Vanik	Whalen	Yates
Waxman	Wilson, C. H.	Yatron
Weaver	Wirth	

NOT VOTING—82

Addabbo	Eshleman	Mikva
Alexander	Fary	Milford
Andrews, N. Dak.	Findley	Moorhead, Pa.
Badillo	Ford, Tenn.	Mosher
Beard, R.I.	Fraser	Obey
Bell	Gilman	Ottinger
Biaggi	Gradison	Patman, Tex.
Blouin	Harrington	Pattison, N.Y.
Boggs	Hawkins	Quie
Bolling	Hébert	Rinaldo
Brademas	Hefner	Risenhoover
Brinkley	Hinshaw	St Germain
Brodhead	Holland	Satterfield
Brown, Calif.	Jarman	Steiger, Wis.
Burke, Calif.	Jeffords	Stuckey
Byron	Jordan	Symington
Chappell	Krueger	Teague
Chisholm	Lehman	Udall
Clawson, Del	Litton	Ullman
Cleveland	Long, La.	Vander Jagt
Conlan	McCloskey	Vigorito
Conyers	McCollister	Walsh
D'Amours	McCormack	Wolff
Danielson	McEwen	Wydler
Early	McKinney	Young, Fla.
Ellberg	Mathis	Young, Ga.
Esch	Metcalfe	Young, Tex.
	Michel	

The Clerk announced the following pairs:

Mr. Hébert for, with Mr. Addabbo against.

Mrs. Boggs for, with Mr. Ottinger against.

Mr. Chappell for, with Mr. Biaggi against.

Mr. Fary for, with Mr. Beard of Rhode Island against.

Mr. Teague for, with Mr. Badillo against.

Mr. Hinshaw for, with Mr. Ellberg against.

Mr. Young of Florida for, with Mr. Brademas against.

Mr. Jarman for, with Mrs. Chisholm against.

Mr. Wydler for, with Mr. Danielson against.

Mr. Eshleman for, with Mrs. Burke of California against.

Mr. Del Clawson for, with Mr. Metcalfe against.

Mr. Conlan for, with Mr. Hawkins against.

Mr. Andrews of North Dakota for, with Mr. Wolff against.

Mr. Vander Jagt for, with Mr. Young of Georgia against.

Mr. Byron for, with Mr. Symington against.

Mr. Patman for, with Mr. Conyers against.

Mr. Mathis for, with Mr. Moorhead of Pennsylvania against.

Mr. Brinkley for, with Mr. Harrington against.

Mr. Satterfield for, with Mr. St Germain against.

Mr. Long of Louisiana for, with Mr. Obey against.

Mr. Young of Texas for, with Mr. Pattison of New York against.

Messrs. KAZEN, JOHNSON of Pennsylvania, and CARNEY changed their votes from "nay" to "yea."

Messrs. McKAY and PEPPER changed their votes from "yea" to "nay."

So the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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

GENERAL LEAVE

Mr. DIGGS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks in connection with the bills on the District Day Calendar.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 6461, PUBLIC BROADCASTING FINANCING ACT OF 1975

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution (H. Res. 852) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 852

Resolved, That upon the adoption of this resolution it shall be in order to move, sections 303(a) and 401 of the Congressional Budget Act of 1974 (Public Law 93-344) to the contrary notwithstanding, 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. 6461) to amend certain provisions of the Communications Act of 1934 to provide long-term financing for the Corporation for Public Broadcasting, and for other purposes. 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 Interstate and Foreign Commerce, 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 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.

The SPEAKER pro tempore. The gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON), pending which I yield myself such time as I may consume.

Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 852 and ask for its immediate consideration.

Mr. Speaker, House Resolution 852 provides for the consideration of H.R. 6461, The Public Broadcasting Financing Act of 1975. The bill was considered sequentially and reported by the House Committee on Interstate and Foreign Commerce and the House Appropriations Committee. House Resolution 852 provides an open rule with 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce. After general debate, the measure will be read for amendment under the 5-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 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.

House Resolution 852 also waives points of order against the pending bill under sections 303(a) and 401 of the Congressional Budget Act of 1974. The waiver of points of order under section 303(a) of the Budget Act is necessary because H.R. 6461 contains new budget authority for fiscal year 1977 which normally would be prohibited until after passage of the first budget resolution for fiscal year 1977. In addition, if section 303(a) is not waived in regard to this bill and the measure were not taken up until next year, it could fall within the backdoor spending strictures of section 401 of the Budget Act. H.R. 6461 contains authority for the Government to enter contracts with the Corporation for Public Broadcasting for which it may be obligated to make outlays, and appropriate funds from the general fund.

H.R. 6461 provides for a new, and greatly improved, system of financing public broadcasting. First, and most importantly, the bill would establish long-range Federal funding for the Corporation for Public Broadcasting. The Corporation enjoys a unique position. It is a semipublic, federally funded agency charged with a special responsibility—that of developing high quality noncommercial radio and television programs obtained from diverse sources. On the other hand, it is clear that the sponsors of the Public Broadcasting Act of 1967 intended for the Corporation to enjoy the full protection of the first amendment of the Constitution which guarantees freedom of the press. They sought to assure the Corporation of "maximum freedom from interference with or control of program content."

