthly pay of a volunteer shall be deemed that received under the entrance salary for a grade GS-7 employee," and inserting in lieu thereof "the annual rate of pay of a volunteer enrolled for a period of full-time service

under such title I shall be deemed to be that received under the entrance salary for a grade GS-7 employee, and the annual rate of pay of a volunteer enrolled for a period of part-time service under such title I shall be deemed to be such entry salary or an appropriate portion thereof as determined by the Director,"; and

(4) inserting before the period at the end a comma and the following: "and (5) be deemed employees of the United States for the purposes of section 5584 of title 5, United States Code (and stipends and allowances paid under this Act shall be considered as pay for such purposes)".

(b) Section 415 of the Act is amended by adding at the end the following new subsection:

"(f) (1) The remedy—

"(A) against the United States provided by sections 1346(b) and 2672 of title 28, United States Code, or

"(B) through proceedings for compensation or other benefits from the United States as provided by any other law, where the availability of such benefits precludes a remedy under section 1346(b) or 2672 of such title 28,

for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, podiatrist, optometrist, nurse, physician assistant, expanded-function dental auxiliary, pharmacist, or paramedical (for example, medical and dental technicians, nursing assistants, and therapists) or other supporting personnel in furnishing medical care or treatment while in the exercise of such person's duties as a volunteer enrolled under title I of this Act shall be exclusive of any other civil action or proceeding by reason of the same subject matter against such person (or such person's estate) whose action or omission gave rise to such claim.

"(2) The Attorney General of the United States shall defend any civil action or proceeding brought in any court against any person referred to in paragraph (1) of this subsection (or such person's estate) for any such damage or injury. Any such person against whom such civil action or proceeding is brought shall deliver, within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon such person or an attested true copy thereof to such person's immediate supervisor or to whomever is designated by the Director to receive such papers, and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought and to the Attorney General.

"(3) Upon a certification by the Attorney General that the defendant was acting in the scope of such person's volunteer assignment at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States of the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28, United States Code, and all references thereto. After removal the United States shall have available all defenses to which it would have been entitled if the action had originally been commenced against the United States. Should a district court of the United States determine on a hearing on a motion to remand held before a trial on the merits that the volunteer whose act or omission gave rise to the suit was not acting within the scope of such person's volunteer assignment, the case shall be remanded to the State court.

"(4) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, United States Code, and with the same effect."

NONDISCRIMINATION PROVISIONS

SEC. 12. (a) Section 417(a) of the Act is amended by—

(1) inserting "handicap," after "age,"; and

(2) adding at the end the following new sentence: "For purposes of this subsection, and for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (Public Law 94-135, title III; 42 U.S.C. 6101 et seq.), any program, project, or activity to which volunteers are assigned under this Act shall be deemed to be receiving Federal financial assistance."

(b) Section 417 of the Act is amended by adding at the end the following new subsection:

"(c) (1) The Director shall apply the non-discrimination policies and authorities set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16), in title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.), and in the Age Discrimination Act of 1975 (Public Law 94-135, title III; 42 U.S.C. 6101 et seq.) to applicants for enrollment for service as volunteers, and to volunteers serving, under this Act and the Peace Corps Act (22 U.S.C. 2501 et seq.). Any remedies available to individuals under such laws, other than the right of appeal to the Civil Service Commission authorized by section 717 of the Civil Rights Act of 1964, and transferred to the Equal Employment Opportunity Commission by Reorganization Plan Number 1 of 1978, shall be available to such applicants or volunteers.

"(2) Not later than 90 days after the date of the enactment of the Domestic Volunteer Service Act Amendments of 1979, the Director, after consultation with the Equal Employment Opportunity Commission with regard to the application of the policies set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16) and with the Interagency Coordinating Council, established by section 507 of the Rehabilitation Act of 1973 (29 U.S.C. 797), and the Interagency Committee on Handicapped Employees, established by section 501(a) of the Rehabilitation Act of 1973 (29 U.S.C. 791(a)), with regard to the application of the policies set forth in title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.), and, not later than 90 days after the Secretary of Health, Education, and Welfare or the Secretary of Health, and Human Resources, as the case may be, publishes final general regulations to carry out the Age Discrimination Act of 1975 (Public Law 94-135, title III; 42 U.S.C. 6101 et seq.), and after consultation with the Secretary with regard to the application of the policies set forth in such Act, shall prescribe regulations establishing the procedures for the application of such policies and the provision of such remedies so as to promote the enrollment and service of persons as volunteers without regard to the discriminatory factors described in such laws."

REQUIREMENTS FOR PRESCRIBING REGULATIONS

SEC. 13. (a) Section 420 of the Act is amended to read as follows:

"Requirements for Prescribing Regulations
"Sec. 420. (a) For purposes of this section—

"(1) the term 'regulation' means any rule, regulation, guideline, interpretation, order, or requirement of general applicability prescribed by the Director pursuant to this Act; and

"(2) the term 'Committees' means the Committee on Education and Labor of the House of Representatives and the Commit-

tee on Labor and Human Resources of the Senate.

"(b) Regulations prescribed by the Director or by any other officer of the ACTION Agency, in connection with, or affecting, the administration of any program carried out under this Act shall contain, immediately following each substantive provision of such regulations, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based.

"(c) (1) Except as provided in paragraph (2) (B) of this subsection, no proposed regulation prescribed pursuant to this Act for the administration of any program carried out under this Act may take effect until 30 calendar days after it is published in the Federal Register.

"(2) (A) During the 30-day period before the date upon which such regulation is to be effective, the Director shall, in accordance with the provisions of section 553 of title 5, United States Code, offer any interested party an opportunity to make comment upon, and take exception to, such regulation and shall reconsider any such regulation upon which comment is made or to which exception is taken.

"(B) If the Director determines that the 30-day requirement in paragraph (1) of this subsection would cause undue delay in the implementation of a regulation, thereby causing substantial hardship for the intended beneficiaries of any program carried out under this Act, the Director may waive the application of such requirement and shall immediately submit a notice of such determination and waiver, including a statement of the reasons therefor, to the Committees.

"(d) Concurrently with the publication in the Federal Register of any final regulation, a copy of such final regulation shall be transmitted to the Speaker of the House of Representatives and the President of the Senate. Except as is provided in the following sentence, no such final regulation may take effect until 45 calendar days after such transmission. If the Director determines that such 45-day requirement would cause undue delay in the implementation of the regulation, thereby causing substantial hardship for the intended beneficiaries of any program carried out under this Act, the Director may waive the application of such requirement and shall promptly submit a notice of such determination and waiver, including a statement of the reasons therefor, to the Committees.

"(e) Not later than 60 days after the date of the enactment of any Act affecting the administration of any program carried out under this Act, the Director shall submit to the Committees a schedule in accordance with which the Director has planned to prescribe final regulations implementing such Act or part of such Act. Such schedule shall provide that all such final regulations shall be prescribed not later than 180 days after the submission of such schedule. Except as is provided in the following sentence, all such final regulations shall be prescribed in accordance with such schedule. If the Director determines that, due to circumstances unforeseen at the time of the submission of any such schedule, the schedule submitted pursuant to this subsection cannot be met, the Director shall submit a notice of such determination, including a statement of the reasons therefor, to the Committees and shall submit a new schedule which shall then be considered, for the purposes of this subsection, as the schedule originally submitted in connection with the enactment of the Act involved."

(b) The table of contents for the Act is amended by striking out the item relating to section 420 and inserting in lieu thereof the following new item:

"Sec. 420. Requirements for prescribing regulations."

REDUCTION OF PAPERWORK; REVIEW OF PROJECT RENEWALS

SEC. 14. (a) Title IV of the Act is amended by adding at the end the following new sections:

"REDUCTION OF PAPERWORK

"SEC. 423. In order to reduce unnecessary, duplicative, or disruptive demands for information, the Director, in consultation with other appropriate agencies and organizations, shall continually review and evaluate all requests for information made under this Act and take such action as may be necessary to reduce the paperwork required under this Act. The Director shall request only such information as the Director deems essential to carry out the purposes and provisions of this Act.

"REVIEW OF PROJECT RENEWALS

"SEC. 424. If the executive authority of any State or local government submits to the Director, not later than 30 days before the expiration of any contract or grant to carry out any project under this Act, a statement which objects to the renewal of such contract or grant, then the Director shall (1) review such statement and take it into account in determining whether to renew such contract or grant; and (2) submit to such executive authority a written statement of reasons regarding the Director's determination with respect to such renewal and specifically with respect to any objection so submitted."

(b) The table of contents for the Act is amended by inserting after the item relating to section 422 the following new items:

"Sec. 423. Reduction of paperwork.
"Sec. 424. Review of project renewals."

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 15. (a) Section 501(a) of the Act is amended by—

(1) striking out in the first sentence "and" after "September 30, 1977," and by inserting "September 30, 1979, September 30, 1980, and September 30, 1981," after "September 30, 1978,"; and

(2) striking out in the second sentence "this title" and inserting in lieu thereof "this section for the purpose of carrying out title I of this Act".

(b) Section 501 of the Act, as amended in subsection (a), is further amended by adding at the end the following new subsection:

"(c) (1) Of the funds appropriated for each of the fiscal years 1980 and 1981 for the purpose of carrying out title I of this Act (A) not less than \$28,000,000 shall first be available for carrying out the VISTA program under part A of such title, and (B) of the funds appropriated for each such fiscal year for the purpose of carrying out such title which are in excess of \$28,000,000 (i) not less than \$2,300,000 for fiscal year 1980 and not less than \$1,600,000 for fiscal year 1981 shall be available for carrying out the University Year for ACTION program under part B of such title, and (ii) not less than \$500,000 for each such fiscal year shall be available for carrying out service-learning programs under section 114.

"(2) Of the funds appropriated for each of the fiscal years 1980 and 1981 for the purpose of carrying out part C of title I of this Act which are in excess of \$2,500,000 but not in excess of \$10,000,000, not less than 50 per centum for each such fiscal year shall be available for carrying out the fixed-income counseling and Helping Hand programs under section 122."

(c) Section 504 of the Act is amended by striking out "and" after "September 30, 1977," and by inserting "September 30, 1979, September 30, 1980, and September 30, 1981," after "September 30, 1978,".

RURAL PROGRAMS REPORT

SEC. 16. Not later than February 1, 1980, the Director of the ACTION Agency shall submit to the appropriate committees of the Congress a report specifying the special needs and circumstances to be addressed in designing programs under the Domestic Volunteer Service Act of 1973 for implementation in rural areas. Such report shall include a detailed statement of the manner in which the Director intends to address such needs and circumstances, together with a timetable for designing and implementing such programs.

AMENDMENT TO OTHER LAW

SEC. 17. Subsection (b) of section 5 of the Act entitled "An Act to amend further the Peace Corps Act, and for other purposes", approved November 14, 1975 (Public Law 94-130; 89 Stat. 684), is amended by striking out the last sentence of such subsection.

TECHNICAL AMENDMENTS

SEC. 18. (a) (1) The table of contents for the Act is amended by striking out the items relating to title III, section 301, section 302, and section 503.

(2) Section 418 of the Act is amended by striking out "titles II and III" and inserting in lieu thereof "title II".

(b) Section 221 of the Act is amended by striking out "Office of Economic Opportunity" and inserting in lieu thereof "Community Services Administration".

(c) (1) Section 403(c) of the Act, as so designated in section 8(b) (3) of this Act, is amended by striking out "Civil Service Commission" and inserting in lieu thereof "Office of Personnel Management".

(2) Section 415(c) (2) of the Act is amended by striking out "Civil Service Commission" and inserting in lieu thereof "Office of Personnel Management".

And the House agree to the same.

That the House recede from its amendment to the title of the bill.

CARL D. PERKINS,
PAUL SIMON,
JOHN BRADEMANS,
EDWARD P. BEARD,
GEO. MILLER,
AUGUSTUS F. HAWKINS,
MARIO BIAGGI,
EDWARD J. STACK,
ARLEN ERDAHL,

Managers on the Part of the House.

HARRISON A. WILLIAMS, Jr.,
ALAN CRANSTON,
GAYLORD NELSON,
DON RIEGLE,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 239) to authorize appropriations for programs under the Domestic Volunteer Service Act of 1973, to amend such Act to facilitate the improvement of programs carried out thereunder, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The provisions of the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made

necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

CAREER DEVELOPMENT PLAN FOR VISTA VOLUNTEERS

Time when provided

Both the Senate bill and the House amendment provide that the post-service career development plan required by existing law for all low-income VISTA volunteers be provided within 30 days after the volunteer's assignment, rather than, as at present, prior to such assignment.

The conference agreement includes this provision.

Provision to other volunteers

The Senate bill requires the Director to offer and provide, upon request, such a career development plan to any other VISTA volunteer enrolled in a program under title I for a period of full-time service of one year or more.

The House amendment does not contain a comparable provision.

The House recedes.

ASSIGNMENT OF VISTA VOLUNTEERS AND TERMINATION AND RENEWAL OF PROJECTS

The Senate bill adds the following requirements to the provision in existing law regarding the disapproval by a Governor or other chief executive officer of a State of the assignment of VISTA volunteers: (1) that such a disapproval of a proposed project by the chief executive officer must be made in writing within 45 days after submission of notice to him, supported by a statement of reasons for the disapproval, and (2) that the Director shall terminate an ongoing project or program, or the assignment of a particular volunteer, not later than 30 days after a request to do so is made, in writing supported by a statement of reasons, by the chief executive officer, or at such later date as is agreed upon by the Director and the official.

The House amendment provides for disapproval of VISTA projects and termination of volunteers at the request of local officials, and adds a new section prohibiting the Director from renewing any contract or grant to carry out any project under the Act if the chief executive officer of the State involved does not concur in such renewal, and providing that if any mayor or other local authority objects to a renewal the Director take this objection into account in deciding whether to renew the project.

The conference agreement includes the Senate provision relating to assignment of VISTA volunteers and a new section 424 relating to all programs carried out under the Act which provides that if the executive authority of any local or State government submits to the Director, not later than 30 days before the expiration of any contract or grant, a statement objecting to the renewal of such contract or grant, the Director shall review such statement and take it into account in determining whether to renew such contract or grant and shall submit to such executive authority a written statement of reasons regarding the Director's determination with specific references to any objection so submitted.

VISTA VOLUNTEER STIPENDS

Both the Senate bill and the House amendment provide that accrued stipends may be payable during the period of a volunteer's service, in accordance with regulations prescribed by the Director.

The conference agreement includes this provision.

VISTA GRANTS AND CONTRACTS

The House amendment reduces from 20 percent to 15 percent the limitation in existing law on obligation of title I, part A (VISTA), funds for grants and contracts under section 402(12).

The Senate bill provides for a ceiling of \$5,800,000 for fiscal year 1980 for such purpose and that in no case shall funds obligated in fiscal year 1980 support a greater number of volunteer service years than during fiscal year 1979. In addition, the Senate bill requires that the recipients of any new VISTA project administered through such a grant or contract be selected through a competitive process which shall include (1) public announcement and (2) a requirement that each applicant and any resultant grant or contract clearly identify the poverty problems on which the project will focus.

The conference agreement includes both provisions, but raises the percentage in the House amendment from 15 percent to 16 percent to be consistent with the effects of the restrictions in the Senate bill.

SERVICE IN UNIVERSITY YEAR FOR ACTION PROGRAMS

The House amendment provides that volunteers serving in University Year for ACTION (UYA) programs may be enrolled for periods of service of not less than the duration of an academic year, rather than the existing law requirement of a full year.

The Senate bill does not contain a comparable provision.

The Senate recedes with an amendment providing that volunteers so enrolled for less than 12 months may not receive stipends under section 105(a)(1). The conferees believe that the practice of enrolling students for a full-year commitment with the expectation that they will resign after nine months should be discontinued and that any UYA contract or grant should provide that, except in extraordinary circumstances, academic credit should be reduced for those students who make a full-year commitment, receive stipends in connection therewith, and then resign early.

SERVICE-LEARNING PROGRAMS

The House amendment (1) authorizes the Director to establish a national office for service-learning to provide technical assistance and financial support for the assignment of non-UYA title I, part B, volunteers in service-learning programs, and (2) expands the Director's authority to provide support and allowances to title I, part B, volunteers beyond the authority in existing law to provide support other than living allowances only in unusual or special circumstances.

The Senate bill does not contain a comparable provision.

The House recedes.

SPECIAL VOLUNTEER PROGRAMS

Rural programing

The Senate bill adds emphasis on development of discretionary and demonstration projects in rural as well as urban areas.

The House amendment does not contain a comparable provision.

The House recedes.

Specific demonstration programs

Both the Senate bill and the House amendment add, as examples of special volunteer or demonstration programs, programs providing for financial and consumer counseling for low- and fixed-income persons, and a program to reduce the necessity of institutionalization and ameliorate residential isolation of older, handicapped, and other similarly isolated persons (called "Helping Hand" in the Senate bill).

The Senate bill, but not the House amendment, adds programs of assistance to domestic violence victims. The House amendment, but not the Senate bill, adds programs to provide technical and management assistance and to provide volunteers and neighborhood organizations with materials, tools, supplies, and administrative support to carry out community betterment projects.

The House recedes with an amendment adding programs to provide technical and

management assistance to distressed communities. It is the intention of the conferees that the conditions set forth in the new part D which would have been added to title I by S. 239 as introduced and by H.R. 2859 as reported be applied to the carrying out of any urban volunteer activities that would have been authorized by that new part.

Recruitment, selection, and training of special volunteers

The Senate bill restates and clarifies the authority in existing law for the Director to provide for the recruitment, selection, and training of volunteers for programs authorized by title I, part C.

The House amendment does not contain a comparable provision.

The House recedes.

Support for and conditions of service of part-time, short-term volunteers

Both the Senate bill and the House amendment authorize the Director to provide support for part-time, short-term volunteers and clarify the status of full-time title I, part C, volunteers. The Senate bill, but not the House amendment, provides that full-time volunteers enrolled for periods of 1 year or more shall be subject to the provisions of section 103(d) relating to veto by the Chief Executive officer of a State.

The House recedes.

Report on programs established

The Senate bill requires a report to the appropriate committees of Congress, not later than 18 months after funds are first made available after the date of enactment of this legislation, on the programs, activities, grants, and contracts made, and the specific arrangements for the evaluations of such programs, activities, grants, and contracts.

The House amendment does not contain a comparable provision.

The House recedes.

POLITICAL ACTIVITIES

State and local elections

The Senate bill adds a prohibition on the use of funds to finance, directly or indirectly, any activity designed to influence the outcome of any election to "State or local", as well as (at present) Federal, office.

The House amendment does not contain a comparable provision.

The House recedes with a technical amendment.

Lobbying

The Senate bill amends section 403(a) to add to the prohibitions there a prohibition on the use of ACTION Agency funds or programs for the purpose of financing any activity designed to influence a member of a State or local legislative body on any legislative or appropriation measure, with the proviso that this shall not prevent communication with or provision of information to any such member by a part-time volunteer when not serving as a volunteer or, at the request of such member, committee, or legislative body, by any full-time volunteer.

The House amendment amends section 403(b) to (1) provide that programs assisted under the Act may not be carried out "in any manner for the purpose of providing assistance for" any of the activities prohibited in section 403(b) rather than the provision in existing law which prohibits the carrying out of those activities "in a manner supporting or resulting in the identification of such programs" with the prohibited activities, and (2) add a prohibition on programs furnishing any assistance in connection with partisan or non-partisan attempts to influence the passage or defeat of any Federal, State, or local legislation, referenda or other ballot initiatives, or any rulemaking or regulatory action.

The conference agreement provides that no funds appropriated to carry out this Act shall be used by any program for activities for the purpose of influencing the passage or defeat of legislation or proposals by initiative petition, and clarifies that this anti-lobbying provision does not preclude (1) communications where a legislative body, a committee of a legislative body, or a member of a legislative body requests any volunteer in, or employee of, such a program to draft, review, or testify regarding measures or to make representations to such legislative body, committee, or member, or (2) in connection with an authorization or appropriation measure directly affecting the activities of the program. It is the intention of the conferees that "measure directly affecting the activities of the program" not be interpreted to be limited solely to a measure affecting the ACTION-Agency-funded portion of a particular program's activities, but rather be interpreted to mean any measure affecting the existence or basic structure or operation of the program.

RECEIPT OF ASSISTANCE OR SERVICES UNDER OTHER FEDERAL PROGRAMS

Clarification of status of low-income VISTA volunteers

Both the Senate bill and the House amendment provide that full-time volunteers under title I otherwise entitled to receive assistance under Federal Government programs before their enrollment shall not be denied assistance because of a failure to seek or accept employment or training during periods of volunteer service.

The conference agreement contains this provision.

Effective date

The House amendment establishes an effective date of October 1, 1979 for the provision.

The Senate bill does not contain a comparable provision.

The House recedes.

Limitation on income-disregard provisions

The Senate bill adds an exception to the income-disregard provisions in existing law to limit the application of that provision to volunteer payments with a value of less than the Federal minimum wage.

The House amendment does not contain a comparable provision.

The House recedes with an amendment providing that the income-disregard provisions shall continue to apply as long as the Director determines that the value of such payments does not exceed the State's minimum wage if higher than the Federal.

VOLUNTEER EXPERIENCE

Both the Senate bill and the House amendment provide for the Director, in consultation with the heads of other departments and agencies, to take appropriate steps to encourage employers to take into account experience in volunteer work in the consideration of applicants for employment and in preparing employment application forms. The Senate bill, but not the House amendment, specifically includes consultation with the Director of the Office of Personnel Management and the Secretaries of Labor, Commerce, and the Treasury.

The House recedes.

REGIONAL DISTRIBUTION

The Senate bill provides that benefits and services under the Act be distributed equitably among the various regions of the country in addition to the requirement in existing law for equitable distribution between residents of rural and urban areas.

The House amendment does not contain a comparable provision.

The Senate recedes.

APPLICATION OF OTHER FEDERAL LAWS

Volunteers covered

The House amendment provides that, in addition to the full-time volunteers presently deemed to be Federal employees for the purposes of the Hatch Act, the Internal Revenue Code of 1954, title II of the Social Security Act, the Federal Tort Claims Act, and the Federal Employee's Compensation Act, all other full-time volunteers who serve 8 weeks and part-time volunteers enrolled for at least 20 hours per week for 26 or more consecutive weeks shall also be deemed Federal employees as the Director determines appropriate for the purposes of these Acts.

The Senate bill provides for the same coverage but does not limit coverage of full-time volunteers in terms of the length of their service.

The House recedes.

Levels of compensation

Both the Senate bill and the House amendment provide that, for the purpose of treating volunteers as Federal employees for the purposes of the Federal Employee's Compensation Act, the annual rate of pay for a full-time volunteer shall be deemed to be the entry salary for a GS-7 employee.

The Senate bill provides that the annual rate of pay for a part-time volunteer shall be deemed to be the entry salary for a GS-7 or an appropriate portion thereof as determined by the Director. The House amendment provides that the annual rate of pay for a part-time volunteer shall be deemed to be the entry salary for a GS-2.

The House recedes.

Application of Federal Tort Claims Act

Both the Senate bill and the House amendment, with technical differences, add a new provision to the Act to make the Federal Tort Claims Act the sole available remedy of an individual claiming medical malpractice as a result of actions by a volunteer serving in a health-care capacity. The House amendment, but not the Senate bill, applies the new provision to only full-time volunteers.

The House recedes.

NONDISCRIMINATION PROVISIONS

Both the Senate bill and the House amendment expand the various nondiscrimination provisions in existing law to cover volunteer applicants and volunteers serving in ACTION Agency programs under title I of the Act, and provide for a remedy process. The Senate bill, but not the House amendment, extends coverage to all volunteer applicants and volunteers serving in ACTION Agency programs. The Senate bill requires the Director, in preparing the handicapped discrimination regulations, to consult with the Rehabilitation Act title V Interagency Coordinating Council, whereas the House amendment specifies such consultation with the Secretary of Health, Education, and Welfare.

The House recedes.

LEGISLATIVE VETO AND REPORTING REQUIREMENTS

The House amendment adds a provision including the requirements of section 431 of the General Education Provisions Act (20 U.S.C. 1232), relating to the Congressional review and veto of regulations, with two differences: (1) section 420(a)(1) adds that any regulation, as defined, prescribed by the Director shall not have the standing of a Federal statute and (2) section 431(f) of the General Education Provisions Act is not included.

The Senate bill does not have a comparable provision.

The Senate recedes with a substitute amendment requiring the publication in the Federal Register of regulations prescribed under the Domestic Volunteer Service Act of 1973, submission of such proposed regulations

to the Education and Labor Committee of the House of Representatives and the Labor and Human Resources Committee of the Senate, delaying the effective date of regulations until 30 days after publication in the Federal Register (and final regulations until 45 days after submitted to such Committees) unless the Director waives such requirement on the basis of a determination (and so notifies the Committees) that such delay would cause substantial hardship for the intended beneficiaries of a program, requiring the Director to submit to those Committees, not later than 60 days after the date of the enactment of any part of any Act affecting the administration of any program under the Domestic Volunteer Service Act of 1973, a timetable for promulgation of all regulations implementing such former Act or part of such Act which timetable shall provide that all final regulations be prescribed within 180 days after submission of the schedule, unless the Director determines that, due to circumstances unforeseen at the time of submission of such a schedule, the schedule submitted cannot be met, and providing that, under such circumstances, the Director need not comply with the original schedule but rather shall submit a notice of such determination, including a statement of reasons, to the Committees along with a new schedule which shall be considered as the schedule originally submitted, thereby beginning anew the submission-of-schedule process.

REDUCTION OF PAPERWORK

Both the Senate bill and the House amendment provide for the Director to take such action as may be necessary to reduce paperwork under the Act. The House amendment, but not the Senate bill, makes references to chapter 35 of title 44, United States Code, relating to coordination of Federal reporting services.

The House recedes. It is the expectation of the conferees that the Director will adhere to the provisions of 44 U.S.C. 3501 *et seq.*, relating to the coordination of Federal reporting services, in carrying out this provision.

AUTHORIZATION OF APPROPRIATIONS

Title I

The Senate bill authorizes the appropriation of such sums as may be necessary under section 501 for title I programs for fiscal years 1979, 1980, and 1981.

The House amendment authorizes the appropriation for this purpose of \$42,413,000 for fiscal year 1980 and such sums as may be necessary for fiscal year 1981.

The House recedes.

Poverty earmark in title I

The Senate bill strikes out \$29,600,000 and inserts in lieu thereof 80 percent as the minimum amount of appropriated funds to be expended on title I programs designed to eliminate poverty and poverty-related problems.

The House amendment does not contain a comparable provision.

The Senate recedes.

VISTA earmark

The Senate bill strikes out a provision referring to a minimum amount of funds (\$22,300,000) to be expended on programs authorized under part A of title I and strikes out the requirement that funds appropriated in excess of \$37,600,000 be allocated so as to provide for a commensurate increase in the funds available for part A.

The House amendment does not contain a comparable provision.

The Senate recedes.

Earmark of title I, part B, funds

The Senate bill (1) allows up to 13 percent of the first \$4,000,000 in title I, part B, appropriations to be used for programs other

than UYA, rather than not more than 10 percent of the first \$6,700,000 as in present law, and (2) notwithstanding that limitation, allows for one-third of the first \$1,000,000 appropriated for part B programs to be used for continuation of programs, other than UYA, of demonstrated effectiveness.

The House amendment eliminates the existing 10-percent limitation and provides (1) that not less than \$873,000 (the amount of the Administration fiscal year 1980 budget request) shall be available for the operation of service-learning programs under section 114 for each of fiscal years 1980 and 1981 and (2) that not less than \$3,200,000 shall be available for UYA programs for fiscal year 1980 and not less than \$2,200,000 for fiscal year 1981.

The conference agreement provides that (1) up to 22 percent of part B appropriations may be used for programs other than UYA and (2) of the funds appropriated for each of fiscal years 1980 and 1981 for carrying out title I not less than \$28,000,000 shall first be available for the purpose of carrying out part A of the title, and, of the funds appropriated in excess of \$28,000,000, not less than \$2,300,000 and \$1,600,000 in the two fiscal years, respectively, shall be available for the operation of UYA in each such year, and not less than \$500,000 in each such year shall be available for the operation of other service-learning programs.

Earmark of title I, part C, funds

The Senate bill requires that not less than 50 percent of title I, part C, funds exceeding the fiscal year 1979 level of appropriations shall be used to carry out the fixed-income counseling and "Helping Hand" programs.

The House amendment does not contain a comparable provision.

The House recedes with a substitute amendment providing that not less than 50 percent of the funds appropriated for title I, part C, in fiscal years 1980 and 1981 in excess of \$2,500,000 but not more than \$10,000,000 shall be used to carry out the fixed-income counseling and "Helping Hand" programs.

Title III

The Senate bill authorizes the appropriation of such sums as may be necessary for fiscal year 1979 for title III programs now reauthorized in the Small Business Act as a result of P.L. 95-510.

The House amendment does not contain a comparable provision.

The Senate recedes.

Title IV

The Senate bill authorizes the appropriation of such sums as may be necessary for title IV—Program Administration—for fiscal years 1979 and 1980. The House amendment authorizes such appropriations for fiscal years 1980 and 1981.

The conference agreement authorizes the appropriation of such sums as may be necessary for title IV for fiscal years 1979, 1980, and 1981.

REPORT ON RURAL PROGRAMING

Both the Senate bill and the House amendment provide for the Director of the ACTION Agency to report to Congressional Committees on special needs and circumstances to be addressed in designing programs under the Act in rural areas. The House amendment, but not the Senate bill, specifies that the report be submitted only to the authorizing Committees and spells out the content of the report in more detail.

The conference agreement incorporates the Senate provision with the House description of the report contents.

STIPEND INCREASES FOR FULL-TIME VOLUNTEERS

Both the Senate bill and the House amendment amend section 5(b) of Public Law 94-130 (the 1975 Peace Corps Act Amendments)

by striking out the last sentence thereof in order to permit appropriations for the increase in the stipend for full-time volunteers to \$75 per month, as authorized in that law, without specifically providing for the increase in any appropriations Act.

The conference agreement contains this provision.

REHABILITATION AMENDMENTS

The Senate bill authorizes the Commissioner of Rehabilitation Services to continue funding until December 31, 1980, from funds appropriated under section 100(b)(2) of the Rehabilitation Act of 1973 (P.L. 93-112). This amendment addresses a situation which arose when the statutory authorities under which such entities were receiving grants were struck by certain provisions of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978 (P.L. 95-602).

The House amendment does not contain a comparable provision.

The Senate recedes.

LIMITATION ON CONTRACTS AND PAYMENTS

The House amendment provides that the Director may enter into contracts or make payments under the Act only to the extent or in such amounts as are provided in appropriations Acts.

The Senate bill does not contain a comparable provision.

The House recedes.

COMMISSION ON VOLUNTEERISM

The Senate bill authorizes the establishment of a Commission on Volunteerism.

The House amendment does not contain a comparable provision.

The Senate recedes.

TITLE OF THE BILL

The House recedes from its amendment to the title of the bill.

CARL D. PERKINS,
PAUL SIMON,
JOHN BRADEMANS,
EDWARD P. BEARD,
GEO. MILLER,
AUGUSTUS F. HAWKINS,
MARIO BIAGGI,
EDWARD J. STACK,
ARLEN ERDAHL,

Managers on the Part of the House.

HARRISON A. WILLIAMS, Jr.,
ALAN CRANSTON,
GAYLORD NELSON,
DON RIEGLE,

Managers on the Part of the Senate.

CSCE COMMISSION ISSUES REPORT ON DOMESTIC COMPLIANCE

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

Mr. BUCHANAN. Mr. Speaker, yesterday, the Commission on Security and Cooperation in Europe issued a report on U.S. compliance with the provisions of the Helsinki Final Act. The result of extensive staff research, public hearings, and the assistance of U.S. Government agencies and departments, this is the first comprehensive review by any CSCE signatory of its own compliance record. In preparing this report, the CSCE Commission has taken note not only of criticism from domestic groups, but also from the media and from other CSCE signatory states such as the Soviet Union and Eastern Europe.

Issued some 4 years after the signing of the Helsinki accords, the report is a thorough examination of U.S. compli-

ance in such areas as human rights—including the status of women and minority groups, economic and scientific cooperation with nonmarket countries, and the free flow of people and ideas between East and West. Although there are certainly some areas in which improvement is needed, the report finds that, overall, the United States has taken its Helsinki obligations seriously and is in general compliance with the Final Act.

The aim of the report is twofold: To encourage better implementation by the United States, and to stimulate other Helsinki signatories to undertake similar serious assessments of their own compliance records. Such assessments of domestic performance—in tandem with thorough examinations of the records of all the Helsinki partners—are essential elements in any meaningful CSCE review meeting, the next of which will take place in Madrid in 1980.

□ 1140

MAKING IN ORDER ON TODAY CONSIDERATION OF CONFERENCE REPORT ON H.R. 4930, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1980

Mr. YATES. Mr. Speaker, I ask unanimous consent that it may be in order later today to call up the conference report on the bill, H.R. 4930, making appropriations for the Department of the Interior and related agencies.

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

PARLIAMENTARY INQUIRY

Mr. BAUMAN. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. BAUMAN) reserves the right to object.

Mr. BAUMAN. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BAUMAN. Mr. Speaker, if this permission is granted, any proper points of order would lie against the conference report later today if it is called up; is that correct?

The SPEAKER pro tempore. This is correct, except for the 3-day rule.

Mr. BAUMAN. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

HELSINKI COMMISSION RELEASES REPORT ON U.S. COMPLIANCE WITH HELSINKI FINAL ACT

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

Mr. FASCELL. Mr. Speaker, I am pleased to announce the release of the Commission on Security and Cooperation in Europe's comprehensive report

on U.S. compliance with the provisions of the Helsinki Final Act. The report, entitled "Fulfilling Our Promises: The United States and the Helsinki Final Act," was formally adopted by the Commission yesterday and released to the press today. It is the first review by any CSCE signatory of its own compliance record which takes into account criticism from other Helsinki states as well as from domestic observers.

While the Commission believes that the U.S. record of implementation has been second to none among the 35 signatory countries, as this report illustrates, our work is not complete. The Final Act pledges us to strive constantly for improvement both in the achievement of civil, political, economic, and social rights as well as in the expansion of our cooperation with other CSCE states. Other signatories will better understand the depth of our concern for the full realization of the Helsinki promises if we demonstrate that we are working hard at home to fulfill our side of the bargain.

Many of my colleagues in the Congress have made valuable contributions to the work of the Commission and have assisted us in our efforts to encourage compliance by all the signatories. I am sure that this latest report, which will be distributed to Members of both the House and the Senate within the next few weeks, will be of great interest to my colleagues.

GENERAL LEAVE

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 2335.

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

There was no objection.

SOLAR POWER SATELLITE RESEARCH, DEVELOPMENT, AND EVALUATION PROGRAM ACT OF 1979

Mr. FUQUA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2335) to provide for a research, development, and evaluation program to determine the feasibility of collecting in space solar energy to be transmitted to Earth and to generate electricity for domestic purposes.

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

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

Mr. SEIBERLING. 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 311, nays 13, not voting 109, as follows:

[Roll No. 645]

YEAS—311

Abdnor	Fisher	Mica
Addabbo	Fithian	Michel
Akaka	Flippo	Miller, Calif.
Albosta	Florio	Miller, Ohio
Anderson	Foley	Mineta
Anderson, Calif.	Ford, Mich.	Minish
Andrews, N.C.	Ford, Tenn.	Mitchell, N.Y.
Annunzio	Fountain	Moakley
Anthony	Fowler	Moffett
Ashley	Frenzel	Mollohan
Aspin	Frost	Montgomery
Atkinson	Fuqua	Moore
AuCoin	Gaydos	Moorhead, Calif.
Bedham	Gephardt	Moorhead, Pa.
Bafalis	Gibbons	Mottl
Balley	Gilman	Murphy, Pa.
Baldus	Gingrich	Murtha
Barnes	Goldwater	Murphy, Pa.
Bauman	Gonzalez	Myers, Ind.
Beard, R.I.	Goodling	Myers, Pa.
Beard, Tenn.	Gore	Natcher
Bedell	Gramm	Neal
Bellenson	Grassley	Nelson
Bennett	Gray	Nowak
Bereuter	Green	O'Brien
Bethune	Grisham	Oberstar
Bevill	Guarini	Obey
Biaggi	Gudger	Ottinger
Bingham	Guy	Panetta
Blanchard	Hagedorn	Pashayan
Boner	Hall, Ohio	Patten
Bonior	Hall, Tex.	Patterson
Bouquard	Hamilton	Patterson
Brademas	Hammer-	Pease
Breaux	schmidt	Perkins
Brinkley	Hanley	Petri
Brodhead	Hansen	Peyster
Broomfield	Harkin	Preyer
Broyhill	Harris	Price
Buchanan	Hefner	Pritchard
Burgener	Hightower	Pursell
Burison	Hillis	Quillen
Burton, Phillip	Hinson	Rallsback
Butler	Hollenbeck	Rangel
Byron	Hopkins	Ratchford
Campbell	Horton	Regula
Carney	Howard	Reuss
Carr	Hubbard	Rinaldo
Carter	Hughes	Ritter
Chappell	Hutto	Robinson
Chisholm	Hyde	Rodino
Clay	Ichord	Roe
Coleman	Ireland	Rose
Collins, Ill.	Jacobs	Rostenkowski
Collins, Tex.	Jeffords	Roth
Conte	Jeffries	Roybal
Conyers	Jenkins	Rudd
Corcoran	Johnson, Colo.	Russo
Coughlin	Jones, Tenn.	Sabo
Courter	Kastenmeier	Santini
Crane, Daniel	Kazen	Sawyer
D'Amours	Kelly	Scheuer
Daniel, Dan	Kildee	Schulze
Daniel, R. W.	Kogovsek	Sensenbrenner
Danielson	Kostmayer	Shannon
Dannemeyer	Kramer	Sharp
Daschle	LaFalce	Shelby
Davis, Mich.	Lagomarsino	Shumway
Davis, S.C.	Latta	Shuster
Dellums	Leach, Iowa	Simon
Derrick	Leach, La.	Slack
Derwinski	Lederer	Smith, Iowa
Devine	Lehman	Smith, Nebr.
Dickinson	Leland	Snyder
Dixon	Lent	Solarz
Dodd	Levitas	Solomon
Donnelly	Lewis	Spence
Dornan	Loeffler	St Germain
Dougherty	Long, La.	Stack
Downey	Long, Md.	Staggers
Drinan	Lot	Stangeland
Duncan, Tenn.	Lowry	Stanton
Eckhardt	Lundine	Steed
Edwards, Calif.	McClary	Stenholm
Edwards, Okla.	McCormack	Stewart
Emery	McDade	Stockman
English	McHugh	Stokes
Erdahl	McKinney	Stratton
Ertel	Madigan	Studds
Evans, Del.	Maguire	Stump
Evans, Ind.	Marks	Swift
Fary	Marlenee	Tauke
Fascell	Marriott	Thomas
Fazio	Martin	Thompson
Ferraro	Matsui	Traxler
Fish	Mattox	Trible
	Mavroules	Van Deerlin
		Vander Jagt

Vanik	Whitehurst	Wyatt
Vento	Whitley	Wylie
Volkmmer	Whittaker	Yates
Walgren	Whitten	Yatron
Walker	Williams, Ohio	Young, Mo.
Wampler	Wirth	Zablocki
Watkins	Wolf	Zerfetti
White	Wolpe	

NAYS—13

Conable	Luken	Weaver
Deckard	McDonald	Weiss
Edgar	Paul	Wilson, Bob
Kindness	Rahall	
Lloyd	Seiberling	

NOT VOTING—109

Alexander	Findley	Nedzi
Ambro	Flood	Nichols
Anderson, Ill.	Forsythe	Nolan
Andrews, N. Dak.	Garcia	Oakar
Applegate	Gialmo	Pepper
Archer	Ginn	Pickle
Ashbrook	Glickman	Quayle
Barnard	Gradison	Rhodes
Boggs	Hance	Richmond
Boland	Harsha	Roberts
Bolling	Hawkins	Rosenthal
Bonker	Hackler	Rouselot
Bowen	Heftel	Royer
Brooks	Holland	Runnels
Brown, Calif.	Holt	Satterfield
Brown, Ohio	Holtzman	Schroeder
Burton, John	Huckaby	Sebelius
Cavanaugh	Jenrette	Skelton
Cheney	Johnson, Calif.	Snowe
Clausen	Jones, N.C.	Spellman
Cleveland	Jones, Okla.	Stark
Clinger	Kemp	Symms
Coelho	Leath, Tex.	Synar
Corman	Lee	Taylor
Cotter	Livingston	Treen
Crane, Philip	Lujan	Udall
de la Garza	Lungren	Ullman
Dicks	McCloskey	Waxman
Diggs	McEwen	Williams, Mont.
Dingell	McKay	Wilson, C. H.
Duncan, Oreg.	Markey	Wilson, Tex.
Early	Mathis	Winn
Edwards, Ala.	Mazlo	Wright
Erlenborn	Mikulski	Wyder
Evans, Ga.	Mitchell, Md.	Young, Alaska
Fenwick	Murphy, Ill.	Young, Fla.
	Murphy, N.Y.	

□ 1150

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

So the motion was agreed to.

The result of the vote was announced as above recorded.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2335, with Mr. HIGHTOWER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Florida (Mr. FUQUA) will be recognized for 30 minutes, and the gentleman from California (Mr. DORNAN) will be recognized for 30 minutes.

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

Mr. FUQUA. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in support of H.R. 2335, the Solar Power Satellite Research, Development, and Evaluation Program Act of 1979. This bill is similar to H.R. 12505 which passed the House in the 95th Congress, however there is less emphasis on the demonstration aspects in the current bill. The Subcommittee on Space Science and Applications held 3 days of hearings on H.R. 2335 in March 1979. Testimony was taken from engineering societies, environmental groups, cognizant Federal agencies, and industry. Dur-

ing previous hearings the witnesses included representatives of the scientific community with expertise in environmental areas such as long-term, low-level exposure to microwave energy; effects of microwave energy transmission through the ionosphere; and effects of large scale launch operations on the atmosphere.

There currently exists a joint Department of Energy/NASA solar power satellite program which involves mostly paper studies on systems definition, environmental issues, and economics. These studies are based on existing information and involve no new research or experimentation.

However, testimony at these hearings confirmed that the technical, environmental, economic, and other issues cannot be resolved without an adequate technology verification program. Studies to date have not identified any barriers with regard to technical feasibility. Although solar power satellites represent a large engineering endeavor, I am told by a number of respected scientists and engineers that there are no scientific breakthroughs required.

Additional experimental research and technology development is needed to resolve issues, such as effects of long-term, low level exposure to microwave energy; effects of microwave energy transmission through the ionosphere; and effects of large scale launch operations on the atmosphere.

As reflected by the bill, there is no attempt at this time to commit the Nation to construction of full-scale commercial solar power satellites. The thrust of this bill is to formally establish a program office within the Department of Energy; to assign roles to both DOE and NASA; to require a comprehensive program plan which identifies the basic elements of the program, establishes a program schedule, and identify a series of decision points to evaluate further program commitments; and finally the bill would authorize \$25 million for the program in fiscal year 1980.

Mr. Chairman, conservation, rapid development of known and new fossil fuel deposits, and refinement of nuclear fission reactors will play dominant roles in meeting the needs for primary energy for the remainder of this century. Inevitably, however, mankind must turn to new sources, preferably nondepletable sources, for much of his energy. Material resources, such as natural gas, will eventually prove to be of more value for the products they yield than for use as fuel. The search of nondepletable energy sources of sufficient potential contribution is therefore of vital importance to avoiding long-range energy shortages. For example, nuclear fusion research is progressing in the scientific laboratories of the world. The difficult plasma-confinement problems may eventually be resolved sufficiently to permit large-scale replication on Earth of the fusion process which drives the Sun.

Direct engineering application of the solar energy potential is beginning, with major emphasis upon low-temperature heating of water and air, and lesser emphasis upon the more difficult and larger challenge of supplying a part of the in-

dustrial energy supply. Tax credits, mass production, distribution economics, and rising fuels prices should increase these uses of solar systems for domestic and light-commercial space conditioning and thus permit this source to make a modest but important contribution to the total energy supply in the near future. The conversion of solar energy into baseload electricity at centralized generating plants will also be necessary if solar energy is to support the energy density of our industrial structure.

If the solar energy systems are to capture a significant portion of the investment in new electrical power generation capacity, the power generation concept should fulfill several criteria:

Provide nonintermittent, baseload power;

Provide power at costs which are competitive with alternative sources;

Be nonregional in its geographical availability and cost; and

Be environmentally acceptable.

One of the options for transforming solar energy into electricity is the subject of this bill. This concept employs space satellites to collect and transfer solar energy to Earth. The concept has been under evaluation at a very low level of effort for several years and now appears, from this limited body of information, to hold promise of meeting all four of the criteria cited.

The solar power satellite is an opportunity for the application of the space technology and engineering competence of the United States toward a partial solution to the imminent shortage of primary energy. The elements of the SPS are logical extensions of the photovoltaic cell development program and of our space capabilities. Significant advances in knowledge of the component efficiencies, costs, and weights and of environmental effects may be obtained within the next few years by an aggressive program of analysis and technology development.

Solar power satellite concept may well be one important ingredient in the future energy systems mix and may help to minimize economic dislocations. It needs to be accelerated to insure that the energy potential of the Sun may be applied to drive our industrial complex as well as to provide warmth for our buildings. Current programs are making progress in understanding of the SPS, but much more rapid progress is both possible and desirable.

Mr. Chairman, in summary I want to again state that the thrust of the bill is to provide for a technology verification program which will attempt to resolve the technical, environmental, economic, and institutional issues. I want to emphasize that there is no commitment to the construction of a demonstration solar power satellite. In addition the bill provides for an annual review of the program progress and resolution of issues.

In reporting the bill, the Committee on Science and Technology adopted two language amendments:

First. In section 4(b)(2), the committee acted to broaden the types of terrestrial alternatives to be considered in comparative assessments; and

Second. The committee added a new

section 5(1)(D) to direct the Department of Energy to coordinate, and when appropriate, contract with the Environmental Protection Agency and other agencies for environmental, safety, and institutional studies.

Prior to concluding my statement Mr. Chairman, I would like to point out to the Members two typographical errors in the report No. 96-151 accompanying the bill. On page 9 under sectional analysis of section 1, the title should read "Solar Power Satellite Research, Development, and Evaluation Program Act of 1979." On page 10 of the report under cost and budget data, line 3 of that paragraph should read "program in the amount of \$25,000,000 for fiscal year 1980." The year dates referred to in both page citations were incorrect.

Mr. Chairman, I congratulate the gentleman from Alabama (Mr. FLIPPO) in his foresight in introducing this legislation. I would also like to recognize the gentleman from New York (Mr. WYDLER) and the gentleman from Kansas (Mr. WINN) for their efforts in guiding this legislation through committee.

H.R. 2335 deserves the support of this body as we search for a solution to future energy supplies and I urge its passage.

□ 1200

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

Mr. Chairman, it is a pleasure for me to rise in support of H.R. 2335, the Solar Power Satellite Research, Development, and Evaluation Act of 1979. I want to thank the committee chairman, the gentleman from Florida (Mr. FUQUA) for his spirited and aggressive support for this excellent legislation and also to the gentleman from Alabama (Mr. FLIPPO) for his vision and his leadership in introducing it, the minority on the Committee on Science and Technology, including the gentleman from New York (Mr. WYDLER) and the gentleman from Kansas (Mr. WINN). I might add that the gentleman from New York (Mr. WYDLER) had pressing business in his district. Everyone in this Chamber knows how seriously committed he is to this bill. So also the gentleman from Kansas (Mr. WINN) has pressing business at the United Nations, and there is no more important focus than that, given the tragedy in Iran going on at this time.

This should lead no one to think that the gentleman from Kansas (Mr. WINN) is not forcefully behind this bill also. They are both strongly aligned, and it was an honor that they would ask me to sit in their stead as the chairman on this bill on our minority side.

As our colleagues will recall, a similar piece of legislation was passed in this body during the 95th Congress with overwhelming support, 267 to 96. As a result of the hearings which were conducted a year ago, plus the additional hearings conducted this year, I feel confident that we have objectively reviewed both perspectives and the merits of this bill.

The Space Science and Applications Subcommittee, of which I am a member, has received testimony from econo-

mists, physicists, environmentalists, citizens groups of all kinds, professional societies, and industry. We have heard views that vary from strong support to absolute total opposition. The result of hearing these views is reflected in the legislation. The way in which this is reflected is quite unique in that it does not allow either extremity of the positions to dominate. Obviously, the strong advocates of this concept would like total commitment to build a demonstration satellite.

However, it is far too early, as the gentleman from Florida (Mr. FURQUA) has pointed out. The design is too premature for such a total commitment. On the other hand, opponents would like to destroy this project before it even gets started. This is equally as irrational because of the vast energy potential that it holds. Instead of fostering either of these proposals, this legislation is designed to provide a logical and objective step-by-step method for evaluating the advantages and the disadvantages as the concept matures. This is accomplished by explicitly stating that passage of H.R. 2335 does not in any way commit this nation to build a demonstration satellite. It is clearly stated that this is a separate decision point.

The bill further states that it will be the responsibility of the Department of Energy and NASA—and here I use an exact quotation—"to identify a series of decision points within the program to evaluate the major technological achievements and uncertainties and to justify a further program commitment." I submit to my colleagues that this is powerful language. This means that this program is being formulated in such a way that each progressive step of commitment can be thoroughly debated, and if the program cannot stand on its own merits, then it will and should die.

This is an important and necessary aspect of the legislation but, in my opinion, it is certainly not the most important view. The most significant aspect is that this legislation represents an aggressive mood toward assuming our role of technological leadership.

□ 1210

This Nation has a technological expertise which is second to none. Yet everyday we read headlines about burgeoning trade deficits and growing dependence upon foreign energy sources. This should make any red-blooded American man or woman fume to see a Nation that originated phrases like "Yankee ingenuity"—and that phrase was used and respected all over the world particularly during and after World War I—or phrases like "Damn the torpedoes, full speed ahead," and here we slink off like a cowering dog from this area of high technology. It is time we face reality.

Our Nation is no stronger than our economy and our economy is no stronger than our technology.

In a recent Washington Post article entitled "A Prod to Productivity," the author made the following statement, short but powerful. He said:

Our country is at a cross-roads in economic policy. We can try to solve our in-

flation problem by restricting economic growth to avoid demand pressures or we can be bold and look to expand and develop high technology industries.

I wholeheartedly agree with that Post clear observation. It is time we face the facts. High technology is one of the most valuable resources we have available to us in our Nation. We must turn to this resource if we expect to solve the problems of energy dependence, trade deficits, and environmental pollution. It is time we displayed some of the courage and leadership that has been our heritage. We need to face these problems squarely and to bring to bear our best tools to solve them.

Mr. Chairman, this legislation demonstrates exactly that type of leadership. This concept may seem overly bold to a few but that should not be a reason for the rest of us to turn our backs on it. If that logic were used against my own State of California we would never have grown out there to be the sixth largest governmental entity on the face of the Earth with an economy to match. The aspect we should be concentrating on is the potential this bill provides for the development of a nondepletable energy resource, an energy source that could conceivably provide an unlimited supply of baseload electrical power to operate our factories and, yes, our homes, not only in our Nation but throughout the world.

Mr. Chairman, we must realize that the only way we are going to heal our economic problems is to guarantee our future energy supplies and as long as we are dependent upon foreign sources, that is never going to happen. We can conserve and we should, we must, but that does not contribute at all to the long-term future of the energy supply.

Mr. Chairman, this is good legislation. This is solid legislation. The program establishes a position of leadership in an exciting area of high technology. Let us get on with it.

Mr. Chairman, I again commend the leadership on the majority side of this futuristic and visionary committee upon whom I am proud to serve. I encourage my colleagues to give their support wholeheartedly to H.R. 2335 and let us have an even bigger vote of support than we had last year.

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

Mr. DORNAN. I yield gladly to the distinguished gentleman from Ohio.

Mr. SEIBERLING. It certainly would not surprise me, coming from the district the gentleman represents, that he would support this program because it is going to be an incredible subsidy to the aerospace industry. But the amount of money that would be spent on the project envisioned here, which is in the range of a trillion dollars, would be enough money to give every single home in this country a solar-energy installation that would make this whole thing unnecessary.

Mr. Chairman, it seems to me this is a very serious misallocation of resources and in this particular bill it is, too, because there is already \$16 million in the works that is paying for a study, and we

should wait until that study is completed before we authorized another \$25 million for another study.

