

LEGISLATIVE PROGRAM FOR TODAY AND WEEK OF OCTOBER 17

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

Mr. RHODES. Mr. Speaker, I take this time to inquire of the distinguished majority leader as to the program for the balance of the day and next week.

Mr. WRIGHT. Mr. Speaker, will the distinguished minority leader yield?

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

Mr. WRIGHT. Mr. Speaker, there is only one more bill remaining on our calendar for this week. It will be taken up as soon as we have completed the announcement of the calendar for next week. That bill is H.R. 4297, the Marine Protection Authorization Act. All general debate has been finished, and when the votes are concluded on that bill, and any amendments that may be offered, the business of the House will have been concluded and it will be our purpose to adjourn until next Monday.

On Monday next the House will meet at noon and have the Consent Calendar, and there are seven bills scheduled for consideration under suspension of the rules. These are:

H.R. 8518, saccharin ban moratorium; H.R. 9418, Health Professions Education Amendments of 1977;

H.R. 5643, Cultural Property Implementation Act;

H.R. 5858, Tariff Schedule Amendments for Canadian Petroleum; H.R. 8149, Customs Procedural Reform Act of 1977;

H.R. 8422, rural health clinic services amendments to Social Security Act; and H.R. 6715, Texas, Technical Corrections Act of 1977.

Votes on these suspensions will be postponed until the end of all debate on the suspensions.

Thereafter we will take up the bill H.R. 9090, exempt disaster payments on certain crops. That is under an open rule with 1 hour of general debate.

On Tuesday the House again will meet at noon. There will be the Private Calendar and six bills have been scheduled for consideration under suspension of the rules. Those are:

S. 393, Montana Wilderness Act;

H.R. 4140, extend Fishermen's Protective Act;

H.R. 6405, Endangered Species Act amendments;

H.R. 9512, Pacific Island Trust Territories;

S. 2089, establish position of Associate Attorney General; and

H.R. 7769, Indochinese refugees.

Again the votes on these suspensions will be postponed until all debate on the suspensions has been finished.

Thereafter, on Tuesday we hope to take up H.R. 1037, Energy Transportation Security Act of 1977. That is coming to us under an open rule with 2 hours of general debate recommended.

On Wednesday the House will meet at noon. We will have H.R. 9375, Supplemental Appropriations Act, and waivers have been granted by the rule recommended to the Rules Committee; and

H.R. 9346, Social Security Financing Amendments of 1977 will follow. We will take the rule and the general debate only, subject to a rule being granted.

Then on Thursday the House will meet at 10 o'clock in the morning. We will have:

H.R. 9346, Social Security Financing Amendments of 1977, voting on amendments and the bill;

H.R. 7073, Federal Insecticide, Fungicide, and Rodenticide Act, voting on amendments and the bill; and

H.R. 2329, Fish and Wildlife Improvement Act of 1977, which comes under a recommended open rule with 1 hour of general debate.

And having concluded all of those things, we would assume that the business of the week had been concluded. Of course, conference reports may be brought up at any time and any other program may be announced later.

It would be our hope that we could conclude all business for the week on Thursday. If we are able to do that we will have only a pro forma session on Friday next; and the Monday that follows Friday next will be October 24, which is a national holiday. The Nation will be observing Veterans Day, and it would be our plan not to schedule legislative business on that day.

The House will adjourn by 3 p.m. Friday and by 5:30 p.m. on all other days except Wednesday. Any further program may be announced later.

Mr. RHODES. Mr. Speaker, may I suggest to the distinguished majority leader that it is possible on Tuesday we may have a little problem finishing up by 5:30. Certainly as far as I am concerned, and I think I speak for most of the Members in the minority, we would have no objection to staying in on Tuesday until we finish the program for that date, knowing that Wednesday is a rather heavy day. The supplemental appropriations bill, as my good friend knows, will have some controversy over the B-1 and other aircraft. The social security financing amendments are certainly a major piece of legislation. We will want to give each of those pieces of legislation all the time necessary. I say this so that if the majority leader feels constrained to do away with the proviso that we quit at 5:30 on Tuesday, it might be a good idea to suggest it.