Moreover, since the Corporation was established, three administrations have endorsed the concept of long-term Federal financing. In this education message of 1968, President Lyndon B. Johnson pointed to the dangers of political influence and urged Congress to formulate a long-range financing plan "that (would) promote and protect this vital new force in American life." President Richard M. Nixon also recognized the importance of long-term financing for the Corporation and, in his budget message of 1971, promised that "legislation will be proposed to provide an improved financing arrangement for the Corporation." Finally, President Gerald R. Ford, in his statement of February 13, 1975, called for long-range financing, pointing out that "strict accountability by public broadcasting to the Government can lead to Government direction of programing, which is contrary to the principles of free expression on which our Nation was founded."

The 5-year appropriation proposed in H.R. 6461 would not solve all the problems inherent in Federal support of the Corporation for Public Broadcasting, but it would be a step in the right direction.

While Federal support of public broadcasting has increased since the establishment of the Corporation for Public Broadcasting in 1968, the Corporation has also steadily increased its non-Federal funding. H.R. 6461 recognizes this trend and contains incentives which would encourage the Corporation to intensify its efforts to obtain support from other sources. The bill would estab-

trict, so that I feel that I am not intruding into something which is not of my own concern.

Mr. Speaker, the subcommittee of the Committee on Interior and Insular Affairs, on which I also serve, happens to have oversight on such national monuments in the District as the Kennedy Center for the Performing Arts, the Smithsonian Institute, the Jefferson Memorial, the Washington Monument itself, and the Lincoln Memorial. I think it keeps a healthy balance for the people of this country to see that there is an interlocking relationship between the Interior Department and those who function in the District of Columbia.

All this substitute does—and I would like to have the gentleman from California (Mr. KETCHUM) correct me if I am wrong—it merely provides that an appointment be made to the job created earlier and that it be someone such as the Under Secretary of the Interior. Is that not what it does?

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

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

Mr. KETCHUM. I thank the gentleman for yielding. It says it may be anyone who is already in office, without further compensation, to do the job.

Mr. RONCALIO. I thank the gentleman.

Mr. Speaker, I do not think I would be able to find a better substitute, I say to my good friend, the gentleman from California. We have this arrangement with the Kennedy Center. We have the head of the National Capital Parks on the Board of Directors of the Kennedy Center. There is a close-working cooperation, and it works out admirably. I would think it would do the same with the District of Columbia government, the Interior, and the Congress.

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

Mr. RONCALIO. I yield to the gentleman from Michigan.

Mr. DIGGS. I thank the gentleman for yielding.

Mr. Speaker, I certainly have no lack of confidence of the gentleman in the well, in respect to his considerable responsibility here. I would like to read from a communication dated the 4th of June on this very subject from the Office of the President. It is on page 14 of the hearings, and I think it adequately answers the gentleman's point. It reads as follows:

> It should also be noted that we know of no reason why the District of Columbia Government would not continue, without special oversight, to provide those services the Federal establishment might require. Moreover, if necessary, both the Congress and the President have sufficient authority to assure that all appropriate services are provided to the Federal establishment.
>
> In summary, the Office of Management and Budget believes that creation of the Service Area is unnecessary and therefore strongly supports enactment of H.R. 4394 or H.R. 5642.

That is the position of the White House on this matter. They took into consideration the very points the gentleman has made and the legitimate concerns of myself and others who are trying to protect the Federal Government's interest.

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

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

Mr. KETCHUM. I thank the gentleman for yielding.

My amendment strikes out the worry OMB has that they are going to have to create a bureaucracy. My amendment says we can take someone who is already on the payroll and who is doing a job and which is being done satisfactorily. Since he is already on the payroll, let him do the job.

Mr. RONCALIO. Mr. Speaker, the Department of the Interior has not had an Under Secretary for a year and a half. Let us find a good one and give him something to do.

I think the amendment should be adopted. It is a good one.

Mr. WHALEN. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I think it is significant to note that the administration has already considered this proposal.

On September 5, 1974, Mr. Roy Ash sent a memoranda to all of the agencies involved, asking for their comments regarding the possibility of someone within the administration serving, in effect, as the enclave overseer. The response was negative. As a consequence, the administration discarded the idea of someone filling in on a part-time basis. Further investigation by the administration revealed that the whole idea was bad, and for this reason they recommended that the enclave amendment be repealed. This is why we are on the floor today.

So the administration is both opposed to the enclave, per se, and it is opposed to appointing anyone within the administration to serve as Director or coordinator on a part-time basis.

For this reason, I urge the amendment be defeated.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. KETCHUM).

The question was taken; and the Speaker pro tempore being in doubt, the Committee divided, and there were—yeas 73, nays 54.

Mr. WHALEN. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was refused.