Mr. Chairman, I suggest while it might benefit the district of the gentleman from California (Mr. DORNAN), that it would be a waste of money of the United States as a whole.

Mr. DORNAN. The distinguished gentleman has made an important point about cost and the care we should use in respect for the taxpayers' money these days, particularly since this body before I came here and since I have been here along with the other body has studied some things to death. However, I can stand here, open-faced, before God, this body and the distinguished gentleman and tell him I do not know to a dollar if this will benefit my district or not.

Mr. Chairman, I know I represent an aerospace district and I would be surprised if some of the action here did not have something for my district but when I joined and asked to be on the Subcommittee on Space Science and Applications of the Committee on Science and Technology, I did it with the same spirit of vision that motivates the ranking members on the majority side. I repeat, I honestly do not know if \$1 will go to the great 27th District of California.

Mr. SEIBERLING. Mr. Chairman, if it did not, I would be very surprised.

Mr. DORNAN. I might be, too.

Mr. FURQUA. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. WOLPE), a member of the committee.

Mr. WOLPE. Mr. Chairman, I rise in reluctant opposition to the bill before us, reluctant because it is always difficult to oppose my chairman, the gentleman from Florida.

It has been a privilege to serve on the gentleman's committee and there is no one in the House for whom I have deeper respect. Likewise, I have only the warmest feelings for the chief sponsor of the legislation, the gentleman from Alabama, who is one of the most valuable members of the committee and with whom I have enjoyed working this year. However, Mr. Chairman, I must strongly oppose this bill because in my judgment it is simply bad public policy. It makes no sense for the American taxpayer, it makes no sense in terms of energy policy, it makes no sense in terms of the technology assessment of this project that is already under way at the direction of the Congress, the findings of which will be submitted to the Congress by the middle of next year.

Mr. Chairman, I think it is important in the beginning that we understand the ultimate concept of the satellite power system as envisioned by its proponents.

Let me briefly describe what is involved. What the proponents of the satellite power system are proposing is to put into space 60 satellites, each 55 square miles in size—the size of Manhattan—covered with photovoltaic cells. These must be built in space some 22,000 miles from Earth. To put into space the construction materials and the personnel would require something in the neigh-

borhood of 15,000 rocket launches over a 30-year period. That is a launch a day for 30 years. It would require the development of a rocket that is 5 times larger than our largest existing rocket, the Saturn rocket. Once constructed in space, the photovoltaic cells on the satellites would convert sunlight into electricity, the electricity into microwaves, which would then be beamed to Earth to receiving antennas, each of which would require approximately 74 square miles of land. The microwaves would be reconverted to electricity and then transmitted over thousands of miles of high-voltage transmission lines to population centers. That, briefly, is the concept.

Mr. Chairman, what about the question of ultimate cost? DOE/NASA and aerospace industry studies show that the construction of the entire solar powered satellite system as I have described it would cost between \$500 billion and \$800 billion. Those conservative figures. The lowest figures that have come out in the course of the studies have been in the \$500 billion range. Other estimates go into the trillions of dollars.

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

Mr. WOLPE. I would be pleased to yield to the chairman.

Mr. FUQUA. Mr. Chairman, the gentleman is making a statement but I do not think it is related to this bill. This bill does not authorize figures in the neighborhood the gentleman is referring to.

Mr. WOLPE. The gentleman is quite correct and I will be glad to address that point in just a moment.

Just to put the first satellite in place, Mr. Chairman, under the program envisioned by the proponents, would cost between \$60 billion and \$80 billion in Federal research and development money. To put that in perspective, that amounts to over 15 times the total Department of Energy fiscal year 1980 research and development budget. All of this would be happening at a time when we are talking about fiscal restraint and the need to curtail wasteful Federal spending.

Mr. Chairman, what do we get in the end, given the concept I have just described? Can we justify beginning the development of a project—and I concur with my chairman that we are talking about the beginning of that development in this bill not its completion—which has a projected ultimate cost of at least \$500 billion to \$800 billion, when this technology is expected to provide no more than 10 percent of our Nation's energy needs by the year 2025?

Mr. Chairman, not only does this technology represent a potentially tremendous drain on the National Treasury and on limited capital resources, but the prospective investment of such an enormous sum on one energy source threatens to dangerously distort our national energy research and development priorities.

Mr. Chairman, we have been told we ought to attend to what is happening in Iran today and to the importation of oil and our dependence on that oil. The strongest reason to be opposed to this legislation is that we need to be taking

measures that will address that dependence on oil today. I would like to emphasize that this technology cannot make a sizable contribution to the Nation's energy needs until well into the next century. If the dollars go into this project they will not be available to encourage the development of a wide range of more immediately available, and less costly alternative energy technologies to address the urgent problem of our dependence on imported petroleum.

Now, Mr. Chairman, I want to address the point that was raised directly by the chairman of my committee. We are told this bill will not commit us to the entire solar power satellite project. We are told it is only a modest \$25 million as a research effort. One of the central issues in the committee debate on the bill was the effort I made to eliminate any reference to the word, and concept, of development in the bill.

Mr. DORNAN. Mr. Chairman, I yield the gentleman 2 additional minutes.

□ 1220

Mr. WOLPE. Mr. Chairman, the effort to delete the concept of development from the legislation was strongly and unfortunately, in my judgment, successfully resisted by the bill's sponsors.

I submit that this bill is, in fact, the first step in an effort to commit us to the premature development of the entire solar power satellite concept.

Let me quote from a letter that I received from the National Taxpayer's Union, which has come out in strong opposition to the bill:

Once we buy the hardware connected with this research, and have people working on it, we will find the valve to the Federal Treasury permanently stuck in the "open" position.

I submit that once the "foot is in the door," it will be extremely difficult to close again. Every development dollar spent this year will yield that much greater political and economic pressure for increased spending in following years.

All of that begs the point that right now we have in place a Department of Energy and National Aeronautics and Space Administration study—for which \$16 million has been already appropriated—the initial recommendations of which are to be presented to this Congress in the middle of next year. This bill is an attempt to move this highly questionable technology into the development stage prior to the completion of the feasibility study that was mandated by the Congress.

This DOE/NASA study is examining the various technological, economic, societal, and environmental questions relating to satellite power station development.

We are told that there are many questions that cannot be answered, and that is correct; but the reason the Congress has commissioned the initial preliminary study is to determine whether we ought to be pursuing a further direction and, moreover, in what direction that research should be focused, if any.

To pass this legislation before the release of that study—while the jury is still out, and fundamental questions remain to be answered—would preempt

this fiscally sound technology assessment process which the Congress itself has created.

The passage of this bill will increase pressure to continue the development of the SPS concept, regardless of the outcome of the DOE/NASA study. I strongly urge my colleagues to oppose this attempt to prematurely develop this costly and highly questionable technology.

Mr. FUQUA. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. OTTINGER), who is also a member of the committee.

Mr. OTTINGER. Mr. Chairman, I thank my chairman for yielding the time and I would echo the sentiments of the gentleman from Michigan. I have the highest regard for our chairman, the gentleman from Florida (Mr. FUQUA). It is only with great reluctance that I oppose the gentleman and it is because I very genuinely do disagree with him on this issue.

I would also like to acknowledge the really able work that has been done on this bill by the gentleman from Alabama (Mr. FLIPPO). The gentleman has pursued this very sincerely and very diligently for over a period of years now, and very ably. We just do not agree with respect to the advantages of the pace at which this project is being pursued.

I think that the so-called paper studies that are being conducted are proper to try and ascertain whether or not it would be advantageous for us to proceed further with this kind of a project and to be able to get much harder figures than we have at the present time with respect to its ultimate cost.

Indeed, in the hearings I indicated that I would support this bill if the money authorized would be confined to just further feasibility studies or studies on some of the very severe environmental problems that are likely to result from this technology if we ever put up a solar power satellite—as an example, microwave studies that would be useful to the Government, regardless of whether we proceeded with the solar power satellite—but the sponsors of the legislation were unwilling to make that limitation. They took out the word "demonstration" from the bill and said there is no intent here to demonstrate the technology; but they put in instead the words "technology verification."

I read from the report. Mr. Frosch, who is head of NASA, was asked what this technology verification amounted to and he said, "I can't really tell you."

The report says that the purpose of this bill is to augment the paper studies being conducted by the Department of Energy and NASA with a technology verification program. It says that the present studies are focused on establishing the overall feasibility of the solar power satellite concept through system definition studies and environment and socioeconomic evaluations so that development program directions can be defined, and I support that.

It says further:

These studies are based on existing and projected information. Technology verification and technology advancement for the solar power satellite systems definition, en-

environmental assessment, and socioeconomic assessment will require laboratory investigations, terrestrial testing, limited space experiments and continuing in-depth evaluation of environmental effects. . . .

And so forth.

Then the report says that the ground-based technology verification program that would be included in this extra \$25 million, includes "energy conversion, materials, structures, electrical systems, radio frequency systems, flight control, space transportation, space construction operations," and so forth, and so what we are doing here is going far beyond merely studying the feasibility of this. We are getting into this technological verification area, which is going to involve procurement of materials, involve a certain amount of space testing and space experiments. It is going to involve construction, and what you are going to get is a vast increase in the commitment to this kind of a program. Once you get thousands of people who are working on this, you begin to get vested interests and it is very hard to stop.

Now, I fear that the National Taxpayer's Union, from which the gentleman from Michigan quoted, is right, that the real push from this comes from the aerospace industry and its desire to continue its operations at Federal expense.

The Taxpayer's Union letter says:

H.R. 2335 comes at a time of a slowdown in space programs and that industry has been desperately seeking new wells to slake its thirst. We will be irretrievably committed to gargantuan Federal expenditures in the future. For once we buy the hardware connected with this research and have people working on it, we will find the valve to the Federal Treasury permanently stuck in the "open" position.

Mr. Chairman, I genuinely urge that this \$25 million addition is going to get us too committed and we should not proceed with it at this time.

What we are getting committed to if we pass this bill and proceed with the project would be the largest Federal commitment in the history of our Government. We would contemplate a Federal R. & D. commitment of \$40, to \$80 billion and eventual costs of \$500 billion to \$2.5 trillion to put the system into operation. The capital required would drain the country of capital needed for other uses including alternate energy options. The environmental problems are horrendous. Other communications and defense problems are also serious and unresolved.

To make a major commitment now to proceed, in advance of completion of the feasibility studies this summer, would be unwarranted and unwise.

I urge defeat of the bill.

Mr. DORNAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. HOLLENBECK).

Mr. HOLLENBECK. Mr. Chairman, I rise in support of the solar power satellite legislation, H.R. 2335. The Nation's so-called energy policy has lacked emphasis on the energy producing aspects

for some time. This legislation will provide another step toward emphasizing the energy producing capability by embarking on a program that could conceivably provide a significant portion of our baseload electrical power requirements. Power that can be used to operate our factories, and run the dishwashers, and televisions in our homes.

The logical question to ask is why do we need this legislation now? The answer of course is obvious—we cannot afford to allow this Nation to become more and more dependent upon foreign energy sources. Every year we delay to develop our own environmentally acceptable energy supply contributes 1 more year to the ever increasing problem of international trade deficits. We cannot continue to turn our backs on this problem. We must face this problem squarely. This Nation possesses the most powerful technological enterprise in the world. This unique capability must be applied to resolving this problem.

Solar power satellites epitomize the utilization of high technology. Technology brought to bear not only to generate baseload electrical power, but produce to it in an environmentally and socially acceptable manner. The draftees of H.R. 2335 recognized the myriad of environmental and social problems which face a concept such as SPS and have addressed those concerns with reason and logic.

It is imperative that this body recognize this and does not fall into the trap of thinking passage of this legislation will mean acceptance of an enormous Government pork barrel. This Congress will have an opportunity to judge the merits of this program each and every year.

I urge my colleagues to support this bill, H.R. 2335.

Mr. FUQUA. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Ohio (Mr. PEASE), also a member of the committee.

Mr. PEASE. Mr. Chairman, I rise also in reluctant opposition because of my loyalties to my committee and to my chairman and to my friend, the gentleman from Alabama.

Mr. Chairman, as a member of the House Science and Technology Committee which reported H.R. 2335, the Solar Power Satellite Research and Development Act, I signed the dissenting views in the committee report because of my conviction that the \$25 million that the bill authorizes for fiscal year 1980 for a study of the satellite is an unconscionable waste of Federal money. In addition, the implementation of a solar power satellite is premised on a pie-in-the-sky expectation of the development of extraordinary technology. It would not only be unbelievably expensive, but the concept reaches science fiction proportion in its conception.

Although H.R. 2335 calls for \$25 million this year to conduct a study of the solar power satellite by the Department of Energy and the National Aeronautics and Space Administration, the lowest

estimate of total costs involved in implementing a full-scale system is \$500 billion. Other estimates range to over \$2.5 trillion.

Our major consideration today should be what is the best use of our Federal money to develop solar energy as a cost-effective alternative to oil, gas, and coal? How can we generate the most solar energy for the lowest cost? The Congress had already embarked on a very prudent decisionmaking course when it authorized the Department of Energy 2 years ago to assess the environmental, cost and societal aspects of the SPS and to compare it with alternative methods of generating energy. This study is expected to be reported to Congress in June 1980. At that time we will have a common basis of definitions and cost figures with which to determine the next logical steps in researching and developing the solar power satellite.

To approve H.R. 2335 today, without waiting for the results of the 3-year study we have already commissioned, renders our previous decision meaningless. Not only that, but we have already paid \$16 million to study the concept of SPS including an appropriation of \$5.5 million this year for operating expenses and for capital equipment for the study. Now supporters of the SPS would urge you to add \$25 million for this year to bring the grand total to approximately \$41 million. I cannot approve this waste of Federal dollars at a time when the Congress has had so much trouble setting spending priorities for this fiscal year because of the effects of inflation on our economy.

To center the debate on this legislation on the merits of a solar power satellite compared to other energy forms or to a terrestrial solar installation is putting the cart before the horse. The 3-year study will be available in June, and at that point Congress will have information to debate the next logical step in researching and developing this proposal.

Next-to-nothing is now known about the cost/benefit ratio of SPS or the effects of microwave exposure on humans. Thus, it is pointless to compare SPS to other systems at this time or to offer this proposal to a desperate nation as a solution to all our energy problems. For example, it is my understanding that comparative studies between SPS and terrestrial solar projects will be included in the findings of the present study.

An important and significant difference between H.R. 2335 and the current study is the inclusion of the word "development" in this bill. We are all aware that once development is underway—once equipment is purchased and people are hired—it is going to be exceedingly difficult to turn off the Federal funding spigot. We will then be asked to approve the Government expenditure of \$60 to \$80 billion that is estimated to be necessary to put up the first experimental satellite. I ask you to compare this \$60 to \$80 billion figure to the total amount the Federal Government spends today on energy research and development which is by contrast, an anemic \$4½

billion. The politics of this proposal, as we are all aware, are that the more money there is in the pipeline, the more difficult it is to reverse the decision.

The administration is opposed to this bill because it is unnecessary at this time in light of the presence of the current study. H.R. 2335 would be a totally premature commitment on our part.

It is also interesting to note that the cost of photovoltaic cells, that are crucial to both SPS and the terrestrial solar installations, is expected to be diminishing over the next 30 years. This is interesting because the lower the cost of these cells, the lower will be the cost of land-based solar systems. On the other hand, the cost of photovoltaic cells for SPS is quite small in relation to its total financial expenditures. Therefore, any argument for SPS couched in economic terms will become less attractive in the coming years.

I am a long-standing proponent of prompt and widespread development of solar energy. The positive features of solar energy are obvious and numerous. However, the SPS is taking a simple and benign solution and exaggerating it into exotic and possibly health-threatening technology. This program is a creature of the space industry—it is predicated on the development of satellites that are 12 miles long and 6 miles wide—to be constructed in space. These satellites will have to be built on space platforms with an estimated 400 people working in space or possibly, as some scientists have suggested, on the Moon. It will be necessary to build rockets that are five times the size of our largest existing Saturn rocket. It is estimated the launch vehicle will cost \$10 billion just to develop—we are talking about a fantastically large enterprise and I ask you once again to consider whether these astronomical costs and this science fiction variety technology is the most efficient and most cost-effective method of fulfilling man's centuries-old dream of harnessing the energy of the Sun.

To decide how we can most wisely and efficiently go about the development of solar energy is a challenge before each of us here today. A thoughtful seeker of solutions to the problems posed by our dependence on foreign sources of energy can only conclude that approval of H.R. 2335 is premature and without justification at this time.

□ 1230

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

Mr. PEASE. I am happy to yield to my friend, the gentleman from Alabama.

Mr. FLIPPO. Mr. Chairman, the gentleman is using dollar figures. He has not told us the source of his cost estimates. It is awfully hard for us to talk about dollar cost figures when unsubstantiated figures are presented.

Would the gentleman offer us some idea about the source of his figures?

Mr. PEASE. Mr. Chairman, I rely for my information on my good friend, the gentleman from Michigan (Mr. WOLPE).

Mr. FLIPPO. Mr. Chairman, I thank the gentleman very much.

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

Mr. PEASE. I am happy to yield to my friend, the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, the gentleman from Michigan (Mr. WOLPE) and I have, along with the gentleman from Alabama (Mr. FLIPPO), done an extensive investigation as to what the real research and development costs are, and I think the facts of the matter are that there are no real costs at this point.

There is a JPL study that estimated \$60 billion to \$80 billion. The sponsors of the project estimated \$40 to \$80 billion. We have had an OMB study, and they have indicated those figures are perhaps too low, and that it would cost \$70 billion to \$80 billion just for research.

The gentleman from Alabama will undoubtedly quote a letter he just received from Donald Beattie, of NASA, indicating the costs in the JPL study are very much outdated. I think that is probably true. We talked to Mr. Beattie this morning, and he confirmed to me that he thinks those JPL studies are out of date, "but," he said, "I can't tell you what the real costs are—the range of \$40 to \$80 billion is probably still correct."

The fact is that this will be an enormously expensive project and we will not have firmer figures until the study commissioned by DOE and NASA is complete.

Mr. DORNAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, I rise in support of the Solar Power Satellite Research, Development and Evaluation Program Act of 1979. This bill provides for a research, development and evaluation program to determine the feasibility of collecting in space solar energy to be transmitted to Earth. It allows the Department of Energy and NASA to carry out needed research and development activities to consider the technical, environmental and socioeconomic issues regarding the viability of the solar power satellite concept.

There is no question that we must examine the feasibility of developing all practical, renewable energy sources if we are to satisfy our future energy demands. I have long been an advocate and strong supporter of our Federal programs to help us tap the great potential offered by the Sun. Collection of solar energy in space is one such option, and offers us a potentially attractive method that deserves further consideration.

I believe that we would be remiss if we did not further study the solar power satellite concept. Solar power satellites may one day prove to be a cost-efficient way of solving our future energy problems. Mr. Chairman, I do not think that any of my colleagues would disagree with the fact that there are still numerous and important questions—environmental, safety, health—that have to be resolved before we can proceed with the actual construction of a solar satellite.

However, I believe that we must now try to answer these questions. While solar

power satellites represent a huge financial undertaking by any standard, I would like to point out that H.R. 2335 only authorizes \$25 million to determine if we should pursue this particular application of solar energy. It does not commit us to any imprudent, huge expenditure of funds at this time, but only calls for the formulation of a national program plan to determine the feasibility of solar power satellites. Today, we are not embarking on any long range commitment. Should we ever decide to build these satellites on a huge scale, it will only be after a detailed evaluation of their economics, and after it is clear that they would be more cost effective than other ways to generate electricity.

H.R. 2335 reaffirms our willingness to examine the merits of all possible energy sources. Today we are limited to paper studies. This bill allows us to investigate in more detail an energy source of unlimited potential. The solar power satellite program shows enough promise to warrant further consideration now. These satellites may one day prove to be a viable alternative to the construction of additional conventional central generating plants, fossil or nuclear.

Part of our energy dilemma today is our late start in developing alternative sources. Let us not repeat this mistake, but rather have the vision to look decades into the future.

Mr. FUQUA. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from Alabama (Mr. FLIPPO), the prime sponsor of the bill and one Member who has worked very hard on this bill. I will not take up the time of the committee too long, but I do want to commend the gentleman from Alabama (Mr. FLIPPO) personally for the dedication and hard work he has done in spearheading this effort and bringing this bill to the floor.

Mr. FLIPPO. Mr. Chairman, I thank the chairman of the committee.

Mr. Chairman, the recent history of our Nation in dealing with energy is replete with missed opportunities. For more than 40 years the Congress and the executive branch have been trying to develop programs and policies that would reduce our dependence on oil and increase our use of our vast coal resources and other energy alternatives.

We have, on a number of past occasions, started down the road toward a viable synfuels program, or a conservation program or other energy research and development programs only to turn back before reaching our goal. At times we simply caved in to powerful groups protecting their own special interests. At other times, we foolishly stopped because the search for an energy alternative seemed to be too costly, unnecessary, or environmentally unsound. We are now at the point where this Nation can ill afford to cast aside a potential source of energy.

The short-term outlook for energy is bleak. The OPEC nations are increasing the price of oil with impunity. The OPEC pricing decisions are based on their own peculiar political and economic reasons. The spot price of oil has recently reached \$48 per barrel.

Sheikh Yamani of Saudi Arabia re-

cently stated that we would probably not have any gasoline lines in the United States in 1980. This sounds like good news until you consider the underlying assumptions of this forecast. The oil minister's prediction of no shortages in 1980 is predicated on no disturbances in the Middle East and the adoption of strong conservation measures in this country.

The sheikh went on to predict serious spot shortages of oil in the United States in 1981 and 1982. In 1982 these shortages will be chronic, deep, and of long duration.

We are in this deplorable position of costly dependence on foreign suppliers because we have failed to seize the opportunities offered to us in the past to develop energy alternatives. We are now in the position of paying more for less, jeopardizing our national economy and security simply because we failed to reject specious arguments of those who opposed new energy initiatives in the past.

The long-term outlook for energy is not much better. We are now taking the steps necessary to improve our energy situation over the next 20 years. We are just beginning now, this session, to create the programs and invest the funds necessary to help us develop synfuels and other alternative sources that will come on stream soon.

We are not, however, giving enough attention to the energy needs we will have after the turn of the century. This Nation is pursuing one long-term option—nuclear fusion—but, not with the vigor and financial support necessary to insure that it will be available when needed.

The only other long-term option now in view is the solar power satellite. It is time we moved ahead on this program so that we will have an opportunity to make a wise decision on the use of solar power satellites as a means to provide a clean and inexhaustible supply of energy. The current paper studies are inadequate to provide us with the necessary information to make an intelligent decision about the role of SPS in meeting our future needs. Current energy policies provide only short-term answers to long-range problems.

It is a great risk for our Nation to continue to depend on nuclear technology, shrinking supplies of expensive fossil fuels and undependable foreign sources of oil without having a viable alternative source of energy. We must begin to control our own destiny by using our immense scientific and technological capabilities to develop long-range solutions. SPS is one option which shows great promise. But, here we are today, listening to individuals who want to block the basic research necessary to fully and adequately investigate this energy alternative. Their arguments are based on exaggerated cost and erroneous environmental consideration. These arguments sound like excerpts from CONGRESSIONAL RECORDS of the 1940's and 1950's with sinister conspiracies lurking behind any attempt to explore something new or investigate something different.

Then, just as here today, opponents of nontraditional energy research and development posed similar arguments against progress, new concepts, and the future. That old maxim is still relevant today—"Those who fail to read history are doomed to repeat it."

The arguments of the opponents of this bill remind me of the statement Dr. Vannevar Bush said in December 1945 about the possibility of developing intercontinental missiles. Dr. Bush said:

I say, technically, I don't think anyone in the world knows how to do such a thing, and I feel confident that it will not be done for a very long period of time to come . . . I think we can leave that out of our thinking. I wish the American public would leave that out of their thinking.

I urge you to reject the negative views of the few who want to delay or stop research on this important energy concept. This Nation cannot afford the luxury of stopping research on any energy option, particularly one which shows such great promise as a means to plug into the vast energy resource, the Sun. A vote for H.R. 2335 is not a vote for an expensive new space program. It would not be a mandate for an expensive demonstration unit. A vote for H.R. 2335 simply would be a vote for a ground-based exploratory research and technical verification. It would be a vote for additional research on a promising source of energy. I urge your support.

□ 1240

Mr. DORNAN. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, I think it is ironic to hear some of my colleagues, such as the gentleman from Michigan (Mr. WOLPE), the gentleman from New York (Mr. OTTINGER), and, certainly, the gentleman from Ohio (Mr. SEIBERLING), stand up here and speak against solar energy, when year after year they were standing in the well doing just the opposite. It is difficult for me to understand their complete opposition to another solar program here which has the possibility, certainly as much possibility, as such programs as wind energy that is being funded to the tune of \$43 million just this year and especially in relationship to the cost/benefit ratio.

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

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

Mr. OTTINGER. I thank the gentleman for yielding.

Mr. Chairman, one of our real concerns is that this is a question of the space industry trying to jump on the bandwagon of solar's popularity. They are going to use up all of the capital that would be available for development of terrestrial solar energy, as well as the capital that is needed for all kinds of other purposes in this country. If the estimates are anywhere near in the ballpark, putting up such a system would cost, say, more than \$1 trillion. That is an astronomical sum of money, and I think it would prevent us from going ahead with the sound solar energy programs which the gentleman has very

strongly supported and which I have very strongly supported.

Mr. GOLDWATER. Mr. Chairman, I will point out to my colleagues that NASA is very much involved in the whole energy picture. They are running our complete engine program. They are very much involved in the wind program and other energy sources. But nevertheless, I recall sitting with my friends back in 1974, when the solar budget was less than several million dollars, and today it is close to \$1 billion, and certainly the gentleman and others were a driving force behind building this budget up to \$1 billion to investigate, to research, and develop solar energy. So I am just kind of amused to find that now, all of a sudden, they are reversing themselves and they are appearing to be opponents of solar energy. I am not sure where the rationale really stands.

I think, Mr. Chairman, that this is a good program and it is certainly worthwhile exploring it. I think there is a question of the level of spending. So far we have spent about \$20 million since 1977 exploring this solar power satellite concept. I am curious as to what this money is going to be spent for. I am always curious, from the standpoint of solar energy, that we are not going too fast and, in essence, wasting money. I would be hopeful that if in fact this bill is accepted and it becomes law that the committee will follow up with a great deal of oversight to make sure that this money is being spent wisely and not just as another employment bill. I think the solar power satellite certainly has potential. Any potential I think we should be exploring with basic research and development. But nevertheless, I think just throwing money at some of these programs is not going to bring us any closer to a solution.

Mr. Chairman, I will support this bill, even though I perhaps have some reservations as to the amounts of money. I have no reservation over the program itself. I would only be hopeful that the members of the committee who are following this, such as the gentleman from Alabama (Mr. FLIPPO), and others, will watch it very carefully to make sure we are in fact getting our money's worth.

In addition to that, Mr. Chairman, I think a viable question is, from here, what happens in 1981 and 1982? What are the funding levels projected and what are the projects envisioned? We have not heard any dissertation or clarification of this, and I am wondering if my colleague, the gentleman from California, can shed any light on what it is we are going to be doing with this money and what do we see projected for the future.

Mr. DORNAN. If the gentleman will yield, Mr. Chairman, I am glad the gentleman asked the question. As the gentleman has already pointed out, in a period of our Federal history when every single tax dollar is important, total honesty and sunshine in every piece of legislation is beneficial, and that is the way to get the proper support of the American people.

What I have liked about this program from the beginning is that no one on

either side of the aisle has ever said that it would not be expensive. Next year's projection will be somewhere in the neighborhood of \$25 million, the following year, \$50 million, then \$75 million, and \$75 million, and \$45 million. That is a 5-year program totaling \$270 million. However, the important aspect here is that all the way along in this program there are decision points where, if some aspect of the program, including a decision that it is a total waste of time, that we are on a dead-end street, then all money and funding stops at that point.

In this first funding cycle, in 1981, there are several areas we will go into. For example, selecting a preferred system, maybe solid state to amplifiers, or a laser power beam would be better than the microwave route. Under conducting a definitive environmental analysis and all of the experiments and systems there involved, we would be looking at the health and ecology aspects, the atmospheric impacts.

At every single point, the way this bill has been structured—and that is why I complimented the gentleman from Florida (Mr. FUQUA) and the gentleman from Alabama (Mr. FLIPPO) for their leadership—there is an opportunity to evaluate exactly where we are going year by year so that we do not go off on some sort of an approach where we take a serendipity attitude and say, "Well, let us just spend the money because it is futuristic, it is space and exciting."

In other words, I would say to my distinguished colleague, the gentleman from California, there is no Governor Moonbeam, if I may refer to our own Governor, there is no Governor Moonbeam of just playing around with a million dollars just so you can talk about how visionary you are.

Mr. GOLDWATER. I thank the gentleman for his contribution.

Mr. Chairman, there have been a lot of people who have been a driving force behind solar power satellites in this country. There is no one who has made a greater contribution than Christopher Kraft, Director of the Houston Space Flight Center, and one of the originators of our space program. He has taken an intelligent approach and certainly has presented the necessary arguments that make it viable to proceed.

Mr. DORNAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. WALKER).

□ 1250

Mr. WALKER. Thank you, Mr. Chairman. I thank the gentleman for yielding.

I think it is important to deal with this question of cost, because I think that it may be one of the key reasons for Members of Congress to support the particular bill we have before us.

I think what we should be talking about is an investment to build upon investments already made in space. We have invested a great deal of money in the space program over the years. The promise of the space program has been

that some day we would be able to use space for the benefit of this country and for the benefit of the world. That is billions of dollars we have put forward toward an attempt to some day commercialize outer space. This program, the solar power satellite, is one of the real hopes that we have of early commercialization of space that can be used for the benefit not only of this Nation, but all mankind.

What we propose is to get something out of an investment that the American taxpayers have already made to a substantial degree.

I also think that it is important to recognize the kind of investment that is already in place in our energy systems across the country.

Solar has to be viewed as a mode of the future for energy, not only in narrow categories but in the broadly based categories that build upon our present energy systems.

I do not think that we can only regard solar energy as that which we can put onto a roof.

I think solar energy can be something which is a broadly based kind of energy source for our future.

What am I saying? We have already made an investment in massive utility grids across this country. Here is an opportunity to use solar power to tie into those utility grids and give industry and home owners and everyone an opportunity to utilize the benefits of the Sun.

What I am afraid is that much of the opposition to this particular brand of solar energy development is more based upon social philosophy rather than economic considerations, because the social philosophy being represented is one of, if it is not an individualized solar reflector upon the roof, it somehow does not fit with what we think solar should be.

I do not think solar is one-directional. I think it can be multidirectional. I think an investment at this time to study the concept, to do some research on the concept, to find out whether it is feasible, whether further investment should be made, is perfectly appropriate.

I think it would be well for this Congress to approve this legislation.

● Mr. WOLFF. Mr. Chairman, I rise in support of H.R. 2335. This bill authorizes \$25 million in fiscal year 1980 for the Department of Energy to conduct research and evaluate the merits of solar satellite power. The measure calls for DOE to work with NASA to resolve any major technical problems associated with solar satellites, and to plan for a comprehensive solar satellite program.

The concept of a solar satellite involves positioning a satellite with photovoltaic panels so that it is continuously illuminated by the Sun and transmits electricity to the Earth via microwaves.

I believe that in this time of high energy demand, our Nation must explore all the options available to us in the energy field. Solar energy is a very viable alternate energy source for the future, and an option which we cannot afford to ignore. A solar power satellite system (SPS) can offer us a substantial portion of our Nation's energy supply without

the pollution problems and dangers associated with fossil fuels and nuclear power respectively. In addition, a solar power satellite system would stimulate U.S. industry and the development of high technology, as well as enable the United States to export energy.

I am well aware of the fact that the SPS concept has problems ranging from environmental impacts, to economic costs and social consequences. For just this reason, I urge my colleagues to support this measure. Now is the time to carry out an extensive research and development program in order to answer the many questions and solve the problems associated with SPS. Let me make it clear that this bill calls for the continuation of research on SPS, not a commitment to build a satellite system. I emphasize that our Nation's energy situation demands that we explore every possible energy alternative. Thus, we certainly cannot afford to disregard as attractive an option as solar energy, which could provide us with a nonexhaustive generator for heat and electricity.

I have long advanced the efforts to expand solar energy, and am happy to have the opportunity to lend my continued support for research in this area. I commend the gentleman for introducing this legislation, enabling us to keep all of our options open and explore an avenue which has great potential for our future energy situation. ●

● Mr. HARKIN. Mr. Chairman, I rise in support of H.R. 2335 to provide for research, development, and evaluation activities to examine the feasibility of collecting in space solar energy to be transmitted to the Earth and to generate electricity to meet the world's energy needs. In the years ahead this Nation and the world will need an inexhaustible and reliable energy source to replace our conventional energy supply which can only diminish with time. Clearly, no single source of energy will serve to meet our needs. We need to have a number of feasible options so that we may choose those energy sources which are efficient, socially, and environmentally acceptable.

The bill before us today, H.R. 2335, will help us determine if solar power satellites have a place in meeting our future energy requirements. It is a simple bill which defines roles in our executive branch, calls for a detailed plan, and establishes a technology verification program to help assure that no long-term commitment to the solar power satellite system is made until we have reasonable answers to the environmental and economic questions which need to be answered not only for the solar power satellite concept, but also, for any and all energy concepts which this body will reconsider in the years ahead.

Questions have been raised as to the soundness of such a system. These questions are serious and important. Only through undertaking the technology verification program, proposed in this legislation, will the Congress obtain the answers it needs to make a decision to proceed or not to proceed with development of the solar power satellite concept. To not explore a potential solution to meet

our energy needs such as the solar power satellite concept would mean that we would be ignoring a potentially inexhaustible energy supply which could be made readily available to any part of the world. Safeguards have been placed in H.R. 2335 to assure that the plan to be developed by the Department of Energy and NASA will not commit our Nation to an energy system which fails to meet sound economic and environmental standards.

I urge the support of every Member of this body for this important legislation. ●
● Mr. WINN. Mr. Chairman, I rise in support of the legislation, H.R. 2335, and encourage my colleagues to do the same. This bill represents a very rational method for answering the technological questions associated with the solar power satellite concept.

In the very early stages, this concept seemed so far out that it did not require much attention. After 10 years of preliminary studies it is obvious that this is the furthest from the truth. This system has a great potential of providing a major portion of the baseload electrical power requirements of this Nation. In fact, some estimates indicate that 30 percent of the required electrical power could be provided by the solar power satellite system between the year 2000 and 2025. This represents a potential that cannot be ignored.

This legislation will establish a joint effort between the Department of Energy and the National Aeronautics and Space Administration directed at answering many of the technological questions relative to the solar power satellite. However, it must be emphasized that this legislation in itself does not make a commitment to a demonstration satellite. In fact, the legislation specifically states that this will be a separate decision point.

At the present time, the paper studies have revealed that there are no technological barriers to the concept. This implies that we do not have to develop any basic science to construct such a system. This represents the real advantage to the solar power satellite concept. Every scientific principle required in this system has been demonstrated from the photovoltaic conversion of sunlight to electricity to the microwave transmission of the power.

The questions that remain to be answered are engineering questions; such things as optimum microwave transmission frequencies, best microwave beam density, effects of low-level microwave exposure, fabrication techniques for large satellites in orbit. These are just a few of the engineering questions that this legislation will address—questions which are not presently being answered. The current NASA/DOE program is addressing some of the technological questions but it is predominantly paper studies—we must perform some critical laboratory-type experiments to answer these essential questions—questions which must be answered before decisions can be made about the integrity of the concept.

Mr. Chairman, it is time that we give this concept the attention that its poten-

tial warrants. We must face the fact that solar power satellites and nuclear power are the only sources that offer the potential of providing long-term base load electrical power. For this reason, this concept should not be viewed as being competitive with such concepts as terrestrial solar or wind. On the contrary, they should be viewed as complementary.

In closing, I would like to comment on the cost of such a system. I have heard the opponents of this concept quoting cost of a commercial system as a primary deterrent to pursuing this technology. These cost figures vary from \$400 to \$500 billion dollars. There are two points which I would like to make regarding those figures. First, these figures are very inaccurate due to the maturity of the concept. There are many technological questions which must be answered before a good estimate can be made. In fact, that is one of the primary justifications for the legislation.

Secondly, anytime we discuss figures we must keep those figures in proper perspective. For example, the current electric power producing capability of this Nation was built at an investment of approximately \$200 billion in fiscal year 1975 dollars. To increase that capability by approximately 50 percent, using conventional techniques, would cost nearly \$500 billion which is quite comparable to the solar power satellite estimates, the point being that there are no inexpensive techniques for generating base load electrical power.

This legislation is needed. We have an obligation to the American taxpayer to develop the potential of this high technology system. Consequently, I urge my colleagues to support this legislation. ●

● Mr. WYDLER. Mr. Chairman, I rise in support of H.R. 2335, the Solar Power Satellite Research, Development, and Evaluation Program Act of 1979. The legislation has strong committee support, as indicated by the unanimous voice vote to report the bill from committee.

In the past years, I have witnessed continued attacks on nearly every energy producing concept which has been brought before this body. We have seen the use of coal attacked because of the air pollution; nuclear is attacked because of the safety; hydroelectric power is attacked due to the impact on the wilderness and land usage in general. The only conclusion I can draw from this response is that there is no perfect energy source that will satisfy all of the needs and concerns of every interest group. Further, I feel that what this implies is that future energy sources must be diverse. We cannot allow ourselves to fall further into the energy trap of foreign dependence that we find ourselves in today. We must develop a diversified approach to energy supply that takes advantage of the natural resources and technological capability of this Nation. The solar power satellite, if the research and evaluation process shows positive results, could play an integral role in resolving that problem by providing baseload electrical power to the Nation and even the world.

This legislation is unique because it lays out a very rational, step-by-step

plan to not only evaluate the energy-producing systems but also consider the environmental concerns, utility interfacing and societal problems. In addition, the legislation is very explicit in stating that passage does not commit the Nation to a multibillion-dollar demonstration program. That is an entirely separate decision and would be faced no sooner than 5 to 10 years in the future. In the meantime, this program will be reviewed by the Congress on an annual basis and will provide an opportunity for serious scrutiny.

Mr. Chairman, this is a good piece of legislation that warrants the support of the Congress. Similar legislation was passed with overwhelming support from the House in the 95th Congress and similar action will hopefully encourage the other body. I urge my colleagues to support this legislation. ●

Mr. BAUMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The call will be taken by electronic device.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 646]

Abdnor	Daniel, R. W.	Hagedorn
Addabbo	Danielson	Hall, Ohio
Akaka	Dannemeyer	Hall, Tex.
Albosta	Daschle	Hamilton
Ambro	Davis, Mich.	Hammer-
Anderson,	Deckard	schmidt
Calif.	Delums	Hanley
Andrews, N.C.	Dewinski	Hansen
Annunzio	Devine	Harkin
Anthony	Dixon	Harris
Applegate	Dodd	Hefner
Aspin	Donnelly	Hightower
Atkinson	Dornan	Hillis
AuCoin	Dougherty	Inson
Bafalis	Downey	Hollenbeck
Bailey	Drinan	Hopkins
Barnes	Duncan, Tenn.	Howard
Bauman	Eckhardt	Hubbard
Beard, R.I.	Edgar	Hughes
Beard, Tenn.	Edwards, Okla.	Hutto
Bedell	Emery	Hyde
Bellenson	English	Ichord
Benjamin	Erdahl	Ireland
Bennett	Ertel	Jacobs
Bereuter	Evans, Del.	Jeffords
Bethune	Evans, Ind.	Jeffries
Bevill	Fascell	Jenkins
Biaggi	Fazio	Johnson, Colo.
Bingham	Ferraro	Jones, Tenn.
Blanchard	Fish	Kastenmeyer
Boner	Fisher	Kazen
Bonior	Fithian	Kelly
Bouquard	Flippo	Kildee
Breaux	Florio	Kindness
Brinkley	Foley	Kogovsek
Brodhead	Ford, Mich.	Kostmayer
Broomfield	Ford, Tenn.	Kramer
Brown, Calif.	Forsythe	LaFalce
Broyhill	Fountain	Lagomarsino
Buchanan	Frenzel	Latta
Burgener	Frost	Leach, Iowa
Burlison	Fuqua	Leach, La.
Burton, Phillip	Gavdos	Lederer
Butler	Gephardt	Lehman
Byron	Gibbons	Leland
Campbell	Gilman	Lent
Carney	Gingrich	Levitas
Carr	Goldwater	Lewis
Carter	Gonzalez	Lloyd
Chappell	Goodling	Loeffler
Coleman	Gore	Long, La.
Collins, Ill.	Gramm	Lott
Collins, Tex.	Grassley	Lowry
Conable	Gray	Lukens
Conte	Green	Lundine
Corcoran	Grisham	McClary
Coughlin	Guarini	McCormack
Courter	Gudger	McDade
Crane, Daniel	Guyer	McDonald

McHugh	Peyser	Stanton
Madigan	Preyer	Steed
Maguire	Price	Stenholm
Markey	Pritchard	Stewart
Marks	Pursell	Stockman
Marlenee	Quillen	Stokes
Mariotti	Rahall	Stratton
Martin	Rangel	Studs
Matsui	Ratchford	Stump
Mattox	Regula	Swift
Mavroules	Reuss	Tauke
Mica	Rinaldo	Thomas
Miller, Calif.	Ritter	Traxler
Miller, Ohio	Robinson	Trible
Mineta	Rodino	Van Deerlin
Minish	Roe	Vander Jagt
Mitchell, N.Y.	Rose	Vanik
Moakley	Rostenkowski	Vento
Mollohan	Roth	Volkmmer
Moore	Roybal	Walgren
Moorhead,	Rudd	Walker
Calif.	Russo	Wampler
Mottl	Sabo	Watkins
Murphy, Pa.	Satterfield	Weaver
Murtha	Sawyer	Weiss
Myers, Ind.	Schulze	White
Myers, Pa.	Seiberling	Whitehurst
Natcher	Sensenbrenner	Whitely
Neal	Shannon	Whittaker
Nelson	Sharp	Whitten
Nowak	Shelby	Williams, Mont.
O'Brien	Shumway	Williams, Ohio
Oberstar	Simon	Wirth
Obey	Slack	Wolf
Ottinger	Smith, Iowa	Wolpe
Panetta	Smith, Nebr.	Wyatt
Pashayan	Snyder	Yates
Patten	Solomon	Yatron
Patterson	Spence	Young, Mo.
Paul	St Germain	Zablocki
Pease	Stack	Zeperetti
Perkins	Staggers	
Petri	Stangeland	

□ 1300

The CHAIRMAN. Three hundred and one Members have answered to their names, a quorum is present, and the Committee will resume its business.

Mr. FLIPPO. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HIGHTOWER, 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. 2335) to provide for a research, development, and evaluation program to determine the feasibility of collecting in space solar energy to be transmitted to Earth and to generate electricity for domestic purposes, had come to no resolution thereon.

□ 1310

CONFERENCE REPORT ON H.R. 4930,
DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPRO-
PRIATIONS, 1980

Mr. YATES. Mr. Speaker, I call up the conference report on the bill (H.R. 4930) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement

see proceedings of the House of November 8, 1979.)

Mr. YATES (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The SPEAKER. The gentleman from Illinois (Mr. YATES) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. MCDADE) will be recognized for 30 minutes.

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

Mr. YATES. Mr. Speaker, first, may I express my gratitude to the leadership on the minority side and to my colleagues in the House for their cooperation in permitting me to bring up the conference report on the bill ahead of its normal legislative schedule. Ordinarily I would not have requested the indulgence of the House, but the report that we are talking about contains funds for the fuel assistance program.

Mr. Speaker, we are already much too late in having taken action on that bill. I heard this morning as I listened to the radio driving to the House that the first snowfall of the winter is already expected in my home city of Chicago tomorrow. I think it is well that we pass this report today. I am told that the other body expects to consider it later in the day, and from then on we hope that the executive branch will be expeditious in taking action on the bill.

Mr. Speaker, this is a good conference report. It provides a total of \$30,304,887,000, which is \$17,979,661,000 above the 1979 appropriations. It is \$225 million above the budget estimate. It is \$733,240,000 above the Senate bill and \$20,072,917,000 above the bill that was approved by the House. It must be noted in connection with the figure above the House, Mr. Speaker, that the Senate considered \$21,676,768,000 in budget estimates that were not considered by the House. The estimates included \$20 billion for an alternative fuels reserve and \$1,350,000,000 for low-income fuel assistance.

Mr. Speaker, I propose now to describe what the conference did on the fuel assistance program. Of the \$1,350,000,000 made available for the low-income fuel assistance program, \$150 million is for the Community Services Administration to be distributed to the States on a block grant basis, along with \$1,200,000,000 for the Social Security Administration. Of that amount \$400 million is to be distributed to the States for energy replacement costs for supplemental security income recipients. This \$400 million is distributed, one-third based on heating degree days squared, times the number of households below 125 percent of poverty. One-third is distributed on the basis of the difference between heating energy expenses that occurred between 1978 and 1979, and the remaining one-third is distributed in proportion to the number of SSI recipients in a State to the total number of SSI recipients in the United States. There is a cap of \$250

per SSI recipient. The \$800 million remaining in the Social Security Administration is distributed to States as follows: 50 percent based on the heating degree day squared times households below 125 percent of poverty, and the remaining 50 percent based on the difference between heating energy expenditure changes between 1978 and 1979.

In the event the State provides an approved distribution plan, the money to the State may be distributed on the basis of that plan. If the State does not have an approved plan, the State's allocation would be distributed to AFDC recipients within the State. In my opinion, this is a better bill than the one which passed the House a few weeks ago.

It is our intention with respect to low-income fuel assistance that HEW be responsible for auditing the program. The Secretary should make available the necessary administrative funds to accomplish that from funds available for State block grants.

Mr. Speaker, may I in passing express my gratitude to the distinguished chairman of the Labor-HEW Subcommittee of the Committee on Appropriations of the House, the gentleman from Kentucky (Mr. NATCHER), for his outstanding cooperation in connection with our working out the formula, and also to my good friend, the gentleman from Massachusetts (Mr. CONTE) who presented the amendment that was accepted by the conferees that resulted in breaking a deadlock that seemed to be growing in the conference committee.

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

Mr. YATES. I yield to the gentleman from Minnesota.

Mr. VENTO. I thank the gentleman for yielding. I want to commend the chairman of the Interior Appropriations Subcommittee and the gentleman from Kentucky (Mr. NATCHER), the gentleman from Mississippi (Mr. WHITTEN) and, of course, the gentleman from Massachusetts (Mr. CONTE) for their work on this crisis intervention fund and the emergency assistance program. It is terribly important, I think, that the House has prevailed in terms of the amount in terms of House Concurrent Resolution 430, and in terms of the distribution formula which is much more equitable.

I wish to commend all the members of the conference committee for maintaining the House position regarding the low-income energy assistance provision.

There are two aspects of this section which deserve special note. The conference approved the higher funding level as contained in House Concurrent Resolution 430. The report also contains the House version of the allocation formula. This is critically important because this provision gives the appropriate recognition to cold weather factors which any low-income energy assistance program should reflect. This report also maintains the dual nature of assistance. It provides for a general energy assistance program for low in-

come and elderly persons specifically assuring assistance for AFDC and SSI recipients who will be faced with increasing energy bills. In addition, the crisis intervention program funding is expanded and formula revised to insure that those individuals faced with severe financial problems can prevent their source of heat from being discontinued. I have heard objections from some on the formula change that CSA initially used, but in all fairness to that formula, the only legislative guidance that CSA had, was misconstrued. Those that demand that we adhere to it fall to point out that it considered all household energy cost increases rather than just heating costs. If there is sentiment for such meaningful energy assistance let's not try to pass it off as cold weather assistance.

Mr. Speaker, there is no way that we can totally make up the outrageous price increases that are resulting from OPEC and the multinational oil companies conduct, rather we should address effectively and realistically the problems inherent in decontrol of oil and middle distillate products rather than follow the path of accommodation. This program of emergency fuel assistance, hopefully to be funded by the windfall profits tax which is languishing in the U.S. Senate, will obviously not meet all the needs, but it is the best we can do at this point.

The Congress can be justifiably proud of our swift action to attempt to prevent the tragedy which could affect millions of people in this country. It has only been 3 weeks since the Javits' amendment was added to the Interior appropriation, and in that short period of time this Congress has responded. Because this legislation will not serve all the families and individuals who are adversely affected by the rising costs of home heating, it is incumbent upon the States to design and provide sufficient funding for their own unique situations.

Mr. Speaker in addition to the members of the conference committee, I wish to commend the House leadership. It is a result of the visible advocacy of the leadership that this issue was brought, so swiftly, to a resolution.

Mr. YATES. I thank the gentleman.

In the field of energy, Mr. Speaker, the conferees have agreed to a \$19 billion energy security reserve to stimulate the domestic commercial production of alternative fuels and a \$1 billion solar and conservation reserve. That figure is important in view of the debate on the bill that was in the Committee of the Whole a few minutes ago and which resulted in the Committee's rising.

Of the \$19 billion in the energy security reserve, \$2,208,000,000 will be appropriated immediately. The balance of the reserve will be provided in subsequent appropriation acts.

May I say, Mr. Speaker, in passing that the \$19 billion in the reserve will only be available on the basis of further appropriations.

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

Mr. YATES. I would be glad to yield to the gentleman from Maryland. I may say in passing that I appreciate the gentleman's cooperation in permitting us to bring this bill to the floor.

Mr. BAUMAN. I thank the gentleman for yielding. I appreciate the gentleman's cooperation regarding certain funds contained in this bill. I had a question about some other matter, and that is amendment No. 74 which the gentleman has just mentioned. As I understand the language that he proposes or will propose, it says that there is hereby established in the Treasury a special fund to be designated as the energy security reserve to which is appropriated \$19 billion to remain available until expended. That appears to the gentleman from Maryland to be an appropriation of \$19 billion; yet the gentleman contends that that will not be available until another appropriation occurs in the future.

Mr. YATES. The gentleman from Illinois makes that contention. There is specific language in the conference report to that effect, that until further appropriation bills are approved by the Congress, no funds will be made available from that reserve.

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Mr. BAUMAN. Does that mean, if the gentleman will yield further, that if the so-called synfuels program does not produce the kind of activity that we foresee that we could withhold further approval of funds in the future, despite this \$19 billion appropriation?

Mr. YATES. May I say to the gentleman whatever program, respecting synfuels, is adopted by the Congress, no funds will be made available for that program out of the \$19 billion reserve until the Congress approves the money through the appropriations process.

Mr. BAUMAN. To begin that program this year the gentleman proposes in excess of \$1 billion?

Mr. YATES. We propose \$2,208,000,000 to initiate the synfuel program.

Mr. BAUMAN. Mr. Speaker, the last question I have of the gentleman is, if neither of these programs, the fuel assistance program or the synfuels program, are authorized by current law, what will happen when the Congress addresses itself finally and those laws, the authorizing bills, are signed? Does your appropriation language govern how the programs will be conducted?

Mr. YATES. It is my opinion that the appropriations language will govern, I will say to the gentleman. This is an appropriations bill.

Mr. BAUMAN. Well, then what the gentleman is saying is that we are about to vote on the major energy initiative we will ever address in this Congress. This is the authorizing bill and appropriating bill—

Mr. YATES. May I say to the gentleman, this is a major energy initiative but it is in the appropriations process. It is the beginning of the energy program and subsequent authorizing legislation will also control the direction of that pro-

gram. For example, the bill that was passed by the House and which is now over in the other body provides certain standards and legislative formula for the energy program. They will control. In the meantime, this language that is in the appropriation bill will govern.

Mr. Speaker, I would like to make one further point: The definition in the bill is important. We make available purchase commitments and price guarantees for alternative fuels. These are defined as gaseous, liquid, or solid fuels and chemical feedstocks derived from coal, shale, tar sands, lignite peat, biomass, and, may I say that biomass includes alcohol to extend gasoline in the form known as gasohol solid waste, unconventional natural gas, and other minerals, or organic materials other than crude oil or any derivative thereof; \$700,000,000 is provided, including \$100,000,000 for project development feasibility studies, \$100,000,000 for cooperative agreements to support commercial scale development of alternative fuels facilities and \$500,000,000 for a reserve to cover any defaults from loan guarantees issued to finance the construction of alternative fuels production facilities as authorized by the Federal Nonnuclear Energy Research and Development Act of 1974 as amended. This reserve is one-third of a total loan guarantee or commitment not to exceed \$1,500,000,000. This is a significant change from the bill as passed the House which included only \$1,500,000,000 for purchase, commitments, or price guarantees as authorized by the Moorhead Act. The program, as agreed by the managers, will expedite the domestic development and production of alternative fuels to reduce the dependence on foreign supplies of energy resources by establishing domestic production at the earliest time practicable.