Mr. WRIGHT. Mr. Speaker, if the distinguished minority leader will yield further, the majority leader appreciates that suggestion very much. Let us see how rapidly the six suspensions go on Tuesday. It may be that they will not consume lengthy debate, in which event it might be possible for us to conclude our consideration of H.R. 1037; but if not, the leadership will certainly bear in mind the suggestion made by the distinguished minority leader.

Mr. MICHEL. Mr. Speaker, will the minority leader yield for a question?

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

Mr. MICHEL. Mr. Speaker, does this suggest that with very little business, if anything, next Friday and a holiday on Monday that any kind of sine die ad-

journalment is absolutely out of the question for the 29th of October? Assuming, that is, the majority leader is prepared to offer any kind of prospects for the following week?

Mr. WRIGHT. Mr. Speaker, if the distinguished minority leader will yield further, the majority leader is not clairvoyant and has little in common with Jimmy the Greek; but I did not mean to suggest that all hope for an October 29 adjournment is forlorn. I do not believe it is forlorn. It depends, as the gentleman well knows, on the dispatch that the conferees on the energy bill may make. We will come in full of steam and energy on the 25th of October, Tuesday, with high hopes of concluding the business of this session during that week.

Of course, we have additional appropriations bills that are in conference. We probably will have a conference committee report, for instance next week on the foreign assistance bill.

We will need to conclude the appropriations bills and any conference reports that are ready to be considered and adopt the conference report on the energy bill, assuming that is brought to us.

Once those things are done, the majority leader sees no reason why we could not adjourn.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday of next week be dispensed with.

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

There was no objection.

ADJOURNMENT TO MONDAY, OCTOBER 17, 1977

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock noon on Monday next.

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

There was no objection.

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972 AUTHORIZATION

Mr. BREAUX. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4297) to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such Act for fiscal year 1978.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BREAUX). 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 further consideration of the bill H.R. 4297, with Mr. SHARP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, October 11, 1977, all time for general debate on the bill had expired.

The Clerk will read.

The Clerk read as follows:

H.R. 4297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 111 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1420) is amended—

(1) by striking out "and" immediately after "September 30, 1976,"; and

(2) by adding immediately after "fiscal year 1977" the following: ", and not to exceed \$4,800,000 for fiscal year 1978."

Sec. 2, Section 204 of such Act (33 U.S.C. 1444) is amended—

(1) by striking out "and" immediately after September 30, 1976,"; and

(2) by adding immediately after "fiscal year 1977" the following: ", and not to exceed \$6,000,000 for fiscal year 1978".

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 9, strike "\$8 million" and insert "\$6,500,000".

Mr. BREAUX. Mr. Chairman, the committee has no requests for time on this amendment. We agree with it and support it.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 2?

The Clerk will read.

The Clerk read as follows:

Sec. 3, Section 304 of such Act (16 U.S.C. 1434) is amended—

(1) by striking out "and" immediately after "September 30, 1976,"; and

(2) by adding immediately after "fiscal year 1977" the following: ", and not to exceed \$500,000 for fiscal year 1978".

COMMITTEE AMENDMENT

The CHAIRMAN. If there are no amendments to section 3, the Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, after line 17, insert the following new section:

Sec. 4. (a) The Administrator of the Environmental Protection Agency (hereinafter referred to in this section as the Administrator) shall end the dumping of sewage sludge into ocean waters, or into waters described in section 101(b) of Public Law 92-532, as soon as possible after the date of enactment of this section, but in no case may the Administrator issue any permit, or any renewal thereof (under Title I of the Marine Protection, Research, and Sanctuaries Act of 1972) which authorizes any such dumping after December 31, 1981.

(b) For purposes of this section, the term "sewage sludge" means any solid, semisolid, or liquid waste generated by a municipal wastewater treatment plant the ocean dumping of which may unreasonably degrade or endanger human health, welfare, amenities,

or the marine environment, ecological systems, or economic potentialities.

Mr. BREAUX (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 Louisiana?

There was no objection.

Mr. BREAUX. Mr. Chairman, I rise in support of the amendment. It is an amendment that puts an absolute termination date on all ocean dumping of sewage sludge by December 31, 1981. It is somewhat controversial. We debated it extensively in subcommittee and also in the full committee. It is an amendment that I personally disagreed with, both in the subcommittee and the full committee, but I do support it as the committee saw fit to adopt this language.