Mr. WHALEN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 201, nays 150, not voting 82, as follows:

[Roll No. 683]

YEAS—201

Abdnor
Anderson, Ill.
Andrews, N.C.
Archer
Armstrong
Ashbrook
AuCoin
Bafalis
Bauman
Beard, Tenn.
Bennett
Bevill
Bowen
Breaux
Brooks
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Butler
Carney
Carter
Casey
Cederberg
Clancy
Clausen, Don H.
Cochran
Collins, Tex.
Conable
Coughlin
Crane
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Davis
de la Garza
Delaney
Dent
Derwinski
Devine
Dickinson
Dingell
Downing, Va.
Duncan, Oreg.
Duncan, Tenn.
du Pont
Edwards, Ala.
Emery
English
Evins, Tenn.
Flowers
Flynt
Fountain
Frey
Fuqua
Gaydos
Gibbons
Ginn
Goldwater
Gonzalez
Goodling
Grassley
Guyer
Hagedorn
Haley
Hammer-schmidt
Hansen
Harsha
Hastings
Hays, Ohio
Henderson
Hicks
Hightower
Hillis
Holt
Howe
Hubbard
Hungate
Hutchinson
Hyde
Ichord
Jenrette
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Kasten
Kazen
Kelly
Kemp
Ketchum
Kindness
LaFalce
Lagomarsino
Landrum
Latta
Leggett
Lent
Lloyd, Calif.
Lloyd, Tenn.
Long, Md.
Lott
Lujan
McClory
McDonald
Madigan
Mahon
Mann
Martin
Miller, Ohio
Mills
Mitchell, N.Y.
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moss
Mottl
Murphy, Ill.
Murtha
Myers, Ind.
Myers, Pa.
Neal
Nichols
Oberstar
O'Brien
O'Hara
Passman
Pettis
Peyser
Pickle
Pike
Poage
Pressler
Preyer
Pritchard
Quillen
Railsback
Randall
Regula
Rhodes
Robinson
Rogers
Roncalio
Rose
Rostenkowski
Rousselot
Runnels
Ruppe
Russo
Ryan
Santini
Sarasin
Schneebeli
Schulze
Sebelius
Shipley
Shriver
Shuster
Sikes
Sisk
Skubitz
Slack
Smith, Nebr.
Snyder
Spence
Stanton, J. William
Stanton, James V.
Steed
Steelman
Steiger, Ariz.
Stephens
Sullivan
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Thone
Thornton
Treen
Waggonner
Wampler
White
Whitehurst
Whitten
Wiggins
Wilson, Bob
Wilson, Tex.
Winn
Wright
Wylie
Young, Alaska
Zablocki
Zeferetti

NAYS—150

Abzug
Adams
Ambro
Anderson, Calif.
Annunzio
Ashley
Aspin
Baldus
Barrett
Baucus
Bedell
Bergland
Biester
Bingham
Blanchard
Boland
Bonker
Breckinridge
Burke, Mass.
Burton, John
Burton, Phillip
Carr
Clay
Cohen
Collins, Ill.
Conte
Corman
Cornell
Cotter
Dellums
Derrick
Diggs
Dodd
Downey, N.Y.
Drinan
Eckhardt
Edgar
Edwards, Calif.
Erlenborn
Evans, Colo.
Evans, Ind.
Fascell
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Foley
Ford, Mich.
Forsythe
Frenzel
Giaimo
Green
Gude
Hall
Hamilton
Hanley
Hannaford
Harkin
Harris
Hayes, Ind.
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Holtzman
Horton
Howard
Hughes
Jacobs
Johnson, Calif.
Karth
Kastenmeier
Keys
Koch
Krebs
Levitas
McDade
McFall
McHugh
McKay
Macdonald
Madden
Maguire
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Miller, Calif.
Mineta
Minish
Mink
Mitchell, Md.
Moakley
Moffett
Morgan
Murphy, N.Y.
Natcher
Nedzi
Nix
Nolan
Nowak
O'Neill
Patten, N.J.
Patterson, Calif.
Pepper
Perkins
Price
Rangel
Rees
Reuss
Richmond
Riegle
Roberts
Rodino
Roe
Rooney
Rosenthal
Roush
Roybal
Sarbanes
Scheuer
Schroeder
Seiberling
Sharp
Simon
Smith, Iowa
Solarz
Spellman
Staggers
Stark
Stokes
Stratton
Studds
Thompson
Traxler
Tsongas
Van Deerlin
Vander Veen

APPOINTMENT OF CONFEREES ON H.R. 9005, INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1975

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9005) to authorize assistance for disaster relief and rehabilitation, to provide for overseas distribution and production of agricultural commodities, to amend the Foreign Assistance Act of 1961, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin? The Chair hears none, and appoints the following conferees: Messrs. MORGAN, ZABLOCKI, HAYS of Ohio, FASCELL, DIGGS, BROOMFIELD, and FINDLEY.

PUBLIC BROADCASTING FINANCING ACT OF 1975

Mr. MACDONALD of Massachusetts. 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. 6461) to amend certain provisions of the Communications Act of 1934 to provide long-term financing for the Corporation for Public Broadcasting and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts.

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. 6461), with Mr. BROOKS in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Massachusetts (Mr. MACDONALD) will be recognized for 30 minutes, and the gentleman from Florida (Mr. FREY) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MACDONALD).

(Mr. MACDONALD of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise in support of H.R. 6461, the Public Broadcasting Financing Act of 1975, which was adopted unanimously by the Subcommittee on Communications and the full Committee on Interstate and Foreign Commerce. Before I outline the provisions of the legislation, I would like to impress upon the Members the importance of public broadcasting. This medium provides us with a unique vehicle for the process of the enrichment and education of the people of this country. Its promise is virtually unlimited, although its potential remains until now largely unrealized due to inadequate funding.