In addition to those two major changes, the conferees made many changes in the balance of the bill which deals primarily with the resource management agencies of the United States. The conferees agreed to provide \$300,000,000 for land and water conservation fund grants to States. This is \$100,000,000 above the amount proposed by the House and \$59,307,000 below the amount proposed by the Senate. The State share is 61 percent of the total amount appropriated which is subject to sharing. Additional information on agreements reached by the managers is contained in House Report 96-604, which is printed in the CONGRESSIONAL RECORD, November 8, 1979, p. 31565.

I should like to make reference to one item relating to the Smithsonian Institution—the proposed south quadrangle complex. The conferees struck out planning funds of \$250,000 in order to provide an opportunity for further reviews of certain aspects of the project.

Mr. Speaker, I include at this point in the RECORD a table comparing new obligational authority recommended in the bill for 1980, and the respective recommendations contained in the House and the Senate bills in comparison thereto.

(Fiscal years)

	New budget authority					Conference compared with—			
	Enacted, 1979	Estimates, 1980	House, 1980	Senate, 1980	Conference, 1980	Enacted, 1980	Estimate, 1980	House bill	Senate bill
TITLE I—DEPARTMENT OF THE INTERIOR									
LAND AND WATER RESOURCES									
Bureau of Land Management									
Management of lands and resources.....	\$342,756,000	\$296,231,000	\$295,361,000	\$295,836,000	\$301,896,000	-\$40,860,000	+\$5,665,000	+\$6,535,000	+\$6,060,000
Acquisition, construction, and maintenance.....	19,011,000	16,343,000	16,343,000	16,343,000	16,343,000	-2,668,000			
Payments in lieu of taxes.....	105,000,000	108,000,000	10,000,000	108,000,000	108,000,000	+3,000,000			
Oregon and California grant lands (indefinite, appropriation of receipts).....	55,000,000	55,000,000	55,000,000	55,000,000	55,000,000				
Range improvements (indefinite, appropriation of receipts).....	8,665,000	10,900,000	10,900,000	10,900,000	10,900,000	+2,235,000			
Recreation development and operation of recreation facilities (indefinite, special fund).....	300,000	300,000	300,000	300,000	300,000				
Service charges, deposits, and forfeitures (indefinite, special fund).....	13,750,000	13,750,000	13,750,000	13,750,000	13,750,000				
Miscellaneous trust funds (indefinite).....	100,000	100,000	100,000	100,000	100,000				
Total, Bureau of Land Management.....	544,582,000	500,624,000	499,754,000	500,229,000	506,289,000	-38,293,000	+5,665,000	+6,535,000	+6,060,000
Office of Water Research and Technology									
Salaries and expenses.....	28,357,000	30,739,000	30,977,000	30,522,000	30,781,000	+2,424,000	+42,000	-196,000	+259,000
Total, Land and Water Resources.....	572,939,000	531,363,000	530,731,000	530,751,000	537,070,000	-35,869,000	+5,707,000	+6,339,000	+6,319,000
FISH AND WILDLIFE AND PARKS									
Heritage Conservation and Recreation Service									
Salaries and expenses.....	15,174,000	14,954,000	15,656,000	15,289,000	15,351,000	+177,000	+397,000	-305,000	+62,000
Urban park and recreation fund.....	20,000,000	150,000,000	125,000,000	125,000,000	125,000,000	+105,000,000	-25,000,000		
Land and water conservation fund (indefinite).....	737,025,000	598,000,000	447,059,000	554,547,000	509,194,000	-227,831,000	-88,806,000	+62,135,000	-45,353,000
Pinelands National Reserve.....	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000				
Historic preservation fund.....	60,000,000	45,000,000	50,000,000	67,500,000	55,000,000	-5,000,000	+10,000,000	+5,000,000	+12,500,000
Total, Heritage Conservation and Recreation Service.....	832,199,000	819,954,000	649,715,000	762,336,000	704,545,000	-127,654,000	-115,409,000	+54,830,000	-57,791,000
U.S. Fish and Wildlife Service									
Resource management.....	200,439,000	208,055,000	207,055,000	205,421,000	206,641,000	+6,202,000	-1,414,000	-414,000	+1,220,000
Construction and anadromous fish.....	97,856,000	47,574,000	56,327,000	56,945,000	58,757,000	-39,099,000	+11,183,000	+2,430,000	+1,812,000
Migratory bird conservation account (definite, repayable advance).....	10,000,000	10,000,000	15,000,000	8,400,000	15,000,000	+5,000,000	+5,000,000		+6,600,000
Development and operation of recreation facilities (indefinite, special fund).....	150,000	200,000	200,000	200,000	200,000	+50,000			
Total, U.S. Fish and Wildlife Service.....	308,445,000	265,829,000	278,582,000	270,966,000	280,598,000	-27,847,000	+14,769,000	+2,016,000	+9,632,000
National Park Service									
Operation of the national park system.....	387,806,000	394,177,000	383,512,000	380,244,000	382,775,000	-5,031,000	-11,402,000	-737,000	+2,531,000
Construction.....	118,488,000	87,718,000	97,144,000	119,938,000	112,154,000	-6,334,000	+24,436,000	+15,010,000	-7,784,000
Appropriation to liquidate contract authority.....					(15,500,000)	(+15,500,000)	(+15,500,000)	(+15,500,000)	(+15,500,000)
Rescission of an appropriation to liquidate contract authority.....				(-5,552,000)	(-5,552,000)	(-5,552,000)	(-5,552,000)	(-5,552,000)	
Planning, development, and operation of recreation facilities (indefinite, special fund).....	15,478,000	28,465,000	15,781,000	16,217,000	16,217,000	+739,000	-12,248,000	+436,000	
John F. Kennedy Center for the Performing Arts.....	4,055,000	4,287,000	3,875,000	4,030,000	4,030,000	-25,000	-257,000	+155,000	
Total, National Park Service.....	525,827,000	514,647,000	500,312,000	520,429,000	515,176,000	-10,651,000	+529,000	+14,864,000	-5,253,000
Total, Fish and Wildlife and Parks.....	1,666,471,000	1,600,430,000	1,428,609,000	1,553,731,000	1,500,319,000	-166,152,000	-100,111,000	+71,710,000	-53,412,000

(Fiscal years)

	New budget authority					Conference compared with—			
	Enacted, 1979	Estimates, 1980	House, 1980	Senate, 1980	Conference, 1980	Enacted, 1980	Estimate, 1980	House bill	Senate bill
ENERGY AND MINERALS									
Geological Survey									
Surveys, investigations, and research.....	\$418,606,000	\$459,321,000	\$448,290,000	\$450,805,000	\$452,055,000	+\$33,449,000	-\$7,266,000	+\$3,765,000	+\$1,250,000
Exploration of national petroleum reserve in Alaska.....	231,048,000	4,427,000	145,927,000	175,627,000	175,627,000	-55,421,000	+171,200,000	+29,700,000	-----
Total, Geological Survey.....	649,654,000	463,748,000	594,217,000	626,432,000	627,682,000	-21,972,000	+163,934,000	+33,465,000	+1,250,000
Bureau of Mines									
Mines and minerals.....	148,507,000	135,194,000	134,883,000	131,603,000	132,753,000	-15,754,000	-2,441,000	-2,130,000	+1,150,000
Helium fund (permanent contract authority).....	-----	47,500,000	-----	-----	-----	-----	-47,500,000	-----	-----
Total, Bureau of Mines.....	148,507,000	182,694,000	134,883,000	131,603,000	132,753,000	-15,754,000	-49,941,000	-2,130,000	+1,150,000
Office of Surface Mining Reclamation and Enforcement									
Regulation and technology.....	53,944,000	81,320,000	85,520,000	82,625,000	84,687,000	+30,743,000	+3,367,000	-833,000	+2,062,000
Abandoned mine reclamation fund (definite, trust fund).....	61,451,000	113,916,000	111,416,000	94,916,000	94,916,000	+33,465,000	-19,000,000	-16,500,000	-----
Total, Office of Surface Mining Reclamation and Enforcement.....	115,395,000	195,236,000	196,936,000	177,541,000	179,603,000	+64,208,000	-15,633,000	-17,333,000	+2,062,000
Total, Energy and Minerals.....	913,556,000	841,678,000	926,036,000	935,576,000	940,038,000	+26,482,000	+98,360,000	+14,002,000	+4,462,000
INDIAN AFFAIRS									
Bureau of Indian Affairs									
Operation of Indian programs.....	792,052,000	792,020,000	792,753,000	770,835,000	789,051,000	-3,001,000	-2,969,000	-3,702,000	+18,216,000
Construction.....	126,554,000	67,721,000	83,395,000	66,874,000	89,374,000	-37,180,000	+21,653,000	+5,979,000	+22,500,000
Road construction.....	79,253,000	58,379,000	60,379,000	46,479,000	66,479,000	-12,774,000	+8,100,000	+6,100,000	+20,000,000
Alaska native fund.....	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000	-----	-----	-----	-----
Trust funds (definite).....	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	-----	-----	-----	-----
Trust funds (indefinite).....	23,000,000	23,000,000	23,000,000	23,000,000	23,000,000	-----	-----	-----	-----
Eastern Indian land claims fund.....	3,500,000	-----	-----	-----	-----	-3,500,000	-----	-----	-----
Salt River Pima-Maricopa settlement.....	-----	-----	3,917,000	3,917,000	3,917,000	+3,917,000	+3,917,000	-----	-----
Total, Bureau of Indian Affairs.....	1,057,359,000	974,120,000	996,444,000	944,105,000	1,004,821,000	-52,538,000	+30,701,000	+8,377,000	+60,716,000
TERRITORIAL AFFAIRS									
Office of Territorial Affairs									
Administration of territories.....	55,410,000	46,804,000	84,161,000	63,061,000	86,661,000	+31,251,000	+39,857,000	+2,500,000	+23,600,000
Trust Territory of the Pacific Islands.....	114,706,000	99,010,000	112,760,000	105,799,000	113,785,000	-921,000	+14,775,000	+1,025,000	+7,986,000
Micronesian claims fund, Trust Territory of the Pacific Islands.....	12,600,000	-----	-----	-----	-----	-12,600,000	-----	-----	-----
Total, Office of Territorial Affairs.....	182,716,000	145,814,000	196,921,000	168,860,000	200,446,000	+17,730,000	+54,632,000	+3,525,000	+31,586,000
SECRETARIAL OFFICES									
Office of the Solicitor									
Salaries and expenses.....	15,085,000	15,860,000	15,500,000	15,741,000	15,741,000	+656,000	-119,000	+241,000	-----
Office of the Secretary									
Departmental management.....	43,100,000	48,761,000	45,760,000	45,144,000	49,344,000	+6,244,000	+583,000	+3,584,000	+4,200,000
Construction management.....	-----	-----	9,400,000	-----	-----	-----	-----	-9,400,000	-----
Salaries and expenses (special foreign currency program).....	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-----	-----	-----	-----
Total, Office of the Secretary.....	44,100,000	49,761,000	56,160,000	46,144,000	50,344,000	+6,244,000	+583,000	-5,816,000	+4,200,000
Total, Secretarial Offices.....	59,185,000	65,621,000	71,660,000	61,885,000	66,085,000	+6,900,000	+464,000	-5,575,000	+4,200,000
Total, title I, new budget (obligational) authority, Department of the Interior.....									
	4,452,226,000	4,159,026,000	4,150,401,000	4,194,908,000	4,248,779,000	-203,447,000	+89,753,000	+98,378,000	+53,871,000
Consisting of:									
Appropriations.....	4,452,226,000	4,111,526,000	4,150,401,000	4,194,908,000	4,248,779,000	-203,447,000	+137,253,000	+98,378,000	+53,871,000
Definite appropriations.....	3,598,758,000	3,381,811,000	3,584,311,000	3,520,894,000	3,620,118,000	+21,360,000	+238,307,000	+35,807,000	+99,224,000
Indefinite appropriations.....	853,468,000	729,715,000	566,090,000	674,014,000	628,661,000	-224,807,000	-101,054,000	+62,571,000	-45,353,000
Permanent contract authority.....	-----	47,500,000	-----	-----	-----	-----	-47,500,000	-----	-----

[Fiscal years]

	New budget authority					Conference compared with—			
	Enacted, 1979	Estimates, 1980	House, 1980	Senate, 1980	Conference, 1980	Enacted, 1980	Estimate, 1980	House bill	Senate bill
TITLE II—RELATED AGENCIES									
DEPARTMENT OF AGRICULTURE									
Forest Service									
Forest resources management:									
Forest research.....	\$110,947,000	\$105,064,000	\$109,490,000	\$105,414,000	\$108,795,000	-\$2,152,000	+\$3,731,000	-\$695,000	+\$3,381,000
State and private forestry.....	80,611,000	37,938,000	65,964,000	73,518,000	72,879,000	-7,732,000	+34,941,000	+6,915,000	-639,000
National forest system.....	815,308,000	752,137,000	847,151,000	796,824,000	825,532,000	+10,224,000	+73,395,000	-21,619,000	+28,708,000
Total, Forest management, protection and utilization.....	1,006,866,000	895,139,000	1,022,605,000	975,756,000	1,007,206,000	+340,000	+112,067,000	-15,399,000	+31,450,000
Construction and land acquisition:									
Youth conservation corps.....	430,010,000	337,438,000	425,823,000	409,458,000	423,412,000	-6,598,000	+85,974,000	-2,411,000	+13,954,000
Forest roads.....	243,466,000	-----	27,400,000	54,000,000	54,000,000	-243,466,000	+54,000,000	+26,600,000	-----
Forest roads and trails.....	231,392,000	-----	-----	-----	-----	-231,392,000	-----	-----	-----
Timber salvage sales.....	3,000,000	-----	-----	-----	-----	-3,000,000	-----	-----	-----
Acquisition of lands for national forests:									
Special acts (special fund, indefinite).....	385,000	325,000	325,000	325,000	325,000	-60,000	-----	-----	-----
Acquisition of lands to complete land exchanges (special fund, indefinite):									
Rangeland improvements (special fund, indefinite).....	239,000	155,000	155,000	155,000	155,000	-84,000	-----	-----	-----
Assistance to States for tree improvement.....	5,400,000	5,900,000	5,900,000	5,900,000	5,900,000	+500,000	-----	-----	-----
Construction and operation of recreation facilities (indefinite, special fund).....	1,522,000	-----	-----	-----	-----	-1,522,000	-----	-----	-----
Rights-of-way (indefinite).....	3,459,000	3,850,000	3,850,000	3,850,000	3,850,000	+391,000	-----	-----	-----
	100,000	-----	-----	-----	-----	-100,000	-----	-----	-----
Total, Forest Service.....	1,985,839,000	1,242,807,000	1,486,058,000	1,449,444,000	1,494,848,000	-490,991,000	+252,041,000	+8,790,000	+45,404,000
DEPARTMENT OF ENERGY									
Alternative fuels production.....	-----	20,000,000,000	1,500,000,000	19,500,000,000	20,000,000,000	+20,000,000,000	-----	+18,500,000,000	+500,000,000
By transfer.....	-----	-----	-----	(1,500,000,000)	-----	-----	-----	-----	(-1,500,000,000)
Fossil energy research and development.....	659,112,000	714,092,000	699,377,000	798,302,000	746,627,000	+87,515,000	+32,535,000	+47,250,000	-51,675,000
Fossil energy construction.....	99,709,000	140,050,000	71,250,000	105,250,000	103,250,000	+3,541,000	-36,800,000	+32,000,000	-2,000,000
Energy production, demonstration, and distribution.....	171,763,000	146,299,000	125,971,000	106,971,000	111,221,000	-60,542,000	-35,078,000	-14,750,000	+4,250,000
Energy conservation.....	632,138,000	641,195,000	566,052,000	692,502,000	628,702,000	-3,436,000	-12,493,000	+62,650,000	-63,800,000
Reappropriation.....	-----	200,000,000	197,500,000	120,000,000	158,750,000	+158,750,000	-41,250,000	-38,750,000	+38,750,000
Economic Regulatory Administration.....	99,233,000	183,263,000	125,697,000	154,264,000	152,879,000	+53,646,000	-30,384,000	+27,182,000	-1,385,000
Strategic petroleum reserve.....	3,007,071,000	8,391,000	8,391,000	-----	-----	-3,007,071,000	-8,391,000	-8,391,000	-----
Energy Information Administration.....	65,644,000	88,657,000	87,273,000	87,273,000	87,273,000	+21,629,000	-1,384,000	-----	-----
Total, Department of Energy.....	4,734,670,000	22,121,947,000	3,381,511,000	21,564,562,000	21,988,702,000	+17,254,032,000	-133,245,000	+18,607,191,000	+424,140,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE									
Health Services Administration									
Indian health services.....	492,193,000	535,116,000	541,449,000	536,580,000	538,874,000	+46,681,000	+3,758,000	-2,575,000	+2,294,000
Indian health facilities.....	76,960,000	50,240,000	74,302,000	26,062,000	74,302,000	-2,658,000	+24,062,000	-----	+48,240,000
Total, Indian health.....	569,153,000	585,356,000	615,751,000	562,642,000	613,176,000	+44,023,000	+27,820,000	-2,575,000	+50,534,000
Office of Education									
Indian education.....	71,735,000	76,875,000	75,875,000	75,900,000	75,900,000	+4,165,000	-975,000	+25,000	-----
Office of the Assistant Secretary for Education									
Institute of Museum Services.....	7,852,000	10,900,000	10,900,000	10,900,000	10,900,000	+3,048,000	-----	-----	-----
Total, Department of Health, Education, and Welfare.....	648,740,000	673,131,000	702,526,000	649,442,000	699,976,000	+51,236,000	+26,845,000	-2,550,000	+50,534,000
NAVAJO AND HOPI INDIAN RELOCATION COMMISSION									
Salaries and expenses.....	8,752,000	950,000	950,000	950,000	950,000	-7,802,000	-----	-----	-----
SMITHSONIAN INSTITUTION									
Salaries and expenses.....	98,202,000	104,740,000	103,498,000	102,710,000	103,781,000	+6,579,000	-959,000	+283,000	+1,071,000
Museum programs and related research (special foreign currency program).....	3,700,000	7,700,000	3,700,000	4,700,000	4,200,000	+500,000	-3,800,000	+500,000	-500,000
Science Information Exchange.....	2,063,000	-----	-----	-----	-----	-2,063,000	-----	-----	-----
Construction and improvements, National Zoological Park.....	3,900,000	6,550,000	6,500,000	6,000,000	6,250,000	+2,350,000	-300,000	-250,000	+250,000
Restoration and renovation of buildings.....	2,100,000	4,900,000	5,250,000	5,150,000	5,250,000	+3,150,000	+350,000	-----	+100,000
Construction.....	575,000	21,100,000	20,600,000	10,850,000	20,600,000	+20,025,000	-500,000	-----	+9,750,000
Subtotal.....	110,540,000	144,990,000	193,548,000	129,410,000	140,081,000	+29,541,000	-4,909,000	+533,000	+10,671,000

[Fiscal years]

	New budget authority					Conference compared with—			
	Enacted, 1979	Estimates, 1980	House, 1980	Senate, 1980	Conference, 1980	Enacted, 1980	Estimate, 1980	House bill	Senate bill
Salaries and expenses:									
National Gallery of Art.....	\$19,041,000	\$22,577,000	\$22,311,000	\$21,978,000	\$22,241,000	+\$3,200,000	-\$336,000	-\$70,000	+\$263,000
Woodrow Wilson International Center for Scholars.....	1,588,000	1,648,000	1,611,000	2,611,000	1,611,000	+23,000	-37,000		-1,000,000
Total, Smithsonian Institution.....	131,169,000	169,215,000	163,470,000	153,999,000	163,933,000	+32,764,000	-5,282,000	+463,000	+9,934,000
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES									
National Endowment for the Arts									
Salaries and expenses.....	102,310,000	97,000,000	97,000,000	97,000,000	97,000,000	-5,310,000			
Administrative expenses.....	9,775,000	10,500,000	12,000,000	12,000,000	12,000,000	+2,225,000	+1,500,000		
Subtotal.....	112,085,000	107,500,000	109,000,000	109,000,000	109,000,000	-3,085,000	+1,500,000		
Matching grants (indefinite).....	37,500,000	46,900,000	45,400,000	45,400,000	45,400,000	+7,900,000	-1,500,000		
Total, National Endowment for the Arts.....	149,585,000	154,400,000	154,400,000	154,400,000	154,400,000	+4,815,000			
National Endowment for the Humanities									
Salaries and expenses.....	98,485,000	100,300,000	100,300,000	98,900,000	100,300,000	+1,815,000			+1,400,000
Administrative expenses.....	10,246,000	10,800,000	11,400,000	10,500,000	11,400,000	+1,154,000	+600,000		+900,000
Subtotal.....	108,731,000	111,100,000	111,700,000	109,400,000	111,700,000	+2,969,000	+600,000		+2,300,000
Matching grants (indefinite).....	36,500,000	39,000,000	38,400,000	38,400,000	38,400,000	+1,900,000	-600,000		
Total, National Endowment for the Humanities.....	145,231,000	150,100,000	150,100,000	147,800,000	150,100,000	+4,869,000			+2,300,000
Total, National Foundation on the Arts and the Humanities.....	294,816,000	304,500,000	304,500,000	302,200,000	304,500,000	+9,684,000			+2,300,000
COMMISSION OF FINE ARTS									
Salaries and expenses.....	263,000	271,000	268,000	268,000	268,000	+5,000	-3,000		
ADVISORY COUNCIL ON HISTORIC PRESERVATION									
Salaries and expenses.....	1,204,000	1,672,000	1,350,000	1,460,000	1,350,000	+146,000	-322,000		-110,000
NATIONAL CAPITAL PLANNING COMMISSION									
Salaries and expenses.....	2,019,000	2,193,000	1,975,000	1,975,000	1,975,000	-44,000	-218,000		
FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION									
Salaries and expenses.....	20,000	10,000	40,000	40,000	40,000	+20,000	+30,000		
JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA									
Salaries and expenses.....	594,000					-594,000			
PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION									
Salaries and expenses.....	1,659,000	1,856,000	1,811,000	1,856,000	1,856,000	+197,000		+45,000	
Land acquisition and development fund (borrowing authority).....	33,000,000	17,000,000	17,000,000	17,000,000	17,000,000	-16,000,000			
Public development.....	30,255,000	20,110,000	20,110,000	20,110,000	20,110,000	-10,145,000			
Total, Pennsylvania Avenue Development Corporation.....	64,914,000	38,966,000	38,921,000	38,966,000	38,966,000	-25,948,000		+45,000	
FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE									
Permitting and enforcement.....		14,850,000		13,433,000	10,600,000	+10,600,000	-4,250,000	+10,600,000	-2,833,000
COMMUNITY SERVICES ADMINISTRATION									
Community service program.....		1,350,000,000		1,200,000,000	1,350,000,000	+1,350,000,000		+1,350,000,000	+150,000,000
Total, title II, new budget (obligational) authority, related agencies.....	7,873,000,000	25,920,512,000	6,081,569,000	25,376,739,000	26,056,108,000	+18,183,108,000	+135,596,000	+19,974,539,000	+679,369,000
Consisting of:									
Appropriations.....	\$7,840,000,000	\$25,703,512,000	\$5,867,069,000	\$25,239,739,000	\$25,880,358,000	+\$18,040,358,000	+\$176,846,000	+\$20,013,289,000	+\$640,619,000
Definite appropriations.....	7,756,417,000	25,607,382,000	5,773,039,000	25,145,709,000	25,786,328,000	+18,029,911,000	+178,946,000	+20,013,289,000	+640,619,000
Indefinite appropriations.....	83,583,000	96,130,000	94,030,000	94,030,000	94,030,000	+10,447,000	-2,100,000		

	New budget authority					Conference compared with—			
	Enacted, 1979	Estimates, 1980	House, 1980	Senate, 1980	Conference, 1980	Enacted, 1980	Estimate, 1980	House bill	Senate bill
TITLE II—RELATED AGENCIES—Con. COMMUNITY SERVICES ADMINISTRATION—Con.									
Reappropriation.....		200,000,000	197,500,000	120,000,000	158,750,000	+158,750,000	-41,250,000	-38,750,000	+38,750,000
Borrowing authority.....	33,000,000	17,000,000	17,000,000	17,000,000	17,000,000	-16,000,000			
By transfer.....				(1,500,000,000)					(-1,500,000,000)
RECAPITULATION									
Total, new budget (obligational) authority, all titles.....	12,325,226,000	30,079,538,000	10,231,970,000	29,571,647,000	30,304,887,000	+17,979,661,000	+225,349,000	+20,072,917,000	+733,240,000
Consisting of:									
Appropriations.....	12,292,226,000	29,815,038,000	10,017,470,000	29,434,647,000	30,129,137,000	+17,836,911,000	+314,099,000	+20,111,667,000	+694,490,000
Definite appropriations.....	(11,355,175,000)	(28,989,193,000)	(9,357,350,000)	(28,666,603,000)	(29,406,446,000)	(+18,051,271,000)	(+417,253,000)	(+20,049,096,000)	(+739,843,000)
Indefinite appropriations.....	(937,051,000)	(825,845,000)	(660,120,000)	(768,044,000)	(722,691,000)	(-214,360,000)	(103,154,000)	(+62,751,000)	(-45,353,000)
Reappropriations.....		200,000,000	197,500,000	120,000,000	158,750,000	+158,750,000	-41,250,000	-38,750,000	+38,750,000
Borrowing authority.....	33,000,000	17,000,000	17,000,000	17,000,000	17,000,000	-16,000,000			
Permanent contract authority.....		47,500,000					-47,500,000		
By transfer.....				(1,500,000,000)					(-1,500,000,000)
TITLE I—DEPARTMENT OF THE INTERIOR									
Bureau of Land Management.....	544,582,000	500,624,000	499,754,000	500,229,000	506,289,000	-38,293,000	+5,665,000	+6,535,000	+6,060,000
Office of Water Research and Technology.....	28,357,000	30,739,000	30,977,000	30,522,000	30,781,000	+2,424,000	+42,000	-196,000	+259,000
Heritage Conservation and Recreation Service.....	832,199,000	819,954,000	649,715,000	762,336,000	704,545,000	-127,654,000	-115,409,000	+54,830,000	-57,791,000
United States Fish and Wildlife Service.....	308,445,000	265,829,000	278,582,000	270,966,000	280,598,000	-27,847,000	+14,769,000	+2,016,000	+9,632,000
National Park Service.....	525,827,000	514,647,000	500,312,000	520,429,000	515,176,000	-10,651,000	+529,000	+14,864,000	-5,253,000
Geological Survey.....	649,654,000	463,748,000	594,217,000	626,432,000	627,682,000	-21,972,000	+163,934,000	+33,465,000	+1,250,000
Bureau of Mines.....	148,507,000	182,694,000	134,883,000	131,603,000	132,753,000	-15,754,000	-49,941,000	-2,130,000	+1,150,000
Office of Surface Mining Reclamation and Enforcement.....	115,395,000	195,236,000	196,936,000	177,541,000	179,603,000	+64,208,000	-15,633,000	-17,333,000	+2,062,000
Bureau of Indian Affairs.....	1,057,359,000	974,120,000	996,444,000	944,105,000	1,004,821,000	-52,538,000	+30,701,000	+8,377,000	+60,716,000
Territorial Affairs.....	182,716,000	145,814,000	196,921,000	168,860,000	200,446,000	+17,730,000	+54,632,000	+3,525,000	+31,586,000
Office of the Solicitor.....	15,085,000	15,860,000	15,500,000	15,741,000	15,741,000	+656,000	-119,000	+241,000	
Office of the Secretary.....	44,100,000	49,761,000	56,160,000	46,144,000	50,344,000	+6,244,000	+583,000	-5,816,000	+4,200,000
Total, Title I—Department of the Interior.....	4,452,226,000	4,159,026,000	4,150,401,000	4,194,908,000	4,248,779,000	-203,447,000	+89,753,000	+98,378,000	+53,871,000
TITLE II—RELATED AGENCIES									
Forest Service.....	1,985,839,000	1,242,807,000	1,486,058,000	1,449,444,000	1,494,848,000	-490,991,000	+252,041,000	+8,790,000	+45,404,000
Department of Energy.....	4,734,670,000	22,121,947,000	3,381,511,000	21,564,562,000	21,988,702,000	+17,254,032,000	-133,245,000	+18,607,191,000	+424,140,000
Indian Health.....	569,153,000	585,356,000	615,751,000	562,642,000	613,176,000	+44,023,000	+27,820,000	-2,575,000	+50,534,000
Indian Education.....	71,735,000	76,875,000	75,875,000	75,900,000	75,900,000	+4,165,000	-975,000	+25,000	
Institute of Museum Services.....	7,852,000	10,900,000	10,900,000	10,900,000	10,900,000	+3,048,000			
Navajo and Hopi Indian Re-location Commission.....	8,752,000	950,000	950,000	950,000	950,000	-7,802,000			
Smithsonian.....	110,540,000	144,990,000	139,548,000	129,410,000	140,081,000	+29,541,000	-4,909,000	+533,000	+10,671,000
National Gallery of Art.....	19,041,000	22,577,000	22,311,000	21,978,000	22,241,000	+3,200,000	-336,000	-70,000	+263,000
Woodrow Wilson International Center for Scholars.....	1,588,000	1,648,000	1,611,000	2,611,000	1,611,000	+23,000	-37,000		-1,000,000
National Endowment for the Arts.....	149,585,000	154,400,000	154,400,000	154,400,000	154,400,000	+4,815,000			
National Endowment for the Humanities.....	145,231,000	150,100,000	150,100,000	147,800,000	150,100,000	+4,869,000			+2,300,000
Commission of Fine Arts.....	263,000	271,000	268,000	268,000	268,000	+5,000	-3,000		
Advisory Council on Historic Preservation.....	1,204,000	1,672,000	1,350,000	1,460,000	1,350,000	+146,000	-322,000		-110,000
National Capital Planning Commission.....	2,019,000	2,193,000	1,975,000	1,975,000	1,975,000	-44,000	-218,000		
Franklin Delano Roosevelt Memorial Commission.....	20,000	10,000	40,000	40,000	40,000	+20,000	+30,000		
Joint Federal-State Land Use Planning Commission for Alaska.....	594,000					-594,000			
Pennsylvania Avenue Development Corporation.....	64,914,000	38,966,000	38,921,000	38,966,000	38,966,000	-25,948,000		+45,000	
Federal Inspector for the Alaska Gas Pipeline.....		14,850,000		13,433,000	10,600,000	+10,600,000	-4,250,000	+10,600,000	-2,833,000
Community Services Administration.....		1,350,000,000		1,200,000,000	1,350,000,000	+1,350,000,000		+1,350,000,000	+150,000,000
Total, Title II—Related Agencies.....	7,873,000,000	25,920,512,000	6,081,569,000	25,376,739,000	26,056,108,000	+18,183,108,000	+135,596,000	+19,974,539,000	+679,369,000
Grand total.....	12,325,226,000	30,079,538,000	10,231,970,000	29,571,647,000	30,304,887,000	+17,979,661,000	+225,349,000	+20,072,917,000	+733,240,000

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

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

Mr. McCORMACK. I thank the gentleman for yielding.

Mr. Speaker, my question goes to the community services program, the heating cost amendment. There is some ambiguity in the wording of this particular portion of the bill.

I should like to see if we can get resolution of it in the Record.

When the authorizing legislation was before the House it was amended so that in all cases it talked about heating costs instead of fuel costs so as to be absolutely certain we were talking about all expenditures involved in heating, including electricity, as well as liquid fuels, for instance.

Mr. Speaker, in the measure before the House, we have one reference to heating fuel costs, another one to increases in rents caused by increases in heating fuel

costs, and another for heating energy expenditures.

I wonder if the subcommittee chairman could tell us if this appropriations bill is consistent with the authorizing bill and that this funding is for heating costs broadly interpreted, which would include electricity, rather than just for fuel costs?

Mr. YATES. It is the understanding of the gentleman from Illinois that the gentleman's interpretation is correct.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania.

Mr. McDADE. Mr. Speaker, the chairman of the subcommittee, the distinguished gentleman from Illinois (Mr. YATES), has gone to some length in explaining this bill. We on this side of the aisle unanimously support the adoption of this conference report. It is a major bill that has to do with the resources of this Nation. It contains the urgently needed fuel assistance program. It also contains major initiatives with respect to energy in this country.

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

● Mr. FRENZEL. Mr. Speaker, because this appropriation is several hundred million dollars over budget, I am obliged to vote against it. But there are many parts of it I favor.

The emergency fuel assistance program, for which I voted when it was presented in a separate bill, has an improved distribution formula. As noted previously, there are many things wrong with this program, including the hazard that it could become another permanent welfare program. But, since we have chosen the decontrol policy, I think it is reasonable to provide assistance to the poor—out of windfall tax revenues.

This conference report also provides a beginning, and necessary, appropriation of \$2.2 for our alternative fuels development program.●

Mr. YATES. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 271, nays 46, answered "present" 1, not voting 115, as follows:

[Roll No. 647]

YEAS—271

Abdnor	Blanchard	Daniel, Dan
Addabbo	Boner	Danielson
Albosta	Bonior	Davis, Mich.
Alexander	Brademas	Davis, S.C.
Anderson, Calif.	Breaux	Deckard
Andrews, N.C.	Brodhead	Dellums
Annuzio	Broomfield	Derrick
Anthony	Brown, Calif.	Derwinski
Applegate	Broyhill	Dickinson
Ashley	Buchanan	Dingell
Aspin	Burgener	Dixon
Atkinson	Burlison	Dodd
AuCoin	Burton, Phillip	Donnelly
Bailey	Byron	Dornan
Barnes	Campbell	Dougherty
Beard, R.I.	Carney	Downey
Beard, Tenn.	Carr	Drinan
Bedell	Carter	Eckhardt
Bellenson	Chappell	Edgar
Benjamin	Chisholm	Edwards, Okla.
Bennett	Coleman	Emery
Bereuter	Collins, Ill.	Erdahl
Bethune	Conte	Ertel
Bevill	Corcoran	Evans, Del.
Biaggi	Coughlin	Fascell
Bingham	Courter	Fazio
	D'Amours	Ferraro

Fish	Leland	Rinaldo	Heckler	Mikulski	Snowe
Fisher	Lent	Ritter	Heftel	Mitchell, Md.	Spellman
Fithian	Lewis	Rodino	Holland	Murphy, Ill.	St Germain
Filippo	Lloyd	Roe	Holt	Murphy, N.Y.	Stark
Florio	Loeffler	Rose	Holtzman	Nedzi	Symms
Ford, Mich.	Long, La.	Rostenkowski	Horton	Nichols	Synar
Ford, Tenn.	Long, Md.	Roth	Huckaby	Nolan	Taylor
Forsythe	Lowry	Roybal	Jenrette	Oakar	Treen
Fountain	Luken	Rudd	Johnson, Calif.	Pepper	Udall
Fowler	Lundine	Russo	Jones, N.C.	Pickle	Ullman
Frost	McClory	Sabo	Jones, Okla.	Quayle	Waxman
Gaydos	McCormack	Santini	Kemp	Rallsback	Wilson, Bob
Gephardt	McDade	Scheuer	Leath, Tex.	Rhodes	Wilson, C. H.
Gibbons	McHugh	Seiberling	Lee	Richmond	Wilson, Tex.
Gilman	McKinney	Shannon	Livingston	Roberts	Winn
Goldwater	Madigan	Sharp	Lujan	Rosenthal	Wright
Gonzalez	Maguire	Shelby	Lungren	Rousselot	Wyder
Goodling	Markey	Simon	McCloskey	Royer	Wyllie
Gore	Marks	Slack	McEwen	Runnels	Yatron
Grassley	Marleene	Smith, Iowa	McKay	Schroeder	Young, Alaska
Gray	Marriott	Smith, Nebr.	Mathis	Sebellus	Young, Fla.
Green	Matsui	Snyder	Mazzoli	Skelton	
Grisham	Mavroules	Solarz			
Guarini	Mica	Solomon			
Gudger	Michel	Spence			
Guy	Miller, Calif.	Stack			
Hagedorn	Mineta	Staggers			
Hall, Ohio	Minish	Stangeland			
Hall, Tex.	Mitchell, N.Y.	Stanton			
Hamilton	Moakley	Steed			
Hammer-	Moffett	Stewart			
schmidt	Mollohan	Stokes			
Hanley	Montgomery	Stratton			
Harkin	Moorhead,	Studds			
Harris	Calif.	Swift			
Hefner	Moorhead, Pa.	Tauke			
Hightower	Mottl	Thomas			
Hillis	Murphy, Pa.	Thompson			
Hinson	Murtha	Traxler			
Hollenbeck	Myers, Ind.	Trible			
Hopkins	Myers, Pa.	Van Deerlin			
Howard	Natcher	Vander Jagt			
Hubbard	Neal	Vanik			
Hughes	Nelson	Vento			
Hutto	Nowak	Walkren			
Hyde	O'Brien	Walker			
Ichord	Oberstar	Wampler			
Ireland	Obey	Watkins			
Jeffords	Ottinger	Weiss			
Jenkins	Patten	White			
Johnson, Colo.	Patterson	Whitehurst			
Jones, Tenn.	Pease	Whitley			
Kastenmeier	Perkins	Whittaker			
Kazen	Petri	Whitten			
Kildee	Peyster	Williams, Ohio			
Kogovsek	Preyer	Wirth			
Kostmayer	Price	Wolf			
Kramer	Pritchard	Wolpe			
LaFalce	Pursell	Wyatt			
Lacomarsino	Quillen	Yates			
Latta	Rahall	Young, Mo.			
Leach, Iowa	Rangel	Zablocki			
Leach, La.	Ratchford	Zerfretti			
Lederer	Regula				
Lehman	Reuss				

NAYS—46

Badham	Gramm	Paul
Bauman	Hansen	Robinson
Bouquard	Harsha	Satterfield
Brinkley	Jacobs	Sawyer
Butler	Jeffries	Schulze
Collins, Tex.	Kelly	Sensenbrenner
Conable	Kindness	Shumway
Crane, Dantel	Levitas	Shuster
Daniel, R. W.	Lott	Stenholm
Dannemeyer	McDonald	Stockman
Daschle	Martin	Stump
Devine	Mattox	Volkmer
Deckard	Miller, Ohio	Weaver
English	Moore	Williams, Mont.
Evans, Ind.	Panetta	
Frenzel	Pashayan	
Gingrich		

ANSWERED "PRESENT"—1

Bafalis

NOT VOTING—115

Akaka	Cavanaugh	Edwards, Ala.
Ambro	Cheney	Edwards, Calif.
Anderson, Ill.	Clausen	Erlenborn
Andrews, N. Dak.	Clay	Evans, Ga.
Archer	Cleveland	Fary
Ashbrook	Clinger	Fenwick
Baldus	Coelho	Findley
Barnard	Conyers	Flood
Boggs	Corman	Foley
Boland	Cotter	Fuqua
Bolling	Crane, Philip	Garcia
Bonker	de la Garza	Glasmo
Bowen	Dicks	Ginn
Brooks	Diggs	Glickman
Brown, Ohio	Duncan, Oreg.	Gradison
Burton, John	Duncan, Tenn.	Hance
	Early	Hawkins

Heckler	Mikulski	Snowe
Heftel	Mitchell, Md.	Spellman
Holland	Murphy, Ill.	St Germain
Holt	Murphy, N.Y.	Stark
Holtzman	Nedzi	Symms
Horton	Nichols	Synar
Huckaby	Nolan	Taylor
Jenrette	Oakar	Treen
Johnson, Calif.	Pepper	Udall
Jones, N.C.	Pickle	Ullman
Jones, Okla.	Quayle	Waxman
Kemp	Rallsback	Wilson, Bob
Leath, Tex.	Rhodes	Wilson, C. H.
Lee	Richmond	Wilson, Tex.
Livingston	Roberts	Winn
Lujan	Rosenthal	Wright
Lungren	Rousselot	Wyder
McCloskey	Royer	Wyllie
McEwen	Runnels	Yatron
McKay	Schroeder	Young, Alaska
Mathis	Sebellus	Young, Fla.
Mazzoli	Skelton	

□ 1340

The Clerk announced the following pairs:

Mr. Pepper with Mr. Anderson of Illinois.
 Mrs. Spellman with Mr. Ashbrook.
 Mr. Roberts with Mr. Findley.
 Mr. Pickle with Mr. Rallsback.
 Mr. Foley with Mrs. Snowe.
 Mr. Ginn with Mr. Royer.
 Mr. Glickman with Mr. Wyllie.
 Mr. Jenrette with Mr. Rousselot.
 Mr. Mazzoli with Mr. Young of Florida.
 Mr. Mitchell of Maryland with Mr. Sebellus.
 Mr. Nichols with Mr. Lujan.
 Mr. Fary with Mr. Bob Wilson.
 Mr. Murphy of New York with Mr. Young of Alaska.
 Mr. Boland with Mr. Livingston.
 Mr. John L. Burton with Mrs. Fenwick.
 Mr. Coelho with Mr. Quayle.
 Mr. Dicks with Mr. Cleveland.
 Mr. Edwards of California with Mr. Symms.
 Mr. Corman with Mr. Winn.
 Mr. Evans of Georgia with Mr. Taylor.
 Mr. Clay with Mr. Wyder.
 Mr. Udall with Mr. Gradison.
 Mr. Synar with Mrs. Heckler.
 Mr. Wright with Mr. McEwen.
 Mr. McKay with Mr. Kemp.
 Mr. Nedzi with Mr. Lee.
 Ms. Mikulski with Mr. Duncan of Tennessee.
 Mr. Ullman with Mr. Erlenborn.
 Mr. Mathis with Mr. Lungren.
 Mr. Early with Mr. Phillip M. Crane.
 Mr. Yatron with Mr. Brown of Ohio.
 Mr. de la Garza with Mr. Clinger.
 Mr. Waxman with Mr. Archer.
 Mr. Leath of Texas with Mr. Clausen.
 Mr. Charles Wilson of Texas with Mr. Andrews of North Dakota.
 Mr. Skelton with Mr. Cheney.
 Mr. Richmond with Mr. McCloskey.
 Mr. Nolan with Mr. Horton.
 Ms. Oakar with Mr. Runnels.
 Mr. Fuqua with Mr. St Germain.
 Mr. Rosenthal with Mrs. Schroeder.
 Mr. Garcia with Mr. Stark.
 Mr. Hance with Mr. Charles H. Wilson of California.
 Mr. Glaimo with Mr. Hawkins.
 Mr. Jones of North Carolina with Mrs. Holt.
 Mr. Holland with Mr. Jones of Oklahoma.
 Mr. Heftel with Mr. Duncan of Oregon.
 Mr. Convers with Mr. Edwards of Alabama.
 Mr. Brooks with Mrs. Boggs.
 Mr. Akaka with Mr. Baldus.
 Mr. Bowen with Mr. Ambro.
 Mr. Cavanaugh with Mr. Huckaby.
 Mr. Fenwick with Mr. Bonker.
 Mr. Johnson of California with Mr. Barnard.
 Mr. Cotter with Mr. Murphy of Illinois.

Messrs. LOTT, MOORE, and MARTIN changed their votes from "yea" to "nay." So the conference report was agreed to.

The result of the vote was announced as above recorded.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. HAMILTON). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 2, line 4, strike out "\$295,361,000" and insert "\$295,836,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$301,896,000".

The motion was agreed to.

The SPEAKER pro tempore (Mr. MRNETA). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 6, line 14, insert "": *Provided further*, That none of these appropriations available to the Bureau of Land Management shall be used to effect reductions of licensed animal unit months to any grazing permittee or lessee that exceeds 10 per centum from the level established in fiscal year 1979."

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

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

There was no objection.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "": *Provided further*, That the Secretary of the Interior and Secretary of Agriculture shall (a) review Federal agricultural financial assistance programs to determine to what extent such programs provide opportunities to assist livestock operators adversely affected by reductions in grazing allotments on public rangelands, as defined in the section 3 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1902); and (b) submit the results of this review to the Committees on Appropriations of the House of Representatives and the Senate within ninety days of the effective date of this Act, together with details on available programs, opportunities for more effective use of such programs, additional budget requirements needed to augment such programs, and any legislation needed to improve opportunities for assistance: *Provided further*, That the Secretary of the Interior shall develop criteria for extending, on a case-by-case basis, the period allowed for phased livestock reductions on public rangelands administered through the Bureau of Land Management up to five years. Such criteria shall take into account available agricultural assistance programs, the magnitude of projected livestock reductions, alternative pasturage available, and ability of such public rangelands to sustain such phasing in of rangeland productivity: *Provided further*, That an appeal of any reductions in grazing allotments on public rangelands must be

taken within 30 days after receipt of a final grazing allotment decision or 90 days after the effective date of this Act in the case of reductions ordered during 1979, whichever occurs later. Reductions of up to 10 percent in grazing allotments shall become effective when so designated by the Secretary of the Interior. Upon appeal any proposed reduction in excess of 10 percent shall be suspended pending final action on the appeal, which shall be completed within 2 years after the appeal is filed".

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

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

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 8, line 11, insert "": and (6) not to exceed \$12,000,000 shall be available for land acquisition at Pinelands National Reserve, including \$800,000 for planning, only in accordance with the authorization and matching requirements of section 502 of Public Law 95-625: *Provided*, "":

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: Page 8, line 19, strike out "": *Provided further*, That the \$12,500,000 available to the Forest Service in fiscal year 1979 for acquisition of the Kahle and Jennings properties may be used to acquire other properties in the Tahoe Basin of California and Nevada with no matching requirement".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment amended to read as follows: "": *Provided further*, That the \$12,500,000 available to the Forest Service in fiscal year 1979 for acquisition of the Kahle and Jennings properties may be used to acquire the Jennings property and other properties in the Tahoe Basin of California and Nevada without regard to the matching requirements and zoning restrictions included in the 1979 appropriations act".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

Mr. YATES. Mr. Speaker, I ask unanimous consent that each remaining Senate amendment in disagreement be designated by number and the reading be waived.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 24: Page 11, line 8, strike out "\$56,327,000" and insert "\$56,945,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$58,757,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 25: Page 11, line 9 "": *Provided*, That \$4,712,000 shall become available only upon enactment of S. 838 or similar legislation.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 30: page 14, line 1, strike out "": *Provided further*, That the National Park Service is authorized to receive contributions for third shift operation of the Park Police Helicopters and that \$125,000 of this appropriation shall become available for obligation only to the extent it is matched by such contributions".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: In lieu of the matter proposed to be stricken by said amendment, insert the following: "": *Provided further*, That the Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation."

The SPEAKER pro tempore. The gentleman from Illinois (Mr. YATES) is recognized for 1 hour.

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

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

Mr. YATES. I yield to the gentleman from Pennsylvania.

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

Mr. Speaker, I am concerned, as I read down through the conference report, with what seems to me to be a good bit of money in one area. I am concerned about a good deal of money that seems to be headed toward one little community.

I know that the gentleman worked very hard in the course of the conference to assure that there is some sanity here, but as I look down through the conference report, I find \$105,000 to the police force in Harpers Ferry, W. Va.

Then I look further and I find \$1.3 million for a Harpers Ferry townhouse restoration, then \$70,000 for a Harpers Ferry footbridge, and then \$50,000 for a Harpers Ferry, W. Va. townhouse restoration.

It just seems to me that there is a whole series of dollar expenditures headed into one little community.

Can the gentleman assure me that this money is much needed?

I have been to that little town, and it is a nice place. I never felt I was going to be mugged on the streets, but this appropriates \$105,000 for the police there. I just wondered about that.

Mr. YATES. Mr. Speaker, with respect to each of the items, there is reason as to why we acted. As the gentleman well knows, Harpers Ferry is a very historic community and has been so designated by appropriate action.

With respect to the townhouses, it is following the effort by the Park Service to restore Harpers Ferry to the condition that existed at its historic moment or the condition that appeared to prevail in that community at a certain moment in the history of this country.

□ 1350

After assuring ourselves that the money was necessary for that restoration, we concurred with the Senate.

With respect to the money for the footbridge, the conferees on the part of the House were actually dismayed by the amount that was sought for design for the footbridge. There is no controversy that the footbridge is required to eradicate an unsafe condition that now exists for tourists crossing the railroad bridge in Harpers Ferry. But we were appalled that the sum of \$70,000 should seem to be necessary for that purpose. So what we did was to seek the concurrence of the Senate and received that concurrence that the Park Service would be requested to investigate the matter and to come back to the Appropriations Committees of the House and the Senate with a realistic figure that would cover the design for the footbridge and action would be taken at that point.

We fought tooth and nail, may I say, against the appropriation for the Harpers Ferry police force. We saw no reason for that appropriation. We had concurred with protest to a similar appropriation last year, finally conceding and receding when it appeared that the Senate was going to hold up the entire appropriation bill for the Department of the Interior in the event no agreement was possible. We thought we had reached an agreement that there would be no appropriation for that police force this year. We encountered the same kind of demand on the part of the Senate that the money be made available, and it was passed until other items in the appropriation bill—which, may I say, totals in excess of \$30 billion—were agreed to. We fought against it, and I stated to the

conferees for the Senate that this was the last time that the House would concur in this term, positively.

In addition to that, we asked the assurance that there would be cooperation between the Harpers Ferry police force with the Park Service. As a result, we were able to persuade the Senate to accept an amendment which would require the police force of the town of Harpers Ferry that the grant would be subject to the same criteria, the restrictions and the overview requirements of other Federal grants administered by the National Park Service. The grantee will be required to seek overview and coordination with the National Park Service law enforcement officials and any other State or Federal law enforcement specialists whom the National Park Service deems appropriate in areas of law enforcement operation and concomitant community relations activities.

So I will say to the gentleman that we were able to obtain the concession, that the police force of Harpers Ferry will work in cooperation and in coordination with the police authorities of the National Park Service.

I want to assure the gentleman that the conferees on the part of the House will make the same protest and representation if the Senate again puts that appropriation in the bill the next time.

Mr. WALKER. If the gentleman will yield, I thank the gentleman for his explanation. As usual, the gentleman has done a marvelous job of explaining the House position. I do thank the gentleman for the work that has gone into this. I had seen some media accounts that the junior Senator from West Virginia may have been trying to find places here for additional spending, and I wanted assurance that what the House was concurring in was something which we can justify.

Mr. YATES. I thank the gentleman.

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

The motion was agreed to.
The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:
Senate amendment No. 31: Page 14, line 5, insert "Provided further, That \$105,000 shall be available for the National Park Service to assist the Town of Harpers Ferry, West Virginia, for police force use."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:
Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein.

The motion was agreed to.
The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:
Senate amendment No. 34: Page 14, line 20, insert:

ROAD CONSTRUCTION
(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

Appropriations previously provided in this account to liquidate contract authority in the amount of \$5,552,000 are rescinded.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:
Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein.

The motion was agreed to.
The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:
Senate amendment No. 37: Page 16, line 24, strike out "\$448,290,000" and insert "\$450,805,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:
Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$452,055,000".

The motion was agreed to.
The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:
Senate amendment No. 38: Page 16, line 25, strike out "\$39,227,000" and insert "\$39,814,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:
Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$39,027,000".

The motion was agreed to.
The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

Mr. YATES. Mr. Speaker, I ask unanimous consent that all other amendments in technical disagreement that are pending be considered en bloc, up to amendment No. 108.

The SPEAKER pro tempore. The Chair will advise the gentleman from Illinois that some of these amendments are to recede and concur and some are to concur with amendment. Such amendments cannot be considered en bloc.

PARLIAMENTARY INQUIRY

Mr. CONTE. Mr. Speaker, is it not possible to consider en bloc all of the amendments that we agree to and to consider en bloc all of the amendments that we disagree to? Mr. Speaker, I make that unanimous-consent request.

The SPEAKER pro tempore. The Chair will advise the gentleman that in the instance where all of the amendments are to be agreed to, a request to consider them en bloc could be entertained; in the instance where some are to recede and concur and some are to concur with amendment, that type of a request could not be entertained.

Mr. CONTE. In other words, Mr. Speaker, we have to give all the numbers?

The SPEAKER pro tempore. The gentleman from Massachusetts is correct.