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

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

Mr. HUGHES. Mr. Chairman, I rise in strong support of H.R. 4297, authorizing appropriations for fiscal 1978 to carry out the Marine Protection Research, and Sanctuaries Act of 1972.

Also contained in this legislation is an amendment that was agreed to in committee by a vote of 22 to 12 to prohibit the dumping of harmful sewage sludge in the ocean after December 31, 1981.

The purpose of the 1972 act was to provide a means of regulating the disposal of various harmful and hazardous materials into the ocean. It was drafted in response to the growing tendency toward ocean disposal of all kinds of wastes that in sufficient quantities could seriously downgrade the quality of our ocean waters, and present a significant hazard to marine life, fishing, and human health.

Unfortunately, despite the act's clear direction to prohibit harmful ocean dumping, there has been and continues to be large amounts of sewage sludge being dumped into the ocean by a number of northeastern municipalities in the New York-New Jersey area.

These sludges contain high concentrations of a number of metals that are a serious risk to marine life, and also to humans if they should eat fish or shellfish that come from the dumping areas. EPA has reported that the sewage sludge dumped in 1974 in the Atlantic contained about 24 tons of cadmium and that sludge dumped in New York Bight alone contained about 2 tons of mercury.

In addition, there exists the possibility that sludge dumping may contribute to the problem of excess nutrients in the ocean waters, leading to algae blooms that deplete oxygen in the seawater, and result in fish kills.

In response to this problem, the EPA has adopted by administrative rulemaking a deadline of December 31, 1981 to bring an end to sludge dumping. However, that deadline is now bulging at the seams. It is clear that many of the municipalities who are doing the dumping have not taken the deadline seriously,

and have made little or no progress toward finding alternative methods for disposing of sewage sludge.

The problem is made more serious because, in coming years, we will be producing more and more sludge, as more and more secondary sewage treatment plants come on line. But so long as ocean dumping remains the cheapest and most convenient means of disposing of sludge, there will remain a tremendous pressure to continue dumping. The uncertainties in existing law will continue to invite litigation, and EPA will be placed under increasing pressure to postpone its administrative deadline.

That is why it is so important for us to begin the process of phasing out harmful sludge dumping now, while we still have some time to develop alternatives. We can no longer afford the old "out of sight, out of mind" attitude about disposing of municipal wastes.

The language in H.R. 4297 would provide clear notice to the municipalities that are dumping sludge in the ocean that they must be out by a date certain, and to do that, they will have to begin now to develop alternatives.

Mr. BREAUX. Mr. Chairman, I yield to the chairman of the Subcommittee on Fish and Wildlife, the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I rise in support of section 4 of this bill which prohibits the dumping of sewage sludge into our ocean waters after 1981. This provision would legislatively implement the deadline on the dumping of sewage sludge which has already been adopted by Environmental Protection Agency regulations.

In enacting the Ocean Dumping Act of 1972, Congress stated very clearly that it wanted to end the treatment of our ocean as a garbage pit. The Ocean Dumping Act reflects the realization that we cannot continue to expect the oceans to act as a food resource, recreation center, and cesspool. The Ocean Dumping Act prohibited the dumping of wastes which unreasonably degraded the marine environment. The EPA has already determined that sewage sludge does degrade the environment.

Nevertheless, the EPA realized that an immediate ban on dumping would cause economic harm for those Atlantic coast communities still using the ocean as a sludge dump site. Thus, EPA developed a mechanism to end ocean dumping gradually. It granted these communities so-called interim permits, and placed them on notice that they are expected to develop land-based dumping alternatives no later than 1981. All we are attempting to do here today is make sure that this 1981 date remains very firm.

There are three urban areas dumping sewage sludge into the ocean—Camden, N.J.; Philadelphia; and the New York-New Jersey metropolitan area. The first two communities have assured the committee that they have found a solution to the sewage sludge predicament. Camden has developed an effective composting system which has already ended their need to use the ocean as a dump site. Philadelphia indicated to the committee

in June that they should be out of the ocean by 1980.

The New York situation is apparently somewhat more pessimistic. The problem there is insufficient surface area for composting and insufficient funds to develop land-based alternatives. Nevertheless, the Assistant Administrator for the Environmental Protection Agency testified in June that sufficient alternative did exist for New York, and that the deadline could be met. Further, the administrator of New York City's Environmental Protection Administration indicated that New York was determined to meet the 1981 date.