This year we have the opportunity to change this. President Ford has committed his administration to a long-range funding bill for public broadcasting. Let me read to you his words in submitting legislation earlier this year:

> . . . . long-term Federal funding will add stability to the financing of public broadcasting which may enhance the quality of its programing. I urge Congress to enact it promptly.

Although the subcommittee made some changes in the level of funding, H.R. 6461, as reported, addresses itself to the need set out in the President's message.

The Subcommittee on Communications held 5 days of hearings on this legislation during which time we heard testimony from 30 witnesses. Although many of them had critical comments about some aspects of public broadcasting, I think that all of them supported the commitment which is embodied in this 5-year bill.

H.R. 6461 would authorize and appropriate funds for the Corporation for Public Broadcasting for each of the 5 fiscal years, 1976 through 1980. The authorization/appropriation for each of those fiscal years would be based on non-Federal financial support for public broadcasting during each second preceding fiscal year. For fiscal years 1976, 1977, and 1978, $1 would be authorized and appropriated for every $2.50 of non-Federal financial support for public broadcasting in fiscal years 1974, 1975, and 1976, respectively.

For fiscal years 1979 and 1980, the ratio would be $1 authorized and appropriated for every $3 in non-Federal financial support for public broadcasting during 1977 and 1978, respectively.

These authorizations and appropriations would be subject to the following limitations:

[In millions]

Fiscal year:	
1976	$88
1976	22
1977	103
1978	121
1979	140
1980	160
Total	634

H.R. 6461, as reported by the Commerce Committee, recognized another important and fundamental principle in the development of public broadcasting, and that is the need for insulation from political pressures. In providing for automatic authorizations and appropriations, the committee was responding, and for the first time with the support of the administration, to this basic principle. We felt it to be in keeping with the first amendment and with the recommendation of the Carnegie Commission report.

It was never the intention of the committee to invade the jurisdiction of the Appropriations Committee. Thus when H.R. 6461 was reported from our committee it was sequentially referred to the Appropriations Committee under the new rules adopted at the beginning of this Congress. I know and respect both its chairman (Mr. MAHON) and the chairman of the subcommittee which deals directly with the appropriation for public broadcasting (Mr. FLOOD). Both Mr. FREY and I appeared before them to support H.R. 6461. In their wisdom, they have rejected the arrangement which was suggested for public broadcasting, however, they have agreed to an appropriation on an advanced-year basis. I will not oppose their decision, although I am still convinced of the need for insulation for public broadcasting.

Perhaps, with the money that we have authorized in this bill, and that the Congress will hopefully approve, public broadcasting will be able to convince those who are skeptical about its needs and its performance.

There remains one other area of special concern to me regarding public broadcasting. In less than 8 years, the Corporation has created a structure which attempts to provide broad and balanced public service to the many segments and interests of American society. Nevertheless, I feel that much remains to be done in order to achieve a system which is responsive to the maximum degree possible to the special interests and needs of many Americans.

In addressing this concern, the committee report urges that the FCC require public broadcasting stations to engage in ascertainment of the problems, needs, and interests of their service areas. The committee also recommends that each public broadcasting licensee develop, as soon as possible, local initiatives for improving ascertainment of community needs and for providing greater community input to decisions on programs.

Further, while a serious effort is being made by most public broadcasting entities with respect to providing equal employment opportunities in professional and policy-making positions for members of minority groups and women, the committee feels that much more remains to be done and should be done as soon as possible.

The committee makes specific recommendations that the Corporation for Public Broadcasting expand its efforts to assist licensees in assuring equal employment opportunity for women and minorities and to strengthen the affirmative action programs within the CPB, PBS, APRS, and NPR.

I can assure the members that the Subcommittee on Communications will vigorously pursue its oversight responsibilities with regard to public broadcasting. While some progress has been made in meeting the commitment to develop public radio, to provide more minority and women's programing, and to recruit and train more minority and women professionals, there have been promises of new and expanded initiatives in these areas. We will see to it that these promises are lived up to.

In conclusion, let me add that the people of the United States are just beginning to realize the promise of public broadcasting. Today nearly 80 percent of our population are within the range of our 254 public television stations. The 176 qualified public radio stations can be received by nearly 62 percent of the American public.

I would like to emphasize again that the time has come to affirm the Federal commitment to the principle of public broadcasting with a long-term financing

lish a matching grant program providing for a gradually decreasing Federal contribution to the Corporation for Public Broadcasting. In fiscal year 1976 and 1977, the Federal Government would provide 40 percent—less than half—of the Corporation's funding, with the remainder coming from private foundations, State and local governments, and other sources. In fiscal years 1978 through 1980, the Corporation would receive only 33⅓ percent of its funds from the Federal Government in the form of matching grants. In addition, the bill would impose a ceiling on the annual appropriations for public broadcasting. If the Corporation's success in obtaining funds from other sources exceeds the current expectations, the percentage of Federal aid could be even less than anticipated.