Mr. YATES. Mr. Speaker, in view of the Chair's ruling, I think it would be better to proceed amendment by amendment.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 40: Page 17, line 10, insert "": *Provided*, That \$141,500,000 provided for evaluation and assessment of the reserve shall be available only for closing out Federal exploration activities if legislation is enacted during the first session of the 96th Congress authorizing private exploration activities."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following: "": *Provided*, That the Secretary of the Interior shall review the rates being charged to the residents of Barrow for natural gas to determine if a proceeding should be instituted to revise such rates".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 47: Page 21, line 14, insert "": *Provided further*, That, notwithstanding the provisions of section 6 of the Act of April 16, 1934 (48 Stat. 596), as added by section 202 of the Indian Education Assistance Act (88 Stat. 2213, 2214; 25 U.S.C. 457), funds appropriated pursuant to this or any other Act for fiscal years ending September 30 of 1979 and 1980 may be utilized to reimburse school districts for up to the full per capita cost of educating Indian students (1) who are normally residents of the State in which such school districts are located but do not normally reside in such districts, and (2) who are residing in Federal boarding facilities for the purpose of attending public schools within such districts."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur therein.

The motion was agreed to.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that we consider en bloc all of the amendments that we recede and concur in.

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

Mr. DAVIS of South Carolina. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 48: Page 22, line 6 strike out "\$83,395,000" and insert "\$66,874,000."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 48 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "including a \$5,000,000 interest free loan to the Confederated Tribes of the Warm Springs Reservation of Oregon to be repaid to the Revolving Fund for Loans established in the Bureau of Indian Affairs at the end of a 20 year period after the effective date of this Act, \$89,374,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 49: Page 22, line 14 strike out "\$60,379,000" and insert "\$46,479,000."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 49 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$66,479,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 50: Page 25, line 12, insert "": *Provided*, That none of these appropriations shall be available to continue academic and residential programs of the Chilocco and Seneca boarding schools, Oklahoma, beyond January 15, 1980."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "": *Provided*, That no part of any appropriations to the Bureau of Indian Affairs shall be available to continue academic and residential programs of the Chilocco and Seneca boarding schools, Oklahoma beyond June 15, 1980."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 51: Page 26, line 22, strike out "\$84,161,000" and insert "\$63,061,000."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$86,661,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk

will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendments No. 52: Page 25, line 23, strike out "\$80,089,000" and insert "\$58,989,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$82,589,000".

The motion was agreed.

□ 1400

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 53: Page 28, line 4, strike out "\$112,760,000" and insert "\$105,799,000."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 53 and concur therein with an amendment, as follows: In lieu of the sum proposed insert the following: "\$113,785,000, and of the amount appropriated under this head in P.L. 95-355, \$1,400,000 shall be for an ex gratia payment to the people of Bikini Atoll".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 54: Page 28, line 22, insert:

PAYMENTS TO THE UNITED STATES TERRITORIES,
FINAL ASSISTANCE

There is hereby appropriated for the fiscal year 1980 and for each fiscal year thereafter, such sums as are authorized to be remitted to the Territories of Guam and the Virgin Islands under sections 1(c) and 4(c)(2) of Public Law 95-348, 92 Stat. 487.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 54 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 56: Page 29, line 14, strike out "\$45,760,000" and insert "\$45,144,000."

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein with an amendment, as follows: In lieu of the sum proposed, insert the following matter: "including not less than \$9,000,000 for

an Office of Construction Management, \$49,344,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 58: Page 32, line 21, insert: Sec. 108. No appropriations made in this title shall be available in connection with any lease, administrative transfer, or withdrawal not now existing of lands and waters comprising Wild Horse Reservoir, Nevada, or any lands immediately adjacent thereto.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 58 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following:

Sec. 108. No appropriations made in this title shall be available for implementation of any decision with regard to any lease, administrative transfer, or withdrawal not now existing of lands and waters comprising Wild Horse Reservoir, Nevada, or any lands immediately adjacent thereto: *Provided*, That this limitation is not applicable to water necessary for current or future irrigation practices.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 59: Page 33, line 1, insert:

Sec. 109. No appropriations made in this title shall be available for research, planning, identification of lands, implementation of plans, preservation of lands, or any other activity associated with the unique wildlife ecosystem program as now administered by the U.S. Fish and Wildlife Service not specifically authorized by law.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 59 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

Sec. 109. No appropriations made in this title shall be available for the identification of lands not now so identified or acquisition (by withdrawal, transfer or purchase) of lands for or associated with the Unique Wildlife Ecosystem Program as now defined by the United States Fish and Wildlife Service not authorized by law under an existing program.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 67: Page 34, line 25, strike out "\$384,910,000" and insert "\$383,076,000".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of

the Senate numbered 67 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$401,242,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 73: Page 38, line 11, insert:

Any appropriations or funds available to the Forest Service may be advanced to the National Forest System limitation for the emergency rehabilitation of burned over lands under its jurisdiction.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 73 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 74: Page 39, line 1, strike out:

SYNTHETIC FUELS PRODUCTION

For expenses necessary to carry out the provisions of the Defense Production Act of 1950, as amended (50 U.S.C. 2061 et seq.), \$1,500,000,000, to remain available until expended, for the purchase or production of synthetic fuels and synthetic chemical feedstocks, to be derived from the Energy Trust Fund established by H.R. 3919 or a fund or segregated account or equivalent mechanism established by equivalent legislation: *Provided*, That if no such fund, account, or mechanism has been established upon enactment of this bill, funds for such program shall be derived from general funds of the Treasury not otherwise appropriated, to be reimbursed from such fund, account, or mechanism at such time as it is established: *Provided further*, That this appropriation shall not be used for the construction of facilities: *Provided further*, That the President is authorized to contract for purchases of or commitments to purchase, or to resell synthetic fuels and synthetic chemical feedstocks to the extent of appropriations provided herein.

And insert:

ALTERNATIVE FUELS PRODUCTION

For the establishment in the Treasury of the United States of a special fund to be designated the "Energy Security Reserve", \$20,000,000,000, of which \$1,500,000,000 shall be derived by transfer from the "strategic petroleum reserve" account, to remain available until expended: *Provided*, That these funds shall be available for obligation only to stimulate commercial production of alternative fuels and only to the extent provided in advance in appropriations Acts: *Provided further*, That \$1,500,000,000 shall be available immediately to the Secretary of Energy for expenses necessary to carry out the provisions of the Federal Non-nuclear Energy Research and Development Act of 1974, as amended to remain available until expended, for the purchase or production by way of purchase commitments or price guarantees of alternative fuels: *Provided further*, That the Secretary is authorized to contract for purchases of or commitments to purchase, or to resell alternative fuels to the extent of appropriations provided herein: *Provided further*, That an additional \$708,000,000 shall be available immediately to the Secretary of Energy, to remain available until expended,

to support preliminary alternative fuels commercialization activities, of which (1) not to exceed \$100,000,000 shall be available for direct loans for project development feasibility studies, such individual loans not to exceed \$4,000,000: *Provided*, That the Secretary may waive repayment of such loans where studies determine that project proposals have no economic or technical feasibility; (2) not to exceed \$100,000,000 shall be available for cooperative agreements with non-Federal entities, such individual agreements not to exceed \$25,000,000, to support commercial scale development of alternative fuels facilities; (3) not to exceed \$500,000,000 shall be available for a reserve to cover any defaults from loan guarantees issued to finance the construction of alternative fuels production facilities as authorized by the Federal Non-Nuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5901, et seq.): *Provided*, That the indebtedness guaranteed or committed to be guaranteed under this appropriation shall not exceed the aggregate of \$1,500,000,000; and (4) not to exceed \$8,000,000 shall be available for program management.

This Act shall be deemed to satisfy the requirements for congressional approval of sections 7(c) and 19 of said Act with respect to any purchase commitment, price guarantee, or loan guarantee for which funds appropriated hereby are utilized or obligated.

For the purposes of this appropriation the term "alternative fuels" means gaseous, liquid, or solid fuels and chemical feedstocks derived from coal, shale, tar sands, lignite, peat, biomass, solid waste, unconventional natural gas, and other minerals or organic materials other than crude oil or any derivative thereof.

Within sixty days following enactment of this Act, the Secretary of Energy in his sole discretion shall establish and publish final criteria for loans described in this account.

For the establishment in the Treasury of the United States of a special fund to be designated the "Solar and Conservation Reserve", \$1,000,000,000 to remain available until expended: *Provided*, That these funds shall be available for obligation only to stimulate solar energy and conservation: *Provided further*, That the withdrawal of said funds shall be subject to the passage of authorizing legislation and only to the extent provided in advance in appropriations Acts.

Nothing herein is intended to preempt, preclude or prejudice the Senate's consideration of appropriation, authorization or revenue bills which may be reported by Senate committees relative to expenditures on synthetic fuels, solar (including renewables) and conservation, in this or subsequent fiscal years, nor is anything herein intended to establish or set a binding pattern as to the proportion of appropriations for synthetic fuels, solar (including renewables) and conservation.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 74 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following:

ALTERNATIVE FUELS PRODUCTION

In order to expedite the domestic development and production of alternative fuels and to reduce dependence on foreign supplies of energy resources by establishing such domestic production at maximum levels at the earliest time practicable, there is hereby established in the Treasury of the United States a special fund to be designated the "Energy Security Reserve", to which is appropriated \$19,000,000,000, to remain avail-

able until expended: *Provided*, That these funds shall be available for obligation only to stimulate domestic commercial production of alternative fuels and only to the extent provided in advance in appropriations Acts: *Provided further*, That of these funds \$1,500,000,000 shall be available immediately to the Secretary of Energy to carry out the provisions of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5901, et seq.), to remain available until expended, for the purchase or production by way of purchase commitments or price guarantees of alternative fuels: *Provided further*, That the Secretary shall immediately begin the contract process for purchases of, or commitments to purchase, or to resell alternative fuels to the extent of appropriations provided herein: *Provided further*, That of these funds an additional \$708,000,000 shall be available immediately to the Secretary of Energy, to remain available until expended, to support preliminary alternative fuels commercialization activities under the Federal Nonnuclear Energy Research and Development Act of 1974, as amended, of which (1) not to exceed \$100,000,000 shall be available for project development feasibility studies, such individual awards not to exceed \$4,000,000; *Provided*, That the Secretary may require repayment of such funds where studies determine that such project proposals have economic or technical feasibility; (2) not to exceed \$100,000,000 shall be available for cooperative agreements with non-Federal entities, such individual agreements not to exceed \$25,000,000 to support commercial scale development of alternative fuels facilities; (3) not to exceed \$500,000,000 shall be available for a reserve to cover any defaults from loan guarantees issued to finance the construction of alternative fuels production facilities as authorized by the Federal Nonnuclear Energy Research and Development Act of 1974, as amended: *Provided*, That the indebtedness guaranteed or committed to be guaranteed under this appropriation shall not exceed the aggregate of \$1,500,000,000; and (4) not to exceed \$8,000,000 shall be available for program management.

This Act shall be deemed to satisfy the requirements for congressional action pursuant to sections 7(c) and 19 of said Act with respect to any purchase commitment, price guarantee, or loan guarantee for which funds appropriated hereby are utilized or obligated.

For the purposes of this appropriation the term "alternative fuels" means gaseous, liquid, or solid fuels and chemical feedstocks derived from coal, shale, tar sands, lignite, peat, biomass, solid waste, unconventional natural gas, and other minerals or organic materials other than crude oil or any derivative thereof.

Within ninety days following enactment of this Act, the Secretary of Energy in his sole discretion shall issue a solicitation for applications which shall include criteria for project development feasibility studies described in this account.

Loan guarantees for oil shale facilities issued under this appropriation may be used to finance construction of full-sized commercial facilities without regard to the proviso in section 19(b) (1) of said Act requiring the prior demonstration of a modular facility.

In any case in which the Government, under the provisions of this appropriation, accepts delivery of and does not resell any alternative fuels, such fuels shall be used by an appropriate Federal agency. Such Federal agency shall pay into the reserve the market price, as determined by the Secretary, for such fuels from sums appropriated to such Federal agency for the purchase of fuels. The Secretary shall pay the contractor, from sums appropriated herein, the contract price for such fuels.

All amounts received by the Secretary under this appropriation, including fees, any other monies, property, or assets derived by the Secretary from operations under this appropriation shall be deposited in the reserve.

All payments for obligations and appropriate expenses (including reimbursements to other Government accounts), pursuant to operations of the Secretary under this appropriation shall be paid from the reserve subject to appropriations.

For the establishment in the Treasury of the United States of a special fund to be designated the "Solar and Conservation Reserve", \$1,000,000,000 to remain available until expended: *Provided*, That these funds shall be available for obligation only to stimulate solar energy and conservation: *Provided further*, That the withdrawal of said funds shall be subject to the passage of authorizing legislation and only to the extent provided in advance in appropriations Acts.

Beginning six months after the date of enactment of this Act, and every six months thereafter, the Secretary is required to submit to the Congress a written report detailing the activities carried out pursuant to this appropriation.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 82: Page 44, line 18, insert "*Provided further*, That none of the funds provided for State energy conservation grants shall be available to any jurisdiction that has not implemented section 362(c) (5) of Public Law 94-163".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 82 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 87: Page 47, line 6, insert "construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailer; and for".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 87 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 89: Page 47, line 23, insert "of new facilities".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 89 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 90: Page 47, line 24, insert "existing".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 90 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 91: Page 48, line 12, insert "*Provided*, That none of these appropriations to the Health Services Administration shall be available for the lease of permanent structures without advance provision therefor in appropriations Acts".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 91 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "*Provided*, That none of the funds appropriated under this Act to the Indian Health Service shall be available for the lease of permanent structures without advance provision therefor in appropriations Act".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 94: Page 50, line 5, strike out "\$103,498,000" and insert "\$102,710,000: *Provided*,".

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 94 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "\$103,781,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 107: Page 57, line 8, insert:

FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE PERMITTING AND ENFORCEMENT

For necessary expenses of the Federal Inspector for the Alaska Gas Pipeline, \$13,433,000, of which \$4,473,000 shall remain available until expended.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 107 and concur therein with an amendment, as follows: In lieu of

the matter proposed by said amendment insert the following:

FEDERAL INSPECTOR FOR THE ALASKA GAS
PIPELINE
PERMITTING AND ENFORCEMENT

For necessary expenses of the Federal Inspector for the Alaska Gas Pipeline, \$10,600,000, of which \$3,600,000 shall remain available until expended.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 108: Page 57, line 14, insert:

COMMUNITY SERVICES ADMINISTRATION
EMERGENCY FUEL ASSISTANCE

For emergency fuel assistance programs administered by the Director of the Community Services Administration under section 222(a)(5) of the Economic Opportunity Act of 1964, \$1,200,000,000.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 108 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

COMMUNITY SERVICES ADMINISTRATION
COMMUNITY SERVICES PROGRAM

For an additional amount for "Community services program", \$1,350,000,000: *Provided*, That of this amount \$1,200,000,000 shall be transferred by allocation to the Secretary of Health, Education, and Welfare for payment of energy grants and allowances and related administrative costs: *Provided further*, That energy allowances shall not be considered as income or resources under any other public or publicly assisted income tested program, but shall be taken into consideration in determining eligibility for energy crisis assistance: *Provided further*, That the States shall, in awarding funds, give priority to those households experiencing significant increases in heating fuel costs over the levels of the previous year: *Provided further*, That States shall, in establishing such priority, provide for determining the extent to which increases in rents are caused by increases in heating fuel costs and consider such portions of increases in rents to be increases in heating costs: *Provided further*, That proof of income eligibility shall be required of all applicants: *Provided further*, That an annual audit shall be made of this program and all of its components: *Provided further*, That no awards to applicants shall be made after June 30, 1980: *Provided further*, That \$400,000,000 shall be paid as a special one-time energy allowance to recipients of Supplemental Security Income distributed among the States according to the following formula: (1) 33½ per centum based on the number of heating degree days squared times the number of households below 125 per centum of poverty; 33½ per centum based on the difference in home heating energy expenditures between 1978 and 1979; (3) 33½ per centum based on the number of Supplemental Security Income recipients (other than those receiving no more than \$25 because of their presence in a Medicaid institution) in each State relative to the national total: *Provided further*, That no Supplemental Security Income recipient shall receive more than \$250 from the funds provided for Supplemental Security Income recipients: *Provided further*, That the remainder of any funds that would have been allotted to any State for Supple-

mental Security Income recipients if no maximum payment limitation had been in existence shall be allocated based on the State determination previously made in regard to funds provided for special energy allowances to recipients of Aid to Families with Dependent Children (AFDC) or block grants to States: *Provided further*, That \$942,600,000 shall be distributed among the States according to the following formula: (1) 50 per centum based on the number of heating degree days squared times the number of households below 125 per centum of poverty; (2) 50 per centum based on the difference in home heating energy expenditures between 1978 and 1979: *Provided further*, That, in the State Funding Plan, the Governor shall provide assistance for those who pay fuel bills indirectly as well as directly: *Provided further*, That from revenues received from any windfall profit taxes imposed by Federal law on producers of domestic crude oil, there shall be reimbursed to the general fund of the Treasury an amount equivalent to the amount of funds appropriated to carry out the purposes of this paragraph: *Provided further*, That for the purposes of this paragraph, the term "States" shall include the "insular areas" of the United States.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. YATES).

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

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

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

Mr. GRAMM. I thank the gentleman for yielding.

I would like, Mr. Speaker, to talk about why the formula that was adopted by the House and that we took to conference is greatly unfair, why there is no logical foundation for it, and why we should recede to the Senate's amendment, which simply allocates \$1.2 million, but does not set out a formula.

In the formula we voted on in the House version of this bill, we allocated \$174 million among the States on the basis of heating-degree days squared, multiplied by the number of people whose income is 125 percent of the poverty level or less.

The Oceanography and Meteorology Administration tells me that they have done conclusive research which indicates that there is a linear relationship between heating-degree days and the amount of heating to be done, in terms of heating cost. Therefore, if it is three times as cold in Massachusetts in terms of heating-degree days as it is in Texas, people in Massachusetts have to spend three times as much money to heat their homes as people do in Texas.

If our objective is to help poor people who have to heat their homes, then we should have set out a formula that had a linear relationship between the amount of money we gave the State and the number of heating-degree days that that State has. But by squaring the number of heating-degree days, if Massachusetts has three times the heating-degree days Texas does, and rather than giving them three times as much money, we give them nine times as much money.

If we take the linear relationship formula that would be dictated by the research of the Oceanography and Mete-

orology Administration and compare it to the formula the House has used, we find that by squaring heating-degree days, we greatly distort the allocation of funds. This means that relative to what would be dictated by need, Alabama gets 50.1 percent less; Arizona gets 56.7 percent less; Arkansas gets 40.1 percent less; and California gets 49.3 percent less.

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Mr. PHILLIP BURTON. Mr. Speaker, will the gentleman yield?

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

Mr. PHILLIP BURTON. The gentleman is dealing in percentages. I would like to have the gentleman take a look at the dollar loss that California sustained as a result of the conference committee. When the gentleman concludes his presentation, I am going to ask unanimous consent he be permitted to continue so he and I can engage in some rather sympathetic exchanges.

Mr. GRAMM. Had funds been allocated on the basis of need and heating costs, California would have received \$27.6 million under the funds allocated by heating degree days. As a result of squaring, however, California gets only \$14 million, a loss of \$13.6 million.

I could go down the list, Mr. Speaker, but basically what we did by squaring this formula was set up the situation where those areas that were cold, rather than being compensated for the fact that they were cold, were overcompensated by squaring.

I believe people who live in the northern part of our country should get more money because it is colder there, but I do not think they should get some multiple of the justified differential. Cold is cold. Heating bills are heating bills, no matter where you live.

I think it is important that we remember that our objective here is to protect poor people. We do not protect poor people by setting up a formula whereby we square heating degree days, which is totally unjustified in terms of a relationship between requirements for heating and costs as dictated by temperature differentials. By squaring we are taking money away from poor people who live in the South and in the West. These people have to pay utility bills, these people are poor, and these people need help, too.

Mr. PHILLIP BURTON. Will the gentleman yield to me further?

Mr. GRAMM. I am happy to yield to my colleague from California.

Mr. PHILLIP BURTON. Mr. Speaker, I would like to join with my colleague in the well. As I understand, among other things, they use a statewide formula to determine whether or not we have these heating days. We could tuck all of Massachusetts into our back pocket, the whole State, the northern part of the State, and qualify, Mr. Speaker.

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

Mr. YATES. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. GRAMM. Mr. Speaker, I yield to the gentleman from California.

Mr. PHILLIP BURTON. Mr. Speaker, we can tuck Massachusetts in the north-

ern part of our State and not miss it in the whole State, populationwise. But because we have a whole State average, this particular formula just happens to give it to us in the pants.

I would like to note the other day our delegation voted overwhelmingly in support of welfare reform. Our State, under that formula, will pay out more money than our people will get. Our colleagues agreed to do this. We agreed to do this because we have some national responsibility, even though we pay more taxes than any State in the land does to the Federal Treasury.

But when we have a formula that purports to be equitable and is simply rigged, let us not kid anybody, this bill also provides a measurement of poverty that completely disregards reality in the high cost, highly urbanized sections of the country where the State money is used, they use the State funds to see these people in need have their income maintained.

I would like to alert my colleagues from the northern tier, if I may, they have for the last time had the support of States like ours if they continue to hand us once again or ever again a rigged formula to take care of the needs of poor people to meet these energy costs. If you live in the southern part of our State it costs you just as much or more through our heating season to keep body and soul alive with air-conditioning as it does for the elderly poor and the poor in the Northeast. For them the crisis is here now, but do not try to hay-shake us the next time, because we are not going to be taken.

Mr. GRAMM. If I may reclaim my time, I would simply like to point out that the other body in its version of 108 has allocated \$1.2 billion, with no formula prescribed. If we recede to the position of the other body we can go back and generate a reasonable, ordered and just basis formula fair to everybody. We can escape a formula which is totally unjustified by heating needs and expenses, which robs from people in one part of the country and gives disproportionate amounts of money to people in other parts of the country. Our objective is to help poor people who have heating needs, no matter where they live and, therefore, I urge my colleagues to reject the House version of amendment No. 108, so that we may recede to the other body.

Mr. PHILLIP BURTON. If the gentleman will yield for one final point, the point is that if we really were well organized—that is a big “if”—we would have long ago or in the recent past increased all of the SSI people to a stable, monthly amount to take into account energy costs, and then not added that hokey aspect of this formula to this proposal.

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

Mr. YATES. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. GRAMM. Mr. Speaker, I yield to the gentleman from California.

Mr. PHILLIP BURTON. Mr. Speaker, because we did not treat generically the SSI problem as we should have, we are

now compelled to be sure these people are not ignored by trying to squeeze them into this formula. But even having done that, we produce internal inequities in a State, and inequities between one SSI recipient and another in differing parts of the country. So I cannot lay that part of the blame on the Interior Committee whose work I applaud in virtually all respects. But I can note that the Ways and Means Committee ought to get their act together and recognize the peculiar problem with the SSI, the elderly, and the crippled and the poor, and raise those stable monthly benefit amounts, and not get into this yoyo where we are going to increase a grant 1 month, reduce it the next, at the cost of \$8 each grant computation change. It is sheer nonsense, and a lousy way to do business.

Mr. CONTE. Mr. Speaker, I wish to be recognized on my own time.

Mr. Speaker, as we all know, both the House and Senate Interior Appropriations conferees have been meeting for the past week. One of the more critical provisions in this appropriations bill is the emergency heating assistance program.

Yesterday, while in conference, it was readily apparent that a compromise needed to be struck between the two Houses of Congress. As a result, I offered an amendment which I am pleased to say was adopted. The effect of my amendment is that SSI recipients will now receive up to a maximum of \$250 per person. I believe that the amendment is a fair and equitable one.

The emergency heating assistance language of the Interior bill now provides for the following distribution of \$1.35 billion:

First, \$150 million to be distributed by CSA as crisis intervention funds (which is to be added to the already distributed \$250 million for a total of \$400 million). The \$150 million will be distributed using the House-passed formula under the Labor-HEW bill.

Second, \$400 million will be distributed to SSI recipients, according to the State in which they live, by a three-part formula which consists of the House-passed formula plus an additional factor which was adopted yesterday in conference.

One-third based upon heating degree days squared times the number of households below 125 percent of poverty.

One-third based upon the difference in home heating energy expenditures between 1978 and 1979 and

One-third based upon the number of SSI recipients in a State compared to the total number of such recipients in all States.

Third. Approximately \$791 million will be made available for distribution by HEW to AFDC recipients. If the State decides to “opt in,” it may take its share of the \$791 million (based on the House-passed formula) and proceed to use it under a plan already approved by CSA and therefore automatically approved by HEW. In addition, it is intended that this provision will expedite the implementation of this program and that minor modifications necessary to be consistent with the new provisions in the conference report shall not be considered as requiring new plan approval.

The States can use the block grant in a variety of ways, including but not limited to the following: Retain all or part of the funds for crisis intervention; target households with higher energy costs rather than distributing it broadly; establish a vendor line of credit; make payments to those already participating in other income assistance programs (AFDC, food stamps).

The conferees expect HEW and CSA to work together as closely as possible in carrying out this program to reduce duplication and overlap to a minimum and to insure that the funds are made available to the intended recipients as quickly and expeditiously as possible. States may use up to 10 percent of the block grants for administrative expenses.

Although the conferees agree on the need to impose a ceiling on the funds available to each eligible household, we are also aware of the unique heating requirements of each State. The conferees therefore recommend that CSA regulations be amended to allow the Governor of each State to request the authority to increase this ceiling.

It is also directed that there be no duplication of payments from any funds contained in this program.

Time is of the essence in this matter, we must not place the many citizens of this country of having to choose between heating and eating.

	CSA ¹	SSI ²	AFDC ³	Total
Alabama.....	4.57	6.11	4.36	15.04
Alaska.....	1.15	1.16	3.10	5.41
Arizona.....	1.99	1.65	1.88	5.52
Arkansas.....	3.09	3.70	3.31	10.10
California.....	17.48	30.08	20.97	68.53
Colorado.....	4.82	4.54	10.43	19.79
Connecticut.....	9.01	7.94	21.19	38.14
Delaware.....	1.20	1.14	2.67	5.01
District of Columbia.....	1.49	1.54	3.04	6.07
Florida.....	5.30	6.61	2.60	14.51
Georgia.....	6.06	7.10	5.77	18.93
Hawaii.....	.19	.33	.52	.92
Idaho.....	2.23	1.99	5.15	9.37
Illinois.....	23.77	19.33	45.52	88.62
Indiana.....	11.23	8.77	21.95	41.95
Iowa.....	6.51	5.99	15.22	27.72
Kansas.....	3.12	2.37	5.17	10.66
Kentucky.....	6.18	6.40	9.59	22.17
Louisiana.....	3.05	5.21	2.11	10.37
Maine.....	4.86	5.01	12.50	22.37
Maryland.....	6.85	6.57	14.64	28.06
Massachusetts.....	17.79	18.06	40.64	76.49
Michigan.....	21.24	19.98	47.49	88.71
Minnesota.....	13.74	13.26	36.14	63.14
Mississippi.....	3.06	4.65	2.46	10.17
Missouri.....	9.35	8.35	16.02	33.72
Montana.....	2.17	2.05	5.35	9.57
Nebraska.....	3.22	2.74	6.83	12.79
Nevada.....	.90	.74	1.55	3.19
New Hampshire.....	3.04	2.81	7.75	13.60
New Jersey.....	16.51	15.20	36.47	68.18
New Mexico.....	1.90	1.93	3.16	6.99
New York.....	52.04	51.76	117.73	221.53
North Carolina.....	9.11	10.28	16.24	35.63
North Dakota.....	2.33	2.61	7.06	12.00
Ohio.....	20.64	17.58	40.11	78.33
Oklahoma.....	3.67	3.71	4.61	11.99
Oregon.....	4.72	4.55	11.30	20.57
Pennsylvania.....	28.05	25.71	59.28	113.05
Rhode Island.....	2.90	2.72	6.56	12.18
South Carolina.....	3.75	4.45	4.83	13.03
South Dakota.....	2.11	2.20	5.77	10.08
Tennessee.....	6.47	7.56	9.33	23.36
Texas.....	9.86	11.18	8.16	29.20
Utah.....	2.02	1.67	4.28	7.97
Vermont.....	2.06	2.15	5.44	9.65
Virginia.....	8.35	8.30	16.68	33.33
Washington.....	7.91	7.81	18.63	34.35
West Virginia.....	3.84	3.77	6.83	14.44
Wisconsin.....	13.05	12.79	31.35	57.19
Wyoming.....	.79	.71	1.91	3.41

¹ \$250 M, via old formula; \$150 M, via House-passed formula.

² \$400 M, out via compromise formula.

³ Or block grant to States \$800 M via House-passed formula

	House bill	House formula	Com-promise
Alabama	11.66	2.23	6.11
Alaska	.56	1.59	1.16
Arizona	2.40	.96	1.65
Arkansas	6.95	1.69	3.70
California	58.18	10.73	30.08
Colorado	3.93	5.34	4.54
Connecticut	2.64	10.84	7.94
Delaware	.74	1.36	1.14
District of Columbia	1.54	1.55	1.54
Florida	10.45	1.33	6.61
Georgia	12.92	2.95	7.10
Hawaii	.52	.00	.33
Idaho	.93	2.64	1.99
Illinois	14.09	23.29	19.33
Indiana	4.59	11.23	8.77
Iowa	3.16	7.79	5.99
Kansas	1.99	2.65	2.37
Kentucky	9.76	4.91	6.40
Louisiana	9.77	1.08	5.21
Maine	3.25	6.40	5.01
Maryland	5.12	7.49	6.57
Massachusetts	15.77	20.80	18.06
Michigan	14.90	24.30	19.98
Minnesota	4.31	18.49	13.26
Mississippi	9.24	1.26	4.65
Missouri	9.61	8.20	8.35
Montana	.99	2.74	2.05
Nebraska	1.58	3.49	2.74
Nevada	.66	.80	.74
New Hampshire	.70	3.97	2.81
New Jersey	9.64	18.66	15.20
New Mexico	2.76	1.62	1.93
New York	42.23	60.24	51.76
North Carolina	13.12	8.31	10.28
North Dakota	.98	3.61	2.61
Ohio	14.04	20.53	17.58
Oklahoma	6.0	2.36	3.71
Oregon	2.3	5.78	4.55
Pennsylvania	19.72	30.33	25.71
Rhode Island	1.74	3.36	2.72
South Carolina	7.07	2.47	4.45
South Dakota	1.00	2.95	2.20
Tennessee	12.73	4.78	7.56
Texas	19.16	4.18	11.18
Utah	.83	2.19	1.67
Vermont	1.28	2.78	2.15
Virginia	8.04	8.53	8.30
Washington	5.23	9.53	7.81
West Virginia	4.83	3.50	3.77
Wisconsin	8.84	16.04	12.79
Wyoming	.26	.98	.71
All States	404.83	404.83	404.83

Mr. Speaker, I want to direct my remarks to the gentleman from California. I think he is very unfair. He talked to me in the aisle earlier today. The only thing I wish is that more people in this House could sit in on the conference.

The gentleman from Illinois, chairman of the committee (Mr. YATES) did a yeoman's service, a tremendous job, a very tedious job, 5 solid days with the other body.

Does the gentleman know what the other body wanted to do to California? I will tell the gentleman what they wanted to do to California, and I stopped them. They wanted to give California \$10 million under SSI. We fought it, and fought it, and fought it, and then finally came up with this compromise with regards to the SSI recipients. The gentleman spoke to me in the aisle about it.

Mr. PHILLIP BURTON. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. PHILLIP BURTON. If my dear friend will yield for a moment, the Javits amendment did not produce this result.

Mr. CONTE. No, not the Javits amendment.

Mr. PHILLIP BURTON. The gentleman is talking about an amendment that was pulled out of the closet by the conferees of the other body. The other body never acted on the Javits amendment, and that difference did not exist between the House and Senate-approved proposals.

Mr. CONTE. I take back my time.

What happened was the Javits amendment to the Interior appropriations bill went through on the Senate side, but this House passed an HEW appropriation for emergency fuel. The other body refused to take it up. They would not even take it up. Rather, they included three sentences or three lines for an emergency fuel bill in their Interior bill and started to write a bill in the conference. And there we were, we were stymied. I would ask the chairman of the committee (Mr. YATES), am I not right?

Mr. YATES. Mr. Speaker, will the gentleman yield to me?

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

Mr. YATES. The gentleman is exactly right. We tried to insist upon the House version of the bill and the Senate conferees would not even listen to us. The question was whether or not we would come out with a bill. We were at loggerheads, we had no way to move, and the gentleman from Massachusetts proposed an amendment which seemed to us to provide a halfway point, an equitable distribution, and that was the reason.

Mr. PHILLIP BURTON. If the gentleman would yield, I would like to applaud the gentleman in the well and applaud the gentleman from Illinois. We have all had to do business with the other body. We oftentimes do not succeed too well.

□ 1420

But if I can make this one general kindly footnote, I thank the gentleman in the well. I will not go into how well Massachusetts and Illinois did vis-a-vis the House version. I think the gentleman struggled with his conscience and he won. Massachusetts did better under this version than it did under the House version.

Mr. CONTE. I might say in all fairness, not very much better, not very much better. But when I was drawing up this compromise with the Senate, I tried to determine the most equitable approach to the problem. The gentleman from California (Mr. PHILLIP BURTON) is the one who gave me the idea. He suggested that we not leave out the SSI recipients. So I did not, instead I factored in the SSI recipients in each State with my compromise formula. We put a \$250 limitation on it so no SSI recipient will get over \$250. If any recipient is entitled to more than the \$250, the States can take that amount of money and use it in with their block grant program. It is amazing—amazing. Finally the Senate said, "All right. You came up with a good idea." Senator BURDICK said, "You are a genius. You came up with a good idea. We are going to buy it," and that is it. If it were not for that, we would not be here tonight acting on this piece of legislation getting these checks out to the poor people.

The Members all read the RECORD. They can read all about my amendment.

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

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

Mr. BAUMAN. I thank the gentleman for yielding. I just do not understand

how all of this happened, because when the fuel assistance bill came through here like a locomotive about 10 days ago, we were assured by all of you folks it was the best formula, the best legislation; it was perfect, and we should pass it, despite the fact that it never went through an authorizing committee.

Mr. CONTE. Let me say this: The chairman of the committee and I argued very, very strongly, very vociferously, for the House-passed bill, but the Senate never even held hearings.

If the gentleman knows the gentleman over there who runs that other body—whose name we cannot say under the rules of the House—they were holding this particular bill hostage.

Mr. BAUMAN. If the gentleman will yield, we are not permitted under the rules to mention a name.

Mr. CONTE. That was something else, and that was unfortunate, but this was a fast-track vehicle to make it a right act.

Mr. PHILLIP BURTON. If the gentleman will yield, the senior Senator from North Dakota struggled with his conscience and walked off with a good deal more under the gentleman's formula than the House-passed bill.

Mr. CONTE. I hope this is passed. And if a motion is made by someone to recede and concur with the Senate, please do not do it because there is nothing there.

Mr. YATES. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, it is obvious that a formula cannot be drafted which satisfies every State in the Union. One formula will cause dissatisfaction in some of the States; another formula will cause dissatisfaction in other States. We have struggled with what we thought was a fair formula, and we have produced what we thought was a fair result. I think we ought to vote.

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

The previous question was ordered.

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

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

RECORDED VOTE

Mr. GRAMM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 103, not voting 148, as follows:

[Roll No. 648]

AYES—182

Abdnor	Bonior	D'Amours
Ambro	Brademas	Daniel, Dan
Annunzio	Brodhead	Daschle
Ashley	Broomfield	Davis, Mich.
Aspin	Brown, Calif.	Deckard
Atkinson	Burlison	Devine
AuCoin	Butler	Diggs
Balley	Carney	Dingell
Barnes	Carr	Dodd
Beard, R.I.	Carter	Donnelly
Bedell	Coleman	Dougherty
Bellenson	Collins, Ill.	Downey
Benjamin	Conable	Drinan
Bereuter	Conte	Edgar
Blagel	Corcoran	Edwards, Okla.
Bingham	Coughlin	Emery
Blanchard	Courter	Erdahl

Ertel
Evans, Del.
Evans, Ind.
Ferraro
Fish
Fisher
Florio
Foley
Ford, Mich.
Forsythe
Frenzel
Gaydos
Gephardt
Gilman
Goodling
Grassley
Gray
Green
Guarini
Gagedorn
Hall, Ohio
Hanley
Harkin
Harris
Harsha
Hillis
Hopkins
Howard
Hughes
Hyde
Ichord
Jacobs
Jeffords
Jeffries
Kastenmeier
Kildee
Kindness
Kostmayer
LaFalce
Leach, Iowa
Lederer
Lent
Long, Md.

Lowry
Luken
Lundine
McClory
McCormack
McHugh
Madigan
Maguire
Markey
Marks
Marlenee
Michel
Miller, Ohio
Minish
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Murphy, Pa.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Nowak
O'Brien
Oberstar
Obey
Ottinger
Patten
Pease
Perkins
Petri
Price
Pritchard
Pursell
Rangel
Reuss
Rinaldo
Ritter
Robinson
Rodino
Roe
Roth
Sabo

Sawyer
Scheuer
Schulze
Selberling
Sensenbrenner
Shannon
Sharp
Shuster
Simon
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Solomon
Staggers
Stangeland
Stanton
Steed
Stewart
Stockman
Stokes
Stratton
Studds
Swift
Tauke
Trible
Vander Jagt
Vanik
Vento
Volkmer
Weaver
Weiss
Whitehurst
Whittaker
Williams, Mont.
Williams, Ohio
Wirth
Wolf
Wolpe
Yates
Young, Mo.
Zablocki

NOES—103

Alexander
Anderson,
Calif.
Anthony
Badham
Bafalis
Bauman
Beard, Tenn.
Bennett
Bethune
Bevill
Boner
Breux
Brinkley
Broyhill
Buchanan
Burgener
Burton, Phillip
Byron
Campbell
Collins, Tex.
Crane, Daniel
Daniel, R. W.
Danelson
Dannemeyer
Davis, S.C.
Dellums
Derrick
Derwinski
Dickinson
Dixon
Dornan
Eckhardt
English
Fascell
Fazio

Flippo
Fountain
Fowler
Frost
Gingrich
Goldwater
Gonzalez
Gore
Gramm
Grisham
Hall, Tex.
Hammer-
schmidt
Hansen
Hefner
Hightower
Hinson
Hubbard
Jenkins
Jones, Tenn.
Kazen
Kelly
Kramer
Lagomarsino
Leach, La.
Lehman
Leland
Levitas
Lewis
Lloyd
Loeffler
Long, La.
Lott
McDonald
Martin
Matsui

Mattox
Mica
Miller, Calif.
Mineta
Montgomery
Moore
Moorhead,
Calif.
Neal
Nelson
Pashayan
Patterson
Paul
Preyer
Rose
Roybal
Rudd
Santini
Satterfield
Shelby
Shumway
Spence
Stack
Stenholm
Stump
Thomas
Van Deerlin
Walgren
Walker
Wampler
White
Whitley
Whitten
Wyatt

NOT VOTING—148

Addabbo
Akaka
Albosta
Anderson, Ill.
Andrews, N.C.
Andrews,
N. Dak.
Applegate
Archer
Ashbrook
Baldus
Barnard
Boggs
Boland
Bolling
Bonker
Bouquard
Bowen
Brooks
Brown, Ohio
Burton, John

Cavanaugh
Chappell
Cheney
Chisholm
Clausen
Clay
Cleveland
Clinger
Coelho
Conyers
Corman
Cotter
Crane, Phillip
de la Garza
Dicks
Duncan, Oreg.
Duncan, Tenn.
Early
Edwards, Ala.
Edwards, Calif.
Erlenborn

Evans, Ga.
Fary
Fenwick
Findley
Fithian
Flood
Ford, Tenn.
Fuqua
Garcia
Gialmo
Gibbons
Ginn
Glickman
Gradison
Gudger
Hamilton
Hance
Hawkins
Heckler
Hefelt
Holland

Hollenbeck
Holt
Holtzman
Horton
Huckaby
Hutto
Hutto
Ireland
Jenrette
Johnson, Calif.
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Kemp
Kogovsek
Latta
Leath, Tex.
Lee
Livingston
Lujan
Lungren
McCloskey
McDade
McEwen
McKay
McKinney
Marriott
Mathis
Mavroules
Mazzoli

Mikulski
Mitchell, Md.
Moorhead, Pa.
Motti
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nichols
Nolan
Oakar
Panetta
Pepper
Peyster
Picke
Quayle
Quillen
Rahall
Rallsback
Ratchford
Regula
Rhodes
Richmond
Roberts
Rosenthal
Rostenkowski
Rousselot
Royger
Runnels
Russo

Schroeder
Sebelius
Skelton
Snowe
Spellman
St Germain
Stark
Symms
Synar
Taylor
Thompson
Traxler
Treen
Udall
Ullman
Watkins
Waxman
Wilson, Bob
Wilson, C. H.
Wilson, Tex.
Winn
Wright
Wyder
Wyllie
Yatron
Young, Alaska
Young, Fla.
Zeferetti

□ 1440

Messrs. GUARINI, VOLKMER, and JEFFRIES, changed their votes from "no" to "aye."

Messrs. LELAND, BUCHANAN, ECKHARDT, GORE, and ENGLISH changed their votes from "aye" to "no."

So the motion was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 109: Page 58, line 15, strike out:

No part of any appropriation under this Act shall be made available to the Secretary of the Interior for the leasing of oil and natural gas on publicly owned lands within the boundaries of the Flathead National Forest, Montana, except for such leases which the Forest Service determines will not significantly impact these lands and for which the Forest Service in granting the leases specifically outlines exploration and development guidelines designed to protect these lands from significant adverse environmental impact.

And insert:

None of the funds appropriated under this Act shall be available to implement any amendment to, or provision of, the regulation under section 4(a) of the Emergency Petroleum Allocation Act of 1973 providing for an increase in any month in the ratio of the number of entitlements issued any firm with respect to any imported refined petroleum product to the number of barrels of such product imported by such firm in such month,

(a) in the case of residual fuel oil, above 0.3; and

(b) in the case of any other refined petroleum product, above the ratio in effect on April 30, 1979

unless the President has transmitted such amendment or provision to the Congress as an "energy action" under section 551 of the Energy Policy and Conservation Act (Public Law 94-163) and neither House of Congress has disapproved (or both Houses have approved) such request in accordance with the procedures specified in such section 551 of such Act.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 109 and concur therein

with an amendment, as follows: In lieu of the matter proposed by said amendment insert the following: "None of the funds appropriated under this Act shall be available to implement any amendment to, or provision of, the regulation under section 4(a) of the Emergency Petroleum Allocation Act of 1973 providing for an increase or decrease in any month beginning after the date of the enactment of this Act in the ratio of the number of entitlements issued any firm with respect to any imported refined petroleum product to the number of barrels of such product imported by such firm in such month above the ratio in effect on April 30, 1979 unless the President has transmitted such amendment or provision to the Congress as an "energy action" under Section 551 of the Energy Policy and Conservation Act (Public Law 94-163) and neither House of Congress has disapproved (or both Houses have approved) such request in accordance with the procedures specified in such section 551 of such Act."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment is as follows:

Senate amendment No. 110: Page 60, line 7, insert:

Sec. 307. Notwithstanding the provisions of any other law, appropriations in this Act or any other Act may be used to contract with private firms to provide plant care or watering services except for indoor office plants.

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 110 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the last amendment in disagreement.

The amendment is as follows:

Senate amendment No. 111: Page 60, line 11 insert:

Sec. 308. Notwithstanding the provisions of any other law, the State of Alaska is exempted from application of the provisions of section 7(1) of the Export Administration Act of 1979 (Public Law 96-72).

MOTION OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate numbered 111 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE

Mr. YATES. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks, and that all Members may have 5 legislative days in which to revise and extend their remarks, to include extraneous material and tabular information, on the conference report on H.R. 4930 which was just agreed to.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Illinois?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I have asked permission to proceed for 1 minute for the purpose of inquiring of the distinguished majority whip as to the program for next week.

Mr. BRADEMÁS. Mr. Speaker, will the distinguished minority whip yield?

Mr. MICHEL. I would be happy to yield.

Mr. BRADEMÁS. Mr. Speaker, the program for the House of Representatives for the week of November 12, 1979, is as follows:

On Monday, since it is Veterans Day, the House is not in session.

On Tuesday, November 13, the House meets at noon on the Suspension Calendar. There are eight bills on the Suspension Calendar:

H.R. 4308, Legionville, Pa., National Historic Site;

H.R. 5461, Martin Luther King birthday bill;

H.R. 5481, international aviation; House Concurrent Resolution 200, Baltic States and Soviet citizenship claims;

House Concurrent Resolution 202, Ida Nudel emigration to Israel bill;

H.R. 5037, Federal Reserve Act amendments;

H.R. 5235, pay restructure of uniformed services health professionals; and

H.R. 5811, interest rate modifications.

The suspensions will be followed by consideration of House Joint Resolution 404, Continuing Appropriations; H.R. 2727, Meat Import Act of 1979, under an open rule with 1 hour of debate;

H.R. 2335, Solar Power Satellite Research and Development Program Act, to complete consideration of that bill.

On Wednesday, November 14, the House will meet at 10 a.m. to consider the following bills:

H.R. 2063, National Economic Development and Public Works Act of 1979, under an open rule with 1½ hours of debate.

H.R. 2313, Federal Trade Commission Authorization, under a modified rule, with 1 hour of debate, the rule having already been adopted.

H.R. 3948, Experienced Pilots Act of 1979, under an open rule, with 1 hour of debate.

Then on Thursday, November 15, the House will meet at 10 a.m. and on Friday at 10 a.m., to consider the following bills:

H.R. 2626, hospital cost containment, subject to a rule being granted.

H.R. 2608, NRC Authorization Act, under a modified open rule, with 1 hour of debate.

H.R. 4119, Federal crop insurance program, subject to a rule being granted.

H.R. 2222, coverage of medical House staff under National Labor Relations Act, under an open rule, with 1 hour of debate.

H.R. 3546, Extend Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), under an open rule, with 1 hour of debate.

Finally, H.R. 3394, Resource Conservation and Recovery Act Amendments of 1979, under an open rule, with 1 hour of debate.

The House will adjourn by 3 p.m. on Friday and by 5:30 p.m. on all other days, except Wednesday.

Conference reports may be brought up at any time, and any further program will be announced later.

Mr. MICHEL. Mr. Speaker, may I inquire of the distinguished majority whip whether plans have changed any for the week of Thanksgiving. Is it still hard and fast that there will be no legislative business, but that there will be pro forma sessions during the week of Thanksgiving?

Mr. BRADEMÁS. Mr. Speaker, if the gentleman will yield, the gentleman is correct.

Mr. MICHEL. Mr. Speaker, I thank the gentleman. Might I inquire what days those pro forma sessions will be during Thanksgiving week?

Mr. BRADEMÁS. I am not in a position to give the gentleman from Illinois that information at this time, but it is the intention of the leadership that when the House adjourns on Friday, November 16, at the close of business, we return to legislative business on the Monday after Thanksgiving, on November 26, but that there should be no rollcall votes until Tuesday, November 27.

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

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

Mr. MICHEL. I yield to the gentleman from Idaho.

Mr. HANSEN. Mr. Speaker, I would like to ask if there is any possibility that the House might remain in session, at least pro forma, over this long holiday season. There is no holiday for our hostages in Iran and if there is such an effort to ask unanimous consent to go over until Tuesday, I would like to advise the House that I do plan to object, because I feel we at least ought to show some support for those people there and not go back to our constituents with the idea that we are not on call.

Mr. BRADEMÁS. Mr. Speaker, if the gentleman from Illinois will yield, I might respond to the gentleman from Idaho that inquiries have been made of the Secretary of State and of the White House with respect to whether or not it would be thought helpful for the House to remain in session, as the gentleman from Idaho has suggested.

We were advised that no useful purpose would be served by our being in session on Monday next.

Moreover, I would advise the gentleman from Idaho that the majority leader of the other party has already made clear that the other body will be going over until Tuesday of next week, so that it would not be possible in that event for there to be any measures requiring the approval of both bodies to be completed, even if we in the House were to be in session.

□ 1450

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

Mr. MICHEL. I yield to the gentleman from Idaho.

Mr. HANSEN. Mr. Speaker, I would like to say that I think whatever the other body does—and I hope this is not an indication that there will not be any results over the weekend on the negotiations—that in order for us to show our moral support for the situation there, we should at least remain in a pro forma session so we are in a sense on call if anything should happen or should break and so the American people will know that we at least show that much concern.

Mr. Speaker, I will so move when the appropriate time comes.

Mr. BRADEMÁS. Mr. Speaker, I appreciate the constructive contribution of the gentleman from Idaho (Mr. HANSEN).

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BRADEMÁS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, November 14, 1979.

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

There was no objection.

REQUEST TO MAKE IN ORDER CONSIDERATION OF PRIVATE CALENDAR AND CONSENT CALENDAR ON WEDNESDAY NEXT

Mr. BRADEMÁS. Mr. Speaker, I ask unanimous consent that it be in order to consider the Private Calendar and the Consent Calendar on Wednesday next.

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

Mr. BAUMAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

MONDAY VOTES ON PRIVATE AND CONSENT CALENDAR LEGISLATION

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

Mr. BRADEMÁS. Mr. Speaker, I might simply advise the Member on the other side who objected to my last request—and my eye did not fall upon that Member—that it will be necessary, in view of that objection, that we then have votes on the Private and Consent Calendars on some Monday upcoming. So Members in their planning should understand that it would be necessary for us to fill in those votes on some Monday in order to dispose of that business.

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

Mr. BRADEMÁS. Of course, I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I will inform the gentleman from Indiana (Mr. BRADEMAs) that the rules do not require votes. The only thing that can occur is an objection.

Mr. BRADEMAs. I would only reiterate what I have said, Mr. Speaker.

REQUEST TO SET HOUR OF MEETING ON FRIDAY, NOVEMBER 16, 1979

Mr. BRADEMAs. Mr. Speaker, I ask unanimous consent that when the House convenes on Friday, November 16, 1979, it convene at 9 a.m.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, am I to understand that we are talking about 9 a.m. on Tuesday?

Mr. BRADEMAs. No; Mr. Speaker, if the gentleman will yield, I would reiterate that my unanimous-consent request is that when the House convenes on Friday, November 16, 1979, it convene at 9 a.m. That is to say we would convene at 9 a.m. rather than at 10 a.m., as has been customary throughout most of the session.

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

Mr. BAUMAN. Mr. Speaker, reserving the right to object, I have already observed that this practice was started 2 weeks ago, and at that time the House was told that we would adhere to a 2 o'clock adjournment. I was informed that the leadership on the other side made it clear that they wanted the Interior appropriation conference report considered today, and we all know what time it is now.

If we are not in fact going to adjourn at 2 o'clock on Fridays, I see no point in coming in at 9 o'clock on Fridays.

Mr. Speaker, since that is the case, I object.

The SPEAKER pro tempore. Objection is heard.

ADJOURNMENT TO TUESDAY, NOVEMBER 13, 1979

Mr. BRADEMAs. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Tuesday, November 13, 1979.

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

Mr. HANSEN. Mr. Speaker, I object. The SPEAKER pro tempore. Objection is heard.

Mr. BRADEMAs. Mr. Speaker, I move that when the House adjourns today, it adjourn to meet at noon on Tuesday, November 13, 1979.