We have a situation, then, where all of the principals indicate the deadline can and should be met. It is perplexing, then, when these same principals oppose the legislative imposition of the deadline.

A large part of the opposition to the termination of ocean dumping stems from the fact that it remains the cheapest means of disposing of municipal waste. The ocean dumping of sewage sludge generally costs \$1.80 per ton, while alternatives cost \$5 per ton.

My concern is that while it may be cheaper for the particular communities involved, it is quite likely very expensive for the Nation as a whole. For example, the Department of Commerce has indicated that the shellfish industry has ceased harvesting in over 18.5 percent of the shellfish waters because of intolerable levels of pollution.

The ocean dumping of sewage sludge, of course, is a small part of this problem—but it is a part. The draft environmental impact statement on the New York Bight site indicated that the water quality of the area would not improve if sludge dumping was moved elsewhere for the simple reason that so many other pollutants are poured into that body of water. This includes street runoff, industrial pollutants and raw sewage.

I am not convinced that the fact that sewage sludge is a small part of the problem is a good reason for permitting the dumping of sludge to continue. Alternatives to the dumping of sludge are available. A firm deadline will insure that they are implemented.

Mr. EVANS of Delaware. Mr. Chairman, will the gentleman yield?

Mr. BREAUX. I yield to the gentleman from Delaware.

Mr. EVANS of Delaware. Mr. Chairman, I rise in strong support of H.R. 4297, and also the amendment offered by the gentleman from New Jersey (Mr. HUGHES) to ban all harmful ocean dumping as of a certain date, December 31, 1981. In 1972, the Congress, stated as a national policy goal that we would end harmful ocean dumping within 5 years.

I am delighted to see that finally we are going to begin implementing that noble objective. I think it is reasonable.

It is needed. And I would like to also remind all of those who come to visit our Delaware beaches, Rehoboth, Fenwick Island, Bethany, et cetera, that we want you to get good clams, good oysters and to enjoy our beaches.

Mr. BREAUX. We will continue to send Louisiana crabs and oysters to your beach area.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Chairman, I rise in strong support of the pending committee amendment and this legislation. The pending amendment, which was sponsored in committee by the distinguished gentleman from New Jersey (Mr. HUGHES), will put a definite end to ocean dumping of sewage sludge no later than December 31, 1981. It is unfortunate that the Congress has to set a deadline to end a source of pollution most of us assumed was already outlawed by the original 1972 Marine Protection Act. This amendment was necessary, however, because of the Environmental Protection Agency's continued interpretation of the law so that it allows such pollution on what they call "an interim basis."

Whatever EPA may call it, the continued practice of dumping sewage sludge from Philadelphia and other areas into the Atlantic Ocean off the coasts of New Jersey, Maryland, and Delaware has caused widespread marine damage and the closing of important shellfishing areas. It has presented a continuing health hazard to coastal resort cities such as Ocean City, Md., which I have the honor to represent. There is certainly no more beautiful and appealing ocean resort in America, in my opinion, especially for the thousands of families who enjoy its pleasures each summer, and now all year around. To have all this jeopardized by the unwillingness of the EPA to enforce the law and the refusal of Philadelphia officials to clean up their act is appalling. So Congress must and should act and this bill is a long step forward in my view.

I urge adoption of the committee amendment and the bill.

Mr. BREAUX. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. FORSYTHE).

Mr. FORSYTHE. Mr. Chairman, I too rise in strong support of this section of this bill. I think it is a very good amendment. It does assure that we are going to stop ocean dumping in 1981. It was the policy. Now it will be the law.

Mr. Chairman, I urge support of the amendment and the bill.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of H.R. 4297, a bill to authorize funds to extend the

Marine Protection, Research and Sanctuaries Act for fiscal year 1978.

Better known as the Ocean Dumping Act, this law is very important in the protection of our oceans and shores.

The Environmental Protection Agency (EPA) is the lead agency in the administration of title 1, a title which provides for mandatory regulation of the dumping of harmful wastes into the ocean.

As reported by our Merchant Marine and Fisheries Committee, this bill requires the "dumpers" to end all dumping of municipal sewage sludge by December 31, 1981. This is feasible, given the support of the EPA, combined with research on and working alternatives to ocean dumping.