The proposed new matching grant system would also help to protect public broadcasting from political influence.

Finally, H.R. 6461 directs the Corporation to utilize a specific amount of its appropriation for the support of noncommercial broadcast stations. The Corporation would be required to distribute 40 percent of its appropriation to such local stations during the 1976 transition period and in any fiscal year in which appropriations total $88 million to $121 million; 45 percent in any fiscal year in which appropriations total $160 million or more. This requirement would assure the continued development of locally oriented educational radio and television programing, and would increase the diversity of noncommercial broadcast programing.

The appropriations recommended by the Committee on Interstate and Foreign Commerce are in line with the trend of congressional appropriations for public broadcasting since the establishment of the Corporation for Public Broadcasting in 1968. They represent only a fractional amount of the total Federal outlays projected for next year and the coming years and would have a little, if any, inflationary impact.

I strongly urge the adoption of House Resolution 852 so that the House can consider and approve the Public Broadcasting Financing Act of 1975.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, House Resolution 852 would make in order House consideration of the bill H.R. 6461, the Public Broadcasting Financing Act, under a 1-hour, open rule.

This rule contains two waivers of provisions of the Budget Act: The first waives points of order against the bill for failure to comply with section 303(a) of the Budget Act which prohibits the consideration of bills providing new spending authority for a fiscal year for which the first budget resolution has not been adopted. Since this bill, in paragraph 4, on page 3, contains new spending authority beyond this fiscal year, a point of order could be made against consideration of the entire bill without this waiver. The rule also waives points of order against the bill for failure to comply with section 401 of the Budget Act which prohibits considerations of bills containing new spending authority which is not subject to annual appropriations. This waiver applies to the same paragraph 4 on page 3.

Mr. Speaker, these two waivers were necessitated by the fact that an attempt was made in this legislation to provide a 5-year authorization and appropriation for the public broadcasting fund. The bill was reported from the Interstate and Foreign Commerce Committee on May 22 and then referred to the Appropriations Committee. On July 22, the Appropriations Committe reported adversely on the bill, objecting to the appropriations language contained therein.

The Rules Committee heard from representatives from both committees involved on Thursday, November 6, and also received a letter from Chairman ADAMS of the House Budget Committee. In that letter, Chairman ADAMS stated that, and I quote:

> I would not object to a waiver of the points of order against the bill for violating Section 303(a) of the Congressional Budget Act, since such a waiver is necesary to enable consideration of the bill. My position in this matter is premised on the appropriations language not being protected by a similar waiver.

The Rules Committee has followed the advice of Chairman ADAMS in this rule, and this is also now acceptable to both committees involved as a result of a compromise agreement which has been worked out. We have not waived points of order against paragraph 4, the appropriations language, for failure to comply with clause 5 of rule XXI, appropriations on an authorization. What this means is that a point of order will lie against that language, it undoubtedly will be sustained, and the 5-year appropriation will be knocked out of the bill. Under the compromise agreement, it is my understanding that the authorization portion of the bill, in paragraph 3 on page 2, will be amended to provide for a 3-year rather than a 5-year authorization, with the understanding that the Appropriations Committee will then take appropriate action to provide for such advance funding.

In conclusion, Mr. Speaker, the budget act waivers contained in this bill are necessary to even consider this bill. But by not waiving the House rule prohibiting appropriations on an authorization, the offending language will be stricken. In view of this and the compromise which has been worked out, I think the waivers are justified and that the rule should be adopted. At this point I include the letter we received from Chairman ADAMS agreeing to this procedure.

COMMITTEE ON THE BUDGET,
Washington, D.C., November 4, 1975.

HON. RAY J. MADDEN,
Chairman, Committee on Rules, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: H.R. 6461, the Public Broadcasting Financing Act of 1975, is expected to be before the Rules Committee shortly. As reported by the Committee on Interstate and Foreign Commerce, the measure contains new spending authority for fiscal year 1977 which would make it subject to a point of order under Section 303(a) of the Congressional Budget Act. Additionally, if Section 303(a) is not waived in regard to this bill and the measure were not taken up until next year, it could fall within the backdoor spending strictures of section 401.

It is my understanding that the Committee on Interstate and Foreign Commerce will not seek a rule waiving the point of order which may lie under Rule XXI, clause 5 against an appropriation in a legislative bill, so that the appropriation language can be stricken on the floor. Once the appropriation language is eliminated, the measure would be an authorization only and not violate the Budget Act.

As a result, I would not object to a waiver of the points of order against the bill for violating Section 303(a) of the Congressional Budget Act, since such a waiver is necessary to enable consideration of the bill. My position in this matter is premised on the appropriations language not being protected by a similar waiver.

Very truly yours,

BROCK ADAMS,
Chairman.

Mr. Speaker, I have no requests for time.

Mr. MATSUNAGA. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. ADAMS).

Mr. ADAMS. Mr. Speaker, I take this time simply to indicate my support for the rule and the remarks of the gentleman from Hawaii (Mr. MATSUNAGA) and the gentleman from Illinois (Mr. ANDERSON), of the Committee on Rules, who have explained it.