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

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

Mr. HANSEN. 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 161, nays 89, answered "present" 1, not voting 182, as follows:

[Roll No. 649]

YEAS—161

Abdnor	Fliplo	Nelson
Alexander	Florio	Oberstar
Ambro	Foley	Obey
Anderson, Calif.	Ford, Mich.	Ottinger
Annunzio	Forsythe	Patterson
Anthony	Fowler	Pease
Ashley	Frenzel	Preyer
Atkinson	Frost	Price
AuCoin	Gaydos	Pritchard
Balley	Gephardt	Rangel
Barnes	Gonzalez	Reuss
Beard, R.I.	Gore	Rinaldo
Bedell	Gramm	Roe
Bellenson	Gray	Roybal
Benjamin	Guarini	Sabo
Bennett	Hall, Ohio	Santini
Bevill	Harkin	Scheuer
Blaggi	Harris	Seiberling
Blanchard	Blaggi	Shannon
Boner	Hillis	Sharp
Bonior	Howard	Shelby
Brademas	Hughes	Shumway
Breaux	Ichord	Slack
Brodhead	Ireland	Smith, Iowa
Broyhill	Jones, Tenn.	Snyder
Burgener	Kazen	Solarz
Burlison	Kostmayer	Stack
Burton, Phillip	LaFalce	Staggers
Coleman	Lederer	Stangeland
Collins, Ill.	Lehman	Stanton
Conte	Leland	Steed
D'Amours	Lewis	Stockman
Daniel, Dan	Lloyd	Stokes
Danielson	Long, La.	Stratton
Dellums	Long, Md.	Studds
Derrick	Lott	Swift
Dickinson	Lundine	Thomas
Dingell	McCormack	Tribble
Dodd	McHugh	Van Deerlin
Donnelly	Maguire	Vanik
Dougherty	Markley	Vento
Downey	Marks	Volkmer
Drinan	Matsul	Walgren
Eckhardt	Mica	Weaver
Edgar	Michel	Whitehurst
Emery	Miller, Calif.	Whitley
English	Mineta	Whitten
Erdahl	Moakley	Williams, Ohio
Evans, Del.	Moffett	Wilson, Bob
Evans, Ind.	Mollohan	Wirth
Fazio	Moore	Wolf
Ferraro	Murphy, Pa.	Yates
Fisher	Murtha	Young, Mo.
	Natcher	Zablocki

NAYS—89

Badham	Goodling	Miller, Ohio
Bafalis	Grassley	Mitchell, N.Y.
Bauman	Green	Montgomery
Bereuter	Grisham	Moorhead, Calif.
Bethune	Guyser	Myers, Ind.
Broomfield	Hagedorn	Nowak
Buchanan	Hammer-	Pashayan
Butler	schmidt	Paul
Byron	Hansen	Petri
Campbell	Harsha	Robinson
Carney	Hinson	Roth
Carter	Hopkins	Rudd
Collins, Tex.	Hubbard	Satterfield
Conable	Jacobs	Sawyer
Corcoran	Jeffords	Schulze
Coughlin	Jeffries	Shuster
Courter	Kelly	Smith, Nebr.
Daniel, R. W.	Kildee	Solomon
Dannemeyer	Kramer	Spence
Daschle	Lagomarsino	Stenholm
Davis, Mich.	Leach, Iowa	Stump
Davis, S.C.	Leach, La.	Tauke
Deckard	Lent	Vander Jagt
Derwinski	Levitae	Walker
Devine	Loeffler	Wampler
Edwards, Okla.	Lowry	White
Fish	Luken	Whittaker
Fountain	McClory	Wyatt
Gilman	McDonald	
Gingrich	Marlenee	
Goldwater	Martin	

ANSWERED "PRESENT"—1

Dornan

NOT VOTING—182

Addabbo	Garcia	Nolan
Akaka	Glalmo	O'Brien
Albosta	Gibbons	Oakar
Anderson, Ill.	Ginn	Panetta
Andrews, N.C.	Glickman	Patten
Andrews, N. Dak.	Gradison	Pepper
Applegate	Gudger	Perkins
Archer	Hall, Tex.	Peysers
Ashbrook	Hamilton	Pickle
Aspin	Hance	Pursell
Baldus	Hanley	Quayle
Barnard	Hawkins	Quillen
Beard, Tenn.	Heckler	Rahall
Bingham	Heftel	Rallsback
Boggs	Hightower	Ratchford
Boland	Holland	Regula
Bolling	Hollenbeck	Rhodes
Bonker	Holt	Richmond
Bouquard	Holtzman	Ritter
Bowen	Horton	Roberts
Brinkley	Huckaby	Rodino
Brooks	Hutto	Rose
Brown, Calif.	Hyde	Rosenthal
Brown, Ohio	Jenkins	Rostenkowski
Burton, John	Jenrette	Rousselot
Carr	Johnson, Calif.	Royer
Cavanaugh	Johnson, Colo.	Runnels
Chappell	Jones, N.C.	Russo
Cheney	Jones, Okla.	Schroeder
Chisholm	Kastenmeier	Sebelius
Clausen	Kemp	Sensenbrenner
Clay	Kindness	Simon
Cleveland	Kogovsek	Skelton
Clinger	Latta	Snowe
Coelho	Leath, Tex.	Spellman
Conyers	Lee	St Germain
Corman	Livingston	Stark
Cotter	Lujan	Stewart
Crane, Daniel	Lungren	Symms
Crane, Philip	McCloskey	Synar
de la Garza	McDade	Taylor
Dicks	McEwen	Thompson
Diggs	McKay	Traxler
Dixon	McKinney	Treem
Duncan, Oreg.	Madigan	Udall
Duncan, Tenn.	Marriott	Ullman
Early	Mathis	Watkins
Edwards, Ala.	Mattox	Waxman
Edwards, Calif.	Mavroules	Weiss
Erlenborn	Mazzoli	Williams, Mont.
Ertel	Mikulski	Wilson, C. H.
Evans, Ga.	Minish	Wilson, Tex.
Fary	Mitchell, Md.	Winn
Fascell	Moorhead, Pa.	Wolpe
Fenwick	Motti	Wright
Findley	Murphy, Ill.	Wyder
Fithlan	Murphy, N.Y.	Wylie
Flood	Myers, Pa.	Yatron
Ford, Tenn.	Neal	Young, Alaska
Fuqua	Nedzi	Young, Fla.
	Nichols	Zeferetti

□ 1500

Messrs. DANNEMEYER, JEFFORDS, and MILLER of Ohio changed their votes from "yea" to "nay".

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO HAVE UNTIL MIDNIGHT, TUESDAY, NOVEMBER 13, 1979, TO FILE CONFERENCE REPORT ON H.R. 2676, ENVIRONMENTAL RESEARCH, DEVELOPMENT, AND DEMONSTRATION AUTHORIZATION ACT OF 1980

Mr. AMBRO. Mr. Speaker, I ask unanimous consent that the managers may have until midnight, Tuesday, November 13, 1979, to file a conference report on the bill (H.R. 2676) to authorize appropriations for environmental research, development, and demonstrations for the fiscal year 1980, and for other purposes.

The SPEAKER pro tempore (Mr. MOARLEY). Is there objection to the re-

quest of the gentleman from New York. There was no objection.

ANDERSON DISCUSSES FOREIGN STUDENT DEMONSTRATIONS

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

Mr. ANDERSON of California. Mr. Speaker, I want to once again express my deep resentment of the current political activities of some students here in the United States—and at this moment I refer to Iranian students. I addressed myself to this same subject almost a year ago, in January following the shocking action of Iranian students in my own State of California.

The rights of Americans to demonstrate in a peaceful and law-abiding manner is an established right and one that must be protected. What has been occurring recently with the Iranian students, here only through the good graces of the American Government which allows them to study in our institutions, has involved something very different. These students are allowed to enter our country to study, not demonstrate. If they want to demonstrate, let them return to their homeland to do so.

These students entered our country on visas granted for the specific purpose of permitting them to study at our educational institutions. But many of them are grossly abusing any rights they have by virtue of these visas. It is absurd for Americans to sit idly by and take the kind of abuse being heaped upon us by the Iranians, either here or in Iran. At the moment, unfortunately, there is little we can do to ease the situation in Tehran, if we intend to save the American lives involved there. We can, though, take a firm stance here against the kinds of actions undertaken by Iranian students in the United States. We should not and we must not tolerate this kind of behavior. Action must be taken and taken now to deal with it.

With this in mind, I want to express my strong support for legislation that would clarify and expedite the procedure by which students could be expelled if the terms of their student visas are violated, particularly by the types of inexcusable demonstrations of late—violent, political demonstrations against the U.S. Government. Something must be done.

Foreigners who enter our country legally do so with visas granted for a specific purpose—business, tourism, study, and so forth. The vast majority come for their declared purpose and then depart. We should warmly welcome and encourage this type of visitor. However, those who accept our hospitality and then promptly violate it by engaging in political demonstrations on our soil should have their visas canceled; be promptly deported; and permanently banned from entering the United States. At present any prompt action is impossible due to a lengthy appeals procedure. In the case of foreign visitors this is most inappropriate.

In the current case of the Iranian demonstrators—and the morning news

reports several demonstrations are expected today—let us see how many of them would like to return to Iran now. Let us see if they could get away with this kind of behavior in Iran, if it were aimed against Khomeini. And I wonder how many are here whose visas have already expired? I am sure the Justice Department has no idea. I am introducing legislation that would address this problem, by creating additional grounds for deportation and insuring that the Justice Department has the authority to promptly expel students who come here to demonstrate rather than to study. I urge your support of this legislation.

LEGISLATION AUTHORIZING DEPORTATION OF DEMONSTRATING IRANIAN STUDENTS

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

Mr. HIGHTOWER. Mr. Speaker, 2 days ago I introduced a bill, H.R. 5813, that would authorize the deportation of Iranian students, as well as students from all other nations, who have abused this Nation's hospitality by participating in actions intended to further the tyranny in their home countries. Similar measures were introduced yesterday by other Members and the legislative counsel has told me that other bills are being drafted. As of this hour 30 of my colleagues have notified me of their desire to cosponsor my bill.

The situation in Iran has not changed. The Ayatollah Khomeini continues to flout international law and make a mockery of every principle of human decency. The 60 Americans being held hostage in our Embassy in Tehran reportedly have not been physically harmed, but photographs appearing on the front pages of today's newspapers provide stark evidence of their being terrorized mentally, subjected to intense personal humiliation and, on a broader plane, deepening the humiliation to the proudest Nation on Earth.

But the situation at home is changing, and for the worse. Yesterday in Houston demonstrators surrounded the main entrance of the Iranian consulate in reaction to a march the day before by Iranian students supporting the Tehran authorities. Other confrontations between Americans and Iranian students occurred in Portland, Oreg. and Carbondale, Ill.

The spark that could lead to the powder keg of violence has been ignited. We must defuse it before it erupts. Violence at home could incite tragic reprisals against Americans still in Iran. The Mayor of Washington, D.C., has ignored pleas by the President to refuse permits for further demonstrations and is authorizing a planned march and rally today in the Nation's Capitol by Iranian students.

Our severely limited options to assure the safe return of the hostages and other Americans in Iran has fomented a deepening sense of frustration and outrage by the American people. We can dimin-

ish this feeling by passing legislation authorizing the deportation of students whose objective seems to be agitate instead of educate.

When I reintroduce H.R. 5813 next Tuesday I fervently hope a strong show of support by my colleagues will clearly indicate that we must have immediate hearings in the Judiciary Committee and begin the process of ridding this Nation of these disruptive influences.

HOW MOBIL OIL SETS ITS PRICES

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

Mr. WEAVER. Mr. Speaker, in my district a former Mobil Oil Corp. employee, John Hanks, revealed in an article in the Oregon Times magazine the inner workings of Mobil Oil Corp. in setting prices for its oil.

The article follows:

UPWARD MOBILITY

(An insider's account of how Mobil padded prices in Oregon during the last energy crunch)

Inside his garage in a quiet, middle-class Eugene neighborhood, John Hanks keeps an almost compulsively thorough filing cabinet of documents, inter-office memoranda, and other souvenirs from his 14-year career with the Mobil Oil Corporation.

"If I were a good, loyal Mobil Man," Hanks says carefully, examining an invoice, "I would have burned this stuff."

Hanks, 37, is a self-described right-wing Republican with an abundant shock of strawberry hair, enough faith in America's future to collect vintage wines, and a full-time interest in organizing political campaigns for conservative candidates.

Last December, Hanks walked away from his \$30,000-plus job in Mobil's mid-Willamette industrial sales division after balking at a transfer to Corpus Christi, Texas. When gas lines began forming late this spring, Hanks decided to come forward with the story of life inside the oil industry during the last energy crisis.

Congress had empowered the Federal Energy Administration to allocate petroleum products and freeze prices for every class of distillate fuel. Under a program to control profits, May 15, 1973, was the magic date. The FEA instructed the oil companies to compute an average price for gas, diesel and heating oil at every one of thousands of U.S. delivery points, using May 15 sales receipts. Whatever the price had been on May 15—or the nearest date before—became the "base price," and only costs such as increased taxes or higher wages could be added to that price.

Hanks said he helped set "75 percent of the base prices in the Northwest for industrial consumers," then adds: "It's not a duty that I'm proud of."

Hanks spent weeks "flying between Mobil's Portland delivery terminal, Seattle division office, Los Angeles accounting center and Dallas region headquarters to review sales receipts, documents and guidelines." Finally, base pricing for the Pacific Northwest states was finished in November 1974.

So far so good, Hanks says, until mid-level management executives gerrymandered the definition of "distribution points" to serve Mobil's bottom line.

Take Eugene, for example. The way diesel prices were established in Eugene ended up costing consumers tens of thousands of dollars extra.

There was only one May 15, 1973 diesel

sale in Eugene on the books—at 13.55 cents per gallon. However, 46 miles to the East in the mill town of Oakridge, an unauthorized shipment to a logging contractor was made on the same date—but at a price that was 8.2 cents a gallon higher.

For the purposes of establishing a base price, Mobil decided to treat the Oakridge transaction as a basis for Eugene pricing—an apparent case of the tail wagging the dog. As a result, the price of Mobil No. 2 diesel to Eugene-area farmers, contractors, industrial users, and government agencies was more than half again higher than it otherwise would have been.

Hanks objected to the decision, as did at least one other Mobil employee, J. Scott Erbe, on the grounds that it was inconsistent to merge Eugene and Oakridge for price basing when Mobil had divided Seattle and Tacoma prices—terminals only 30 miles apart. Furthermore, the merging mixed apples with oranges since the Oakridge delivery had been made by a small (and more expensive per gallon) "tank wagon" truck.

Back from Mobil's Office of General Counsel came a reaction—not a legal opinion, the memo stressed—to Hanks' and Erbe's objection. According to Mobil's legal team, the Oakridge sale (from a 14,000-gallon tank on major customer Pope and Talbot property) didn't have to be counted as a separate base price from Eugene because it was "no more than additional storage for Mobil's convenience on deliveries originating from Eugene."

To figure out how much this informal "reaction" may have cost Eugene customers of No. 2 diesel for about two years until price controls were removed from diesel fuel is no simple task. The Oregon Department of Energy has no figures on how much diesel flows out of the Eugene terminal on a month-by-month basis. Mobil Northwest Division Manager Larry Larson at the company's Portland terminal says his office has no way of computing Eugene's total Mobil deliveries of diesel.

Hanks, however, notes that Mobil's share of the industrial market alone was about 15-20 percent and that one Eugene-area lumber company alone used 800,000 gallons a year in the early 70's. The total for the town may have been twice that. At 8.2 cents per gallon in padded profits, the disputed overcharge could easily have reached \$25,000 a year.

Splitting hairs over a legal definition is one thing, but in the case of Mt. Vernon, Washington, Mobil actually back-dated an invoice to establish a higher base price, contents Hanks, and he had the "pink" slip copy of the invoice in question to prove it.

Here's what happened. During a cold snap in the winter of 1973, the City of Mt. Vernon took a delivery of light No. 1 heating oil simply because it was too cold to use the heavier No. 2 heating oil originally contracted for. The City was subsequently billed at Mobil's posted price difference of 1.9 cents a gallon higher for No. 1 fuel. Mt. Vernon paid the bill.

When it came time to set base prices, nearly a year and a half later, Hanks was told that the old invoice must be changed. Since no heating oil price differential was specified in Mt. Vernon's contract, the highest market price for No. 1 fuel would be charged. Hanks balked. "We should have lived with it," he says. "I refused to raise the price." So Irwin Wayne (I.W.) Jordan, the western commercial manager in Dallas, gave instructions that the invoice was to be changed. The west coast controller, Norm Mendenhall, carried out those instructions.

Because of the altered billing, a new base price for No. 1 diesel fuel was established in Mt. Vernon—at 6.7 cents a gallon higher.

In another case, complaints to Hanks'

boss, Jim Kimner, that Mobil was selling diesel to U.S. Plywood in Lebanon at about a penny a gallon over the base price did no good, even after Hanks pointed out that the sales were putting Mobil "into a ticklish situation." Kimner fired back an unambiguous memo in August, after two more prods from Hanks. "John, once and for all, forget this Problem and go on to working on new business, or something else. N.Y. says last and final time, No change—Leave it alone."

Of course, in as complicated a bureaucratic scheme as forcing the price of petroleum by distribution point, by product, and by mode of transport, some errors were inevitable. Mobil's official policy was that if base prices were found to be incorrect, the consumer's money would be refunded. Hanks says that is "one of the few times I believe Mobil deliberately lied. They knew no one could interpret federal guidelines, so no money ever would be returned."

"Some customers," wrote I. W. Jordan in a 1976 memo to mid-level managers, "may be due refunds for overcharges as a result of an adjustment to a base price. It will be some time before we know who (is) entitled to refunds at each of the more than 1700 source points. You will be advised on this subject in future communications."

By the time Hanks left Mobil in December of 1978, such a "communication" had never been made. However, says Hanks, the ideal opportunity to rebate consumer cash presented itself in North Bend—over the issue of 18 months' Mobil-admitted overcharges.

Mobil employees had established two separate base prices in August 1974 for the adjoining towns of Coos Bay and North Bend. This decision, which penalized North Bend a few cents a gallon for gas, kerosene, heating oil and diesel, contradicted a Mobil pricing guideline that "commission truck routes . . . making deliveries out of terminals should be included in the price survey as an integral part of the terminal complex." North Bend was served by such a truck route.

Hanks first raised this issue in a November 23, 1974 letter. His file shows seven more memos on the subject over the next year, most of them ignored, before the question was sent off to New York headquarters for resolution. Sure enough, on February 19, 1976, base prices at the two locations were combined.

"I stressed then that Mobil must rebate money for the 18-month period," Hanks says. "We admitted our mistake on pricing, but when I brought up the subject of rebates, I was told by the pricing manager, the regional manager and everybody else involved to drop the subject and never bring it up again."

And the money rolled in. Mobil bought Montgomery Ward and Container Corporation. Hanks remembers: "They were making so much money they gave every employee a month's salary as a bonus. I thought it was really nice of them to give it to us instead of the government." Apparently, Mobil's huge profits created tax problems.

Hanks still maintains that, on major issues, Mobil was characterized by liberal and enlightened policy decisions. But executives within the giant corporation, he adds, could be surprisingly petty and cheap when it came to relatively small matters.

Salesmen were sometimes instructed not to let customers know about potential savings. Hanks complained that the information should be getting out. Despite his annoying role as corporate gadfly, no one argued with his job performance. Among Hanks' garage file of memorabilia is one folder prominently displaying the Mobil logo and labeled, "Extra Effort Recognition." Inside is a photo of Hanks, smiling broadly, sandwiched between Kimner and Jordan. In the act of accepting a national sales award.

Hanks' increasing objection to Mobil pricing policies peaked in February of 1975. One evening that month, Hanks found himself, over dinner at Eugene's Coburg Inn, with Kimner and Jordan, airing his doubts. As he was about to do, Hanks took the opportunity to quote back to his bosses Mobil's ethics policy. All Mobil employees are required to sign it. "The maintenance of the highest reputation for integrity is essential," the last sentence reads, "and is not in any circumstances to be sacrificed for the sake of results."

According to Hanks, the dinner came to an unpleasant end when Jordan "turned red, jumped up from the table, shook his finger three inches from my nose and said, 'Resign, you ———, resign! I want no more of this ———. I run this region. Shut up, resign, or I'll fire you.'"

"Needless to say," Hanks adds, "Mr. Kimner turned white."

Jordan, through his secretary in Dallas, after repeated calls, refused to answer any questions about his role in the establishment of base prices and referred all questions to Mobil's public relations specialist in Los Angeles.

Kimner, however, when reached at his home in Darien, Connecticut, only a short commute from New York City, where he serves as Mobil's international sales training manager, denied that he heard such an outburst. "I remember dinner at the Coburg Inn, but I was not in the room, nor was I at the table during the incident," Kimner said. "I was off in another part (of the Inn) for awhile making phone calls. I just remember John saying next morning that the evening hadn't gone as well as he'd planned." Kimner added that the whole matter of over pricing in the mid-70's is "ancient history in the light of today's situation."

Mobil's official 5-sentence reaction to Hanks' allegations echoes that theme, conceding that "there has been some confusion within the oil industry concerning price control regulations," but that, as far as particulars go, "we do not think it appropriate or meaningful to comment on individual cases."

But Hanks doesn't see it that way. For one thing, he argues, "If one person ran into this stuff setting industrial base prices for three states, think about the rest of the country."

Today, with the United States on the verge of a rationing program, and Congress talking about a windfall profits tax to catch up with oil decontrol, Hanks sees a moral in the story. "Watch out for middle management," he warns. "They'll always find some way to soak America."

□ 0910

VIRGIN ISLANDS NATIONAL GUARD OFFICER RECOGNITION

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

Mr. EVANS of the Virgin Islands. Mr. Speaker, today I am introducing legislation to amend title 32 of the United States Code to allow for Federal recognition of officers in the National Guard of the U.S. Virgin Islands in grades above the grade of colonel.

Of the 53 American jurisdictions to which a National Guard has been authorized, only the U.S. Virgin Islands is subject to a statutory restriction on the maximum grade in which its officers may be federally recognized. This restriction, as so stated in title 32 of the United States Code, section 307, subsection (g),

prevents the Adjutant General of the Virgin Islands from being federally recognized in general officer grade. No other adjutant general is so restricted. My amendment would repeal this United States Code provision.

Congress imposed this grade limitation initially because of the small size of the National Guard of the Virgin Islands. The total Virgin Islands Army National Guard strength of 900 persons certainly compares favorably with States such as Nevada (at 1,121) and Wyoming (at 1,391) (figures as of January 1979). Yet, the adjutant generals of these two States are federally recognized major generals. Furthermore, each State is authorized an additional Army National Guard general officer as the assistant adjutant general (Army) in the grade of brigadier general.

The position of adjutant general is by nature and definition of general officer position, calling for a broad range of command and managerial expertise.

The Adjutant Generals of the United States and U.S. territories collectively form the top leadership of the National Guard, and should stand, among themselves, as equals. To deny general officer grade to the adjutant general of only one American jurisdiction, albeit the smallest, cannot be justified.

Mr. Speaker, I sincerely believe that passage of this amendment will greatly benefit the National Guard of the Virgin Islands by bringing us more in line with the 50 States, the Commonwealth of Puerto Rico, and the District of Columbia.

I urge the House of Representatives to adopt this measure.

OUTRAGE IN IRAN

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

● Mr. KOSTMAYER. Mr. Speaker, today, the American people and people throughout the world are witnesses to an outrage in Iran. The behavior of the Iranian Government, and the Ayatollah Khomeini in particular, defies all standards of international and civilized conduct among men and women.

Iran under Khomeini, as under the Shah, is an unhappy land whose leaders sanction lawlessness and terror. Mired in constant turmoil and violence, the current Government of Iran under the Ayatollah Khomeini lacks any respect for fundamental human rights and international law. Faced with the task of rebuilding Iran, Khomeini and his followers seem obsessed with hatred. They prefer the safety of their hollow rhetoric to the challenge of rebuilding their society.

Our own Government's position regarding the current crisis in our Embassy in Tehran is too conciliatory. After all, Mr. Speaker, this is the second time in 9 months that the American Embassy has been taken over.

Once the present crisis has passed, the United States should consider severing all ties with Iran and terminating American purchases of Iranian oil.

I reach this conclusion regretfully for

the United States should end its relationships with other countries only for the most serious reasons.

But, at the very least, Mr. Speaker, the President of the United States should make it clear that this Government is prepared to take strong action should any American lives be lost, for we have been too tolerant for too long. It should be the President, not his Secretary of State or Press Secretary, who speaks for our country on this matter at this time.

The one issue of importance is the lives of American hostages. Some in the House have suggested that our Government take immediate military action. But at this delicate time such a move could prove inflammatory and seal the fate of those captive Americans. While I believe we should be prepared to undertake a military rescue, it should be considered only if all other efforts fail first. This is not a time to act hastily—not with innocent lives at stake.

Mr. Speaker, any government that would bargain with the lives of innocent men and women has no place in the family of nations. Now is the time for public opinion throughout the world to condemn the repugnant Government of Iran for its monstrous actions. For what is happening today in Tehran is not simply a transgression against American citizens but a violation of international conduct which threatens the rule of law. While we work hour by hour to reach a diplomatic resolution of the crisis, let us call upon the nations of the world that respect international law to stand by us and to let Iran know that its actions are monstrous and intolerable.●

SOCIALISM AND ENERGY

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

Mr. COLLINS of Texas. Mr. Speaker, the record from around the world shows that wherever Socialist economic and landownership policies are in effect, the result is a shortfall in energy production.

Many people criticize the price incentives of energy regulation by saying that we must conserve because the planet Earth has only a limited supply of energy resources and we are about to use them all up. The answer they give is that America must drastically cut back its standard of living and return to a simple basic economy.

But the truth is that the Earth is not running out of oil. Since 1859, when the first oil well in history was drilled at Titusville, Pa., mankind has produced 330 billion barrels of oil. Experts estimate that the petroleum still easily recoverable at current prices and technology is about 2,500 billion more barrels.

Why is this energy not being produced? The answer is that oil and gas exploration and production have only taken place where free enterprise incentives have prevailed. We can take a lesson from where all the drilling and exploration has occurred, if we examine the excellent research from the objective energy studies made by the noted

economist Jude Wanniski. In the 120 years since 1859, mankind as a whole has drilled 3.2 million oil wells around the world, and 2.4 million—75 percent—of them have been drilled in the 48 continental United States, mostly in the Southwest and Gulf coastal areas, even though we only have 6 percent of the world population.

Of the 645,000 exploratory wells drilled on Earth by the end of 1975, 616,000, or 95.4 percent of them, were drilled in the industrialized nations, and 482,000 of them in the United States. Africa, Latin America, China, India, and Southeast Asia have barely been touched. Why is this so?

The answer is partly that we in America had the trained skills and technology to do so, but there is also a very basic political reason. The free enterprise system of the United States, and our stable government, have acted to protect the private property rights and earned profits of private American landowners and entrepreneurs.

Where the homesteading pattern was not followed so well in the lands opened in the later stages of western migration, we have seen much less energy development. To this day, the U.S. Federal Government owns 87 percent of the State of Nevada, and that area has never been explored for oil or gas.

Alaska has also been almost untouched by energy exploration, and now President Carter has closed off 185 million more acres of land to mineral exploration, to bring the total Alaskan land sealed off to energy production to almost 700 million acres, an area more than four times the entire State of Texas. Who knows what we are passing up in Alaskan energy resources while Americans pay higher prices and prepare to lose hundreds of thousands of jobs in northern cities again if they have shortages this winter. To get one idea of just what we may be missing, consider that the North Slope oil field in Alaska, the largest oil field ever discovered in the United States—now determined to be even bigger than the entire east Texas field—amounts to only 400 square miles out of 566,000 square miles of Alaska.

In developing nations where policies of Socialist land ownership closes out private enterprise, we see no energy exploration or production at all. Even in those Third World developing nations which have stable governments, the government usually keeps all title to the land in the name of the collective Socialist interest, and, where there is some rare parcel of private or foreign-owned land, they either nationalize it or seize all mineral rights. Usually income taxes are so high that even if a private investor or outside oil company is allowed to come in and buy the mineral rights, he cannot afford to drill because all the rewards will be confiscated by the government.

What do all these Socialist governments do with their energy-rich lands after they force out private enterprise? Nothing. The record shows that, all around the world, wherever government socializes the land, nothing is ever done to develop oil and gas from it.

Even in an advanced Western bloc nation like Australia, we see the pattern. Almost all of Australia's 3 million square miles is collectivized, and we see that in the entire year of 1978 only 53 wells were drilled on the entire continent, and less than 30 were drilled in all of 1977.

In the Middle East, the sheiks have made almost no energy development at all since forcing out the American companies. Since 1974, Saudi Arabia averaged only 10 wells a year, Iraq only 1 a year, and the entire Middle East only 95 a year. Before the sheiks moved in to socialize everything, private enterprise did enough drilling and production in this area to make it the energy breadbasket of the world, but since the sheiks took over they cannot drill more than 95 holes a year in the entire Middle East. Geologists think that the area around the island of Madagascar off the coast of Africa is in one of the most oil-rich areas on the entire planet Earth, but since the colonial government achieved independence in 1975, they have only averaged 20 new wells drilled per year. Compare these annual figures of 53, 30, 10, 1, or 20 with the 48,513 wells drilled in the United States last year.

Mr. Speaker, the record shows that all over the world, where privately owned land has been collectivized; or a Socialist government has kept out free enterprise, energy exploration and discovery always comes to a complete standstill.

SYNTHETIC FUELS BILL H.R. 4514 SHOULD BE DEBATED ON FLOOR

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

Mr. PERKINS. Mr. Speaker, almost from the beginning of my service as a Member of this House, I began taking the floor to call for creation of a national energy policy. We did not have a coherent energy policy back there in the late 1940's and early 1950's.

Today, as we close out the 1970's and move toward the 1980's things have not changed. We still do not have a coherent energy policy.

And the Member from the coal fields of eastern Kentucky is still taking the floor to call for a sane policy that will get us out of this terrible energy trap we are in.

Those among us who resist change and who do not want to disturb the status quo should take great comfort in the present situation. If we persist in the present course—if you want to call standing still a course—we will have plenty of time to reflect upon the principle as we sit in our cold houses and look out at the useless automobiles stacked up in the silent streets.

We in America have built a society heavily dependent upon petroleum. Now that petroleum is in short supply, and will get even shorter, we still have not made adequate preparation for an energy substitute.

From the very first day the settlers landed upon this continent, we have had almost under our shoe soles an abundance of energy-rich coal which can be

turned into clean, efficient, liquid fuel for our Nation and its society.

We used it for a century and a half—until Americans began their economic honeymoon with petroleum. Then the use of coal began to decline. People came to think of it as "dirty" and old-fashioned.

The technology for making clean, environmentally acceptable fuel from coal has been with us for decades. And it is improving all the time.

We do know how to make liquid fuel synthetically from coal. We could have synthetic fuel plants in operation in 3 to 5 years, or even sooner, if we recognize the real national emergency that is upon us.

There are those in this country, perhaps in this Congress, who would cling to our dependence upon petroleum until the last barrel is pumped from the rocks of Earth. If this view prevails we will be dancing with the dead and whirling with the dust.

And this American Nation we have built will become something far, far different. It is apt to be something not to our liking.

How many times do we have to be told that we are using twice as much petroleum as we produce from American wells?

How many times do we have to hear that we are dependent upon foreign nations for half of our liquid energy fuels? And how many of our foreign suppliers could we really depend upon when the chips are down?

When will the terrible truth of our situation sink in and galvanize us to do something about it?

There is no great mystery about how to get out of this fix we are in. All we have to do is gear up a synthetic fuels industry that will utilize our hundreds of years supply of coal.

That will put us once more in control of our destiny. That will rid us of the threat of blackmail by terrorists and crazy holy men. That will put us beyond the power of the international oil cartel which is wrecking our economy and which is responsible for the 15½-percent prime rate that punishes the United States today.

It is a sad spectacle, Mr. Speaker, when a nation once so proud and strong is paralyzed in the conduct of its foreign policy in the oil-producing areas.

It is humiliating when we must go hat in hand to some irrational despot in Iran and say, "Please, may we have our embassy and our citizens back?"

We would not be in this sorry shape today if back in the early 1950's we had not been so foolish as to junk the beginnings of our synthetic fuels industry based upon coal.

The great oil companies responsible for that folly are still around today—only they are bigger and richer now. And they have become international to the point that their responsibilities are not exclusively to the United States, but to international stockholders whose interests are not the same as ours.

Now, I know that this sounds like ancient history. Only the distinguished chairman of the Armed Services Committee, Mr. PRICE, and I remain of those

who battled against the oil companies on this floor in 1953.

We had a good synthetic fuels program going, with operations in Missouri and Alabama and Colorado.

The Missouri plants were at that time producing coal-based motor fuel at a price within 2 cents a gallon of that produced from petroleum.

But the Eisenhower administration, then in its first 3 or 4 months of office, was completely taken into camp by the big oil interests—principally Walter Hallinan of Pittsburgh who was chairman of the President's energy advisory group. This group told the President that synthetic fuel production based on coal was a waste of time—that it would never be needed. We had plenty of petroleum, Mr. Hallinan said.

Well, the President and his Budget Bureau lost no time in gutting the synthetic program, and the House and Senate appropriations committees bowed to their wishes.

Exit the synthetic fuels program. And enter the long road to dependence upon oil from the Shah and the ayatollah and any other ruler who had a teacup of oil to peddle on the world market. That was how the big oil companies looked after our national interests back there in 1953. And I gather, from reading the papers the last day or two, they are still looking after our interests in about the same way.

Mr. Speaker, the hour has long past when the giant oil companies and cartels can be trusted with the economic and military security of this country.

For 3 years, we in this Congress and the preceding one have been talking about energy and we have done next to nothing.

There may be times when we best serve the Republic by doing nothing—but this is certainly not one of them. The time for action is upon us. We will deserve the censure of our fellow citizens if we do not come to grips with the paramount energy problem.

It is true that the administration has at long last come forward with a synthetic fuels proposal.

It is true that the House has passed an amendment to the Defense Production Act which will get us started—but very slowly—toward providing synthetic fuels for the defense establishment.

It is true that both Houses of Congress have synthetic fuels legislation under consideration.

But it is not true, Mr. Speaker, that any one of them or all of them combined will make a real dent in the crisis.

To talk about a goal of synthetic fuel production of a million or two barrels a day by 1995 is like talking about a fly speck on an elephant's hip.

The House leadership is aware, I am sure, that the Committee on Education and Labor earlier this year reported a bill, H.R. 4514, which would make a significant and crash effort to equalize synthetic fuels production with present petroleum imports—and do it in the shortest possible time.

I urge the leadership to summon up its courage and bring this bill to the floor, and let us debate it and amend it if need be and vote upon it.

Our bill provides for a wholly owned Government corporation with directors and management appointed by the President with the consent of the Senate to set up and operate a synthetic fuels industry in this country.

It is not limited to energy from coal—but it encompasses all known forms of energy available within our borders: Shale, solar, biomass, gasohol, and any others.

It provides for a broad spectrum of participation by private industry as well as by the Government corporation. It offers every incentive that has ever been suggested to get private industry into the production of energy which we can control right here in our own country.

It is a comprehensive bill, and in my judgment far superior to anything that has yet been produced by the administration or other sources.

Mr. Speaker, I urge the Congress to consider this legislation. Let us do something to let the ayatollah know that the American spirit of old is not dead, and that the hour will come when those who insult us will suffer for it.

□ 1510

THE IRANIAN SITUATION

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

Mr. VENTO. Mr. Speaker, I know that all Americans have followed the events in Iran with great concern. We all share in the concern for the well-being of the hostages and condemn the actions of the students and the total disregard by the religious and governmental leadership for the safety of the hostages and for the most basic tenants of international law.

This is a new experience in American history. We are faced with the life-and-death situation for American diplomatic personnel and other innocent American citizens and yet we seem to be unable to come to their assistance. In earlier times, we might have sought their release through force. Such an action is impossible for it would certainly bring about the death of the hostages and reprisals against other Americans in Iran.

I commend the President for his restraint and sound judgment in dealing with this crisis. The use of all available diplomatic channels is the best way that we can secure the hostages.

The current crisis gives rise to a basic question of American policy. How are we to deal with nations whose leadership chooses blackmail to try to change American policy? Are we and other nations to surrender each time a leader blindly pursues a taste of revenge? Obviously the contempt of the world community means nothing to a man such as the ayatollah and force, in most circumstances, is neither desirable nor effective. We do, however, possess an effective means with which we bring pressure on the ayatollah and those who would follow his terroristic example. Such leaders still value and need the flow of American dollars to purchase natural resources such as oil.

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Iran is holding more than 60 American citizens, the Ayatollah, through pricing and export policies, is trying to hold the American economy hostage. It is time that this administration, Congress, and the American people recognize that unless we initiate the necessary action, Iran and others will be encouraged in their efforts to determine American policy through economic and terroristic blackmail. It is time that we say "No" to Iran's terror and blackmail by halting the purchase of Iranian oil.

I recognize that such a step will not preclude others from purchasing this oil but it is my hope that the international community would recognize that they are equally as vulnerable to this blackmail and that only through a cooperative boycott can the blackmail of leaders like the Ayatollah be combated and discouraged.

The American boycott of Iranian oil will exact a certain price from the American people. Higher gas prices and a return of the gasoline may occur but the President does have sufficient authority to deal with any problems that do occur and can minimize negative impacts. While we will have to undergo some changes because of this boycott, these changes are preferable to our continued vulnerability to the Iranian leadership.

It is my hope that the President will give serious consideration to imposing a boycott on Iranian oil. I believe that this is the most effective weapon available to deal with the Iranian leadership, particularly if other nations would join the boycott. In addition, such a move would, I believe have the wholehearted support of the American people who are tired of an American policy of acquiescence.

ANDREWS AMENDMENT TO H.R. 2313, THE FEDERAL TRADE COMMISSION AUTHORIZATION

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

Mr. DASCHLE. Mr. Speaker, a few days ago, an advertisement appeared in the Washington Post urging Members of Congress to oppose the amendment offered by the gentleman from North Dakota, (Mr. ANDREWS), which exempts the antitrust activities of agricultural cooperatives from the purview of the FTC. I would like to respond to that advertisement because I have found that Congressman ANDREW'S amendment is well founded and very necessary.

The Capper-Volstead Act granted farmers the right to organize and operate cooperatives without regard to the antitrust statutes. The Congress believed that sufficient reason existed to justify an exception for agricultural co-ops, as a matter of public policy, from the Clayton and Sherman Antitrust Acts. That justification applies equally with regard to the FTC.

Congress purpose in permitting the formation and operation of agricultural cooperatives was for the expressed purpose of giving farmers some semblance of market power to counter that of the larger processing and marketing organizations with whom they had to deal.

Concentration and the size of corporations with which farmers must deal has increased steadily since Congress enacted the Capper-Volstead Act. Even areas where farmers have successfully organized into effective cooperatives, the power held by cooperatives continues to remain sufficient to countervail the power held by large corporate food organizations, retail grocery chains, and conglomerates.

Sizes of some food corporations
[Dollars in billions]

	1978 sales	Fortune 500 ranking
Procter & Gamble....	\$8.100	20
Beatrice Foods.....	6.314	31
Esmark	5.827	38
Kraft	5.670	39
General Foods.....	5.376	41
Greyhound	4.351	55
Pepsico	4.300	60
Ralston Purina.....	4.068	64
Borden	3.803	68
Consolidated Foods..	3.536	78
American Brands....	3.293	83
General Mills.....	3.243	86

All above are larger than the largest farmer cooperative in the United States. Many more food corporations are larger than most agricultural cooperatives.

It is in the interest of farmers to hold food prices at reasonable levels. Farmers need an efficient and effective marketing system. Such a system is beneficial to both producers and consumers. Cooperatives contribute to such a system.

Protection of the consumer against artificially high food prices has been delegated by the Congress to the Secretary of Agriculture. The Secretary, through his USDA staff, has the expertise necessary to determine whether food prices are being maintained artificially high—whether they are being unduly enhanced.

The FTC is trying to usurp the power granted by Congress to the USDA. It is high time that the various branches of Government utilize their time and efforts in those areas of responsibility delegated to them by Congress and discontinue trying to encroach on the responsibilities assigned to other branches of Government. There is no logic why one branch of the same Government—such as the FTC—will do a more effective job of "protecting the consumer" from artificially high food prices than USDA is doing. Certainly there is no need to have two branches of Government doing the same job.

Agricultural cooperatives are not insulated from competition. Producers, by joining together in an agricultural cooperative are protected from violation of antitrust laws. Inflationary food prices are not the result of cooperative activities. In fact, the basic opposition to the Andrews amendment comes from those organizations who are competing with agricultural cooperatives or those who are now having to deal with farmers who have obtained some countervailing power.

The proportion of the consumer food dollar that goes to cover the marketing, processing and distribution costs exceeds

the cost received by farmers for producing the food.

PERSONAL EXPLANATION

Mr. DASCHLE. Mr. Speaker, earlier today there was a vote on the conference report on the Department of the Interior and related agencies appropriations for 1980.

Inadvertently, I voted "no." I meant to vote "aye."

THIRD ANNUAL REPORT FOR 1978 OF HEALTH SERVICES ADMINISTRATION ON PROGRESS MADE IN IMPLEMENTATION OF GENETIC SERVICES PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

In accordance with Section 1106 of the Public Health Service Act, I am transmitting to Congress the Third Annual Report for 1978 on the Administration of the National Sickle Cell Anemia, Cooley's Anemia, Tay-Sachs, and Genetic Disease Act.

This report has been prepared by the Health Service Administration and submitted to me as required by law. The Report describes further progress made towards implementation of a Genetic Services Program.

JIMMY CARTER.

THE WHITE HOUSE, November 9, 1979.

H.R. 5858

SUNSET REVIEW ACT OF 1979

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. LONG) is recognized for 15 minutes.

● Mr. LONG of Louisiana. Mr. Speaker, I am today introducing the Sunset Review Act of 1979, a bill to schedule, coordinate, and encourage congressional oversight by standing committees. This bill is the product of nearly a year's work by the Subcommittee on the Legislative Process of the Committee on Rules. It represents a combination of the best qualities of several oversight proposals, including H.R. 2, the Sunset Act of 1979, and H.R. 65, the Legislative Oversight Act of 1979. The "combined" approach represented by this new bill will, I am sure, draw the favor of all those interested in real and workable improvements in the congressional oversight process. This bill is coauthored by my friend and colleague on the subcommittee, BUTLER DERRICK. As the author of H.R. 65, he has brought special expertise and sound counsel to our collaboration on this bill. I feel we have forged a strong partnership in this effort.

Congress came to Washington early this year with one message from our constituents weighing heavily on our minds—

that we, as a Congress, have to get a better handle on the rising costs and sagging performance of Government. We have asked Government to take on many new responsibilities over the past few decades. Our difficulties in getting Federal programs to operate at top efficiency represent the "growing pains" of Government. We now need to match that growth with a major effort to make corresponding gains in Government efficiency and productivity. As we enter an era of limited budgets, the need to closely monitor how tax dollars are spent becomes crucial.

Oversight by standing committees is the traditional way Congress monitors programs once they are enacted. Sensing the public mood, many predicted that this 96th Congress would later be known as "the oversight Congress." Our oversight activities have been on the rise. Many committees now diligently monitor Government programs through the use of hearings, reports, and investigations. But there is little doubt in my mind that we can do better.

Recognizing that there is room for improvement, proposals have been put forward to upgrade Congress' oversight practices. It needs to be made clear that these proposals would go beyond a mere enlargement or multiplication of current oversight efforts. It was not a lack of oversight that sparked these ideas alone. Rather, it was the view that we need to include coordinated, periodic review as a regular part of the legislative process. Just as the enactment of the Congressional Budget Act was aimed at better coordinating Congress' taxing and spending decisions, program review legislation is intended to better organize Congress' oversight activities.

SUBCOMMITTEE CONSIDERATION

Several proposals linking review to the authorization process were referred to the Committee on Rules. These include H.R. 2, the Sunset Act of 1979, and H.R. 65, the Legislative Oversight Act of 1979, also known as the sunrise proposal. H.R. 2364, the Regulatory Reform Act of 1979, which contains elements relating to the oversight of regulatory agencies, was also referred to the committee. The Committee on Rules established a new subcommittee, the Subcommittee on the Legislative Process, and charged it with a thorough study of these proposals.

This new subcommittee, which I have the honor to chair, builds on the work of its predecessor in the 95th Congress, the Subcommittee on Rules and Organization of the House. While committees of the Senate have devoted several years of study to S. 2, the companion measure to H.R. 2 in the Senate, the efforts of our subcommittee represents the first in-depth study of these measures in the House of Representatives. It also represents the first time in either House that both sunset and sunrise approaches were considered in a comparative context.

Our subcommittee has held seven hearings to date, receiving the testimony of over 50 witnesses. Those submitting testimony included Members of Congress, representatives of the administration, program and regulatory agencies, public interest groups, labor, and business. Tes-

timony was heard from academic witnesses on Congress and fiscal policy, and from officeholders in States that have enacted sunset legislation. We circulated an extensive questionnaire to committees, soliciting their views on the impact this legislation would have on their work. Their detailed responses impressed us with the obvious attention and thought they were given. These questionnaires make informative reading. I encourage interested Members and staff to review the complete responses, available in the subcommittee office.

EVALUATING CURRENT PROPOSALS

The more the subcommittee delved into this subject, the more we became convinced that these far-reaching proposals could not be judged solely on their face. It is of paramount importance that we assess how these proposals would mesh with the current authorization, appropriation, and budget processes. The present balance between these processes is a precarious one. The rigorous timetable imposed by the Congressional Budget Act, combined with the need for this Congress to enact major legislation in many key policy areas, has placed heavy demands on the schedules of both committees and the floor. Any additional requirements imposed by new oversight legislation has to work with and not against these institutional procedures.

Above all, review legislation must be able to match its promise with performance. It must work in practice, not just on paper. Both sunset and sunrise proposals hold great promise, but there are troubling aspects as well.

First, we are concerned about the exemption of major areas of spending in some proposals. A major goal of review legislation is to enhance congressional control over the budget. If review requirements exempt major direct spending programs, it weakens that effort. If the legislation fails to treat tax expenditures in the same manner as direct spending, it also lessens control. There is little question in my mind but that exemption of one category of spending will lead to a move to classify many new programs into that category as a means to escape review.

Second, we are worried about the problems arising from "sudden-death" automatic termination procedures. The notion that an established program or tax expenditure could end without a vote of the Congress has justifiably alarmed many. Civil rights groups worry about the protection of constitutional rights. Business worries about abrupt changes in tax laws that could create economic instability. Pensioners worry that programs for which they paid into for years will be ended. Each group can make a legitimate case for exemption from automatic termination. The end result, as I outlined earlier, is a list of exemptions that rival the inclusions. The essence of the sunset principle is that Congress should reexamine programs, and, if they no longer justify continuance, should terminate them. Automatic termination is not the only or the best way to encourage this review. To the contrary, under automatic termination, programs or tax expenditures could be ended by

filibuster, parliamentary delay, or veto. Programs enacted by Congress could end without a vote, much less without a review. We thus came to the conclusion that there had to be a better way to encourage review.

Third, we are troubled by forcing an inflexible review schedule on future Congresses. One Congress cannot predict what the pressing issues of another Congress will be. Schedules for review must be flexible on a Congress-by-Congress basis to accommodate the priorities of individual committees in each Congress.

Fourth, we are very aware that placing unrealistic sanctions or demands on committees may result in pro forma compliance with the requirements. The surest path for improved oversight is to create incentives for committees to incorporate review into their regular legislative activities. It is unrealistic for requirements to go beyond the resources and responsibilities of committees. Committees must be willing to conduct the reviews or they will not be done.

A "COMBINATION" APPROACH

Given these concerns, we went to work at framing legislation that would achieve the goals of "sunset" and "sunrise" while ironing out some of these problems. The bill I am introducing today is truly a "combination" approach. From H.R. 2, we adopted the idea of an oversight agenda, and the role given committees in setting review priorities. From H.R. 65, we included the establishment of performance measures. From both bills, we included the compilation of a program inventory.

At this point, let me note that this bill is the product of suggestions not just from the subcommittee, but from all the members of the Rules Committee, from the principal sponsors of H.R. 2 and H.R. 65, and from other Members who have held a long interest in the subject of oversight.

I again want to thank my colleague, BUTLER DERRICK, a member of the subcommittee and the author of H.R. 65, for his major contributions in drafting this bill. I also wish to thank the principal sponsors of H.R. 2, Representatives BLANCHARD, GEPHARDT, and MINETA. They have provided assistance and encouragement throughout our deliberations. I think we have developed a framework in this bill that all can support. Let me now outline the basic features of our proposal.

The process works on a Congress-by-Congress basis. It begins with the development and adoption of "committee review agendas" by legislative committees. These agendas, which must be prepared by March 1 of the first session of each Congress, will include those programs and tax expenditures within a committee's jurisdiction that the committee intends to review that Congress. A committee's primary funding resolution will not be in order until the committee has reported its agenda. The committee agendas are then assembled into a "consolidated review agenda," to be acted on by Congress by March 31 of the first session.

Special floor procedures expedite the consideration of the consolidated agenda

as a concurrent resolution. This resolution directs committees to conduct reviews on the items included, and to report by May 15 of the second session, legislation modifying, continuing, or terminating said items. After the expiration of a two-Congress "learning period," the agenda will be subject to amendment on the floor. Congress will then be able to add or delete items from a committee's review agenda, provided that the item had not been reviewed during the last three Congresses.

This process effectively links the review priorities of committees to the reporting of legislation during the same Congress. By allowing committees to focus on priority items, the reviews are more likely to be of greater depth and detail. Tying review to legislative action provides a major incentive for committees to conduct serious review. In addition, the performance of committees in conducting review will be subject to judgment by the full Congress. This occurs twice in a Congress—when committees submit their agendas for approval in the first session, and when they report legislation based on their review in the second session.

Most important, no program or tax expenditure will terminate automatically. Committees will have the opportunity to conduct a thorough review, and the Congress will have the opportunity to vote on committee recommendations. This feature allows us to include all programs and tax expenditures without exemption.

An essential tool for the review process will be the compilation of the first complete inventory of Federal programs and tax expenditures. The inventory will arrange programs and tax expenditures by committee jurisdiction. It will provide the "common language" for House and Senate committees by assigning each program and tax expenditure an official name and unique identification number. Cross-references will be provided for committees sharing jurisdiction, and between programs and related tax expenditures. Let me make clear that the inventory will not change or assign committee jurisdictions. Each committee will review the draft inventory to insure that it correctly reflects their jurisdiction.

The approach is simple in design, building on current congressional procedures and the committee system. We have given committees the major role in governing the review process, for that is where the work has to be done. We have given Congress the major role in determining the status of programs and tax expenditures, for they were originally enacted into law by Congress. Throughout our deliberations, our major concerns were twofold. First, that whatever process we develop for improving oversight work with, and not against, current congressional procedures; and second, that the reviews to be conducted have a high likelihood of being meaningful reviews. I believe the approach we have developed meets both those concerns.●

● Mr. DERRICK. Mr. Speaker, I am pleased to join the distinguished chairman of the Legislative Process Subcom-

mittee in sponsoring the Long-Derrick bill, the Sunset Review Act of 1979. This bill represents a major step toward improved congressional oversight of Federal programs. It will help us to insure that programs are carried out as Congress intended, and it will help us weed out programs that have outlived their usefulness.

As with any successful piece of legislation, the bill represents an amalgam of ideas of many individuals. I am most pleased to report, however, that the bill contains most of the essential features of the sunrise legislation upon which I have worked for more than 3 years and which more than 125 Members of the House and Senate have joined me in cosponsoring. Like the sunrise bill, this bill provides an orderly procedure for reviewing programs and tax expenditures with little or no risk of unintended termination. This bill preserves the key features of sunrise, which include the front-end statement of objectives and accomplishment plans, the front-end establishment of the key indicators of program success which Congress will consider in its subsequent oversight activities, a means for identifying and comparing related programs, and annual submissions to the Congress of concise information from the administering agencies on the indicators of program success which the Congress has set forth.

Some will, of course, say that the Long-Derrick bill does not go far enough; others will say it goes farther than necessary in establishing procedures for improved congressional program oversight.

I sincerely believe, however, that the bill represents a reasonable and workable compromise that should be acceptable to the many, many Members of Congress who have a strong interest in developing an effective and workable improvement to the oversight process. I hope that all of you who have joined me in cosponsoring the sunrise bill, as well as those of you who have cosponsored sunset, will give your support to the Long-Derrick bill since it also preserves key aspects of the sunset concept.

Furthermore, the bill has been carefully designed to avoid certain program risk and workload problems that troubled many people about previous sunset proposals, and although it contains a mechanism by which Congress can terminate programs, it virtually assures that no such termination will occur unintentionally or arbitrarily. Therefore, I believe that many Members who were in the past uncomfortable with the sunset bills will want to support the Long-Derrick bill, and we solicit your cosponsorship.

Like H.R. 65, this bill takes an evenhanded approach toward all programs, and none are exempted from the selective review mechanism which the bill establishes. Similarly the bill provides for selective review of tax expenditures but without the risk of unintended termination.

I wish to thank my distinguished subcommittee chairman for his cooperation and support in helping us to further develop a practical and effective program

oversight bill which I sincerely believe the vast majority of the Members of the House and Senate, of both parties, will be able to support it.

Thank you.●

GENERAL LEAVE

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and to include extraneous material on the subject of the special order speech today of the gentleman from Louisiana (Mr. LONG).