The pollution of our oceans, especially along many areas of the Atlantic seaboard, is a problem that the Congress must address with strong statutes. I support this bill with the 1981 cutoff date for dumping into the ocean.

Mr. FREY. Mr. Chairman, almost 10 years ago, when I first came to Congress and was still assigned to the Merchant Marine and Fisheries Committee, the legislation now before us caught the attention of my district. The reason? The Army had dumped a large amount of toxic substances off the coast of Brevard County.

The resulting outcry caused me to work within my committee for some kind of safeguards against a future occurrence.

In 1971, 50 Members cosponsored my legislation prohibiting ocean dumping. The bill was authored in response to what I thought was a "softer" bill then being touted by the administration. In 1972 Congress accepted the Marine Protection, Research and Sanctuaries Act establishing regulatory control over the dumping of certain materials into U.S. waters.

The bill specifies how ocean dumping shall be regulated; sets out research activities to support limitation of ocean dumping; and provides for the designation and regulation of marine sanctuaries.

The intervening half decade has proved we cannot relax our efforts against ocean pollution. While the Environmental Protection Agency has made progress against industrial sewage dumping—phasing out 81 former or potential dumpers in the last 5 years—municipal sewage remains a problem. In the Mid-Atlantic region, where municipalities dump their sewage, over one-fifth of the Nation's shellfishing beds have been closed by the Food and Drug Administration because pollution has rendered these organisms unsafe for human consumption. As a scuba diver I have personally seen how reefs can be ruined by sewage.

There seems to be some confusion among the agencies involved as to whether Congress is serious about ocean dumping—specifically municipal sewage dumping. This amendment to the original legislation makes clear our intent to prohibit anyone—municipal or

industrial—to dump dangerous sewage into our oceans after the last day of 1981.

To this end today's legislation authorizes \$11.8 million: \$4.8 million toward the EPA's regulatory program; \$6.5 million into the National Oceanic and Atmospheric Administration's research on ocean dumping; and \$500,000 toward the marine sanctuaries program administered by the Office of Coastal Zone Management.

I would urge Members to pay special attention to the provision appropriating a half million dollars toward the sanctuaries program. Already, the Department of Commerce has designated two areas, one off the coast of North Carolina and the other off the coast of Key Largo, Fla. Four other areas have been nominated for designation, including a killer whale area in Puget Sound. It would seem a half million dollars for four new sanctuaries is a bargain—probably one of the best in the Federal Government.

There are few of us, I believe, who would quarrel with a designated area to be saved from the ravages of ocean dumping. Extending that protection to our entire coastline, to both oceans, is the purpose of this amendment.

In the name of our oceans, our environment, our sea life, the economic well-being of our fishing industry, and the health of coastal dwellers, the House must accept this amendment and authorization.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DAN DANIEL), having assumed the chair, Mr. SHARP, 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. 4297) to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal year 1978, pursuant to House Resolution 798, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

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

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

Mr. ROUSSELOT. 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 359, nays 1, not voting 74, as follows:

[Roll No. 657]