Section 303 next year will go into effect, and it means that no authorizing committee will be able to have a bill enacted on the floor that involves spending until after May 15, which will apply to the fiscal year beginning 1977. But since we have not implemented fully this act this year, the Budget Committees implementation procedures provide that until the end of this calendar year we would support waivers of section 303, which is being done in this case, as we have done in other cases as explained by the gentleman from Illinois (Mr. ANDERSON).

Mr. Speaker, the reason that the Budget Committee did not raise an objection under section 401, as backdoor spending, is that rule XXI will not be waived and we understand will be raised as a point of order by the Committee on Appropriations. This point of order fits precisely over the effect of section 401 in this case, and there was no point in both committees raising the same point of order. So the Committee on Appropriations will be raising the point of order to prevent backdoor spending; and that, of course, is acceptable to the Budget Committee. This is set forth in greater detail in my letter to the Rules Committee that has already been placed in the RECORD by the gentleman from Illinois.

Mr. MATSUNAGA. Mr. Speaker, having no further requests for time, 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.

plan that recognizes its important contributions to the Nation's life by providing educational and cultural programs of diversity and excellence. If this legislation is enacted into law as I hope it will be, it will provide the Federal funding for public broadcasting for which we have been striving since enactment of the Public Broadcasting Act in 1967.

I strongly urge the adoption of the bill.

Mr. Chairman, I have a letter from the Honorable JAMES SYMINGTON which I would like placed in the RECORD at this time. My own response thereto follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 10, 1975.

Hon. TORBERT H. MACDONALD,
Chairman, Subcommittee on Communications, House Interstate and Foreign Commerce Committee, Washington, D.C.

DEAR TORBY: I am dictating this letter from Missouri since it has just been brought to my attention that the Public Broadcasting Financing bill, H.R. 6461, is scheduled for consideration on the Floor today. Had I known this important measure would be voted on today, I would have cancelled my previous engagements in order to participate in the debate. As a member of the House Commerce Committee over the past four years, and as a staunch advocate of the development of public broadcasting, I want to convey my full support for the enactment of H.R. 6461.

However, I must express my deep concern about a recent decision by the Board of the Corporation for Public Broadcasting that seems to go against the intent of the Committee which has continually stressed the need for a greater commitment to the development of public radio.

On August 13, 1975, the CPB Board adopted a resolution which seemed to retreat from the current level of support for public radio activities. While I have been assured subsequently that it is the CPB's intent to see that more money is made available to radio, the resolution clearly avoids making a firm commitment. In effect, the Board has said it will not provide radio with the same proportion of funds under the new legislation as that with which it is currently operating.

In light of your interest, and that of Mr. Frey, the ranking minority member of the Subcommittee, in seeing public radio develop, I feel that the CPB may be headed in the wrong direction. Consequently, I seriously considered offering an amendment which would have guaranteed radio a fair share of funds. However, because I did not feel that Congress should interject itself directly into the decisionmaking process at the CPB, I elected not to offer such an amendment with the understanding that you, as Subcommittee Chairman, will review the Board's decision as soon as possible as a part of the oversight process.

With best regards,

Sincerely,

JAMES W. SYMINGTON.

RESPONSE FOR MR. MACDONALD

The gentleman from Missouri has indeed been a friend of public broadcasting, and I appreciate the spirit in which he offers this criticism. I am also concerned about the treatment of public radio by the CPB Board and by the selfishness of PBS which represents the public television stations.

I agree with the gentleman that Congress must preserve the discretion and flexibility of the CPB decisionmaking process, but I can assure him that the Subcommittee will thoroughly examine the status of funding for public radio under the August CPB resolution. We will watch closely to see how funds are distributed once the bill before us today is enacted, as I hope it will be.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentlewoman from New York.

Ms. ABZUG. Mr. Chairman, I concur with the gentleman from Massachusetts. I have been and continue to be a strong supporter of public broadcasting and educational television. At the same time I am extremely concerned about the statements made today, because they are the same statements, and we will probably have a similar debate, to that we had in 1973. At that time, there was testimony in the committee hearings in which minorities and women complained that they were not sufficiently represented either in the management or in the programing of public broadcasting stations.

This is 1975. Hearings were held by the committee again on this matter earlier this year. Reports by the Advisory Committee on Public Broadcasting, by persons interested in public broadcasting by civil rights organizations, and by organizations such as the National Organization for Women—NOW—indicate that we have made practically no progress in the last 2 years.

The continuation of oversight hearings is very important, but we are dealing with a piece of legislation which deals with appropriations. At what point do we make certain that those who receive funds will not continue to violate, if not the letter, then the spirit of the law?

Ostensibly, Mr. Chairman, there will be amendments proposed and perhaps that will solve it, but does the gentleman not think that we should require legislative action in order to make certain that these funds are not used in violation of the rights of a majority of the people in this country?

Testimony at those hearings from the National Organization of Women cited the Corporation for Public Broadcasting's own statistics that the number of its female employees has risen by less than 1 percent since 1973, and that three-quarters of the women employees still earn less than $8,500 annually; in contrast, only 1 out of 8 male employees earns less than $8,500. The Corporation also acknowledges that 90 percent of the jobs paying over $15,000 are held by men. I understand that the 1975 FCC statistics will demonstrate that there has only been a 5-percent increase in female officials and managers of public television stations since 1971.