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

There was no objection.

THE IRANIAN SITUATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. RUDD) is recognized for 15 minutes.

● Mr. RUDD. Mr. Speaker, the administration's humiliating inaction in the case of Iran is merely symptomatic of the loss of determination and self-esteem which our Nation displays to the world.

There are two aspects that this situation brings to mind: First, the destruction of our intelligence system; and second, inattention to our Military Establishment.

As a former career agent with the FBI, much of it abroad on diplomatic assignment, one of the most obvious concerns that I have had over the Iranian situation was that possibly our intelligence network in Iran failed to anticipate the ambush and capture of our Embassy in Tehran due to a lack of intelligence-gathering.

Had our intelligence agencies not been downgraded, their reporting would have certainly gained the attention of the White House and the State Department.

This morning's Washington Post carries a story which indicates that our intelligence operation quite accurately forecast the explosive situation which has now developed.

Rather, it seems that State Department officials blatantly disregarded this information and proceeded with a "business-as-usual" attitude right up to the moment the embassy was overtaken by the radical Iranian students—never alerting the endangered Americans to the imminent danger.

This is another in an all too long series of misjudgments by officials of the Carter administration who mistakenly persist in believing that the United States can dabble with adamantly anti-American foreign officials.

Sixty American lives are now endangered because of this foolish and naive hope. Many Americans are asking, "When will we learn?" When, indeed.

On the defense front, it is a sad state of affairs when the U.S. military establishment—once the strongest in the world—has fallen on such lean times

that it is no longer respected as it should be abroad.

Incidents like the terrorist attack on our embassy and citizens would not have been contemplated, much less implemented, in earlier years when the United States commanded the admiration and respect of world leaders—even those with whom we disagreed.

This serves as one more example to me of why it is imperative for the United States to restore its military capabilities to a level which will once again command respect, rather than attracting contempt, from hostile foreign governments.

The administration's paralyzing inaction in the face of this direct attack on U.S. integrity should cause—and indeed has caused—alarm among our citizens who believe that firm and decisive action should be taken. Yet we must have the military strength and versatility to respond appropriately when such blatant attacks on American citizens and American prestige take place.

Other nations, like Iran, have witnessed the increasing U.S. tendency to back away from conflicts, even when vital U.S. interests are involved.

In my view, it is imperative that the United States undertake an immediate and consistent build-up of our defense capabilities in order to insure that we will have the military ability to resist aggression against American citizens around the world.

The administration should seek deployment of the neutron artillery shell.

We should build the B-1 bomber or a suitable alternative which is vitally needed as part of our traditional Triad defense philosophy. Remember, the Soviets have corresponding operational aircraft.

The President has signaled a lack of U.S. commitment to our allies by his advocacy of reduced presence in South Korea and his revocation of our defense commitments to Taiwan.

These actions tend to undermine the confidence of our allies while encouraging increasingly brazen hostile action by anti-American governments.

The President should drop his opposition to the needed nuclear aircraft carrier which would improve our naval readiness.

The administration needs to stop dawdling and increase the pace of these programs.

We must not neglect our national defense. It is obvious that governments of all sizes and philosophies are watching to see the commitment which the United States will make to its own defense and the protection of its allies.

I regret to say that such actions will inevitably continue and increase unless and until the United States demonstrates to the world that we intend to maintain the national defense necessary to insure our security and support our close allies.

If we as a Nation begin now to reverse the trends, we will preempt such events as that taking place in Iran today. If, however, we fail to act to maintain peace through strength, such incidents—and

others conceivably worse—will invariably continue.●

CONGRESSMAN TONY P. HALL SPEAKS ON ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. HALL) is recognized for 20 minutes.

Mr. HALL of Ohio. Mr. Speaker, since I was sworn into office this past January, one of the questions which my constituents have most often asked is "What really is happening with respect to energy, and what are you doing about it?" Since I have answered this question so many times at townhall meetings, senior citizen centers, and before student groups, I rise this afternoon to place my remarks and thoughts on this issue in the RECORD.

As you so accurately stated, Mr. Speaker, in your testimony before the Labor-HEW Appropriations Subcommittee on Legislation to provide assistance to low income and elderly households with their energy bills:

Few Americans have an easy time adjusting to seventy-percent increases in their heating bill. Some simply cannot.

I would add that most Americans have a hard time understanding how Congress can allow this huge increase in heating and gasoline prices which seemingly only fills the pockets of the oil companies and empties the pockets of the average American consumer.

CONSUMERS VERSUS OIL COMPANIES

It is astonishing when one notices that in the first quarter of 1979 profits of the 20 major oil companies exceeded their first quarter 1978 profits by 54 percent or a total of \$1.5 billion. Most recently, Sohio (Standard Oil Co. of Ohio) announced a 191 percent increase in their 1979 third quarter profits over the third quarter profits of last year. Helping to bloat these profits are the price increases that the consumer has to pay. Since the start of this year, the American consumer has had to pay an average increase of 28.2 cents per gallon in the cost of gasoline.

For the month of August alone according to a report published by the White House Office of the Special Assistant for Consumer Affairs, gasoline prices rose 4 percent, and electricity and natural gas rates rose 1.3 and 1.4 percent, respectively. In my district, the Dayton, Ohio area, the average monthly winter heating bill has increased from \$45 in 1973 to \$110 in 1979. Nationally, since January of this year, an average 500 kilowatt-hour electric bill has increased 11.5 percent.

All of these figures point out that the consumer is bearing a crippling energy cost burden. Nevertheless, the oil industry is demanding Federal policies which will only make this burden worse. For example, the oil companies have been pressing Congress and the administration to decontrol the price of crude oil.

I contend that decontrol of crude oil is illogical at this time of high inflation.

Therefore, I voted on several occasions to continue price controls on domestic crude oil, to reimpose price controls on heating and diesel fuel, and to tax the excess profits of the oil companies.

Representative TOBY MOFFETT of Connecticut offered an amendment to the Energy Department authorization bill to restore price controls for 1 year on certain domestically produced oil. The House rejected the amendment by a 135 to 257 vote. I voted in favor of this amendment. I also cosponsored, H.R. 3621, a bill to continue price controls on domestically produced crude oil for 2 more years.

The amendment to restore controls on heating oil and diesel fuel was offered by Representative PETER KOSTMAYER of Pennsylvania. Although I supported this amendment to the authorization bill, it was also rejected by a 124 to 243 vote.

During consideration of the Department of Energy authorization bill, the House of Representatives reversed an earlier decision in favor of an amendment to immediately decontrol the price of gasoline which was offered by Representative COURTER of New Jersey. Fortunately this amendment was defeated by a vote of 189 to 225.

When H.R. 3919, the windfall profits tax bill, came before the full House of Representatives on June 28, I voted in favor of the 70-percent tax rate on oil industry profits. Although the House approved this higher rate on an initial vote, it ultimately adopted the Jones-Moore substitute taxes the difference between the actual selling price of the oil and its base price, adjusted for inflation, at a rate of 60 percent. The substitute also would terminate the tax at the end of 1990. I was among those who voted against the Jones-Moore substitute, which I believed weakened the bill too much.

While I supported the higher tax rate, I did vote in favor of the amended bill on final passage, since I felt that the decontrol of oil without any tax whatever would allow the oil companies to profit inordinately at the expense of the American consumer.

When the oil companies drilled currently operating wells, they did not expect to get the high prices decontrol will bring them. For most types of oil, these higher prices will lead to only very limited increases in production. The increased profit, therefore, is an unearned profit.

I also disagree with the argument that petroleum should be priced at foreign price levels so that the oil companies can produce additional domestic crude oil. A recent report by the Central Intelligence Agency suggests that the oil companies will have problems finding new oil and gas, no matter how hard they look or how much they spend on the search. Statistics published by the CIA show that the rate of discovery of oil and natural gas has declined sharply despite greatly increased drilling activity in the lower 48 States. Clearly, we are dealing with a finite natural resource. Increased prices simply will not bring increased produc-

tion no matter what those oil companies advertisements try to make us believe.

Our energy problems have been compounded by a lack of information regarding our energy supplies. For this reason, I voted in favor of H.R. 291, resolution of inquiry on the energy situation. The resolution called upon the administration to provide the House of Representatives with essential energy data, such as petroleum reserve stock levels, import volumes, effects of Energy Department allocation rules, domestic oil production levels, and other related information.

What can be done in regard to America's energy problem? Obviously, the first answer is to boost other sources of supply.

DEVELOPMENT OF ALTERNATIVE ENERGY SOURCES

One of the first significant actions that the 96th Congress took in promoting alternative energy sources was the synthetic fuels bill. The synthetic fuels bill, an amendment to the Defense Production Act of 1970, calls on the Government to encourage production of the equivalent of 500,000 barrels a day in synthetic fuels by 1985, with the additional goal of 2 million barrels a day by 1990. The House authorized \$3 billion to help stimulate U.S. industry to produce synthetic fuel. In addition, the House also adopted a \$1.5 billion appropriation for fiscal year 1980 for the Department of Energy's synthetic fuel program.

I fully supported these initiatives taken by the House to ease U.S. dependence on imported oil. The United States imports about 8.6 million barrels of oil a day, or about 43 percent of consumption. Furthermore, the U.S. oil import bill, \$42 billion last year, is expected to run well over \$55 billion at the end of 1979.

The House of Representatives, by a vote of 299 to 107 on November 1, approved a key component of the President's energy package, the Energy Mobilization Board. This new agency will have the power to expedite construction of pipelines, refineries, synthetic fuel plants and other priority energy projects. The approval of such energy projects can contribute to the achievement of national oil import reduction goals.

To create a balance between our zealous efforts to establish some independence from foreign oil imports and to maintain certain environmental safeguards, I supported the Udall bill which was offered as a substitute to the pending Commerce Committee bill.

The original Commerce Committee legislation would have waived substantive State, local, and Federal environmental laws. This would have negated the studies, reports, and findings that led to these environmental laws. It also would have negated the rights of State and local governments to fully participate in decisions that affected their environment and health conditions.

The Udall substitute approached these important problems in a more reasonable manner. The board would not have been

able to waive substantive environmental laws. At the same time, the Udall bill established guidelines on how to streamline and consolidate the regulatory processes that in many instances have hampered or delayed essential energy projects. Unfortunately, the Udall substitute failed by a vote of 192 to 215.

Nevertheless, the Commerce bill was amended to delete the authority of the board to waive State and local laws. Although the board still could waive Federal and State laws that were mandated by Federal legislation, I felt the amended bill establishes a reasonable balance between energy development and environmental safeguards. Thus, I voted for final passage.

One of the best energy sources on Earth is actually 93 million miles above it—the Sun. As an energy supplier, however, the Sun has largely been overlooked. Ever since the time of the industrial revolution, electricity, petroleum, and natural gas have been exploited to meet energy requirements.

Now we are discovering that the resources upon which we have been depending for so long to meet our energy needs are not as readily available and inexhaustible as we once thought. The time is at hand to look for renewable energy sources, and the search is leading us to turn toward the Sun.

In June I supported the House-approved \$133.3 million budget for development and demonstration of solar energy technology and the development of wind conversion techniques.

In his recent energy message, President Carter called for a \$100 million national solar bank. I support this initiative which is intended to develop a national strategy for accelerating the use of solar and other renewable resources which will provide us with 20 percent of the Nation's energy needs by the year 2000.

In conjunction with the synthetic fuels and solar programs, the House approved \$57.8 million for biomass—conversion of animal, municipal, or agricultural waste into an energy-productive substance—research and development, and \$150.2 million for geothermal and hydroelectric projects in the Department of Energy authorization bill. I voted in favor of these provisions.

The Energy Tax Act of 1978 provides a residential energy tax credit for insulation and other energy-conserving components and certain renewable energy source property expenditures, including geothermal systems. There are approximately 600 geothermal systems in my congressional district. However, none is eligible for the energy tax credit under the proposed IRS definition. On September 12, 1979, in testimony before the Internal Revenue Service, I proposed a change in the IRS-proposed definition of geothermal energy so that it would be applicable to residential usage. The proposed IRS ruling established a temperature degree exceeding 60° Celsius or 140° Fahrenheit as measured at the wellhead. This restriction would be more applicable to usage by a utility company, an energy company, or the Federal Government.

The geothermal units in my district use a shallow geothermal well with a water temperature of 55° Fahrenheit instead of the proposed 140° Fahrenheit.

Another attractive alternative energy source is gasohol. Gasohol usually is a blend of 10 percent alcohol and 90 percent unleaded gasoline refined from crude oil.

To encourage the production of gasohol, the House Agricultural Committee reported out of committee the National Alcohols and Alcohol Fuel and Farm Commodity Production Act of 1979. This bill provides \$800 million in loans and loan guarantees to help build alcohol fuel plants. In addition to the loan provisions, the bill authorizes \$20 million over 2 years for the construction of 10 alcohol demonstration plants, and another \$20 million for educational programs on the feasibility of alcohol fuels.

President Carter has given impetus to the development of gasohol by announcing that he will make available \$11 million in loans and loan guarantees to build 100 new alcohol fuel plants. His proposal was made while he was in Iowa where gasohol sales in March 1979 were 2.5 percent of total gasoline sold.

As an alternate source, nuclear power possesses the potential to significantly aid the world's energy picture. However, I want to be absolutely sure that in developing its potentials, we do not inadvertently create a deadly hazard that will plague mankind. Like each new technology, nuclear energy should demonstrate that its benefits outweigh its risks. Once Congress has had the opportunity to fully study the recommendations from the House Committee on Interior and Insular Affairs and the President's Three Mile Island Commission, we should clearly define the possible role that nuclear energy will play in the near future.

CONSERVATION

The second answer to our energy problem is conservation. Conservation can contribute tremendously to solving our present energy problem and assisting us in developing our energy future.

Daniel Yergin, one of the coauthors of the "Energy Future, Report of the Energy Project at the Harvard Business School," states:

If the United States were to make a serious commitment to conservation, it might well consume 30 to 40 percent less energy than it now does, and still enjoy the same or an even higher standard of living. That saving would not hinge on a major technological breakthrough, and it would require only modest adjustments in the way people live. Moreover, the cost of conservation energy is very competitive with other energy sources. The possible energy savings would be the equivalent of the elimination of all imported oil—and then some.

Mr. Speaker, encouraging energy conservation has become a major priority in my role as a U.S. Representative. In Dayton, Ohio, I have initiated a door-to-door campaign to encourage energy conservation and provide assistance to low income and senior citizens in their attempt to meet high energy bills. I have

assembled an energy information package consisting of several Department of Energy pamphlets such as "How to Save Gasoline * * * and Money," "Insulate Your Water Heater and Save Fuel," and "Tips for Energy Savers."

In addition, I enclosed fact sheets on the energy crisis assistance program which helps low income and senior citizens who are hardest hit when severe weather abruptly increases their utility bills or causes fuel shortages. Also included in the package is the State of Ohio's 25-percent discount program on utility bills, and information regarding the Federal energy tax credit.

Second, I have tried to use every possible measure to retain the only national east-west passenger rail line serving mid-America, the National Limited. This train route offers high ridership potential and energy savings. In addition, I supported an amendment to the supplemental appropriations bill to provide an extra \$125 million for mass transit programs. The potential for energy conservation through the development of mass transit and fuel economy is enormous.

In response to the potential of increased conservation in transportation, Congress included in the Energy Policy and Conservation Act of 1975 provisions raising automobile fleet-average fuel economy is enormous.

In response to the potential of increased conservation in transportation, Congress included in the Energy Policy and Conservation Act of 1975 provisions raising automobile fleet-average fuel economy from slightly less than 14 miles per gallon for the 1974 model year to 27.5 miles per gallon by 1985. While I applaud the implementation of this statute, I believe there is a need for more cooperation between Government and automobile manufacturers in an effort to produce more energy efficient cars. The automobile industry, universities, and Government agencies should coordinate their research endeavors in this field. I believe this cooperation would result in swifter implementation of the act, and make possible more ambitious fuel efficiency targets for the future.

I supported the House-passed Emergency Energy Conservation Act of 1979, better known as the Gas Rationing Act. The act grants the President authority to impose a gasoline rationing plan in the event of a severe gasoline shortage, and allows the President to set State conservation targets for motor and other fuels. Under the bill, each State will draw up a plan to meet the conservation target set by the President; if any State fails to submit a plan or if the plan is not approved by the Energy Department, a Federal conservation plan will be implemented in that State.

I believe the Nation should not have to face a severe motor fuels shortage without the Government having authority to distribute fuel in a fair manner. The alternative to rationing in times of a major shortage undoubtedly would be skyrocketing prices, with ample supplies available for the wealthy, while the average American consumers would be un-

able to meet their basic needs for gasoline and diesel fuel.

CONCLUSION

It seems clear that the era of abundant cheap oil and gas has ended. If our society is to maintain a standard of living anywhere near what we have come to expect, alternate sources of energy must be developed and employed. The problem is so large that we will have to use a mix of all the technologies available and encourage further conservation.

Furthermore, America's total energy posture must accommodate potential abrupt energy shortages, immediate energy problems and future energy needs.

WHO/UNICEF MEETING ON INFANT AND YOUNG CHILD FEEDING

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

● Mr. BINGHAM. Mr. Speaker, last month a remarkable meeting took place in Geneva on infant and young child feeding, with specific reference to the developing countries. The meeting was jointly sponsored by the World Health Organization and by UNICEF, and was attended by several governments, non-governmental organizations, scientists, infant formula producers, and United Nations agencies.

The meeting produced recommendations in the following areas: First, the encouragement and support of breast feeding; second, promotion and support of appropriate and timely weaning practices with the use of local food resources; third, strengthening of education, training, and information on infant and young child feeding; fourth, development of support for improved health and social status of women in relation to infant and young child feeding, and fifth, appropriate marketing and distribution of infant formula and weaning foods.

The meeting was called in an attempt to begin to work out an international solution to the very difficult, complex, and emotional issue of infant formula use in the less developed countries. The infant formula producers view their product as a proven, nutritious food supplement that can add significantly to the often inadequate nutritional resources of the LDC's. Critics of the industry point out, however, that poverty and illiteracy in the LDC's make it inevitable that the formula will often be overdiluted, mixed with unclean water, served in unsterilized bottles, improperly refrigerated, and generally used in an unsafe manner, leading to infant malnutrition and death.

It is because of concerns such as these that H.R. 4093, the Infant Nutrition Act, sponsored by our colleagues from California, Messrs. DELLUMS and MILLER, was introduced and referred to the Subcommittee on International Economic Policy and Trade, which I have the honor to chair. The bill is also pending before the Health and Environment Subcommittee of the Committee on Interstate

and Foreign Commerce. The bill would regulate the export of infant formula by U.S. firms to the LDC's, prohibit all promotion of the product in the LDC's, and require certain labeling reforms.

While I sympathize with the purpose of this bill, it does present certain problems inherent in unilateral legislation. The principal one is that the United States is not a major supplier of the formula. We have only about 20 percent of the LDC market; Nestlé, a Swiss company, is the major supplier. There is also the problem of controlling the re-exports from third countries and of attempting to reach promotional practices in the importing countries with U.S. law. Finally it is very difficult to fashion export control legislation which would make the formula available to women who are able to use it properly, but not to those who are not.

For all these reasons, I had high hopes that the Geneva meeting would start us down the road to an international solution to the infant formula problem which would be concurred in and supported by the producers, the exporting countries, and the LDC governments themselves. I think the outcome of the meeting justifies those hopes. Among the recommendations agreed to with respect to marketing and promotion of infant formula were the following: there should be no advertisement or other form of sales promotion to the general public; promotion to health personnel should be restricted to factual and ethical information; advertising or promotional distribution of samples through health services should not be allowed; in no case should public health personnel be paid by infant formula companies; company personnel should not be permitted to promote the formula in the hospitals; each consuming country should adopt its own legislation or code governing marketing practices in that country; and WHO and UNICEF should organize the preparation of an international marketing code. If faithfully adhered to, these recommendations would go a long way toward eliminating past and present abuses.

Much remains to be done, of course, before the recommendations of the meeting become a reality. The recommendations are unofficial and nonbinding at this stage, and are open to conflicting interpretations. The Director General of WHO and the Executive Director of UNICEF must still determine whether to submit the meeting's recommendations to their respective governing bodies for formal adoption. The international marketing code must be drawn up and agreed to, and the LDC governments themselves must produce their own national codes. I hope all concerned will work diligently on all these fronts. The Subcommittee on International Economic Policy and Trade intends to be as vigilant and as supportive as it can along the way.

I wish space limitations did not preclude my submitting the entire final document of the meeting for the RECORD. It constitutes an eloquent and powerful statement of the rights of children to

safe and adequate nutrition—the more so because of the variety of organizations, public and private, from all parts of the world, that have agreed to it. I submit at this point the statement of the meeting, and the recommendations of the fifth working group on marketing and distribution, as well as a New York Times control on the meeting.

The material follows:

STATEMENT ON INFANT AND YOUNG CHILD FEEDING

The joint WHO/UNICEF Meeting on Infant and Young Child Feeding, which was held at WHO in Geneva from 9 to 12 October 1979; in expressing the need for urgent action by governments, international agencies, nongovernmental organizations and the infant-food industry and health and development workers to promote the health and nutrition of infants and young children, made the following statement:

1. Poor infant-feeding practices and their consequences are one of the world's major problems and a serious obstacle to social and economic development. Being to a great extent a man-made problem it must be considered a reproach to our science and technology and our social and economic structures, and a blot on our so-called development achievements. It is not only a problem of the developing world: it occurs in many parts of the developed world as well.

2. The question of adequate nutrition for mankind has been exercising international and national bodies for the last three decades, but the problem of malnutrition is not becoming less. It is taking a heavy toll in deaths and in long-term mental and physical disability. Women, with infants and young children, are its chief sufferers. This is socially, economically and politically unacceptable.

3. In this International Year of the Child, national governments and the international community are being called upon to focus on this complex problem and to take steps to ensure that children everywhere get a proper start in life on the basis of, *inter alia*, adequate nutrition. Governments and local communities have a major role to play in supporting action aimed at mothers and children to ensure sound infant and young child feeding practices.

4. Malnutrition in infants and young children cannot be separated from malnutrition and poor health in women. The mother and her infant form a biological unit; they share also the problems of malnutrition and ill-health, and whatever is done to solve these problems must concern them both together.

5. The problem is part of the wider issues of poverty, lack of resources, social injustice and ecological degradation; it cannot be considered apart from social and economic development and the need for a new international economic order. It is also a basic issue for health care systems and its solutions must be seen in the context of Health for All by the Year 2000.

6. The WHO/UNICEF Meeting on Infant and Young Child Feeding affirms the right of every child and every pregnant and lactating mother to be adequately nourished as a means of attaining and maintaining physical and psychological health. It stresses the responsibility of every society to ensure the effective enjoyment of this right so that children may develop to their full potential.

7. Breastfeeding is an integral part of the reproductive process, the natural and ideal way of feeding the infant and a unique biological and emotional basis for child development. This, together with its other important effects, on the prevention of infections, on the health and well-being of the

mother, on child spacing, on family health, on family and national economics, and on food production, makes it a key aspect of self-reliance, primary health care and current development approaches. It is therefore a responsibility of society to promote breastfeeding and to protect pregnant and lactating mothers from any influences that could disrupt it.

8. The period of weaning from the breast is a critical stage which often results in malnutrition and disease if the child does not have a diet that is adequate in quantity and quality, hygienically prepared and culturally, socially and economically acceptable.

9. The health of infants and young children cannot be isolated from the status of women and their roles as mothers and as partners in social and economic development. In poor urban and rural communities where the health and socioeconomic status of women is deteriorating, a corresponding deterioration is taking place in the health of infants and young children.

10. Health for all cannot be attained unless there is a substantial improvement in the socioeconomic condition of women, the particular needs of mothers and their infants and young children are recognized and met, and conditions are provided that promote and sustain the well-being of the family. These conditions include the right of women to information and education that will enable them to improve their own health and that of their families and to take an active part in decision-making on matters that affect their own and their children's health. They include also attention to the role of fathers in providing for the needs of their family.

11. The production, preservation, processing and distribution of food are essential components of any approach to ensuring the proper feeding of families and children. Emphasis should be placed on fresh local foods and traditional practices, complemented only when necessary, and under the guidance of government, by industrially processed products.

12. The WHO/UNICEF Meeting on Infant and Young Child Feeding affirms the need for sustained national and international action, and for the active participation of families, and especially mothers, in the elimination of malnutrition and the promotion of health. This is a challenge to all social and economic development strategies and to the world community as a whole. In the International Year of the Child it is fitting that national and international efforts be intensified, and that the enthusiasm it has generated in the cause of child health be sustained, to respond to this challenge.

RECOMMENDATIONS ON APPROPRIATE MARKETING AND DISTRIBUTION OF INFANT FORMULA AND WEANING FOODS

The government of each country has the responsibility to promote coherent food and nutrition policies which should give special attention to mothers, infants and children. These policies should emphasize the preservation of breastfeeding and the implementation of appropriate nutritional guidance (calendrier nutritionnel). Governments have a duty to ensure the supply and availability of adequate infant food products to those who need them in ways that will not discourage breastfeeding. Informed advice should be given at the appropriate time and place to mothers and families about best infant and young child feeding practices.

Breastfeeding is the only natural method of feeding babies and it should be actively protected and encouraged in all countries. Therefore, marketing of breastmilk sub-

stitutes and weaning foods should be designed not to discourage breastfeeding.

There should be no sales promotion, including promotional advertising* to the public of products to be used as breastmilk substitutes or bottle-fed supplements and feeding bottles. Promotion to health personnel should be restricted to factual and ethical information.

There should be an international code of marketing of infant formula and other products used as breastmilk substitutes. This should be supported by both exporting and importing countries and observed by all manufacturers. WHO/UNICEF are requested to organize the process for its preparation, with the involvement of all concerned parties, in order to reach a conclusion as soon as possible.

Monitoring of marketing practices is recommended. Usually this will be done under government auspices. Advertising councils and industry, consumer and professional groups can make an important contribution.

There should be no marketing or availability of infant formula or weaning foods in a country unless marketing practices in accord with the national code or legislation if these exist, or, in their absence, with the spirit of the meeting and the recommendations contained in this report or with any agreed international code.

Facilities of the health care system should never be used for the promotion of artificial feeding. Therefore, advertising or promotional distribution of samples of breastmilk substitutes through health service channels should not be allowed. Artificial feeding should not be openly demonstrated in health facilities.

No personnel paid by companies producing or selling breastmilk substitutes should be allowed to work in the health care system, even if they are assigned more general responsibilities that do not directly include the promotion of formulas, in order to avoid the risk of conflict of interest.

Production and distribution of foods for infants and young children should be governed by strict legal standards. They should be labelled to indicate proper and safe home preparation. Governments should adopt the recommended international standards covering foods for infants and young children developed by the Codex Alimentarius Committee on Foods for Special Dietary Uses and should support the elaboration of standards by this Committee to ensure nutritional value and safety. Governments that have not yet adopted such codes or regulations are urged to do so.

Products that are not suitable alone as weaning foods, such as sweetened condensed milk, cornstrach, cassava flour and cereal flours, should be required by proper regulations not to be packaged, labeled, advertised or otherwise promoted in ways that suggest they should be used as a complement or substitute for breastmilk. Vigorous educational efforts should be made against their misuse for the purpose by mothers.

[From the New York Times, Oct. 13, 1979]

BABY-FOOD INDUSTRY AGREES TO A CURB ON THE PROMOTION OF INFANT FORMULAS
(By Victor Lusinchi)

GENEVA, October 12.—Representatives of the baby-food industry, at a conference sponsored by the World Health Organization and the United Nations Children's Fund, subscribed today to a call for a ban on all sales promotion that would discourage breastfeeding.

*This includes the use of mass media and other forms of advertising directly to the mother or general public, designed to increase sales of breastmilk substitutes, to the detriment of breastfeeding.

Doctors, nutritionists, industry spokesmen and representatives of consumer organizations and activist groups agreed at the four-day session that breast-feeding should be "protected and encouraged" everywhere.

For this reason, according to the conference's recommendations, "The marketing of breast milk substitutes and weaning foods should be designed not to discourage breastfeeding."

The recommendations went on to specify that the ban should apply to all advertising and sales promotion to the public of breast milk substitutes and baby bottles.

RESTRICT ALL PROMOTION

Even the promotion of such substitutes among the medical profession and health personnel "should be restricted to factual and ethical information," the 150 conference participants agreed.

Fears expressed by activist groups opposed to all promotion of infant foods in underdeveloped countries that the recommendations left gray areas that the baby-food industry could exploit were dismissed by Dr. Halfdan Mahler, Director General of the World Health Organization.

The industry, he said at a news conference, is now under a "moral obligation" to change its practices and to refrain from "pushing promotion and advertising."

Speaking for the International Council of Infant Food Industries, Ian Barter, chairman of the British concern Cow and Gate Ltd., said the acceptance of the recommendations by consensus meant that "anything that is a direct sales promotion is out."

"This is an extraordinary concession for an industry like ours," Mr. Barter said. The council comprises 12 companies, including Nestlé, and according to Mr. Barter they account for 85 percent of all baby food sales in the developing countries.

In the United States, Nestlé is currently the target of a national boycott for its promotion of infant formula in the third world. The boycott, which began in June 1977, is sponsored by a confederation of church organizations and consumer groups calling itself Infant Formula Action Coalition, known as Infact.

Douglas Johnson, the group's chairman, who was here for the conference, said the boycott would continue "for the time being." But he added that Infact would seek to confer with Nestlé "to see how the recommendations of the World Health Organization will be carried out."

Dr. Mahler said that he would take action immediately on the call for the drafting of an international code on the marketing of infant formulas and other products used as breast milk substitutes.

The promotion of these products in the third world has been criticized by the World Health Organization Assembly of member states and by activist groups as inducing mothers in emerging nations not to breast-feed. Failure to breast-feed is often to the detriment of the babies' health, the assembly said.

Not only does some evidence point to the superiority of breast milk over formula, but protesters also contend that the early use of formula by impoverished mothers can result in malnutrition and disease because the mothers cannot afford to continue buying the formula and they turn instead to inadequate substitutes. The mothers also frequently lack the necessary sanitation for bottle feeding.

Dr. Mahler said he would present proposals to the assembly at its meeting next May on arrangements for drafting the proposed code in conjunction with all interested organizations.

The assembly will have to decide whether to adopt the draft in the form of an inter-

national convention binding on governments that ratify it or as a recommendation to governments to use as a model for their national codes, he said.

THIRD WORLD EMPHASIS

The meeting viewed infant nutrition as a global problem because, according to the World Health Organization, feeding deficiencies are a major cause of the death of one baby in 10 in the world during the first year. However, the emphasis was on the third world, where infant mortality often runs from 20 to 25 times higher.

The recommendations stressed the need to prepare all mothers for breast-feeding during pregnancy, and that postnatal care should be directed toward the "maintenance of breast-feeding for as long as possible."

A healthy, well-nourished, breast-feeding mother should not need to give any additional nourishment to the child during the first four to six months, it was said.

The first alternative to the milk of a child's own mother should be the use of "breast milk from other sources," according to the recommendations.

The recommendations called for breast-feeding to be initiated "as soon after birth as possible."●

REQUEST FOR A RULE ON H.R. 2626, THE HOSPITAL COST CONTAINMENT ACT OF 1979

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

● Mr. WAXMAN. Mr. Speaker, I take this occasion to advise my colleagues as to the nature of my request to the Committee on Rules for the rule on H.R. 2626, the Hospital Cost Containment Act of 1979. I have recommended the following modified closed rule:

(a) that H.R. 2626 as amended by the Committee on Ways and Means be in order as an original bill for purposes of amendment,

(b) that H.R. 2626 as amended by the Committee on Interstate and Foreign Commerce be in order as a substitute for the Ways and Means bill,

(c) that a specific amendment to the Commerce substitute by Congressman Rangel, to be printed in the Record, be in order,

(d) that no further amendments except for pro forma amendments be in order to either the Commerce substitute or the Ways and Means bill.

I must specifically note, so there can be no confusion on the part of my colleagues, that these are personal recommendations and are not made in a capacity as the official designee of the Committee on Interstate and Foreign Commerce.●

REVERSE FREEDOM OF INFORMATION LITIGATION ACT

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

● Mr. PREYER. Mr. Speaker, I am today introducing the Reverse Freedom of Information Litigation Act. This bill is designed to solve some of the complex questions of judicial and administrative procedure that have arisen in connection with reverse freedom of information lawsuits. My proposal is largely based on

the July 1978 report of the House Committee on Government Operations entitled "Freedom of Information Act Requests for Business Data and Reverse-FOIA Lawsuits" (H.R. 95-1382). The report was based on a study conducted by the Subcommittee on Government Information and Individual Rights, which I chair.

Because of the complexities of the issues, I would like to explain some of the background of my bill. A typical lawsuit filed under the Freedom of Information Act is one brought by a person who has requested information from an agency and who has been denied. The FOIA provides a clear and specific remedy for those who believe that information has been improperly withheld by the Government and this remedy has worked well.

However, those who have followed the development of FOIA law have become increasingly familiar with the reverse-FOIA lawsuit. This is an action brought by a person who has submitted information and who seeks to enjoin the agency from disclosing that information under the FOIA. The complications presented by these reverse-FOIA lawsuits have only become apparent in the last few years.

The most significant feature of reverse-FOIA litigation is that there are usually three parties in interest: The submitter of the information, the requester of the information, and the agency which holds the documents. Depending in part on how the request for information was handled by the agency, litigation can be initiated by either the requester or the submitter or by both parties. Matters can become especially tangled when more than one submitter has an interest in the documents requested.

The central issue in any FOIA litigation is whether a document should be disclosed. If a requester and a submitter have filed separate actions in different Federal courts over the disclosure of the same documents, it is apparent that the actions should be consolidated in one place, that one judicial decision should result, and that all parties should be bound by that decision. One of the basic purposes of my bill is to establish rules requiring consolidation of these cases. The bill will also establish a standard by which the courts can review an agency decision to disclose information.

In order to simplify the procedures for litigation, some changes in the administrative handling of FOIA requests are also appropriate. Not only should requesters and submitters be brought together in court, but both parties should have the opportunity to present their views on disclosure to the agency that make the initial determination. In order to accomplish this, it is necessary to tell a submitter that a request has been received for information that he has supplied to the agency. This is the second basic purpose of my bill.

At present, most agencies already notify submitters that FOIA requests have been received. However, this practice is informal, and submitters are

understandably concerned that it will not be followed in all cases where it is appropriate. Also, the existing time limits of the FOIA do not permit much time for submitters to present their arguments to the agency. Accordingly, I also propose a small relaxation of the time limits for FOIA requests where an agency is obliged to notify a submitter that a request has been received.

There are several court cases pending that could result in a definitive ruling on some of the questions of judicial procedure raised by reverse-FOIA litigation. If existing rules of civil procedure contain adequate solutions to the problems of reverse-FOIA litigation, then some parts of my bill may be unnecessary. However, as we learned when the Supreme Court decided its first reverse-FOIA case—Chrysler against Brown—earlier this year, court decisions sometimes raise as many questions as they answer. My comments on the Chrysler decision appear in the CONGRESSIONAL RECORD of May 3, 1979.

Because the issues are so complex, I think that it is useful to begin to look at them now. My bill is a starting point for debate, and I invite comments from any interested parties. I expect that the Subcommittee on Government Information and Individual Rights will hold hearings on reverse-FOIA litigation issues early next year.●

GOLFER CHICK EVANS LEFT A LEGACY FOR YOUNG MEN AND WOMEN

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

● Mr. ROSTENKOWSKI. Mr. Speaker, Chick Evans died Tuesday. He was a golf legend. From the Sunday putters to the pros, everyone in golf knew about Chick Evans.

The winner of four major championships in his day, Chick Evans played golf and worked until this year. He was 89 years young when he died. But his golf records represent only a part of his achievement. Before the days of athletic scholarships, Mr. Evans was forced to drop out of college because his family didn't have enough money for him to continue his studies. Chick Evans never turned professional, but he wanted to make sure young people had their chance to enjoy golf and to get a college education. He started a scholarship foundation so that young caddies who had academic ability but no money for college could go to school. Unlike some scholarship programs that demand excellence before a youngster even starts the game, golf ability is not a criterion of selection for an Evans scholarship.

Today the Foundation is administered by the Western Golf Association. Mr. Marshall Dann, executive director of the association told me the foundation has provided \$26 million to young scholars over the years. Two scholars graduated in 1930. To date, 3,167 young people have graduated from college because of Chick Evans' scholarships. These full tuition scholarships support 922 men and women

caddies in colleges today. Charles "Chick" Evans is dead, but his caddie-scholarship dream will not die. A great number of young men and women have had and will have a better chance in life because Chick Evans cared. I would like to insert into the RECORD a Chicago Tribune story about this remarkable man.

GOLFER CHICK EVANS DIES AT 89

Charles "Chick" Evans, dean of amateur golf in the United States and founder of the Evans Scholars program, died late Tuesday at the age of 89 in Augustana Hospital.

Although confined in recent weeks by illness to the hospital or his North Side Chicago apartment where he lived for more than 50 years, Evans had remained active in golf and business until this year. Throughout last winter's heavy snows he commuted regularly to his Loop office.

Evans was born July 18, 1890, in Indianapolis, and his family moved to Chicago's North Side when he was 3. Nearby was the former Edgewater Golf Club where Evans was introduced to golf as a caddie at the age of 8.

This contact launched him into eight decades of association with golf—as a boy wonder, a national star, a golf official, and finally as the guiding light behind the Evans Scholars program.

Along the way, Chick won almost every title available to him in his era. He was voted into every hall of fame in golf.

Evans won all four major championships of his day—the U.S. Open in 1916, Western Open in 1910, U.S. Amateur in 1916 and again in 1920, and the Western Amateur eight times between 1909 and 1923.

His two-under-par 286 total in winning the 1916 U.S. Open at Minnikahda Club in Minneapolis marked the first time par was broken for 72 holes in the event, and the score stood as a record for 20 years. He did this with only seven hickory shafted clubs.

When he also won the U.S. Amateur later in the year, he became the first to hold those two United States Golf Association titles the same year, a feat matched since only by Bobby Jones. Evans still remains the only amateur to win a Western Open.

Chick was a durable performer on the links winning senior tournaments in the late 1960s, more than 60 years after his first titles. He competed in a record 50 successive U.S. Amateur championships. He won four Chicago City Amateurs—his first in 1907 and his fourth in 1944 at the age of 54.

His final appearance as a player was in 1967 at the Western Amateur, but for the last 12 years he followed the golfers in a cart, stopping along the way to shake hands and chat with his admirers.

Overshadowing his greatness and durability as a player was Evans' unique contribution to golf in the creation of the caddie-scholarship concept.

Chick enrolled at Northwestern at an early age after winning several tournaments as a teen-age prodigy. Evans was forced to drop out of Northwestern after only a year because his family lacked the financial resources for him to continue. This was before the day of athletic scholarships.

Chick was firm about never turning professional. There were many offers, especially when he held both the U.S. Open and U.S. Amateur crowns for three years. World War I postponed his defense of the 1916 titles until 1919, and he was a headlined star in more than 400 exhibition matches in that span for the Red Cross.

Evans received a trickle of income from golf, income he could not accept and remain an amateur. Some came from phonograph records with golf lessons, recorded on conditions that the income go into an escrow

account. Other endorsement income boosted that fund.

Some 10 years later, in the late 1920s, Chick convinced the Western Golf Association to take over the fund, to use it for college scholarships for deserving and needy caddies—for boys like himself 20 years earlier.

His dream came true in 1930 as the first two Evans Scholars entered college. The idea caught on elsewhere growing widely. Such scholarships are now offered by the WGA and 29 affiliated state or regional golf associations from coast to coast.

In accordance with Evans' wishes, there will be no visitation and services will be private. Burial will be at Memorial Park Cemetery in Skokie. He asked that flowers be omitted and that contributions be sent instead to his Evans Scholars Foundation, Golf, Ill. 60029.

A memorial service will be held at the First Presbyterian Church, 1427 Chicago Ave., Evanston, Monday at 3 p.m.●

PERSONAL EXPLANATION

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

● Mr. LUNDINE. Mr. Speaker, I regret that a long-standing commitment to give a talk at Harvard University kept me from participating in two important votes yesterday afternoon: the conference report on the second budget resolution for fiscal year 1980 and passage of H.R. 4167 establishing 80 percent parity for milk price supports through September, 1981.

Had I been here I would have opposed the conference report on the budget resolution, as I opposed the resolution itself when it was first reported to the House by the Budget Committee. At the time of that earlier vote, I believed that the fiscal year deficit contained in the resolution was too high and, moreover, that an equal sacrifice had not been made by all Federal departments in limiting spending.

When I review what has since occurred in the conference committee, I find that the deficit has increased further and that the House gave in completely to the Senate's addition of \$3 billion in budget authority for defense spending. I continue to believe that our efforts to balance the budget cannot succeed as long as we exempt certain functions from the requirements of austerity.

At this time I would also reaffirm my continued support for 80 percent of parity in the price supports for milk. I believe that the 80 percent level strikes a good balance between the needs of America's dairy farmers and the interests of consumers who deserve secure supplies of milk products at reasonable prices. Had I been here yesterday afternoon I would have voted for H.R. 4167 and I would have opposed the amendment, offered by my colleague from Illinois, to permit the Secretary of Agriculture to reduce the parity level under certain circumstances.●

THE CHRYSLER CORP. BAILOUT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman

from Ohio (Mr. VANIK) is recognized for 10 minutes.

● Mr. VANIK. Mr. Speaker, on November 2, the Carter administration proposed that the Government of the United States provide a billion and a half dollars in loan guarantees to keep the Chrysler Corp. from going bankrupt. The plan provides that Chrysler would have to raise another \$1.5 billion from private sources before any loans would be guaranteed. The Government would have leverage over the company's operation—including the right to demand management changes. The United Auto Workers Union has indicated that it would consider additional concessions to help Chrysler raise the required matching funds.

As a Representative to the Congress, my first concern should be the interest of the American taxpayer. Although I have a large Chrysler producing facility in Twinsburg, Ohio, with substantial employment, 3,532 jobs, it also happens that this production facility is presently engaged in one of the more successful Chrysler operations—the assembly of the Omni and Horizon. As I have previously reported, this product is in the nature of an international product since the engine blocks, manual transmissions, and axles are produced in Germany; the ignition control system, air-conditioners, and compressors are produced in Japan, and the drive shafts and steering units are produced in the United Kingdom. However, the Twinsburg operation is a substantial utilization of a mix of domestic and international production. It has produced the most attractive and meaningful items in the entire Chrysler automotive line. In my judgment the Twinsburg facility would survive as a successful operation regardless of what happens to Chrysler. The facility would be an attractive operation for anyone involved in the automotive industry. It is modern, it is sufficient, and it produces a product for which there is great popular demand.

I hold no brief for the past management of Chrysler. The company was led to its present plight because of an almost total indifference to the need to move into the age of conservation. In 1974 when I first proposed a gas-guzzler's tax in order to conserve gasoline and in order to prevent the shift to foreign cars, I recall very vividly the chairman of the board of Chrysler stating:

Chrysler will continue to make the big cars, that is what the American people want.

My response was that the American people want what they are taught to want in advertising promotion. If Chrysler had moved more rapidly into the production of a low fuel consuming car at that moment of decision with either a utilization of its own engineering or the use of foreign engineering through license, the company would today be a real threat to its competitors in the automobile industry. Today almost every fuel efficient engine utilized by Chrysler is produced abroad as a captive import.

The critical situation that confronts Chrysler today would have been considerably more serious if we were not able to induce foreign producers to exercise restraint in the American market. Two

years ago I warned the Japanese automobile producers of the possibility of Chrysler's bankruptcy and suggested it would be credited to their imports if they continued to increase their percentage of the American market. In my considered judgment the Japanese Government exercised official restraint in entering the American market. The damage to Chrysler would have been even more serious if the Japanese had pressed the sales that were available in the American market which was stunned by OPEC price policies and the incredible increase in the cost of motor vehicle fuel.

The question arises as to why the Federal Government should consider a bailout of Chrysler as the 10th largest corporation in America. When I met with the Council of Smaller Enterprises, an affiliate of the Cleveland Growth Board, in Cleveland last Monday, October 29, many members raised the issue of why the American Government should provide financial assistance for only the large corporations of America rather than the smaller companies which are the lifeblood of the economy. This is a proper complaint to which we should address our concern. Perhaps we may have to restructure the former Reconstruction Finance Corporation to provide strength to American enterprise in this climate of intolerable interest rates and inflation.

From documents I have received it appears that small business in my area is the principal beneficiary of the Chrysler bailout. In 1978, in the seven congressional districts of the Greater Cleveland area, 981 suppliers provide \$597,204,114 in goods each year.

The involvement of small business throughout America is sufficient reason of itself to warrant a Chrysler rehabilitation and bailout.

It becomes quite apparent that the magnitude of a Chrysler collapse and shutdown would have a multiplier effect on the entire economy. From my rough calculations at this point it appears that it would result in an across-the-board attrition of industrial activity in our entire northern Ohio area. Our economy is much too fragile to suffer the collapse of the Chrysler operations.

The bottom line in this decision is the ultimate cost to the taxpayer. If vital jobs are lost, it means that the American taxpayer must pick up the cost of unemployment compensation benefits since the payout in compensation would have to be replenished, the Federal Government, the State and local governments would have to share in the cost of added burdens of welfare, job retraining and general family support. In addition, the Nation would have to face the program to reconstruct substitute forms of employment for the displaced workers. A mere sustaining CETA job in the public sector has an annual cost of about \$10,000 per year. Restoring a total Chrysler collapse would cost \$1,400,000,000 per year in nonproductive public service jobs. The creation of new private sector jobs could cost 10 times as much. The Department of Labor estimates the cost of creating one industrial

private job at \$55,500. Replacement of Chrysler jobs could cost \$7 to \$8 billion.

From the standpoint of the taxpayer, it is far more expensive to build new jobs in new enterprises than it is to bolster a feasible operation. This does not mean that I support the continuance by Chrysler of inefficient divisions. There are some inefficient operations which must be closed which have contributed to the failure of the company. There are other items of production which the company may consider. Today there is a railroad car shortage in America estimated at 125,000 cars and the need is increasing. We are today importing railroad car assemblies from abroad and the agricultural portions of the country are frustrated by the breakdown of our railroad system which is unable to move essential items of production from the farm to the market or to export. There are other critical industrial needs in America which are unmet, in which there are huge backlogs of order and need. Chrysler must be urged to move into these alternate areas of production.

Under no circumstance should the Federal guarantee be used to bail out the banks or the investors who have exercised bad judgment in making precarious loans and investments. They should be compelled to assume such losses with the tremendous profits they are incurring in other areas with current levels of high interest. This should be a bailout for the benefit of workers and not the bankers. Nor should the bailout be used to fund tremendous foreign imports of automotive engines and parts. It can only be justified if it extends the base of domestic production.

If a Chrysler bailout will cost less to the taxpayer than a collapse—and I believe that will be the case—I will be willing to support a feasible program of loan guarantees with adequate safeguards to the American taxpayer. In the long run I think it will prove infinitely less expensive than the process of reconstructing new jobs, particularly in an economically suppressed circumstance which currently exists throughout the country.●

TRIBUTE TO RAY ROBERTS

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

● Mr. SATTERFIELD. Mr. Speaker, on Monday, October 29, my colleague, the able chairman of the Committee on Veterans' Affairs, the honorable gentleman from Texas, RAY ROBERTS, announced that he would not seek reelection in 1980 and will retire at the end of the 96th Congress.

I am distressed to learn of his decision to leave the House for he has demonstrated able, effective leadership as the chairman of our committee. His dedication to the best interests of our Nation's veterans, so ably demonstrated in his unflinching defense of their rights and benefits and by mustering congressional support of "the Roberts' amendment," earlier this year. He will be sorely missed.

Mr. Speaker, when RAY came to the Congress January 30, 1962, and became a member of the committee, there were 22 million veterans in this country and the Congress appropriated \$6.6 billion for the VA, of which \$1 billion was allocated to the medical program. Today, with RAY at the helm of the committee there are 30 million veterans and the VA appropriation is over \$21 billion, with the medical program receiving over \$5 billion to maintain the largest health care system in the Western World. The VA health care system serves our Nation's veterans through its 172 hospitals, 220 outpatient clinics, 88 nursing home care units, 18 spinal cord injury centers, 16 domiciliarys and approximately 1,200 specialized medical care units. This year, the VA health care facilities will provide inpatient hospital care, nursing home and domiciliary care for a record 1.4 million veterans, or more than two-thirds again as many veterans as were cared for when the chairman came to the Congress. It will also treat an all-time high of 17.9 million outpatient visits compared to 3.6 million for the same period of time. RAY can be justifiably proud of this record.

Chairman ROBERTS, while considering the real time problems of veterans, has fought long and hard to insure adequate funding to operate this effective VA health care system and he has been consummately successful in his effort. As a man of vision he has vigorously supported legislation to provide care for our aging veteran population which includes approximately 600,000 World War I veterans as well as 13 million veterans of World War II. As a result of his support, the VA is pursuing unique and innovative treatment methodology for these aging veterans and consequently has become a pioneer in the fields of gerontology, cardiovascular, and pulmonary disease treatment and rehabilitation. He has constantly emphasized the overall need to provide first-rate medical services as well as effective research, nursing home and domiciliary care to alleviate the problems brought on by the aging process. At the opposite end of the veteran age spectrum, RAY ROBERTS has been in the forefront in his vigorous support of legislation for benefits and entitlements for our Vietnam-era veterans.

By far the greatest impact on the veterans health care system since its inception in 1946 has been the influx of the veterans of the Vietnam era who represent nearly one-third of the entire veteran population of the United States. With Chairman ROBERTS' illustrious leadership, the Congress has moved perceptibly in legislating new authority for the VA to meet the special, specific needs of our newest generation of war casualties. Total Federal expenditures for hospital care and medical services for Vietnam-era veterans, who account for 15 percent of all admissions to VA medical centers and over 25 percent of all outpatient visits, have amounted to more than \$3 billion. RAY was one of the first to recognize that Vietnam veterans are not only unique in the emerging nature and extent of their medical needs. This is especially true of psychiatric and psychological care where 40 percent of cur-

rent admissions are Vietnam veterans largely because of the strain of their wartime service, social pressures and readjustment problems. Recognizing that the high incidence of drug and alcohol abuse is a major part of the readjustment problem, especially among disabled veterans, RAY worked hard to secure legislation designed to authorize an innovative methodology of contract for treatment in a nonclinical environment, such as halfway houses and community based treatment centers, in an "outreach" program for readjustment of veterans suffering from these maladies.

In closing I wish to observe that his judgment on legislative matters has reflected a total understanding of the importance of fiscal restraint in dealing with our Federal budget coupled with fine insight into the relative priorities between separate budget categories. That is clearly demonstrated by his personal dedication first and foremost to those legislative proposals which have significant merit and which are entitled to the highest priority. His struggle on behalf of veterans programs is in consonance with that posture and in harmony with the traditions of our grateful Nation. In these endeavors, the gentleman from Texas deserves the sobriquet—"Mr. Veteran."●

THE 1979 CAPTIVE NATIONS WEEK

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

● Mr. FLOOD. Mr. Speaker, on the basis of even the cumulative reports of the 1979 Captive Nations Week last July, all knowledgeable Americans can take pride in the success of this national event. Additional published reports clearly serve to confirm this. In our country and abroad, the 1979 Captive Nations Week was a huge success, and this augurs well for the future.

For the historical record I submit: First, the proclamation by Gov. James B. Hunt, Jr., of North Carolina; second, the article by Dr. Lev E. Dobriansky of Georgetown University in *Spotlight*, July 30; third, items on the week in the *Los Angeles Tidings*, *Louisville Courier-Journal* and *Manchester Union-Leader*; fourth, more reports in the *St. Louis Globe-Democrat*, *Lincoln Star*, *Union-Leader*, and *Syracuse Herald-Journal*; fifth, an item in the *Chicago Tribune*; and sixth, an editorial "Captive Nations: Forgotten Week?" in the *Shreveport Times*:

PROCLAMATION BY GOV. JAMES B. HUNT, JR.
Whereas, the imperialistic politics of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Byelorussia, Romania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, Cambodia, South Vietnam, Laos, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions

of Communist leaders to initiate a major war; and

Whereas, the freedom loving peoples of the captive nations look to the United States as the citadel of human freedom and human rights and to the people of the United States as the leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such a week with appropriate prayer, ceremonies and activities; expressing their sympathy with and support for the just aspirations of the captive nations;

Therefore, I proclaim the week of July 15-21, 1979, as "Captive Nations Week in N.C." and commend this observance to our citizens.