YEAS—359

Akaka	Dornan	Kazen
Allen	Downey	Kelly
Ambro	Drinan	Ketchum
Ammerman	Duncan, Oreg.	Kildee
Anderson,	Duncan, Tenn.	Kindness
Calif.	Early	Kostmayer
Andrews, N.C.	Eckhardt	Krebs
Andrews,	Edgar	Krueger
N. Dak.	Edwards, Ala.	LaFaive
Annunzio	Edwards, Calif.	Lagomarsino
Applegate	Edwards, Okla.	Laita
Archer	Eilberg	Le Fante
Armstrong	Emery	Lecher
Ashbrook	English	Leggett
Ashley	Erlenborn	Lehman
Aspin	Ertel	Lent
Badham	Evans, Colo.	Levit
Baldus	Evans, Del.	Loyd, Calif.
Baucus	Evans, Ga.	Loyd, Tenn.
Bauman	Evans, Ind.	Long, La.
Beard, R.I.	Fary	Long, Md.
Bedell	Fascell	Lott
Bellenson	Fenwick	Lukens
Benjamin	Findley	Lundine
Bennett	Fisher	McCormack
Bayliff	Flaherty	McClary
Blanchard	Flopp	McDade
Blouin	Flood	McEwen
Boggs	Florio	McFall
Bonior	Flowers	McHugh
Bonker	Flynt	McKay
Brademas	Foley	McKinney
Breaux	Ford, Tenn.	Madigan
Breckinridge	Forsythe	Mahon
Brinkley	Fountain	Markey
Brodhead	Fraser	Marlenee
Brooks	Fuqua	Marrlott
Broomfield	Gammage	Martin
Brown, Mich.	Gaydos	Mathis
Brown, Ohio	Gehardt	Mattox
Buchanan	Gibbons	Mazzoli
Burgener	Gilman	Meeds
Burke, Fla.	Ginn	Meyner
Burke, Mass.	Glickman	Michel
Burleson, Tex.	Gonzalez	Mikulski
Burlison, Mo.	Gore	Mikva
Burton, Phillip	Gradison	Milford
Butler	Grassley	Miller, Ohio
Byron	Gudger	Mineta
Caputo	Hagedorn	Minish
Carney	Hall	Mitchell, Md.
Carr	Hamilton	Mitchell, N.Y.
Carter	Hammer	Moffett
Cavanaugh	Hansberg	Molohan
Cederberg	Hannaford	Montgomery
Chappell	Hansen	Moore
Chisholm	Harkin	Moorhead,
Clawson, Del.	Harris	Calif.
Cleveland	Hawkins	Moorhead, Pa.
Cochran	Heckler	Moss
Cohen	Hefner	Mottl
Coleman	Hefte	Murphy, Ill.
Collins, Tex.	Hightower	Murphy, Pa.
Conable	Hillis	Murtha
Conte	Hollenbeck	Myers, Gary
Conyers	Holt	Myers, John
Corcoran	Holtzman	Myers, Michael
Corman	Horton	Natcher
Cornell	Howard	Neal
Cornwell	Hubbard	Nedzi
Coughlin	Huckaby	Nichols
Cunningham	Hughes	Nix
D'Amours	Daniel, Dan	Nowak
Daniel, Dan	Daniel, R. W.	O'Brien
Daniel, R. W.	Danielson	Oakar
Danielson	Davis	Oberstar
Davis	de la Garza	Obey
De la Garza	Delaney	Ottinger
Delaney	Dellums	Panetta
Dellums	Derrick	Patten
Derrick	Derwinski	Patton
Derwinski	Devine	Patterson
Devine	Dickinson	Pattison
Dickinson	Dicks	Pease
Dicks	Dingell	Perkins
Dingell	Dodd	Pettis
Dodd		Pike

Shibley	Vander Jagt
Shuster	Vanik
Sikes	Vento
Simon	Volkmer
Sisk	Waggonner
Skelton	Walgren
Skubitz	Walker
Smith, Iowa	Walsh
Smith, Nebr.	Wampler
Snyder	Watkins
Solarz	Waxman
Spellman	Weaver
Spence	Weiss
Staggers	White
Stangeland	Whitehurst
Stanton	Whitley
Stark	Whitten
Steers	Wiggins
Steiger	Wilson, Bob
Stokes	Wilson, C. H.
Rousselot	Wilson, Tex.
Rudd	Winn
Ruppe	Wirth
Ryan	Wright
Santini	Wyder
Sarasin	Wylie
Satterfield	Yates
Sawyer	Yatron
Scheuer	Traxler
Schroeder	Trible
Schulze	Tsongas
Schelus	Tucker
Selberling	Udall
Sharp	Ullman

NAYS—1

McDonald

NOT VOTING—74

Abdnor	Diggs	Moakley
Addabbo	Ford, Mich.	Murphy, N.Y.
Alexander	Fowler	Nolan
Anderson, Ill.	Frenzel	Pepper
AuCoin	Frey	Pickie
Badillo	Gialmo	Pursell
Bafalis	Goldwater	Rahall
Barnard	Gooding	Reus
Beard, Tenn.	Guyer	Roberts
Biaggi	Hanley	Rogers
Bingham	Harrington	Roncalio
Boland	Harsha	Rose
Bolling	Holland	Rostenkowski
Bowen	Johnson, Calif.	Roybal
Brown, Calif.	Kemp	Runnels
Broyhill	Keys	Russo
Burke, Calif.	Koch	Slack
Burton, John	Livingston	St Germain
Clausen,	Lujan	Steed
Don H.	McCloskey	Stockman
Clay	Maguire	Teague
Collins, Ill.	Mann	Van Deerlin
Cotter	Marks	Whalen
Crane	Metcalfe	Wolf
Dent	Miller, Calif.	