Testimony was also given at the recent hearings by the Chairman of the Advisory Council of National Organizations to the Corporation for Public Broadcasting which demonstrated the low-employment level that still exists in the case of Latino and native American employees. The advisory council chairman noted that, while steps had been taken to improve the percentage of these minority group employees, less than 2 percent of those hired are in professional and decisionmaking positions. He also stated that a significant effort must still be made to improve minority and women's employment. This argument is buttressed by the 1975 FCC statistics for public TV stations, which demonstrate that minority employment, both in managerial and nonmanagerial positions has increased only from 2 to 5 percent since 1971.

I had noted in the debate in 1973 that only 1 of the 10 members of the board of the Corporation for Public Broadcasting was a woman, and there was inadequate female representation on the governing boards of public television licensees. There is still only one woman on the CPB Board, and a soon-to-be-released study conducted by the National Task Force on Women in Public Broadcasting found that fewer than 20 percent of the members of local licensees' governing boards are women.

This study also found that 90 percent of all public broadcasting employees are white. It is not likely that the viewpoint and ideas of the female and nonwhite population of our country will be given proper exposure and representation when such a small percentage of employees and board members are from these groups.

Hearings had been held before the public broadcasting bill was brought to the floor in 1973, at which these issues were discussed. Hearings have again been held in 1975, at which testimony was heard indicating that the problems are far from solved. There must be continuing congressional oversight in this area, and perhaps legislation as well, to insure that the commitments made at these recent hearings to end the disparity are actually put into effect.

Mr. MACDONALD of Massachusetts. I would like to correct just one statement made by the gentlewoman. Even though I agree with the fact that those problems remain, the situation has improved somewhat. I took up this matter with a number of people during the hearings. I spent about 4 days on that very subject: Why has there not been more done? Why have their promises not been lived up to? They truthfully indicated to me that they had started programs for training and development of minority groups, including women, for the type of positions that the gentlewoman is asking for, but they could not really implement them to any great degree for two reasons.

One reason they gave I could not argue with. It was that with a 1-year funding program, they could not plan ahead, and they never knew how much they were going to be appropriated the next year. This situation, with the help of the Committee on Appropriations, will be partially alieviated because the agreement as worked out is for a 3-year funding bill, not the 5-year set forth in the legislation. So they will have a 3-year lead time now. Since the last time we had debate on public broadcasting here on the floor, both a minority and a woman member have been appointed to the CPB board.

Ms. ABZUG. If the gentleman will yield, yes, but we are familiar with that ploy.

Mr. MACDONALD of Massachusetts. The gentlewoman should not say that no progress has been made, or does she not call that progress?

Ms. ABZUG. I do not, Mr. Chairman.

Mr. MACDONALD of Massachusetts. The lady in question whom I heard testify seemed very qualified to speak on this subject and she was strong in her feelings that not enough had been done. She had

the wholehearted support of our subcommittee; we gave both PBS and CPB a real "raking over," But then they said that the commercial networks and commercial stations, with their much greater purchasing power, and who spend more on making commercials than the Corporation's entire budget, have siphoned off the qualified blacks and women and other minority people, such as Chicanos. This practice has made it exceedingly difficult for the Corporation when they could not offer these trainees a 2-year contract, after they completed their training.

So their promises have been made, I think, in good faith, and I, for one, believe we have to give them a chance to prove it. With the Committee on Appropriations continuing its oversight responsibilities—and they know I will continue my oversight in the Communications Subcommittee—and with the gentlewoman in the background, I might add they know that they had better fulfill some of the things that they have been promising us. To a certain extent they have.

Ms. ABZUG. If the gentleman will yield further, let me make myself clear, Mr. Chairman. I realize the chairman has tried. My criticism is not directed at his effort.

Mr. MACDONALD of Massachusetts. I understand.

Ms. ABZUG. I do appreciate his effort, and I do not want him to misunderstand me. If I appeared strong in my remarks, it had nothing to do with the chairman.

Mr. MACDONALD of Massachusetts. I understand.

Ms. ABZUG. It has to do with the fact that there has been testimony that three-quarters of the women are still earning less than $8,500 annually and that in contrast, only 1 in 8 males earn less than $8,500 annually. Also, the women are not in the managerial positions. That has changed very little since 1971.

Mr. MACDONALD of Massachusetts. There are a great many producers who are women.

Ms. ABZUG. I am only suggesting that to come to the floor with a proposal for public broadcasting accompanied by a statement that they will do better in the future is not appropriate when the fact is that they have thus far done very little.

Mr. MACDONALD of Massachusetts. They have had only 1-year funding legislation. That is my point. They told me they would like to do better, but with year-by-year funding they could not offer the comprehensive program needed to correct the situation. The Corporation needs a sufficient leadtime. The Appropriations Committee has indicated they are going to give them sufficient leadtime.

Ms. ABZUG. What I want to know, Mr. Chairman, is whether there should not be in the substantive committee the responsibility to make a statement or accept an amendment that provisions of title VI and title VII regarding fair employment in the Civil Rights Act are applicable to the funds given to public broadcasting?