[From the Spotlight, July 30, 1979]

U.S. OFFICIALS ARE, HAVE BEEN VICTIMS OF MYTHS ABOUT CAPTIVE NATIONS

(By Lev E. Dobriansky)

Then-Vice President Richard M. Nixon, who in his "Six Crises" virtually admits he didn't know what hit him when Nikita Khrushchev berated him for our congressional Captive Nations Week resolution, played on many myths during his visit to the USSR in July, 1959. The so-called "kitchen debate" with the Soviet chief was spectacular but of little substantive value.

What the Kremlin chief undoubtedly revealed in was his repetitive, monolithic terms as "Soviet nation," "Soviet people" and Ukraine as the "Texas" of the mythical nation. I wrote a memo pointing out these and other errors made by him on this visit (Oct. 30, 1959). Nixon cordially replied, saying in part, "You may be sure that I shall find these suggestions most helpful as I continue my study of the many problems we face in this war with communism" (letter, Nov. 11, 1959). By the time he became president there was no improvement; in fact, it was even worse.

During the Kennedy administration, myth-making about "Russia" continued, and reached a high point in the clash between Secretary of State Dean Rusk and our UN ambassador, Adlai E. Stevenson. The latter is a story in itself.

Early in his administration, President Kennedy was presented with a wonderful opportunity by Khrushchev in his challenge to debate imperialism in the UN, really an effect of the Captive Nations Week resolution that Khrushchev railed against for months. Apparently insecure on these grounds, the president failed to accept the challenge for real. . . .

Kennedy's view of the USSR can be readily gleaned from his stirring address at American University, when, without foundation, he asserted, "no nation in the history of battle ever suffered more than the Russians suffered in the course of the second world war" (the Washington "Post," June 11, 1963).

NON-RUSSIANS KILLED

Of the 23 million military and civilians killed, what happened to the Lithuanians, Byelorussians, Ukrainians and others in the non-Russian areas, where most of the fighting was waged? Admittedly, it's hard to prove, but taking the two facts of about 43 percent of USSR forces being non-Russian and the non-Russian areas of combat, the probability is that more non-Russians were killed than Russians. Again, underlying the mistaken view is the myth that the USSR equals "Russia."

The fight in 1961 for a Special Committee on Captive Nations in the House brought into sharp focus some contrasting views of the USSR between Kennedy's secretary of state and Ambassador Stevenson. Opposing such a

committee, Dean Rusk came forth with a classic blunder in a letter to the Rules Committee chairman, Howard W. Smith: "The U.S. government's position is weakened by any action which confuses the rights of formerly independent peoples or nations with the status of areas such as the Ukraine, Armenia or Georgia, which are traditional parts of the Soviet Union. Reference to these latter areas places the U.S. government in the undesirable position of seeming to advocate the dismemberment of an historical state" (Aug. 22, 1961).

Established in 1922-23, the USSR an historical state? What of the independence periods in the past of the three nations Rusk mentioned—and other non-Russian nations? At least verbally, the USSR Constitution provides for the secession of these non-Russian nations from the ersatz union; yet Rusk wouldn't even have us talk about the right of national independence. Obviously by "an historical state," Rusk meant that the USSR is just another form of "Russia."

MYTH-BUSTING MEMO

Whatever the motivations behind Stevenson's intervention in the battle (he wanted to be secretary of state), his timely release of a memo on the subject caused no end of embarrassment to Rusk. The memo precisely cites the record of Soviet Russian Imperialism and beautifully shows up the conceptual myths of the secretary. As a matter of record, this Stevenson memo is the finest statement yet given on the subject by any of our representatives in the UN (memorandum to UN delegations, Nov. 25, 1962).

In response to this memo and other protests at the time, Rusk sent another letter, dated Dec. 27, 1961, to the Rules chairman, Smith, retreating from his original position . . . and upholding "the national aspirations of the minority peoples of the USSR." So now, the "historical state" myth gives way to another typical myth of "minority peoples" or "minority nationalities." Apart from quantitative questions on the subject, since when, from a qualitative viewpoint, do Georgians or Lithuanians who predominate in their respective, historic homelands suddenly become "minority peoples"? In the use of words, Moscow appears to demonstrate greater sagacity with national references to "equal among equals."

Similar misconceptions dominated the turbulent Johnson era. For masterful confusion this statement by President Johnson is sufficient unto itself: "The common interests of the peoples of Russia and the United States are many—and this I would say to the people of the Soviet Union: There is no American interest in conflict with the Soviet people anywhere" (text of Johnson's speech on "U.S. Aim to Keep Peace," the Washington "Post," June 4, 1965).

In this one statement you find the old czarist imperial usage, "the peoples of Russia," and now they are metamorphosed into one as "the Soviet people," another illusion . . . Former Sen. J. W. Fulbright, who for many years chaired the Foreign Relations Committee, wallowed in a variety of illusions regarding the USSR. For instance, referring to that state, he wrote, "Insofar as a great nation mobilizes its power and resources for aggressive purposes, that nation, regardless of ideology, makes itself our enemy" ("Congressional Record," March 25, 1964, p. 6029).

He was supposed to be dispelling "old myths" and . . . pictures the USSR as a nation. In other quotes, like Eisenhower, he too, harbored the illusion of "200 million Russians" in existence.

RECKLESS ERROR

When Nixon became president, the top official view of the USSR didn't improve; it became worse. Nixon never attained to an understanding of the USSR, and his advisor, Dr. Henry Kissinger . . . couldn't help . . .

Both were prisoners of a nation-state concept and, in sharp contrast to any administration before or after, they committed the reckless error of accepting the traditional Russian imperial principle of noninterference in the internal affairs of the imperial state in the Moscow Declaration of 1972. When Nixon appeared in Kiev, Ukraine, he called the capital "the mother of Russian cities," similar to designating a woman as half-pregnant. His confused views also can be gleaned from many of his untutored statements.

For example, speaking of the USSR, Nixon declared, "But as we have the valor to defend those principles which divide us as nations, we must have the vision to seek out those things which unite us as human beings" (address at the U.S. Naval Academy, June 5, 1974).

The USSR a nation? Conquerors and exploiters of nations—meaning the non-Russian nations within the USSR and only secondarily those without—are scarcely qualified for such a vision other than when it serves their interests. In an address to "the people of the Soviet Union," Nixon persists with the illusion to the detriment of those captive non-Russian nations: "Our two nations will continue to have differences" ("Weekly Compilation of Presidential Documents," July 8, 1974, p. 746).

During the 1976 presidential campaign, Gerald Ford . . . adamantly held that Eastern Europe was under no Russian domination. Kissinger congratulated him on his performance. Finally, during the Carter administration, some of the noted myths continue to linger on.

An analyst for the Washington "Star," discussing Leonid Brezhnev, states, "He has his problems in keeping together the many conflicting groups of his large, diverse nation."

John Kenneth Galbraith, a facile writer (but one who appears to have a confirmed opinion about everything) says, "The reality in the case of the United States and the Soviet Union is of two large industrial nations" ("The New Industrial State," Boston, 1967, p. 332). The USSR a nation? Even Moscow disputes this.

[From the Los Angeles (Calif.) Tidings, July 13, 1979]

PRAYERS, MASS TO MARK CAPTIVE NATIONS WEEK

Captive Nations Week will be observed July 15-21 by proclamation of the President. Msgr. Felix Diomartich, Episcopal Vicar for the Multilingual Apostolate, has asked pastors to encourage their people to pray during the week, and especially this Sunday, for the people of the Captive Nations.

A concelebrated Mass at 5:05 p.m., July 21, in St. Basil's Church will be offered for the intentions of all enslaved peoples, Msgr. Diomartich said. Representatives of Americans for Freedom of Captive Nations will attend.

[From the Louisville (Ky.) Courier-Journal, July 26, 1979]

CAPTIVE NATIONS WEEK

(By Ed Laete)

Each year the third week of July is designated as Captive Nations Week by our Congress and was signed by President Eisenhower in 1959. The key words of this law are, " . . . the President is authorized and requested to issue a proclamation each year until such a time as freedom and independence shall have been achieved for all the captive nations of the world."

The sad truth is that since 1975, the number of captive nations is increasing because of the illegal seizures of Laos, Cambodia, South Vietnam, Angola and Afghanistan by forces of Marxist-atheistic commu-

nism. So the total number of captive nations is now some 34 over the world.

The evidence shows that Communist holocaust, a systematic extermination of subjugated nations, continues. The Soviet Union . . . is violating the Helsinki Accord of July 1975.

Now the Soviet Union is eager to use SALT II, where they have gained military advantage, for consolidating regional Communist conquests.

The unbelievable American and free world self-destruction is that our government . . . by trade and loans granted under the process of detente, helps Soviets to finance and build a military might for its projects devoted to the world conquest.

Indeed, Marxism-communism is a global threat for the free world.

During Captive Nations Week, there will be parades, proclamations, speeches in Congress, and church services in awareness, to keep America free and independent and that some day all the captive nations again will enjoy their God-given rights for self-determination and freedom from Marxist-Leninist communism's tyranny. All nations have a right for independence.

[From the Manchester (N.H.) Union Leader, July 9, 1979]

CAPTIVE NATIONS WEEK TO BE OBSERVED
(By V. Grundmanis)

Addressed to William Loeb: Again is the time to observe and do our best for the captive nations under bloody, brutal Communist rule in the Captive Nations Week 1979 from July 15 till 21, the third week of July, 1979.

We, people of the free world, can commemorate now the 20 years of Captive Nations Proclamation by the United States of America, but our efforts were in vain to somehow help the enslaved peoples, who suffer loss of freedom individually and have lost the independence of their former free nations. We, the free people, tried to do our best in demonstrations, speeches, writings and other activities against the godless Communist regimes, but that is not enough—we have to fight and work in the Holy War against communism by all means, including our help in supplying materials to foster dissent, sabotage, guerrilla warfare, revolts and revolutions all over the world of ours against inhuman Communists, the enemy of God and humanity.

That is our duty and goal to free all captive nations, may almighty God help us in this sacred obligation for all free people to give liberty, freedom and independence to every man, woman, child and nation of the world of ours on the earth of God. Let us start now to do all we can "with God against communism" by all to us available means not only in the coming Captive Nations Week 1979, but every day, every moment of our lives to help the captive nations to gain their deserved freedom and independence. "Freedom for captive nations!"

[From the St. Louis (Mo.) Globe-Democrat, July 16, 1979]

PLIGHT OF CAPTIVE NATIONS
(By Marian Orelt)

Soviet Foreign Minister A. Gromyko is urging the creation of a Palestinian state.

This issue should not be of concern to the Soviet Union. But, of course, the reason behind this "humane" attitude is a politico-strategical one. Regardless, it concerns the Middle-East countries alone, and they will, in time, find a solution to this vital problem.

He and his government should rather direct their attention toward nations like Lithuania, Estonia, Latvia, the Ukraine and many others, which they have taken by force, enslaved and deprived of their basic human rights. They are entitled to rule themselves, to live and exist as free, independent countries.

Ever since the Communist revolution in 1917, millions of innocent freedom-loving Soviet citizens of all nationalities have fallen victims to the Soviet murderers, Russians included.

Even today, approximately one million political prisoners are tortured and many executed without a trial. Their desire for freedom, independence, liberty has never ceased to grow. And never will.

In the past these nations have always been the free world's allies, and will be again, after they achieve their sublime goal. The dissident movement, especially after the signing of the Helsinki agreement, provides proof. These courageous fighters have time and again risked their very existence to find a way to reach the free nations and to point out the atrocities committed by the Soviet dictators, the noncompliances committed by their usurpers, regarding SALT I and many other treaties we've signed with the Soviets.

They are our true allies, and always will remain. They are asking us for no more but our moral support in their battle for their noble cause. Should they be denied what they so much deserve?

To the contrary, we should make every effort available to us to give them the support. The legacy left by our wise forebearers that "all men are equal and should be free," applies to all people, everywhere!

We Americans are a nation admired by people the world over and considered as the citadel of freedom, liberty, independence. By supporting the captive nations in their battle for the same ideals, we also help our own country to maintain this status for generations to come. The restoration of those countries to their original status would put a definite stop to the Communist expansionism.

[From the Lincoln (Nebr.) Star, July 24, 1979]

CAPTIVE NATIONS WEEK
(By Alexander V. Berkis)

In 1959 the Congress passed Public Law 86-90, or Captive Nation Proclamation declaring the third week of July Captive Nations Week. In fact, Captive Nations Week has become almost meaningless. In 1977 President Jimmy Carter issued the Captive Nations Proclamation only after ethnic groups began calling the White House and demanding it. It is almost needless to say that the Captive Nations Proclamations of President Carter in 1977, 1978, and 1979 failed to list any captive nations or name the Soviet Union as the only privileged colonial empire in spite of the fact that almost all former colonial peoples of Africa and Asia have obtained their independence.

Aleksandr I. Sozhenitsyn and Adrei D. Sakharov have repeatedly asked the Russian communist leaders to dissolve the Soviet Union of the non-Russian republics and to do away with the Russian control of Eastern Europe in general.

Therefore, persons who realize the danger of communism should urge the Congress to encourage the explosive forces of nationalism of the Ukrainians, Georgians, Armenians, Lithuanians, Latvians, Estonians, Poles, East Germans, Czechs, Hungarians, and other Eastern European peoples. The Congress should be likewise urged to oppose the selling of our machinery and wheat to the Soviet Union and to refrain from making any concessions of credit to Russia. The militarism and imperialism of the only colonial empire should be weakened by imposing strong economic sanctions against the Soviet Union.

[From the Manchester (N.H.) Union-Leader, July 13, 1979]

CAPTIVE NATIONS WEEK 1979
(By Paul H. Tracy)

We are on the eve of a 20th anniversary which the present occupant of the White

House apparently wishes would just fade away.

President Carter beats his breast as a champion of human rights, but what about Captive Nations Week?

You don't hear Carter issuing any proclamation calling attention to our failure to act as the Soviets smashed the Hungarian counter-revolution in 1956. In case you have forgotten there now is a total of 30 captive nations in the world.

Eisenhower proclaimed the first Captive Nations Week in 1959. In 1978 Carter was forced to bow to pressure and four days into the week issued a weakly worded proclamation.

Carter's statement did not include one reference to communism.

He almost gained the unenviable distinction of being the first President since Ike not to declare his support of the 1.5 billion enslaved people.

Not being equipped with ESP, we have no idea if President Carter will take official note of Captive Nations Week, July 15-21. But if he does you can be sure it will be of the mealy-mouth variety! See commentary by John Chamberlain on back page.

[From the Syracuse (N.Y.) Herald-Journal, Sept. 1, 1979]

CAPTIVE NATIONS RALLY SCHEDULED

The Captive Nations Committee of Syracuse and Onondaga County will conduct its 20th annual rally at 7:30 p.m. Sunday in Le Moyne College Auditorium.

Dr. Askold Lozynski, a Ukrainian-American, will be the principal speaker. He is an attorney in New York City and active in Ukrainian exile organizations. He will discuss the 20-year-old Captive Nations movement, human rights violations behind the Iron Curtain and the danger of Soviet colonialism.

The Captive Nations Week proclamations of President Carter, Gov. Hugh Carey, Mayor Lee Alexander and County Executive John Mulroy will be presented during the rally. The opening remarks will be delivered by Dr. Anthony T. Bouscaren, Le Moyne College professor of political science, and chairman of the Captive Nations Committee of Syracuse, which initiated the yearly rally.

Entertainment will include folk music by the Ukrainian Male Chorus under direction of Wasyi Zhmuro and the Vietnamese Band. There also will be a dance demonstration by the Odessa Dance group of the Ukrainian Youth Organization, under direction of Peter Lutsyshyn and folksongs presented by a Ukrainian Bandurist musician. The Ukrainian Congress Committee of America, Syracuse branch, coordinates this cultural program.

The Captive Nations Committee organized this rally in observance of the 20th anniversary of the Captive Nations Resolution, introduced by Congress as Public Law 86-90 on July 17, 1959.

According to Co-Chairman Tibor Helcz, there were 22 nations under Soviet domination in 1959 and this number has increased to 36 by this year.

[From the Chicago Tribune, July 22, 1979]

CAPTIVE NATIONS REMEMBERED

Two rows of cardboard cut-out figures dangling from hammer-and-sickle symbols represent countries living under communism during a "Captive Nations Day" rally Saturday in the Daley Plaza. The annual event is staged to remind Americans that so few others enjoy their freedoms. Special guest at the rally was Valentyn Moroz, who, after 14 years in a Soviet labor camp was freed with four other dissidents in April with the help of the United States.

[From the Shreveport (La.) Times, July 19, 1979]

CAPTIVE NATIONS: FORGOTTEN WEEK?

This is the 20th anniversary of "Captive

Nations Week," July 15-21, but if the word hasn't reached you, don't feel bad. In the two decades since President Eisenhower signed a congressional resolution into law, Captive Nations Week has been gradually transformed into what amounts to a state secret.

The idea of the week, as it was conceived in 1959 at least, was basically to point a finger of shame at the Soviet enslavement of Eastern Europe. That was the main thing, though Communist domains in Asia were added to the list of "Captive Nations."

But with the coming of detente between the Soviet Union and the United States, the assumption that the captive nations were gradually asserting their independence from Russian rule, and the reality that we were not about to do anything about Kremlin control anyway, this particular "anti-Communist" week lost whatever steam it ever had.

The week may be a dead, decaying relic of Cold War rhetoric. But the realities that created the captive nations observance are, unfortunately, very much alive. Despite the signing of the SALT II treaty, detente has been badly damaged by Soviet behavior in Africa and elsewhere—along with the much more ominous Soviet military buildup that backs up that dangerous behavior.

And what about that well-advertised assumption that the captive nations of Eastern Europe were gradually regaining control of their national destinies from Moscow? There have been glimmerings of limited liberation from Russia (primarily Romania), but the Soviets have crushed, by raw force, three waves of national revolution in Eastern Europe since World War II. Soviet troops remain stationed in division strength in captive nations. These are occupied lands.

Have the captive nations, then, learned to live with Moscow's socialism, or perhaps even come to like it? That little theory was shattered recently by the Pope's visit to his native Poland, where he was met with a wave of adulation that was as much nationalistic as religious.

THE LAST REALITY

Of course, we will buy that last reality: the West is not prepared to rally behind any East European revolution against Soviet rule. That was proved in East Germany, Poland, Hungary and most recently in Czechoslovakia.

Given this reality, we agree that people should not be called to revolution by a West unwilling—or in a nuclear-triggered age unable—to support it. We would never support encouraging such a bloodbath.

But Pope John Paul II proved that the spirit of the West remains a mighty broadsword—a broadsword that in Poland, only a few weeks ago, cut through more than four decades of Communist rule. The observance of Captive Nations Week could offer the same sort of spiritual sustenance to people who obviously still crave it. The week itself may be as dead as the so-called detente that killed it, but the captive nations are alive. Ask Pope John Paul.

CONFERENCE REPORT ON H.R. 4440

Mr. DUNCAN of Oregon submitted the following conference report and statement on the bill (H.R. 4440) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1980, and for other purposes.

CONFERENCE REPORT (H. REPT. NO. 96-610)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4440) making appropriations for the Department of Transportation and Related Agencies for the fiscal year ending September 30, 1980, and for other purposes, having

met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 6, 8, 22, 27, 30, 34, 35, 36, 37, 43, 52, 55, and 67.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 11, 13, 14, 15, 16, 24, 31, 32, 33, 44, 54, 57, 59, and 60, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$7,650,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: "for necessary expenses to carry out the provisions of 23 U.S.C. 219, \$20,000,000, to remain available until September 30, 1983"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$100,000,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$188,600,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "\$2,500,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$83,228,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$25,913,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$36,889,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$9,139,500"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$87,798,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$873,400,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$630,400,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "\$211,000,000 shall be available for capital improvements, and for labor protection costs pursuant"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$69,300,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$66,800,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$615,000,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$25,846,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$11,040,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$16,782,500"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert: "\$76,699,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$76,000,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to change the date to: "March 1, 1980"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$8,750,000,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "\$650,000,000"; and the Senate agree to the same.

Amendment numbered 68; That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of "Sec. 320.", insert "Sec. 319."; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 29, 40, 42, 47, 51, 53, 58, 61, 63, 64, and 66.

R. DUNCAN,
TOM STEED,
ADAM BENJAMIN, Jr.,
WILLIAM LEHMAN,
MARTIN OLAV SABO,
BENNETT M. STEWART,
EDWARD P. BOLAND,
JAMIE L. WHITTEN,
SILVIO O. CONTE,
JACK EDWARDS,
CLARENCE MILLER,
LARRY COUGHLIN,

Managers on the Part of the House.

BIRCH BAYH,
WARREN G. MAGNUSON,
JOHN C. STENNIS,
ROBERT C. BYRD,
THOMAS EAGLETON,
JOHN A. DURKIN,
JAMES A. MCCLURE,
C. MCC. MATHIAS, Jr.,
L. P. WEICKER, Jr.,
MILTON R. YOUNG,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE
COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4440) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1980, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

TITLE I—DEPARTMENT OF
TRANSPORTATION
COAST GUARD

Operating expenses

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment amended to read as follows: "Provided further, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees intend that the amendment also be applicable to any United States territories or possessions.

Acquisition, construction and improvements

Amendment No. 2: Appropriates \$286,011,000 as proposed by the House instead of \$290,161,000 as proposed by the Senate. In deleting funds for the infrared/ultraviolet line scanner portion of the medium range surveillance aircraft sensor system, the conferees do not intend to delay the installation of this equipment. The conferees will consider a supplemental request for this procurement at such time as the research, development, test and evaluation program is completed. No funds have been included for the St. Mary's River and Delaware Bay and River aids to navigation projects. The conferees believe that there are sufficient unobligated funds under this appropriation to

install these aids to navigation, if the Coast Guard determines that they are high priority requirements.

Alteration of bridges

Amendment No. 3: Appropriates \$7,650,000 instead of \$6,900,000 as proposed by the House and \$14,900,000 as proposed by the Senate. The conference agreement includes \$750,000 for the Central New Jersey Railroad bridge project. The conferees direct that these funds, plus the \$4,000,000 previously appropriated, shall be available to accomplish, but not exceed, the work described in additive 2 of the Coast Guard plan.

Pollution Fund

Amendment No. 4: Appropriates \$10,000,000 as provided by the Senate.

*Federal Aviation Administration
Operations*

Amendment No. 5: Appropriates \$2,085,520,000 as proposed by the House instead of \$2,086,770,000 as proposed by the Senate. The conference agreement includes 94 air traffic control positions, 25 flight service stations positions and 36 flight standards positions in addition to those allowed by the House.

Amendment No. 6: Deletes language proposed by the Senate prohibiting the use of funds for payment of expenses incurred for the closure of operations or reduction in grade of personnel of the general aviation district offices in the State of Montana.

Facilities and equipment

(Airport and Airway Trust Fund)

Amendment No. 7: Appropriates \$293,000,000 as proposed by the Senate instead of \$290,800,000 as proposed by the House. The conference agreement includes funds for the establishment and relocation of airport control towers at Houma, Louisiana and Farmingdale, New York, the installation of a full instrument landing system at Port Angeles, Washington and the installation of airport surveillance radars at Bismarck, North Dakota, Florence, South Carolina and Mansfield, Ohio.

Surface transportation

Highway Beautification

Amendment No. 8: Restores reference to section 131(j) of title 23 U.S.C. as proposed by the House. The conferees understand that the Department of Transportation has undertaken a general review of this program. The conferees expect that this review will be completed in a timely manner so that a determination on further funding of the program can be made in connection with the fiscal year 1980 supplemental appropriation bill.

Safer Off-System Roads

Amendment No. 9: Appropriates \$20,000,000 instead of \$40,000,000 as proposed by the House. In addition to the funds contained in this amendment, the conference agreement includes \$35,000,000 for safer off-system roads.

Urban Discretionary Grants

Amendment No. 10: Appropriates \$100,000,000 instead of \$70,000,000 as proposed by the Senate and \$130,000,000 as proposed by the House. In addition to the funds contained in this amendment, the conference agreement includes an additional \$1,280,000,000 for the urban discretionary grants program.

The conferees direct that the fiscal year 1980 funding for urban discretionary grants be allocated as follows:

Bus and bus related facilities...	\$255,000,000
Rail modernization and system extensions	650,000,000
New systems	320,000,000
Downtown people movers	20,000,000
Urban initiatives	80,000,000
Planning	55,000,000

The funding available under the heading "Rail modernization and system exten-

sions" may be utilized by the eight areas for modernization and extension of the fixed route overhead electrification for propulsion of trolley bus systems. This heading is not intended to provide funding for trolley bus vehicles which should be funded under the allocation for acquisition of buses.

Urban Formula Grants

Amendment No. 11: Appropriates \$15,000,000 as proposed by the Senate instead of \$30,000,000 as proposed by the House.

FEDERAL HIGHWAY ADMINISTRATION

Limitation on general operating expenses

Amendment No. 12: Limits general operating expenses to \$188,600,000 instead of \$188,200,000 as proposed by the House and \$189,000,000 as proposed by the Senate.

National scenic and recreational highway

Amendments No. 13 and 14: Delete \$2,000,000 appropriation proposed by the House.

Access highways to public recreation areas on certain lakes

Amendment No. 15: Appropriates \$9,650,000 as proposed by the Senate instead of \$2,000,000 as proposed by the House.

Amendment No. 16: Provides that the appropriation under this heading shall remain available until September 30, 1982, as proposed by the Senate instead of September 30, 1981, as proposed by the House.

Alaska highway

Amendment No. 17: Appropriates \$2,500,000 instead of \$5,000,000 as proposed by the Senate.

*NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION*

Operations and research

Amendment No. 18: Appropriates \$83,228,000 instead of \$80,286,000 as proposed by the House and \$86,170,000 as proposed by the Senate. The increased funds in the amount of \$2,942,000 are to be used at the discretion of the Secretary to further the goals of the traffic and highway safety programs except that none of the appropriated funds shall be used for the public participation program.

The conferees intend that the language of Section 317 permits broad research and development activities related to the provisions of occupant restraint standard No. 208. Where a regulation is final and must be met by manufacturers at a fixed future date, the Secretary's activities must be realistically and broadly construed. The Secretary is expected to perform and report the findings of his diverse actions, including validation studies, investigations, and assessments, to maximize the regulation's effectiveness and reliability. The conferees expect that all tests be fairly conducted and evaluated and be open and available to the Congress.

Amendment No. 19: Provides that \$25,913,000 of the appropriation shall be derived from the Highway Trust Fund instead of \$25,174,000 as proposed by the House and \$26,652,000 as proposed by the Senate.

Amendment No. 20: Provides that \$36,889,000 of the appropriation shall remain available until expended instead of \$34,617,000 as proposed by the House and \$39,161,000 as proposed by the Senate.

Amendment No. 21: Provides that \$9,139,500 of the amount appropriated shall be derived from the Highway Trust Fund instead of \$8,883,000 as proposed by the House and \$9,396,000 as proposed by the Senate.

State and Community Highway Safety

The conferees do not believe that there should be a mandatory set aside within the Section 402 state and community highway safety program for 55 mph enforcement efforts. The conferees believe that the sanctions included in Section 205 of the Surface Transportation Assistance Act of 1978 (P.L. 95-599) provide sufficient incentive for the

states to spend adequate amounts of their Section 402 grant money on 55 mph enforcement.

FEDERAL RAILROAD ADMINISTRATION
Railroad Safety

The conferees direct the Secretary to use funds appropriated for the State safety grant-in-aid program to pay GSA for rent accrued by the National Association of State Regulatory Commissioners (NARUC) pursuant to 49 U.S.C. 10344(f). The conferees understand that the present level of obligation is \$68,422. The conferees agree that the payment of any such future rental charges shall be the responsibility of NARUC.

Railroad research and development

Amendment No. 22: Appropriates \$54,750,000 as proposed by the House instead of \$56,750,000 as proposed by the Senate. The conferees agree that within the amount appropriated \$2,000,000 shall be used for an intercity rail passenger demonstration program between Concord, New Hampshire and Boston, Massachusetts.

The conferees also agree that tilt-body technology has the potential to reduce significantly passenger train trip times both in the Northeast Corridor and in other parts of the country. If this potential is verified, the utilization of tilt-body vehicles may permit the trip times in the Northeast Corridor to be met without the great costs associated with the straightening of curves. Therefore, the conferees agree that within the amount appropriated \$700,000, including the \$200,000 in the budget request, shall be used for the initiation of an expedited research effort to provide the Congress with good information as soon as possible on the safety and effectiveness of tilt-body technology.

Rail service assistance

Amendment No. 23: Appropriates \$87,798,000 instead of \$82,798,000 as proposed by the House and \$92,798,000 as proposed by the Senate. Of the amount appropriated, the conferees agree that \$80,000,000 shall be available for the local rail service assistance program.

Northeast Corridor improvement program

Amendment No. 24: Appropriates \$381,000,000 as proposed by the Senate instead of \$481,000,000 as proposed by the House.

Last January, the Department estimated that, in addition to the \$1,750,000,000 presently authorized for the Northeast Corridor Improvement Program, an additional \$654,000,000 would be needed to complete the project. The conferees now understand that well over \$1,000,000,000 in additional funds would be needed to complete the work described in the January, 1979 Redirection Study. The conferees are very concerned about the planning, management, and cost overrun problems that continue to be characteristic of this project. The conferees understand that the House and Senate authorizing committees are presently considering additional authorizations for this project. The conferees direct that, with the exception of design work and until additional authorization legislation is enacted, the obligation of funds appropriated for this program shall be confined to projects which are not dependent on additional authorizations for their completion.

Grants to the National Railroad Passenger Corporation

Amendment No. 25: Appropriates \$873,400,000 instead of \$812,300,000 as proposed by the House and \$899,700,000 as proposed by the Senate.

Amendment No. 26: Provides that not more than \$630,400,000 of the appropriation shall be available for operating losses incurred by Amtrak instead of \$574,300,000 as proposed by the House and \$630,900,000 as proposed by the Senate.

Amendment No. 27: Provides that not more

than \$20,000,000 of the appropriation shall be available for capital and operating expenses resulting from services provided pursuant to section 403(b) of the Rail Passenger Service Act, as amended, as proposed by the House instead of \$23,800,000 as proposed by the Senate.

Amendment No. 28: Provides that not more than \$211,000,000 of the appropriation shall be available for capital improvements and labor protection costs instead of \$176,000,000 for capital improvements and \$30,000,000 for labor protection costs as proposed by the House and \$233,000,000 as proposed by the Senate. The conferees intend that of the amount provided \$191,000,000 shall be available for capital costs, including \$15,000,000 for low-level cars, and \$20,000,000 shall be available for labor protection costs. The conferees are in agreement that a supplemental budget request will be given full consideration if the amount provided for capital and labor protection proves to be insufficient to meet Amtrak's essential requirements during fiscal year 1980.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which earmarks \$12,000,000 of the amount made available for capital improvements and labor protection costs for capital improvements in connection with the Indianapolis-Chicago service.

Amendment No. 30: Deletes \$148,100,000 advance appropriation for fiscal year 1982 proposed by the Senate. The conferees are in agreement that Amtrak should have the flexibility of entering into a contract for the purchase of not to exceed 200 low-level cars because of the potential economies involved in procuring a larger number of cars as opposed to separate contracts for smaller numbers of cars. The conferees expect that the total price of these 200 cars would not be substantially in excess of \$228,000,000.

Payments to the Alaska Railroad Revolving Fund

Amendment No. 31: Inserts the word "operations" as proposed by the Senate. This amendment permits the use of appropriated funds for operating expenses.

Amendment No. 32: Appropriates \$6,500,000 as proposed by the Senate instead of \$2,000,000 as proposed by the House.

Railroad rehabilitation and improvement financing funds

Amendment No. 33: Inserts the words "and section 803 of Public Law 95-620," as proposed by the Senate.

Amendment No. 34: Appropriates \$100,000,000 as proposed by the House instead of \$150,000,000 as proposed by the Senate. The conferees intend that \$50,000,000 of the amount appropriated is provided to implement the provisions of Public Law 95-620 for the rehabilitation of railroads to haul coal.

The conferees are concerned that the Department's utilization of the preference share program is doing little to alleviate the problem of excess physical plant in the railroad industry. The conferees believe that careful administration of this program in conjunction with the exercise of the Secretary's authority under Section 401 of the 4 R Act could result in substantial benefits to railroads and shippers as well as to the taxpayers. Section 401 permits the Secretary to assist in the planning and negotiations between railroads with respect to unification or coordination of operations and facilities. Section 401(c) authorizes the Secretary to determine the potential cost savings and service quality improvements associated with "the elimination of duplicative or overlapping operations and facilities; the reduction of switching operations; utilization of the shortest, or the most efficient, and economical routes; and the exchange of trackage rights". The conferees direct that the Federal Railroad Administration utilize the pref-

erence share program to the extent possible to stimulate higher density operations and the reduction of excess capacity. The conferees will, of course, consider carefully a request for supplemental appropriations if the funds appropriated for fiscal year 1980 prove to be insufficient. However, the conferees expect that any future request for funds for this program will be accompanied by a detailed analysis of the benefits which have been achieved through the preference share program.

Amendments No. 35 and 36: Limit obligations for loan guarantees under Sections 511 through 513 of the Railroad Revitalization and Regulatory Reform Act of 1976 to \$600,000,000 as proposed by the House instead of \$700,000,000 as proposed by the Senate.

URBAN MASS TRANSPORTATION ADMINISTRATION
Administrative Expenses

Amendment No. 37: Appropriates \$19,260,000 as proposed by the House instead of \$19,760,000 as proposed by the Senate.

The conferees are concerned about the Urban Mass Transportation Administration's current bus and rail car specifications and procurement policies. For example, UMTA's procurement policies have resulted in the availability of only the Advanced Design Bus which is produced by two U.S. manufacturers. This bus has significantly increased weight and substantially lower fuel efficiency than the prior generation of buses currently in use.

If the goal of energy savings through the Federal Government's investment in mass transit is to be realized, the conferees believe some modifications are essential in UMTA's current procurement policies. The conferees, therefore, direct UMTA to undertake a thorough review of both its bus and rail car specifications with special attention being given to eliminating those specifications, procurement policies, and administrative policies which are either contrary to the overall goals of the transit program or add to the original or operating costs of the equipment.

In the area of procurement policies, the conferees urge UMTA to pay attention to the trend for each transit operator to, in effect, design his own vehicle. While the conferees realize different areas of the country will have somewhat differing needs, changes in seating configurations, for example, tend only to increase costs with little or no commensurate benefit to the operator or the public. The conferees reiterate the language of Senate Report 96-377 emphasizing standardization and the development of a long term bus procurement program.

The conferees direct that up to \$250,000 out of existing appropriations for administrative expenses, research or technical studies be used to address the concerns expressed in Senate Report 96-377 and this report.

Research, development, and demonstrations and university research and training

Amendment No. 38: Appropriates \$69,300,000 instead of \$63,500,000 as proposed by the House and \$71,600,000 as proposed by the Senate. In addition to the amounts provided by the House, the conference agreement includes \$300,000 for bus and paratransit research and \$5,500,000 for a cold weather research program to be conducted by the University of Notre Dame.

Amendment No. 39: Earmarks \$66,800,000 of the appropriation under this heading for research, development and demonstrations instead of \$61,000,000 as proposed by the House and \$69,100,000 as proposed by the Senate.

Urban Discretionary Grants

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that grants awarded for the acquisition of rolling stock, including buses, shall only

be awarded on the basis of performance, standardization, life-cycle costs, and other factors the Secretary may deem relevant.

Urban Formula Grants

Amendment No. 41: Appropriates \$615,000,000 instead of \$600,000,000 as proposed by the Senate and \$650,000,000 as proposed by the House. The conference agreement includes \$15,000,000 for tier II grants in addition to the Senate amount.

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that grants awarded for the acquisition of rolling stock, including buses, shall only be awarded on the basis of performance, standardization, life-cycle costs, and other factors the Secretary may deem relevant.

Waterborne transportation demonstration project

Amendment No. 43: Appropriates \$10,000,000 as proposed by the House.

Interstate Transfer Grants

Amendment No. 44: Deletes advance appropriation for fiscal year 1981 of \$425,000,000 proposed by the House. The conferees believe that action on this advance appropriation should be deferred at this time. The conferees are in agreement that \$320,000,000 of the fiscal year 1980 appropriation shall be available for those projects previously financed with contract authority in the following areas: Boston, Massachusetts; Philadelphia, Pennsylvania; Washington, D.C. (Maryland suburbs); Hartford, Connecticut; and Portland, Oregon.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

Research and Special Programs

Amendment No. 45: Appropriates \$25,846,000 instead of \$24,396,000 as proposed by the House and \$27,296,000 as proposed by the Senate. The conference agreement includes \$1,400,000 for the Automotive Transportation Center, \$500,000 for the development and testing of a lighter-than-air aerial transportation system and \$200,000 for the hazardous materials activities and research described in the Senate report.

Amendment No. 46: Provides that \$11,040,000 of the appropriation shall remain available until expended instead of \$9,590,000 as proposed by the House and \$12,490,000 as proposed by the Senate.

OFFICE OF THE INSPECTOR GENERAL

Salaries and Expenses

Amendment No. 47: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates \$700,000 together with \$11,493,000 to be derived by transfer and \$6,980,000 to be derived from funds available under 23 U.S.C. 104(a).

TITLE II—RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

Salaries and Expenses

Amendment No. 48: Appropriates \$16,782,500 instead of \$16,730,000 as proposed by the House and \$16,835,000 as proposed by the Senate.

CIVIL AERONAUTICS BOARD

The conferees agree that none of the appropriated funds shall be used for the public participation program.

INTERSTATE COMMERCE COMMISSION

Salaries and Expenses

Amendment No. 49: Appropriates \$76,699,000 instead of \$76,099,000 as proposed by the House and \$78,599,000 as proposed by the Senate.

The conferees have not appropriated funds for the Office of Rail Public Counsel. The conferees expect the ICC to fully perform its legislated responsibility to act in the public

interest. The conferees direct the ICC to fully develop the record in all of its hearings—supplementing the record developed by the parties to the extent it deems necessary to make decisions that are in the public interest. The conferees are especially concerned that the record in rail abandonment proceedings reflect the interests of affected communities and users and that field hearings be held if required.

The conferees agree that the Interstate Commerce Commission should not implement any action by rulemaking or effect adoption of a rule or a general policy which would permanently change existing standards pursuant to 49 U.S.C. 10922; nor adopt any permanent rule or general policy change under 49 U.S.C. 10708(b), pending new legislation. The conferees are aware, however, of the possibility that such new legislation may not be forthcoming in the near future and recognize that the quickly changing economic climate may require the ICC to make certain rulings that change the regulatory climate for some carriers. In order to be prepared for such action, the conferees direct the ICC to develop, and submit to the House and Senate Appropriations Committees, a position paper outlining the major policy guidelines that they would use to pursue the making of such determinations.

The conferees agree that the ICC may utilize appropriated funds to undertake studies that it finds necessary to fulfill its regulatory responsibilities in a manner that is consistent with the views of the conferees expressed above. The conferees have not included funds for the evaluation of actions taken by the Congress in the area of regulatory reform and will consider a request for such funds if and when such evaluations are requested by the Congress.

Payments for Directed Rail Service

Amendment No. 50: Appropriates \$76,000,000 instead of \$36,000,000 as proposed by the House and \$100,000,000 as proposed by the Senate.

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment amended to read as follows: "Provided further, That none of the funds provided under this Act shall be available for the execution of programs the obligations for which can reasonably be expected to be in excess of \$80,000,000 for directed rail service under 49 U.S.C. 11125".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees strongly believe that directed rail service should be only a temporary mechanism to continue essential rail service for a brief period of time until a permanent solution is implemented. The conferees are doubtful that all of the services provided by the Rock Island are essential within the meaning of 49 U.S.C. 11125, in view of the long history of financial difficulties of this railroad. The conferees believe that directed rail service should be continued only where it is essential to prevent severe economic disruption. The conferees are hopeful that the Commission's hearings being held in the geographical areas served by the Rock Island will enable the Commission to separate non-essential and essential services. The conferees direct the Commission to consider only essential services for further directed service orders and to limit the duration of any further directed service orders to the minimum period of time found necessary to implement a permanent solution. The conferees believe that thoughtful and fair Commission decisions which distinguish between essential and nonessential service will indicate to those who may continue to receive essential service that such service is only temporary and that an alternative solution must be

found. The conferees direct that the Commission not order directed service on the Rock Island which can reasonably be expected to result in obligations in excess of \$70,000,000, without consultation with the House and Senate Appropriations Committees.

Amendment No. 52: Deletes language proposed by the Senate providing that none of the appropriation shall be available for directed rail service over the properties of the Chicago, Milwaukee, St. Paul and Pacific Railroad unless such service is provided entirely by the Chicago, Milwaukee, St. Paul and Pacific Railroad at the level of service existing on October 10, 1979.

PANAMA CANAL COMMISSION

Amendment No. 53: Reported in disagreement.

DEPARTMENT OF THE TREASURY

OFFICE OF THE SECRETARY

Investment in fund anticipation notes

Amendment No. 54: Inserts the words "and section 803 of Public Law 95-620," as proposed by the Senate.

Amendment No. 55: Provides \$100,000,000 as proposed by the House instead of \$150,000,000 as proposed by the Senate.

UNITED STATES RAILWAY ASSOCIATION

Payments for the Purchase of Conrail Securities

Amendment No. 56: Includes language proposed by the House which would prohibit USRA from making any of the appropriated funds available to Conrail if any of the funds would be used to compensate Conrail for losses incurred as a result of making certain employee protection payments authorized by Title V of the Regional Rail Reorganization Act of 1973 (3 R Act), as amended. The limitation would not apply to eligible employees who have been deprived of employment or whose employment has been materially diminished. The limitation would not become effective until March 1, 1980, instead of December 31, 1979, as proposed by the House.

The conferees intend that the phrase "deprived of employment" shall be defined as it is in Section 501(6) of the 3 R Act, as amended. In essence, that Act defines the phrase as meaning that a protected employee is unable through the normal exercise of seniority to obtain a position with Conrail or with a subsidiary. The phrase "whose employment has been materially diminished," as it relates to non-operating employees, is construed to cover a protected employee who is working in a job or position that pays an hourly wage rate less than that paid by a job or position held by that employee on September 1, 1979.

As it relates to operating employees, the conferees intend that the phrase "whose employment has been materially diminished" shall be interpreted to cover an employee who is working in a job or position in which his or her monthly compensation, in the month of claim, is less than the average monthly compensation, in that same month, for all employees in a similar craft and class; except that any employee whose 1974 guarantee is less than the average monthly compensation for his or her class or craft, shall only be eligible for that 1974 guarantee.

In determining the appropriate similar craft and class for any employee, it shall be the craft and class in which the employee worked the preponderance of his hours in 1974. The conferees also intend that maintenance-of-way employees shall be treated in accordance with the principles described above.

Of the sums made available to Conrail, the conferees expect that not less than \$400,000,000 shall be used for capital projects. If this is not possible due to unforeseen circumstances, USRA shall report to the House and Senate Appropriations Committees the reasons for the shortfall and the latest re-estimate of the capital program.

The conferees understand that Conrail is committed not to remove track, signal systems, or other equipment necessary for rail passenger service from the former Erie-Lackawanna rail line between Scranton, Pa. and Port Morris, N.J. until Amtrak has evaluated the 403(b) application from the Pennsylvania Department of Transportation (to be delivered before November 30, 1979) and decided whether to fund rail passenger service. The conferees also understand that Conrail will consider reasonable and timely alternatives to 403(b) funding offered by the State or local government agencies and private parties. The conferees further understand that Conrail has agreed not to remove any track or signal system on the former Erie-Lackawanna line from Scranton, Pa. through Binghamton, N.Y., while active good faith negotiations are being conducted for the sale of that line. The conferees request that Conrail notify the House and Senate Appropriations Committees ahead of time of any decision which will be made which could affect those commitments.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Interest Payments

Amendment No. 57: Deletes language proposed by the House providing that \$14,187,000 of the appropriation for interest payments shall be derived by transfer.

NATIONAL ALCOHOL FUELS COMMISSION

Salaries and Expenses

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates \$1,500,000.

NATIONAL TRANSPORTATION POLICY STUDY COMMISSION

Salaries and Expenses

Amendment No. 59: Appropriates \$66,157 as proposed by the Senate.

TITLE III—GENERAL PROVISIONS

Amendment No. 60: Limits commitments for grants-in-aid for airports to \$640,000,000 as proposed by the Senate instead of \$620,000,000 as proposed by the House.

The conferees direct that any airport projects referred to in the fiscal year 1979 reports of the House and Senate Committees on Appropriations, which were not funded as of September 30, 1979, should be accomplished within the fiscal year 1980 obligation limitation.

In addition to the specific directions provided in the House and Senate reports as to locations where airport improvements should be made, the conferees direct that \$2,500,000 shall be provided to the Akron-Canton Regional Airport.

Amendment No. 61: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment amended to read as follows: "of which \$30,000,000 shall be added to the discretionary fund available for distribution pursuant to 49 U.S.C. 1715 (a) (3) (B) and (a) (4) (C)".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 62: Limits obligations for Federal-Aid Highways to \$8,750,000,000 instead of \$8,500,000,000 as proposed by the Senate and \$9,000,000,000 as proposed by the House. The conferees are in agreement that, if necessary, a supplemental estimate to increase the obligation ceiling will be considered.

The conferees recognize the enormous damage wrought by Hurricane Frederic in Alabama and direct the Secretary of Transportation to make such reprogrammings as necessary within the emergency relief program to ensure that funds are made available for

repairing damages to the Federal-aid highway system in Alabama.

Amendment No. 63: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that the Secretary shall designate as a route on the national system of Interstate and Defense highways 6 miles extending I-164 southward to South Lane Drive to tie into U.S. 41 South.

Amendment No. 64: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment amended to read as follows: "Provided further, For not more than 90 per centum of the necessary expenses of the functional replacement of publicly-owned facilities located within the proposed right-of-way of Interstate Route 170 in Baltimore, Maryland, \$2,000,000 out of the Highway Trust Fund, to remain available until expended: Provided, That the Secretary of Transportation is authorized and directed to proceed with the obligation of the necessary funds for such publicly-owned facilities without regard to the provisions of the National Environmental Policy Act of 1969, as amended: Provided further, That actual construction of a highway on the right-of-way with respect to which said funds are expended shall be commenced within a period not exceeding ten years following the date of enactment of this Act or said funds shall be repaid to the Highway Trust Fund with interest."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 65: Limits guarantees of private aircraft loans to \$650,000,000 instead of \$500,000,000 as proposed by the House and \$800,000,000 as proposed by the Senate.

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment amended to read as follows: "Provided, That the funds in this Act shall be available for the guarantee of loans for the refinancing of aircraft purchased after January 20, 1979, if an application for an aircraft purchase loan guarantee covering such aircraft was filed prior to that date but after October 24, 1978, and if such application meets the requirements of section 42(d) of the Airline Deregulation Act of 1978."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 67: Deletes language proposed by the Senate which would limit the obligation of funds made available for terminal development under the Airport and Airway Development Act of 1970 to projects whose costs are directly related to the movement of passengers and baggage in air commerce within the boundaries of an airport. The conferees agree that no funds made available under the Airport and Airway Development Act of 1970, as amended, shall be obligated for statues or other artwork for airports.

Amendment No. 68: Inserts language proposed by the Senate which would exempt two rail crossings in Connecticut from the requirements under section 322 of Title 23 of the United States Code or under sections 701 or 703 of the Railroad Revitalization and Regulatory Reform Act of 1976, to eliminate at-grade crossings along the Northeast Corridor, and conforms section number.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1980 recommended by the Committee of Conference, with comparisons to the fiscal year 1979 amount, the 1980 budget estimates, and the House and Senate bills for 1980 follow:

New budget (obligational) authority, fiscal year 1979	\$9,358,203,096
Budget estimates of new (obligational) authority, fiscal year 1980	¹ 9,983,319,782
House bill, fiscal year 1980	9,416,015,782
Senate bill, fiscal year 1980	9,665,446,939
Conference agreement	² 9,561,312,439
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1979	+203,109,343
Budget estimates of new (obligational) authority, fiscal year 1980	-422,007,343
House bill, fiscal year 1980	+145,296,657
Senate bill, fiscal year 1980	-104,134,500

¹ Reflects \$713,351,000 of budget estimates not considered by the House; does not reflect \$405,000,000 for fiscal year 1981 Interstate transfer grants which was deferred from consideration by the conferees.

² Reflects \$463,887,000 for Panama Canal Commission which is reported in disagreement.

R. DUNCAN,
TOM STEED,
ADAM BENJAMIN, JR.,
WILLIAM LEHMAN,
MARTIN OLAV SABO,
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JACK EDWARDS,
CLARENCE MILLER,
LARRY COUGHLIN,

Managers on the Part of the House.

BIRCH BAYH,
WARREN G. MAGNUSON,
JOHN C. STENNIS,
ROBERT C. BYRD,
THOMAS EAGLETON,
JOHN A. DURKIN,
JAMES A. MCCLURE,
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L. P. WEICKER, JR.,
MILTON R. YOUNG,

Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 2676

Mr. FUQUA submitted the following conference report and statement on the bill (H.R. 2676) to authorize appropriations for environmental research, development, and demonstrations for the fiscal year 1980, and for other purposes.

CONFERENCE REPORT (H. REPT. No. 96-611)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2676) to authorize appropriations for environmental research, development, and demonstrations for the fiscal year 1980, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, and 7 and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Sec. 2. (a) There are authorized to be appropriated to the Environmental Protection Agency for environmental research, development, and demonstration activities for the fiscal year 1980 for the following activities:

(1) \$66,659,000 for water quality activities authorized under the Federal Water Pollution Control Act of which—

(A) \$25,224,000 is for the Health and Ecological Effects program: *Provided*, That of the funds appropriated pursuant to this paragraph, \$900,000 shall be obligated and expended on the Cold Climate Research program through the Environmental Protection Agency's Corvallis Environmental Research Laboratory, Corvallis, Oregon: *Provided further*, That of the funds appropriated pursuant to this paragraph, \$3,600,000 shall be obligated and expended on the Great Lakes Research Station, Grosse Ile, Michigan: *And provided further*, That of the funds appropriated pursuant to this paragraph, \$1,000,000 shall be obligated and expended on research to develop environmentally sound methods to control aquatic weeds;

(B) \$14,827,000 is for the Industrial Processes program;

(C) \$12,250,000 is for the Monitoring and Technical Support program, and

(D) \$14,358,000 is for the Public Sector Activities program.

(2) \$9,638,000 for activities under the Federal Insecticide, Fungicide, and Rodenticide Act of which—

(A) \$8,298,000 is for the Health and Ecological Effects program;

(B) \$900,000 is for the Industrial Processes program; and

(C) \$440,000 is for the Monitoring and Technical Support program.

(3) \$26,919,000 for water supply activities authorized under the Safe Drinking Water Act of which—

(A) \$21,944,000 is for the Public Sector Activities program;

(B) \$4,000,000 is for a groundwater program to include soil pollution research activities; and

(C) \$975,000 is for the Monitoring and Technical Support program.

(4) \$30,977,000 for toxic substances control activities authorized under the Toxic Substances Control Act of which—

(A) \$26,397,000 is for the Health and Ecological Effects program;

(B) \$1,742,000 is for the Industrial Processes program; and

(C) \$2,838,000 is for the Monitoring and Technical Support program.

(5) \$2,930,000 for radiation activities authorized under the Public Health Service Act, in the Health and Ecological Effects program.

(6) \$71,963,000 for air quality activities authorized under the Clean Air Act of which—

(A) \$46,624,000 is for the Health and Ecological Effects program;

(B) \$4,050,000 is for the Industrial Processes program; and

(C) \$21,289,000 is for the Monitoring and Technical Support program.