The Clerk announced the following pairs:

Mr. Addabbo with Mr. Frey.
 Mr. Moakley with Mr. Anderson of Illinois.
 Mr. Dent with Mr. Bafalis.
 Mr. AuCoin with Mr. Goldwater.
 Mrs. Burke of California with Mr. Beard of Tennessee.
 Mr. Biaggi with Mr. Abdnor.
 Mr. Koch with Mr. Gooding.
 Mr. Miller of California with Mr. Crane.
 Mr. Pepper with Mr. Kemp.
 Mr. Murphy of New York with Mr. Livingston.
 Mr. Badillo with Mr. Lujan.
 Mr. Fowler with Mr. Treen.
 Mr. Wolf with Mr. Johnson of California.
 Mr. Harrington with Mr. Holland.
 Mr. Russo with Mr. Marks.
 Mr. Russo with Mr. Teague.
 Mr. Bowen with Mr. Clay.
 Mr. Roybal with Mr. Don H. Clausen.
 Mr. Diggs with Mr. Gialmo.
 Mrs. Collins of Illinois with Mrs. Keys.
 Mr. Cotter with Mr. Metcalfe.
 Mr. Ford of Michigan with Mr. Pickie.
 Mr. Rose with Mr. Runnels.
 Mr. Rostenkowski with Mr. Alexander.
 Mr. Rahall with Mr. Mann.
 Mr. Roberts with Mr. Barnard.
 Mr. Bingham with Mr. Van Deerlin.

Mr. John Burton with Mr. Pursell.
Mr. Boland with Mr. Broyhill.
Mr. Brown of California with Mr. Frenzel.
Mr. Hanley with Mr. Harsha.
Mr. Maguire with Mr. McCloskey.
Mr. Nolan with Mr. Whalen.
Mr. Rogers with Mr. Steed.
Mr. St Germain with Mr. Slack.
Mr. Roncalio with Mr. Stockman.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BREAUX. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 4297 just passed by the House.

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

There was no objection.

PERSONAL EXPLANATION

Mr. RUDD. Mr. Speaker, I would like to have it made a matter of record that I was unavoidably detained at the White House this morning and missed the first vote on the conference report on the bill H.R. 6415. Had I been present I would have cast a "no" vote.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 1139, NATIONAL SCHOOL LUNCH ACT AND CHILD NUTRITION ACT AMENDMENTS OF 1977

Mr. WALGREN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on H.R. 1139 to amend the National School Lunch Act and the Child Nutrition Act of 1966 to revise and extend the summer food service program for children, to revise the nonfood assistance program, and for other purposes.

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

There was no objection.

NIAGARA COUNTY'S ABORTION RESOLUTION

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

Mr. LaFALCE. Mr. Speaker, I know that the questions surrounding abortion, particularly the extent to which Government should be allowed to promote or restrict access to them is a matter of concern to many of my colleagues. I, therefore, would like to submit for their review a copy of a resolution recently passed by the Niagara County legislature which unambiguously defines the legislature's position:

RESOLUTION

Whereas, recent Supreme Court decisions seem to indicate that state and local governments cannot be forced by Federal government to pay for elective abortions, and

Whereas, Niagara County Welfare funds have been used for such purposes; and

Whereas, the Supreme Court has stated that such abortions need not be funded by the states social services department; and

Whereas, the Governor of the New York State has mandated that the social services departments in the counties of the State of New York pay for such abortions; and

Whereas, the Niagara County Legislature recognizes the authority of the Supreme Court and its own moral laws; now therefore, be it

Resolved, that the County Legislature does hereby direct the Social Services Department of the County of Niagara to review its procedures concerning the promotion and/or permission for abortions which cannot be medically demonstrated as necessary to preserve the life of the unborn child's mother, and be it further

Resolved, that the Social Services Department be directed to cease and desist support for such abortions not so medically related to the health of the mother, from this day forward; and be it further

Resolved, that copies of this resolution be forwarded to the State Social Services Department; Governor Carey; area State legislators; and all New York State Boards of Supervisors and County Legislatures.

COMMITTEE ACTION WOULD LIMIT PRESIDENT'S AUTHORITY TO LIMIT OIL IMPORTS

Mr. VANIK. Mr. Speaker, I want to place in the RECORD a statement by myself and my colleagues on the Committee on Ways and Means, Hon. BARBER B. CONABLE, JR., and Hon. WILLIAM A. STEIGER, concerning recent action in the Senate Finance Committee to limit the President's authority to act on oil imports when the national security is threatened.

The statement follows:

STATEMENT OF REPRESENTATIVES CHARLES A. VANIK, BARBER B. CONABLE, JR., AND WILLIAM A. STEIGER

We are shocked by the action of the Senate Finance Committee last week to terminate the President's authority to impose tariffs and quotas on imports of petroleum if such imports threaten the national security. The amendment adopted by the Senate Committee would repeal the President's authority to act under section 232 in limiting oil imports except for periods and circumstances relating to war or other hostilities.

At this time the President's energy legislation does not deal directly with the serious problem of limiting oil imports as one means of stemming our growing dependency on imported oil.

The Senate Finance Committee amendment appears to be an emotional reaction to statements that an import fee on oil might be necessary, if effective energy legislation is not adopted.

If the Senate Finance Committee's proposal is adopted, the President would be denied the only authority he would have to limit oil imports. It will signal the world of our inability and our unwillingness to deal at all with the energy crisis. It could threaten to condemn our troubled economy to a future of uncertainty, dependency and depression.

CHAIRMAN MELVIN PRICE WARNS OF THE DANGERS IN A COMPREHENSIVE TEST BAN TREATY—CTB

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

Mr. STRATTON. Mr. Speaker, earlier this month several members of the Armed Services Committee, led by Chairman MELVIN PRICE, visited the Lawrence Livermore Laboratory in Livermore, Calif. The laboratory is operated for the ERDA by the University of California, and is one of our two major nuclear weapons development laboratories. The Lawrence Livermore Laboratory was responsible for developing the hydrogen bomb, under the leadership of Dr. Edward Teller.

The occasion of our visit also marked the 25th anniversary of the laboratory, and following our tour of the facilities, and receiving a briefing on the laboratory's current activities, a banquet was held to celebrate the anniversary. At that banquet, Chairman PRICE was the principal speaker.

Some weeks ago, Soviet Foreign Minister Gromyko proposed that the United States and the Soviets enter into a comprehensive test ban treaty CTB. This is an appealing-sounding proposal, to be sure, as was President Kennedy's original test ban treaty. But for the initiated—those who, like MEL PRICE, have been following nuclear matters closely for over 30 years—the CTB has some very real and special dangers. This is what Mr. PRICE discussed in his speech at Livermore. And his words deserve to be read and pondered by every Member.

The speech follows:

REMARKS BY THE HONORABLE MELVIN PRICE

I am most honored to have the opportunity of participating in this memorable observance of the 25th anniversary of the Lawrence Livermore Laboratory. This is an appropriate time to convey, on behalf of the Congress, our thanks to all of the members of this outstanding institution. The nation owes so much to you for its security and welfare. I want to especially thank those here this evening who were here at the beginning and are still contributing to the outstanding achievements of the Laboratory—to Roger Batzel, Mike May, Duane Sewell, Carl Haussmann, and the other "plank owners" of this great institution.

As we move into your second quarter century, something must be in the forefront of your minds, as it is in mine—the offer last Tuesday of Soviet Foreign Minister Gromyko to enter into a test moratorium. My long association with you and the whole nuclear weapons program provides me with special insight into the potential harm of a hiatus in our testing program.

History provides proof of this. I am sure you recall the moratorium which was also instigated by the Soviets in 1958. Then about three years later, they announced, unilaterally, that the moratorium was over. The Soviets then immediately proceeded with one of the most comprehensive and intensive weapons test programs ever conducted. Obviously, during the moratorium they worked every minute to be prepared to resume tests.

I think you will agree that, as a consequence, our relative position of technological proficiency was hurt by those developments.

We cannot let this history repeat itself.

We must carefully consider any new offer to assure that adequate safeguards are provided. Under no circumstances should we agree to anything that would erode our ability to maintain a position of technological leadership.

Frankly, I am concerned that we may not have taken as much of an advantage of the