(7) \$10,243,000 for solid waste activities authorized under the Resource Conservation and Recovery Act, of which—

(A) \$8,143,000 is for the Public Sector Activities program, and

(B) \$2,100,000 is for a Hazardous Waste program, of which—

(i) \$300,000 shall be used for a study of non-nuclear hazardous waste disposal including consideration of the effects of such disposal on the environment, and a general review of disposal technology, alternatives to disposal, and options for containing or removing hazardous wastes already in the environment. The Administrator of the Environmental Protection Agency shall enter into appropriate arrangements with the National Academy of Sciences to conduct this study. The Academy should complete the study within eighteen months after funding arrangements have been made and make interim reports at least every six

months to the Congress and the Environmental Protection Agency. The Administrator shall regularly report to the Congress on the Agency's response to the interim reports and shall deliver his recommendations for acting on the findings of the final study no later than July 1, 1981;

(ii) \$300,000 shall be used to begin development of protocols and working manuals specifying the types of health problems associated with various hazardous wastes, effects of various kinds of exposure, strategies to contain releases from hazardous disposal sites, actions to be taken by on-scene response teams, and other activities deemed by the Administrator to be of urgent need in responding to hazardous waste releases; and

(iii) \$1,500,000 shall be used to demonstrate cost-effective strategies for isolating, containing, or neutralizing hazardous wastes.

(8) \$500,000 for noise control activities authorized under the Noise Control Act, in the Health and Ecological Effects program.

(9) \$25,449,000 for Interdisciplinary activities of which—

(A) \$5,099,000 is for the Health and Ecological Effects program;

(B) \$16,883,000 is for the Anticipatory Research program; and

(C) \$3,467,000 is for the Monitoring and Technical Support program.

(10) \$103,461,000 for Energy-related activities of which—

(A) \$49,186,000 is for the Health and Ecological Effects program; and

(B) \$54,275,000 is for the Energy Control program.

(b) There is authorized to be appropriated to the Environmental Protection Agency, Office of Research and Development, for the fiscal year 1980, for program management and support, \$26,753,000.

(c) No funds may be transferred from any particular category listed in subsection (a) or (b) to any other category or categories listed in either such subsection if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in subsection (a) or (b) from any other category or categories listed in either such subsection if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(1) a period of thirty legislative days has passed after the Administrator of the Environmental Protection Agency or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate a written report containing a full and complete statement concerning the nature of the transfer involved and the reason therefor or

(2) each committee of the House of Representatives and the Senate having jurisdiction over the subject matter involved, before the expiration of such period, has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(d) (1) The Administrator shall continue to be responsible for conducting and shall continue to conduct full-scale demonstrations of energy-related pollution control technologies as necessary in his judgment to fulfill the provisions of the Clean Air Act as amended, the Federal Water Pollution Control Act as amended, and other pertinent pollution control statutes.

(2) Energy-related environmental protection projects authorized to be administered by the Environmental Protection Agency under this Act shall not be transferred administratively to the Department of Energy or reduced through budget amendment. No action shall be taken through administrative or budgetary means to diminish the ability

of the Environmental Protection Agency to initiate such projects.

(e) The Administrator shall establish a separately identified program to conduct continuing and long-term environmental research and development. Unless otherwise specified by law, at least 15 per centum of the funds appropriated to the Agency for environmental research and development in each category listed in subsection (a) of this section shall be allocated for such long-term environmental research and development under this subsection.

And the Senate agree to the same.

DON FUQUA,
JEROME A. AMBRO,
GEORGE E. BROWN, Jr.,
JIM BLANCHARD,
ROBERT S. WALKER,
DON RITTER,

Managers on the Part of the House.

JOHN CULVER,
MIKE GRAVEL,
GARY HART,
ROBERT T. STAFFORD,
JOHN H. CHAFEE,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE
COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2676) to authorize appropriations for environmental research, development, and demonstrations for fiscal year 1980, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the elect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate made seven amendments to the House-passed bill, four of which (numbered 1, 2, 4 and 5) were substantive in nature and three of which (numbered 3, 6, and 7) were conforming amendments. The principal differences between the House and Senate versions arose because of amendment numbered 1 by which the Senate replaced section 2 of the House bill with a new version. Thus, in developing compromise language for section 2, the conferees dealt with most of the substantive matters before them. All of the agreements reached are described in the following paragraphs on a section-by-section basis (according to section numbers in the House bill). Thus, each Senate amendment and its resolution is dealt with as it comes up in the bill. Emphasis is given to changes made, but sections of the House version not changed by the Senate are indicated.

SECTION 1—SHORT TITLE

The short title was not changed and thus stands as passed by the House.

SECTION 2—PROGRAM AUTHORIZATIONS

Section 2, Program Authorizations, was amended by the Senate (amendment numbered 1), and further amended by the conferees. The Senate amendment was a substitute for the House-passed version. This amendment had two principal effects: first, it related the research program activities to regulatory statutes. For example, water quality research was tied to the Federal Water Pollution Control Act. The conferees agreed to this.

Second, the Senate amendment changed the funding levels for some of the program elements. The action of the conferees with regard to each of these elements is described below together with other minor alterations. The program funding levels are contained in such section 2(a).

The following table summarizes the amount of funds that would be authorized by the conference recommendation.

	President's request	House authority	Senate authority	Conference agreement		President's request	House authority	Senate authority	Conference agreement
Air:					Toxic:				
Health and ecological effects.....	45,524	45,524	50,624	46,624	Health and ecological effects.....	29,397	26,397	29,397	26,397
Industrial.....	4,050	4,500	4,050	4,050	Industrial.....	1,742	1,742	1,742	1,742
Monitoring and technical support.....	21,289	21,289	21,288	21,289	Monitoring and technical support.....	2,838	2,838	2,838	2,838
Subtotal.....	70,863	71,313	75,962	71,963	Subtotal.....	33,977	30,977	33,977	30,977
Water:					Energy:				
Health and ecological effects.....	22,224	25,224	23,124	25,224	Health and ecological effects.....	49,186	49,186	53,486	49,186
Industrial.....	14,827	14,827	14,827	14,827	Energy control.....	53,275	54,275	53,275	54,275
Public sector.....	14,358	14,358	14,358	14,358	Subtotal.....	102,461	103,461	106,761	103,461
Monitoring and technical support.....	12,250	12,250	12,250	12,250	Interdisciplinary:				
Subtotal.....	63,659	66,659	64,559	66,659	Health and ecological effects.....	5,099	5,099	5,099	5,099
Drinking water:					Public sector.....	0	0	0	0
Health and ecological effects and public sector.....	22,944	23,944	18,944	21,944	Anticipatory.....	12,433	12,433	16,883	16,883
Monitoring and technical support.....	725	975	725	975	Monitoring and technical support.....	2,567	3,467	2,567	3,467
Groundwater.....	0	4,000	4,000	4,000	Subtotal.....	20,099	20,999	24,549	25,449
Subtotal.....	23,669	28,919	23,669	26,919	Program management and support, subtotal.....				
Solid waste:					Subtotal.....	27,753	26,753	27,452	26,753
Hazardous waste.....	0	0	0	2,100	Special authorizations:				
Public sector.....	8,143	8,143	8,143	8,143	Long term research.....	4,450	4,450	(5)	(5)
Subtotal.....	8,143	8,143	8,143	20,243	Gulf Coast study.....	1,100	1,100	(5)	(5)
Pesticides:					Waste water reuse.....	0	1,000	0	0
Health and ecological effects.....	8,298	8,298	8,298	8,298	Total EPA.....				
Industrial.....	900	900	900	900	368,742	376,342	379,640	375,492	
Monitoring and technical support.....	440	440	440	440	Environmental research at NBS.....				
Subtotal.....	9,638	9,638	9,638	9,638	3,372	5,000	4,000	4,000	
Radiation: Health and ecological effects, subtotal.....					Grand total.....				
2,930	2,930	2,930	2,930	372,114	381,342	383,642	379,492		
Noise: Health and ecological effects, subtotal.....									
0	0	2,000	500						

¹ Gulf coast study funding of \$1,100,000 included in air health and ecological effects category.
² Hazardous waste research and demonstration moved from energy programs in Senate bill to solid waste program.

³ Long-range research \$4,450,000, is listed separately in the House bill, but is included in anticipatory research in Senate bill and conference agreement.

SECTION 2(a)(1) WATER QUALITY ACTIVITIES (A) Health and ecological effects program

The bill, as agreed upon in conference, provides the House-passed level of \$25,224,000, an increase of \$2,100,000 above the Senate level. The bill directs that EPA use the following amounts of apportioned funds under this authorization for the purposes described below:

(1) An extra \$2,000,000 over the President's request of \$1.6 million is to be used for the Great Lakes Research Program implemented through the Environmental Protection Agency's Large Lakes Research Station, Grosse Ile, Michigan, to ensure that efforts to assess the effects of chemical, biological, and physical pollutants on the Great Lakes are continued at the fiscal year 1979 level of \$3,600,000.

Efforts to develop a way to remove toxic substances from sediments, without causing the pollutants to become suspended again, are to be continued. Emphasis should be placed in two areas: (1) The relationship between consumption of fish and levels of contamination in the human body, in order to provide necessary data to link sources of pollution to accumulation of these substances in man; and (2) the development of a management strategy for control of toxic substances in the Great Lakes.

(2) \$1,000,000 is to be used for aquatic weed control. The committee of conference notes with deep concern that the Agency has proposed no research program in this area for fiscal year 1980. The conferees intend that a research program be conducted with the purpose of eventually providing environmentally sound solutions to the problems of aquatic weeds, and that this research program have a national scope.

(3) \$900,000 to continue activities formerly conducted by the Arctic Laboratory in Fairbanks, Alaska, and conducted in fiscal year 1979 through the Environmental Protection Agency's Corvallis, Oregon, Environmental Research Laboratory. This funding, although listed under water quality programs for purposes of convenience, has been used in the past to perform environmental research in several media, spanning the entire spectrum

of the Agency's program offices. The conferees anticipate that this would continue, and it is the intent of the conferees that funds from other categories may be used for these activities. The Agency has maintained for several years a Cold Climate Research Laboratory in Fairbanks, Alaska, to conduct cold climate environmental research. Last year, the Agency decided to close this laboratory due to manpower and cost efficiency considerations. The laboratory officially closed in fiscal year 1979.

The Agency has assured the conferees that the cold climate research would be continued extramurally through grants and cooperative agreements to the University of Alaska, the State government, and other qualified researchers, both in other Federal agencies and in the academic and scientific world. These grants and/or cooperative agreements would be managed by one or more of the Agency's laboratories which conduct cold climate research.

The conferees encourage the Agency to coordinate its cold climate research with similar work being conducted in other agencies such as the Fish and Wildlife Service, National Oceanic and Atmospheric Administration, and the U.S. Army Corps of Engineers, so that the particular expertise of each Federal agency is used to its fullest in designing a comprehensive environmental research program in this area.

In water as with other media, the committee of conference recommends that health effects research give proper emphasis to reducing and eliminating, where possible, the uncertainties associated with exposure to substances already on the regulatory agenda. It is of great concern that relatively little is known about the health effects of many environmental pollutants and toxic chemicals, and the committee of conference is concerned that in the past, too much research has focused on compiling lengthy lists of potential hazards and not enough on establishing estimates of total human exposure, the relative risks of various hazards, and the determination of human health effects at known or typical exposure levels.

(B) Industrial processes program

Both the House and Senate endorsed the President's request of \$14,827,000 in this area.

(C) Monitoring and technical support program

Both the House and Senate endorsed the President's request of \$12,250,000 in this area.

(D) Public sector activities program

Both the House and Senate endorsed the President's request of \$14,358,000 in this area.

SECTION 2(a)(2) PESTICIDE ACTIVITIES

Both the House and Senate endorsed the President's request of \$9,638,000 in this area.

SECTION 2(a)(3) DRINKING WATER ACTIVITIES

(A) Public sector activities program

The conferees agreed to the Administration's proposed level of funding with one change which resulted because both the House and Senate created a new category for research into groundwater protection.

Groundwater is becoming an increasingly important source of drinking water. Its quality is faced with increasing threat of pollution due to our nation's growth, due to the increasing use of toxic substances, and due to their release into groundwater as other disposal means are regulated. The conferees therefore intend that groundwater research be carried on as a separate program. To this end, \$1,000,000 for groundwater research has been shifted out of the ongoing Health and Ecological Effects Program into the new category leaving an authorization of \$21,944,000. This shift is \$3,000,000 less than contemplated in the Senate bill. It should be emphasized that the \$1,000,000 shift is really only a relabeling of ongoing work.

(B) Groundwater research program

In addition to shifting \$1,000,000 as described above, the conferees agreed to add \$3,000,000 for a total authorization of \$4,000,000 in section 2(a)(3)(B).

It is intended that this funding be used to increase our understanding of the movement of groundwater in general; the entry of contaminants into groundwater both from point sources (such as open dumps and

spills) and from non-point sources; the movement of contaminants in groundwater; and how contaminated aquifers or parts of aquifers can be purified and isolated.

Because contaminated soil and surface runoff may often be pathways to pollution of groundwater, it is the intent of the conferees that a Federal research program employ the expertise of the leading universities which are already concerned with soil conditions and quality, such as Iowa State University, to perform portions of this groundwater research.

(C) Monitoring and technical support program

The conferees agreed upon the House level of \$975,000, an increase of \$250,000 over the Administration's request and the Senate bill. The purpose of this increase is to restore an emphasis on an automated laboratory testing system which assists States and regions in implementing water supply laboratory certification programs and in assuring data quality control.

SECTION 2(a) (4) TOXIC SUBSTANCES ACTIVITIES

(A) Health and ecological effects program

The House version provided \$3,000,000 less than the Administration's proposed level of \$29,397,000. The Administration's proposed budget, which included 59 positions, was a substantial increase from the final 1979 level by \$17,350,000 and 27 positions. Because the Director of the Office of Health and Ecological Effects has been only newly appointed, and because some of the Agency's health research laboratories have not been fully utilized during the past year (according to the report of the Health Effects Research Review Group), it was felt that a smaller increase for fiscal year 1980 would not significantly harm the Agency's planned new initiatives in this area. The conferees agreed upon the House level of \$26,397,000.

The conferees are concerned that not enough past research has focused on establishing estimates of human exposure, the relative risk of various hazards, and on prediction of human health effects at different exposure levels, and direct the Agency to achieve a proper balance between these areas of research and research to identify new potential health hazards.

(B) Industrial processes program

Both the House and Senate endorsed the President's request of \$1,742,000 in this area.

(C) Monitoring and technical support program

Both the House and Senate endorsed the President's request of \$2,838,000 in this area.

SECTION 2(a) (5) RADIATION ACTIVITIES

Both the House and Senate endorsed the President's request of \$2,930,000 in this area.

SECTION 2(a) (6) AIR QUALITY EFFECTS PROGRAM

(A) Health and ecological effects program

The conferees agreed to the House-passed level of \$45,524,000 and to include in this category the Gulf Coast Air Quality Study (an ongoing research program which the House had authorized separately in Section 3 of the House bill) for a total of \$46,624,000. This is a reduction of \$4,000,000 below that which had been authorized by the Senate. The Senate addition was to be for additional research on pollutants from diesel engines and control strategies for those pollutants. The conferees concluded that increased research into control of pollution from diesel engines is necessary, and that this need would best be met by the creation, in fiscal year 1980, of a specific agency plan for such research and submission of a budget proposal reflecting increased diesel research in fiscal year 1981. The agency is so directed.

(B) Industrial processes program

The Senate authorized funds at the level requested by the Agency, \$4,050,000, while

the House authorized an additional \$450,000 to improve and facilitate the effective use of new control technologies. The level agreed upon is the level requested, i.e., \$4,050,000, and reflects the appropriation for this item.

(C) Monitoring and technical support program

Both House and Senate endorsed the President's request of \$21,289,000 in this area.

SECTION 2(a) (7) SOLID WASTE ACTIVITIES

(A) Public sector program

Both the House and Senate voted to authorize the Administration's proposed total of \$8,143,000 for Public Sector Activities.

(B) Hazardous waste program

Originally the Senate had voted to break the energy-related research authorization into activities authorized under each regulatory statute. This was contrary to the format of both the President's request and the House bill. The conferees agreed to recombine energy-related research as in the House bill. The reason this is relevant is that the Senate had added \$4,000,000 to the energy-related activities in the Solid Waste category, with the intention that the funds be used for research related to hazardous wastes. The conferees decided to retain \$2,100,000, for dealing with hazardous waste, and agreed that hazardous waste research merits a separate authorization category. The conferees have included this category under Solid Waste Activities.

Both the House and Senate have heard a great deal of testimony, including testimony from the Agency itself, regarding the serious health problems posed by old and abandoned hazardous waste dumps and by the ongoing practice of "midnight dumping". This testimony has indicated that in many instances, control technology does not exist or experimental control systems must be devised on the spot as releases from these dumpsites are discovered. In most cases, the only effective known control strategy is that of physically removing wastes and waste-impregnated soil and water, and taking these materials to distant incinerators or containment facilities. This strategy can be monumentally expensive and poses its own environmental and public health risks. The Agency estimates that 2,000 hazardous waste sites across the nation pose potential threats to public health. The cost of removing and destroying or permanently isolating wastes, using existing technology, was approximately \$25 million per site in one recent estimate calculated by a contractor for the agency.¹ On the other hand, the potential damage from one of these sites can run into hundreds of millions of dollars.

The conferees therefore conclude that a research program to find less expensive and more effective control strategies is not only an excellent investment of public funds, it is imperative for protection of the public health and welfare, and therefore they direct the Agency to set up such a program. Of the first-year authorization of \$2,100,000 for this category, \$1,000,000 is to demonstrate the technical feasibility and cost-effectiveness of in-place solidification of hazardous wastes at an ongoing Environmental Protection Agency project in Charles City, Iowa, and \$500,000 is for a project to demonstrate effective control strategies at a hazardous waste site in Coventry, Rhode Island.

An additional \$300,000 is to be used for a National Academy of Sciences study (sec. 2 (b) (2) of the House bill, sec. 2(a) (7) (B) (1) of the Senate bill). The conferees conclude that this study is urgently needed and is essential to the establishment of an effective research program on the serious health

problem of hazardous waste sites, spills, and illegal dumping.

This study will address technical issues associated with cleaning up or mitigating releases of hazardous wastes into the environment and is intended to provide guidance useful in setting research and development priorities.

An additional \$300,000 is allocated to actions that the Agency deems to be of the highest priority; this would include devising strategies to contain releases from hazardous disposal sites; creating protocols and technical manuals for on-scene response teams; development of containment systems and measures, and other short-term research.

SECTION 2(a) (8) NOISE CONTROL ACTIVITIES

Health and ecological effects program

The Administration proposed no noise research in the Agency's research budget, but did propose \$500,000 in the separate budget for the Office of Noise Abatement and Control (ONAC) which is not a subject of this conference.

The Senate proposed an additional authorization of \$2,000,000 for noise health effects research, while the House did not provide any additional authority in the Agency's research budget.

The conferees concluded that \$500,000 in additional research authority (over that proposed for the Office of Noise Abatement and Control) is justified. Recent studies have indicated that severe and repeated exposures to noise may have severe health effects other than the known effects on hearing, and the conferees conclude that further research in this area is warranted.

Because some noise research is presently conducted in the Office of Noise Abatement and Control and none is conducted in the research office, the conferees believe it would be appropriate to continue this research under the present regime in the current year. However, the Agency is directed to notify the appropriate committees of the House and Senate if the authority under this legislation is used for any noise research beyond that likely to be approved in the ONAC authorization. Further, if the Agency plans to continue noise research within the ONAC in future years, it is directed to so notify the Committee on Science and Technology of the House and the Committee on Environment and Public Works of the Senate during the 1980 fiscal year, giving its reasons for keeping the research function within the regulatory office.

SECTION 2(a) (9) INTERDISCIPLINARY ACTIVITIES

(A) Health and ecological effects program

Both the House and Senate endorsed the President's request of \$5,099,000 in this area.

(B) Anticipatory research program

Both the House and Senate and the Conference Report endorsed the funds in the President's request in this area, \$16,883,000, but with a small difference. That is, the House bill had separated out the funding (\$4.45 million) for the Agency's Center Support Research Program (see below) and included it (at the President's level) in section 3, Special Authorizations, as funding for "long-term environmental research programs". This was done principally to emphasize the importance attached to the program, not to change it. The Senate had kept the funding as part of the Anticipatory program. The conferees agreed to the Senate format, and thus removed the funding from section 3.

Center of Excellence

It has come to the attention of conferees that the Agency is planning to augment its present research capabilities through the establishment of "Centers of Excellence" at various universities throughout the nation. EPA had planned to begin its efforts in this regard in fiscal year 1979, but due to re-

¹ "Preliminary Assessment of Cleanup Costs for National Hazardous Waste Problems." Fred C. Hart Associates, Inc., 527 Madison Avenue, New York, N.Y. 10022, Feb. 23, 1979.

ductions in the anticipatory research budget, the agency was not able to proceed with this program as planned. The conferees endorse the concept of allowing the Agency to enhance its research capability by building upon the extensive experience and expertise of various universities and hopes that the funds for this effort will be made available from the fiscal year 1980 budget.

(C) *Monitoring and technical support program*

The House version added \$900,000 to the Administration's request for \$2,567,000, essentially restoring the program to its 1979 level. The conferees agree with the Agency's decision to shift funding responsibility for some of the technology transfer activities to the users; however, not all users will have such funds, and the Agency may want to provide technological support and information to some users at no charge and to find potential users whose needs are not being met. The conferees conclude that the increase could be used for these types of activities.

SECTION 2(a)(10) ENERGY ACTIVITIES

(A) *Health and ecological effects program*

The Senate version authorizes a level of \$53,486,000 (in the Senate bill this amount is distributed among the various authorization categories and does not appear as a single figure). This is \$4,300,000 more than the Administration's proposal and the House-passed level of authorization, reflecting the creation of a hazardous waste research program (under the category Solid Waste-Energy in the Senate bill). The conferees agreed on a level of \$49,186,000 which was the House level and the President's request.

As discussed elsewhere in this report, the conferees conclude that the importance of controlling hazardous wastes justifies creation of a separate program of research, and have separated this funding from the energy program. Thus the apparent decrease of \$4.3 million in the Senate-authorized funding for the energy program reflects in part a shift in the category under which hazardous waste research appears.

(B) *Energy control program*

The House version increases funding for energy controls by \$1,000,000 over the Administration's recommended level of \$53,275,000. The purpose of this increase is to accelerate development of control technology to enable the nation to increase environmentally sound use of coal, our nation's most abundant domestic fuel source. In agreeing on a level of \$54,275,000 the conferees agreed that this is an appropriate increase for this area, and a modest one.

SECTION 2(b) PROGRAM MANAGEMENT AND SUPPORT

The Administration proposed a level of \$27,753,000 for Program Management and Support, which is 18 percent more than the fiscal year 1979 budget for this category. The House version cuts \$1,000,000 from this request, and in addition directs that \$300,000 from the appropriation for Program Management and Support be used for a special study of non-nuclear hazardous waste disposal, to be conducted by the National Academy of Sciences. The Senate version also requires that the Agency fund this study, but otherwise restores the decrease made by the House.

The conferees concluded that in a tight budget year, an 18 percent increase in authorizations for Program Management and Support is unwarranted, especially in light of the fact that the total budget for research and development is up only about 10 percent. The conferees, therefore agreed to the House-passed level of \$26,753,000. However, it was concluded that the study of non-nuclear hazardous waste should more appropriately be undertaken as part of the newly created Hazardous Waste Research

Program. Therefore, in the bill as reported from the committee on conference, this study is directed under Hazardous Waste activities in the Solid Waste Program. Its content and timetable were not changed.

SECTION 3—SPECIAL AUTHORIZATIONS

Senate amendment numbered 2 struck this section. The House yielded after the conferees agreed that certain of the funds authorized in section 3 of the House bill would be included in the conference amendment to the amendment numbered 1 (i.e., in the program authorizations of sec. 2).

Specifically, section 3 had authorized:

(a) \$4,450,000 for long-term research. The conferees agreed to include this funding in the Anticipatory Research program (in section 2), as it had been in the President's request.

(b) \$1,100,000 for the Gulf Coast study (authorized in section 403(d) of the Clean Air Act amendments of 1977). The conferees agreed to include this funding in the Air/Health and Ecological Effects program (in section 2) as it had been in the President's request.

(c) Wastewater Reuse Grants. The Administration did not propose any funding in this area for fiscal year 1980, as studies conducted under the fiscal year 1979 authorizations were being completed. The House version included \$1,000,000 for these grants, while the Senate version did not include an authorization for this area. The conferees concluded that an authorization is not needed until such time as new uses for wastewater are identified as both needy and worthy of demonstration funds.

Thus in agreeing to the Senate amendments the conferees would delete only one authorization, while the other two would be merely moved from this section to section 2, where the Senate had placed them.

SECTION 4—OTHER AUTHORIZATIONS

This section authorizes environmental research activities at the National Bureau of Standards. Senate amendment numbered 3 would change the number of this section (from 4 to 3) and the conferees agreed since they had agreed to delete section 3. Senate amendments numbered 4 and 5 would change the levels authorized (a) for measurement sciences from \$3,000,000 to \$500,000 and (b) for activities authorized under the Resource Conservation and Recovery Act from \$2,000,000 to \$3,500,000.

(a) *Environmental measurement sciences*

The House version includes \$3,000,000 for research in this area, an increase of \$2,750,000 over the Administration's request. The conferees endorse the House committee report's position that this research is important and should be strengthened, and recommend an authorization level of \$500,000, which is \$250,000 higher than the Administration's request.

(b) *Research under the Resource Conservation and Recovery Act*

The conferees agreed to add \$378,000 to the Administration's request of \$3,122,000 for a program in the Department of Commerce to develop specifications for materials recovered from waste streams. These specifications are a first necessary activity before a market can be developed for these materials. This research was to have been completed by October 21, 1978, but it has not been completed due to lack of funding. The object of this activity is resource conservation, which will not only help the nation to achieve its environmental goals, but will also contribute to saving energy which would otherwise be used in mining and purification of virgin materials. The conferees strongly recommend that this program be stepped up.

SECTION 5—REPORTING

This section requires the EPA to keep the Congress currently informed of its activities, including budget requests. The Senate agreed

to this provision. Senate amendment numbered 6 would only change the number of the section (from 5 to 4) in order to conform.

SECTION 6—REIMBURSEMENT FOR USE OF FACILITIES

This section allows EPA to be reimbursed for costs incurred when it allows its special testing facilities to be used by outside groups. In many cases the public interest would be served if more use could be made of certain special test facilities; at the same time it was felt that EPA should not pay costs of outside use nor should it subsidize private concerns, thus the need for reimbursement. (An example of the kind of facility being addressed is the EPA "OMHSETT" facility, a very large tank (with wave-making capacity) which is used to test full-scale equipment for cleaning oil spills).

The Senate conferees agreed to this provision and their amendment numbered 7 would make only a conforming change of section number (from 6 to 5).

DON FUQUA,
JEROME A. AMBRO,
GEORGE E. BROWN, Jr.,
JIM BLANCHARD,
ROBERT S. WALKER,
DON RITTER,

Managers on the Part of the House.

JOHN CULVER,
MIKE GRAVEL,
GARY HART,
ROBERT T. STAFFORD,
JOHN H. CHAFFEE,

Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. CHENEY (at the request of Mr. RHODES), for today, on account of official business.

Mr. CORMAN (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. GLICKMAN, for afternoon of November 9, 1979, on account of attendance at activities of National Alcohol Fuels Commission hearing.

Mr. JONES of North Carolina (at the request of Mr. WRIGHT), for November 9 through 16, on account of illness.

Mrs. SPELLMAN (at the request of Mr. WRIGHT), for today, on account of illness.

SPECIAL ORDERS GRANTED

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

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

Mr. RUDD, for 15 minutes, today.

Mr. BUCHANAN, for 5 minutes, today.

Mr. BETHUNE, for 1 hour on November 13, 1979.

Mr. PAUL, for 1 hour on November 13, 1979.

Mr. MARTIN, for 15 minutes, today.

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

Mr. WEAVER, for 10 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. HALL of Ohio, for 20 minutes, today.

Mr. BINGHAM, for 5 minutes, today.

Mr. WAXMAN, for 5 minutes, today.
 Mr. PREYER, for 5 minutes, today.
 Mr. ROSTENKOWSKI, for 5 minutes, today.
 Mr. LUNDINE, for 5 minutes, today.
 Mr. VANIK, for 10 minutes, today.
 Mr. SATTERFIELD, for 5 minutes, today.
 Mr. FLOOD, for 10 minutes, today.

EXTENSION OF REMARKS

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

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

Mr. SYMMS.
 Mr. BUCHANAN.
 Mr. RITTER.
 Mr. FORSYTHE.
 Mr. PAUL.
 Mr. GILMAN in two instances.
 Mr. TAUKE in two instances.
 Mr. EVANS of Delaware.
 Mr. KELLY.
 Mr. DERWINSKI in two instances.
 Mr. GINGRICH.
 Mr. McCLOSKEY.
 Mr. GRASSLEY.
 Mr. HANSEN in five instances.

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

Mr. FISHER.
 Ms. FERRARO.
 Mr. McDONALD in three instances.
 Mr. BARNARD.
 Mr. MARKEY.
 Mr. OTTINGER in two instances.
 Mr. BAILEY.
 Mr. RANGEL.
 Mr. HARKIN.
 Mr. CONYERS.
 Mr. SIMON in two instances.
 Mr. MICA.
 Mr. SOLARZ.
 Mr. WOLFF.
 Mr. OBERSTAR in two instances.
 Mr. OBEX.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 668. An act to permit the Cow Creek Band of the Umpqua Tribe of Indians to file with the U.S. Court of Claims any claim such band could have filed with the Indian Claims Commission under the act of August 13, 1946 (60 Stat. 1049); to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1160. An act to authorize appropriations for the Federal Fire Prevention and Control Act of 1974, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 16 minutes p.m.), under its previous order the House adjourned until Tuesday, November 13, 1979, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

2795. A letter from the Secretary of Agriculture transmitting the fifth report on rural development progress, pursuant to section 603(b) of the Rural Development Act of 1972; to the Committee on Agriculture.

2796. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on environmental and nuclear power program activities abroad, pursuant to section 1913 of Public Law 95-630; to the Committee on Foreign Affairs.

2797. A letter from the Assistant Attorney General for Administration, transmitting notice of a proposed new system of records, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2798. A letter from the Assistant Attorney General for Administration, transmitting notice of a proposed new systems of records, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2799. A letter from the Comptroller General of the United States, transmitting a report on problems Federal agencies have encountered in contracting for computer software development (FGMSD-80-4, November 9, 1979); to the Committee on Government Operations.

2800. A letter from the Secretary of the Interior, transmitting a report on the amounts of money spent by the Commonwealth of Massachusetts, the city of Lowell, and nonprofit entities in furtherance of the Lowell National Historical Park, pursuant to section 103(d) of Public Law 95-290; to the Committee on Interior and Insular Affairs.

2801. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting reports for the month of July 1979, on changes in market shares of refined petroleum products and of retail gasoline, pursuant to section 4(c)(2)(A) of the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

2802. A letter from the Secretary of Transportation, transmitting a report on Department of Transportation contracts negotiated under 10 U.S.C. 2304(a)(11) during the 6 months ended September 30, 1979, and a negative report on procurements under 10 U.S.C. 2304(a)(16) during the same period, pursuant to 10 U.S.C. 2304(e); to the Committee on Merchant Marine and Fisheries.

2803. A letter from the Administrator, Small Business Administration, transmitting the 1978 annual report of the Small Business Administration, pursuant to section 10 of the Small Business Act; to the Committee on Small Business.

2804. A letter from the Comptroller General of the United States, transmitting a report on the Nation's rental housing market (CED-80-11, November 8, 1979); to the Committee on Government Operations, and Banking, Finance and Urban Affairs.

2805. A letter from the Comptroller General of the United States, transmitting a report on prospects for cooperation and trade of energy resources between the United States and Canada (ID-80-2, November 8, 1979); jointly, to the Committees on Government Operations, and Foreign Affairs.

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. MURPHY of New York: Committee on Merchant Marine and Fisheries. S. 1454.

A bill to amend the act of August 10, 1956, as amended; section 716 of title 10, U.S.C.; section 1006 of title 37, U.S.C.; and sections 8501(1)(B) and 8521(a)(1) of title 5, U.S.C. (Rept. No. 96-539 Pt. II). Ordered to be printed.

Mr. WHITE: Committee on Armed Services. H.R. 5753. A bill to amend title 10, U.S.C., to provide that certain full-time training duty of members of the National Guard shall be considered as active duty for training in Federal service for the purpose of laws providing benefits for members of the National Guard and their dependents and beneficiaries; with amendments (Rept. No. 96-605). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee of conference. Conference report on S. 239 (Rept. No. 96-606). Ordered to be printed.

Mr. WHITE: Committee on Armed Services. H.R. 5766. A bill to amend title 10, U.S.C., to authorize additional Reserve Officers' Training Corps scholarships for the Army, to provide a certain number of such scholarships for cadets at military junior colleges, to authorize the Secretary of the Army to provide that cadets awarded such scholarships may serve their obligated period of service in the Army Reserve or Army National Guard of the United States, and for other purposes (Rept. No. 96-607). Referred to the Committee of the Whole House on the State of the Union.

Ms. HOLTZMAN: Committee on the Judiciary. H.R. 2816. A bill to amend the Immigration and Nationality Act to revise the procedures for the admission of refugees, to amend the Migration and Refugee Assistance Act of 1962 to establish a more uniform basis for the provision of assistance to refugees, and for other purposes; with an amendment (Rept. No. 96-608). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee on Appropriations. House Joint Resolution 440. Joint resolution making further continuing appropriations for the fiscal year 1980, and for other purposes; with an amendment (Rept. No. 96-609). Referred to the Committee of the Whole House on the State of the Union.

Mr. DUNCAN of Oregon: Committee of conference. Conference report on H.R. 4440 (Rept. No. 96-610). Ordered to be printed.

Mr. FUQUA: Committee of conference. Conference report on H.R. 2676 (Rept. No. 96-611). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BONER of Tennessee:

H.R. 5853. A bill to amend the Immigration and Nationality Act to provide for the annual review of immigrant student visas, for the automatic review of such a visa whenever the student is convicted of a criminal offense, and to make a nonimmigrant student who is convicted of a criminal offense subject to deportation; to the Committee on the Judiciary.

By Mrs. BYRON:

H.R. 5854. A bill to amend the Internal Revenue Code of 1954 to provide, for purposes of the deduction for real property taxes, that certain assessments on real property which are used to provide certain facilities and services of the type which might otherwise be provided by a municipal government shall be treated as real property taxes; to the Committee on Ways and Means.

By Mr. EVANS of Delaware:

H.R. 5855. A bill to permit the deportation of aliens participating in violent public demonstrations; to the Committee on the Judiciary.

By Mr. EVANS of the Virgin Islands: H.R. 5856. A bill to amend title 32, United States Code, to allow Federal recognition as officers of the National Guard of members of the National Guard of the Virgin Islands in grades above the grade of colonel; to the Committee on Armed Services.

By Mr. FLORIO (for himself, Mr. MADIGAN, Ms. MIKULSKI, Mr. LEE, Mr. OTTINGER, Mr. ROBERT W. DANIEL, JR., Mr. WHITEHURST, Mr. MOAKLEY, Mr. BEARD of Rhode Island, Mr. FORD of Tennessee, Mr. NOLAN, Mr. MOTTI, Mr. BEDELL, Mr. HORTON, Mr. CAVANAUGH, Mr. RINALDO, Mr. PEPPER, Mr. HUGHES, Mr. BONIOR of Michigan, and Mr. DOWNEY):

H.R. 5857. A bill to amend the Solid Waste Disposal Act to facilitate and promote the recovery of energy and materials from municipal solid waste, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Louisiana (for himself, Mr. DERRICK, Mr. BLANCHARD, Mr. GEPHARDT, Mr. MINETA, Mr. ANDERSON of Illinois, Mr. ASHLEY, Mr. BEILSON, Mr. BOLLING, Mr. CAVANAUGH, Mrs. CHISHOLM, Mr. CLEVELAND, Mr. COELHO, Mr. DODD, Mr. FROST, Mr. GIAIMO, Mr. GIBBONS, Mr. MCKAY, Mr. MOAKLEY, Mr. MURPHY of Illinois, Mr. PANETTA, Mr. PEPPER, Mr. UDALL, and Mr. ZEFERETTI):

H.R. 5858. A bill to establish as a part of the Rules of the House of Representatives and the Senate a procedure for the periodic congressional review of Federal programs and tax expenditures, and to improve legislative oversight of Federal activities and regulatory programs; to the Committee on Rules.

By Mr. JACOBS:

H.R. 5859. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide that an individual who has attained age 65, and who is eligible for old-age insurance benefits but has not filed application therefor, may elect (on an annual basis) to treat his or her employment or self-employment as not covered for social security benefit purposes and as exempt from social security taxes; to the Committee on Ways and Means.

By Mr. MOORHEAD of Pennsylvania (for himself, Mr. ASHLEY, Mr. BLANCHARD, Mr. EVANS of Indiana, Mr. GARCIA, Mr. MCKINNEY, Ms. OAKAR, and Mr. VENTO):

H.R. 5860. A bill to authorize loan guarantees to the Chrysler Corp.; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PREYER:

H.R. 5861. A bill to amend the Freedom of Information Act with respect to procedures for the disclosure of certain types of information, and for other purposes; to the Committee on Government Operations.

By Mr. PREYER (for himself and Mr. STOCKMAN):

H.R. 5862. A bill to repeal the Federal requirement on incremental pricing under the Natural Gas Policy Act of 1978; to the Committee on Interstate and Foreign Commerce.

By Mr. RINALDO:

H.R. 5863. A bill to prohibit any Iranian student in the United States from receiving any form of Federal assistance; to the Committee on Government Operations.

By Mr. WHITTEN:

H.J. Res. 440. Joint resolution making further continuing appropriations for the fiscal year 1980, and for other purposes; to the Committee on Appropriations.

By Mr. APPLIGATE:

H.J. Res. 441. Joint resolution proposing that a Presidential commission be established

to study full implications of compliance with the Clean Air Act, as amended, and adjusting the criteria that is used in monitoring air quality; to the Committee on Interstate and Foreign Commerce.

By Mr. MICA:

H.J. Res. 442. Joint resolution designating the week beginning June 22, 1980, as "National Athletic Boosters Week"; to the Committee on Post Office and Civil Service.

By Mr. MYERS of Indiana:

H.J. Res. 443. Joint resolution to authorize the President to issue a proclamation designating the week beginning November 23, 1980, as "National Family Week"; to the Committee on Post Office and Civil Service.

By Mr. DANIEL B. CRANE:

H. Res. 482. Resolution expressing the sense of the House of Representatives regarding the situation in Iran and the attitudes and conduct of Iranian nationals presently in the United States; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself, Mr. DINGELL, and Mr. BROWN of Ohio):

H. Res. 483. Resolution to disapprove the proposed amendment to the strategic petroleum reserve plan which sets forth a method of drawdown and distribution of the reserve (Department of Energy, energy action numbered 5); to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. CONTE introduced a bill (H.R. 5864) for the relief of Dr. Christojohn Samuel and Malathi Samuel, which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 135: Mr. BAILEY

H.R. 1290: Mr. FAZIO, Mr. DOWNEY, and Mr. MINETA.

H.R. 1600: Mr. BAUMAN, Mr. HUTTO, Ms. FERRARO, Mr. ROYER, Mr. DORNAN, Mr. CHENEY, and Mr. OBERSTAR.

H.R. 2653: Mr. BEDELL and Mr. EDWARDS of Oklahoma.

H.R. 4400: Mr. MCKINNEY.

H.R. 4717: Mr. ROYER, Ms. OAKAR, Mr. BONKER, Mr. DAVIS of South Carolina, Mr. FORD of Michigan, Mr. DICKS, Mr. ICHORD, Mr. ADDABBO, Mr. BUCHANAN, Mr. GOODLING, and Mr. SYNAR.

H.R. 4944: Mr. FISH.

H.R. 5127: Mr. DASCHLE.

H.R. 5166: Mr. CAMPBELL.

H.R. 5362: Mr. YATRON, Mr. HYDE, Mr. EMERY, Mr. ANDREWS of North Dakota, Mr. LAFALCE, Mr. DODD, Mr. RATCHFORD, Mr. BOLAND, Mr. DONNELLY, Mr. DRINAN, Mr. MOAKLEY, Mr. SHANNON, Mr. BEARD of Rhode Island, Mr. JEFFORDS, Mr. PEPPER, Mr. OBERSTAR, Mr. SOLOMON, and Mr. GILMAN.

H.R. 5511: Mr. SHARP.

H.R. 5596: Mr. MOAKLEY, Mr. HORTON, Mr. LAGOMARSINO, Mr. SCHEUER, Mr. MITCHELL of Maryland, Mr. YATRON, Mr. D'AMOURS, Mr. EMERY, Mr. MURTHA, Mr. OBERSTAR, Mr. CHARLES WILSON of Texas, Mr. PEPPER, Mr. DODD, Mr. MCKINNEY, Mr. BOLAND, Mr. DONNELLY, Mr. MARKEY, Mr. MAVROULES, Mr. SHANNON, Mr. BEARD of Rhode Island, Mr. ST GERMAIN, Mr. JEFFORDS, Ms. FERRARO, and Mr. NOLAN.

H.R. 5607: Mr. ADDABBO, Mr. MITCHELL of Maryland, Mr. HANLEY, Mr. LAFALCE, Mr. RICHMOND, Mr. BALDUS, Mr. NOLAN, Mr. NOWAK, Mr. SKELTON, Mr. CONTE, Mr. ROTH, Mr. ANDREWS of North Dakota, Mr. BEVILL, Mr. COELHO, Mr. FORSYTHE, Mr. GLICKMAN, Mr. HAMILTON, Mr. HUGHES, Mr. LEACH of Iowa,

Mr. LLOYD, Mr. LOTT, Mr. MARKEY, Mr. MAZZOLI, Mr. MINETA, Mr. MITCHELL of New York, Mr. MURPHY of Pennsylvania, Mr. MURPHY of Illinois, Mr. NELSON, Mr. RAHALL, Mr. SHARP, Mr. SHUMWAY, Mr. SOLOMON, Mr. VENTO, Mr. WHITEHURST, Mr. CHARLES WILSON of Texas, and Mr. WINN.

H.R. 5720: Mr. COELHO, Mr. EDWARDS of Oklahoma, Mr. GUYER, Mrs. HOLT, Mr. SEIBERLING, Mr. VAN DEERLIN, Mr. WHITEHURST, Mr. BOB WILSON, Mr. WINN, and Mr. CLEVELAND.

H.J. Res. 147: Mr. BAFALIS.

H.J. Res. 366: Mr. ANDREWS of North Carolina.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2063

By Mr. GREEN:

—On page 16, line 20, insert the following after the word "loans": "and other investments".

On page 16, immediately after line 21, insert the following new subsections (b) and (c) and redesignate the succeeding subsections accordingly:

"(b) (1) The Secretary, on an experimental basis, may approve, and make grants for, non-Federal revolving loan funds which permit the use of not more than 10 per centum of the initial grant for investments in equity securities, or debt securities convertible into equity securities of businesses in the area. No eligible redevelopment area which receives a grant under this subsection may own more than 49 per centum of the outstanding voting shares of any business. Such investments shall not exceed \$500,000 in any business, and may be otherwise limited by such conditions as may be prescribed by the Secretary at the time of the initial grant.

(2) The Secretary shall attempt to insure that not less than 10 per centum of the authorization provided for in this Section shall be used for such investments, as defined in Subsection (b) (1).

(3) Any earnings derived by the redevelopment area as a result of the non-Federal equity investments and funds obtained by selling the non-Federal equity investments shall be retained by the redevelopment area for the purpose of further non-Federal equity investments and loans.

(C) Each redevelopment area which receives assistance under this section shall annually during the period of such assistance make a full and complete report to the Secretary, in such manner as the Secretary shall prescribe, and such report shall contain an evaluation of the effectiveness of the assistance provided under this section in meeting the problem it was designed to alleviate and the purposes of this section.

H.R. 2626

By Mr. BUCHANAN:

(To the amendment in the nature of a substitute reported by the Committee on Interstate and Foreign Commerce.)

—Page 18, line 14, strike out "or".

Page 18, line 16, strike out the period and insert in lieu thereof "or".

Page 18, insert after line 16 the following new subparagraph:

(G) (1) is primarily engaged in providing, by or under the supervision of physicians, to inpatient rehabilitation services for the rehabilitation of injured, disabled, or sick persons, and (ii) is not a part of any other hospital.

(To the amendment in the nature of a substitute reported by the Committee on Interstate and Foreign Commerce.)

—Page 113, amend the items in the table of

contents relating to title III, part A of such title, and section 301 to read as follows:

TITLE III—NATIONAL COMMISSION, STUDIES, ADMINISTRATIVE PROVISIONS, AND DEFINITIONS

PART A—NATIONAL COMMISSION AND STUDIES

Sec. 301. National Commission on Hospital Cost Containment.

Sec. 302. Taskforce on Consumer and Physician Incentives Toward Hospital Cost Containment.

Sec. 303. Evaluation of cost containment program.

Sec. 304. Study of cost containment alternatives.

Page 131, strike out line 11 and all that follows through page 132, line 7.

Page 143, insert after line 2 the following new subsection:

(d) For purposes of applying the mandatory percentage limits under subsection (a) as they relate—

(1) to average inpatient charges per admission of a hospital, there shall be excluded from the computation of the amount of inpatient charges in an accounting period (and in the base accounting period) an amount equal to the amount of SHUR expenses of the hospital attributable to inpatient hospital services for the respective accounting period, and

(2) to average reimbursement payable to a hospital by a cost payer per admission, there shall be excluded from the computation of the total amount of reimbursement with respect to the cost payer in an accounting period (and in the base accounting period) an amount equal to the product of (A) the amount of SHUR expenses of the hospital attributable to inpatient hospital services for the respective accounting period, and (B) the proportion of such expenses determined, in accordance with regulations of the Secretary, to be properly allocated to that cost payer.

Page 153, insert after line 16 the following new subsection:

(d) On the request of a hospital, filed in accordance with the second sentence of subsection (a), the Secretary shall make an addition to the mandatory percentage limit for an accounting period otherwise computed under this part to the extent to which the hospital can demonstrate that higher reimbursement or inpatient charges per admission would otherwise be permitted are attributable to capital-related expenses (including depreciation and interest) related to capital expenditures which have been approved by the State health planning and development agency for the hospital on or before the date of the enactment of this Act.

Page 153, line 17, strike out "(d)" and insert in lieu thereof "(e)".

Page 168, strike out lines 1 through 4 and insert in lieu thereof the following:

TITLE III—NATIONAL COMMISSION, STUDIES, ADMINISTRATIVE PROVISIONS, AND DEFINITIONS

PART A—NATIONAL COMMISSION AND STUDIES

Page 171, insert after line 7 the following new sections:

TASKFORCE ON CONSUMER AND PHYSICIAN INCENTIVES TOWARD HOSPITAL COST CONTAINMENT

Sec. 302. (a) (1) There is hereby established a Taskforce on Consumer and Physician Incentives Toward Hospital Cost Containment (hereinafter in this section referred to as the "Taskforce"), to be composed of seven members—

- (A) three appointed by the President,
- (B) two appointed by the Speaker of the House of Representatives, and
- (C) two appointed by the President of the Senate.

Members of the Taskforce shall serve without additional compensation.

(2) The Taskforce shall carry out its activities in consultation with appropriate Federal agencies, private organizations, consumers, physicians, and other interested parties.

(b) The Taskforce shall study—

(1) the effect of different policies and procedures (including use of deductibles, co-insurance, and cost- or risk-sharing; tax deduction and exclusion from income provisions of the Internal Revenue Code of 1954; and prepaid health plans) relating to payment for hospital services on (A) consumer and physician awareness of the relative cost and quality of different hospital (and out-patient) services, (B) utilization of hospital services, and (C) the quality of hospital services provided, and

(2) the desirability of increasing the use of these and similar methods in federally funded and other health insurance programs, and shall make recommendations to the Congress for appropriate changes in legislation. The Taskforce shall complete its study, and submit a report thereon to the appropriate committees of the Congress, not later than two years after the date members are first appointed to the Taskforce.

EVALUATION OF COST CONTAINMENT PROGRAM

Sec. 303. (a) The Secretary shall conduct a comprehensive evaluation (hereinafter in this section referred to as the "evaluation") of the cost controls established under this Act, focusing on—

(1) their efficiency, effectiveness, and fairness compared to alternative strategies for containing hospital costs, and

(2) modification of the present system of reimbursing hospitals under the medicare program on the basis of their retrospectively determined costs.

(b) The Secretary shall submit to the Congress not later than—

(1) six months after the date of the enactment of this Act, a formal plan for the evaluation,

(2) two years after the date of the enactment of this Act, an interim report on the evaluation, and

(3) December 31, 1983, a final report on the evaluation.

REPORT ON COST CONTAINMENT ALTERNATIVES

Sec. 304. (a) The Secretary shall prepare and submit to Congress, not later than one year after the date of the enactment of this Act, a report on additional or alternative measures (such as changes in (1) methods of third-party reimbursement for health costs, (2) physician reimbursement, (3) payment for drugs and medical supplies, (4) utilization of health facilities and services, and (5) capital expenditures) that can be taken to control costs in the health care industry, as well as the hospital part of the industry.

(b) The report shall include the results of a study, conducted by the Secretary in consultation with appropriate national organizations, on the activities, programs, operating costs, and reimbursement of children's hospitals (described in section 321(6)(E)). With such results, the Secretary shall include findings and recommendations, including a recommendation with respect to the use of a system for the prospective measurement of costs of such hospitals.

Page 179, line 4, insert after the period the following new sentence: "The Secretary, in carrying out the requirements of this subsection with respect to hospitals located in Hawaii or Alaska, shall make such adjustments as may be necessary to reflect the higher prices for classes of goods and services prevailing in each of those States."

Page 183, insert after line 15 the following new subsection:

(d) The Taskforce on Consumer and Physician Incentives Towards Hospital Cost Containment shall be established under section 302 not earlier than October 1 of the

year in which this Act is enacted and shall be terminated not later than March 1, 1985.

Page 187, insert after line 11 the following new subparagraph:

(E) is an institution (i) organized and operated for the care of children and youth, and (ii) a majority of the inpatients of which are eighteen years of age or younger,

Page 187, lines 12 and 15, strike out "(E)" and "(F)", respectively, and insert in lieu thereof "(F)" and "(G)", respectively.

Page 188, insert after line 17 the following new paragraph:

(1) (A) The term "hospital expenses", for purposes of title I, does not include any SHUR expenses (as defined in paragraph (4)).

Page 188, line 18, strike out "(1)" and insert in lieu thereof "(B)".

Page 191, insert after line 6 the following new paragraph:

(4) The term "SHUR expenses" means expenses incurred by a hospital only in order to comply with the requirements of sections 1861(v)(1)(F) and 1902(a)(40) of the Social Security Act (relating to reporting under a system for hospital uniform reporting).

Page 191, line 7, strike out "(4)" and insert in lieu thereof "(5)".

Page 191, line 22, insert "or SHUR expenses" after "(2)(A)".

Page 193, line 5, insert "or SHUR expenses" after "(4)(A)".

Page 193, line 7, insert after the comma the following: "except that the Secretary, in applying such percentage increase with respect to hospitals located in Hawaii or in Alaska, shall make such adjustment in such percentage increase as may be necessary reflect any higher rate of increase in the prices of classes of goods and services in those States as compared with such rate of increase in the United States".

Page 194, strike out line 17 and all that follows through page 195, line 13 and insert in lieu thereof the following:

(1) (A) Subject to subparagraph (B), the term "percent change in area population" means, for an accounting period of a hospital, the higher of—

(i) the percentage change in the size of the population of the Standard Metropolitan Statistical Area (as determined by the Office of Management and Budget), if any, in which the hospital is located in the year preceding the year in which the accounting period ends over the size of the population of such Area in the second preceding year, or

(ii) the percentage change in the size of the population of the county or county equivalent area (as recognized by the Bureau of the Census) in which the hospital is located in the year preceding the year in which the accounting period ends over the size of the population of such county or area in the second preceding year,

except that in no case shall such percent change be less than zero.

(B) In the case of hospital located in a Standard Metropolitan Statistical Area, county, or county equivalent area which has a rate of increase in its population of persons sixty-five years of age or older for a year exceeding the rate of increase in the population of such persons in the United States for the year, the Secretary shall determine the amount of such difference and shall provide for an adjustment in the percent change in population of the Area or of the county or county equivalent area (for purposes of clauses (i) and (ii), respectively, of subparagraph (A)) for the accounting period of the hospital ending in the year in such a manner as takes into consideration the additional costs (based on national data for cost of hospital services per capita for such persons as opposed to persons of other ages) involved in caring for such persons to the extent of such excess increase rate.