Mr. MACDONALD of Massachusetts. The equal employment law is applicable to all interstate businesses, if not all business indeed, so they are already subject to it. As to whether they live up to it, not just to the law, but also to the spirit of it—they have said they will.

Ms. ABZUG. Will the gentleman accept an amendment when we reach that stage which will indicate that, Mr. Chairman?

Mr. MACDONALD of Massachusetts. I have seen the amendment and I have discussed it very briefly with the gentleman from Ohio (Mr. STOKES). I will consider it before we get to the amendment stage.

Ms. ABZUG. I thank the gentleman.

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Massachusetts.

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. CONTE. Mr. Chairman, I congratulate the gentleman in the well for his fine presentation and the colloquy he has had with the gentlewoman from New York.

The very purpose of this legislation is to insulate the Public Broadcasting from pressures from the United States Congress in matters of programing and internal management of that agency and I hope this legislation is passed.

Mr. MACDONALD of Massachusetts. I thank the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I rise in support of the bill to provide long-term financing for the Corporation for Public Broadcasting (H.R. 6461).

Under the Public Broadcasting Act of 1967, the Corporation for Public Broadcasting was designed with four essential purposes in mind: First, assist in the production and procurement of programs for presentation over public radio and television stations; second, assist in the establishment and development of one or more systems of interconnection for such stations; third, assist in the establishment and development of one or more systems of public broadcasting stations; and fourth, act so as to "* * * assure the maximum freedom of noncommercial educational broadcasting systems and stations from interference with or control of program content or other activities."

This fourth function is of prime concern with regard to the bill before us now. Basically, this bill is designed to provide public television "maximum protection * * * from extraneous interference and control," as was the intent of Congress during formation of the original authorizing legislation. The purpose of the bill before us is to insure that the Corporation's public broadcasters first amendment rights shall be shielded from the heat of politics, both executive and legislative.

Further, this bill provides a long-range financing that will enable the corporation to conduct pilot projects and experiments beyond the limits of any fiscal year. (At this time, I should like to review President Ford's comments on this aspect of the bill:

> A recurring question in public broadcasting has been how to reconcile Government funding with the possibility of Government control. On the one hand, if Federal funds are used to support public broadcasting, the Government must be able to evaluate how the funds are spent. To do otherwise would be irresponsible. On the other hand, strict accountability by public broadcasting to the Government can lead to Government direction of programing, which is contrary to the principles of free expression on which our Nation was founded. It is this issue alone which requires that the Congress consider a five-year appropriation for public broadcasting.

As you can see, this bill will not establish a dangerous precedent for any future bills. This bill, as recognized by the President, is unique in that it is so intertwined with the precious protections afforded by the first amendment.

I should like to point out that it was the Carnegie Commission report entitled "Public Television: A Program for Action," 1967, which first envisioned the bill before us today. This Carnegie proposal enjoyed the support of every administration since President Johnson. I think it is now appropriate to point out a section of that report concerning long-range financing:

> The Commission cannot favor the ordinary budgeting and appropriation procedure followed by the Government in providing support from general funds. We believe those procedures are not consonant with the degree of independence essential to public television.

It is clear that the bill before us today is a most essential piece of legislation. In only 8 short years, public broadcasting in the United States has grown from an experiment to one of the most widely accepted and acclaimed public broadcasting operations of its kind.

As a member of the Appropriations Subcommittee on Labor–HEW, I am so pleased to hear of the far-reaching results in public educational television. It is most pleasing to note that parents with a poor command of the English language are improving their own learning skills while viewing the various educational programs such as "Sesame Street" and the "Electric Light Company" with their children.

I should now like to address myself to a procedural problem we are now faced with. As it is drafted, the bill contains a provision providing for appropriations starting with $88 million in fiscal year 1976, increasing to $160 million in fiscal year 1980. The bill containing the appropriation provision was reported out by the Interstate and Foreign Commerce Committee and then referred to the Committee on Appropriations.

It is in this regard that the bill now comes subject to a point of order under rule XXI, clause 5 of the Rules of the House:

> No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations.

It is because of this procedural technicality that the appropriations provision of the bill received an unfavorable report. A review of the Appropriations Committee's report on the bill—Report No. 94-245, part II—makes it clear that the Appropriations Committee would be receptive to a separate multiyear financing request in a regular appropriations bill. It is clear that is where the appropriation for this bill belongs. I was pleased that the Appropriations Subcommittee on Labor-HEW agreed to my amendment to provide a 3-year financing plan instead of 2. I am certain that at the successful completion of the initial 3-year financing plan, the appropriation would be extended to provide for a longer period of time depending on the Corporation's justifications.

Fellow Members, I urge you to recognize the importance of this legislation. Public broadcasting is so entwined with various aspects of fundamental first amendment freedoms that passage of this legislation is necessary to insure that those most precious freedoms go unrestrained.

I urge my colleagues to support this bill.

Thank you, Mr. Chairman.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Iowa (Mr. HARKIN).

Mr. HARKIN. Mr. Chairman, I am sorry I missed the gentleman's presentation because I was called off the floor but I am interested in what there might be in this bill for any future programing on television for the deaf, anything that might be coming up that would be in this bill. Can the gentleman enlighten me on that?

Mr. MACDONALD of Massachusetts. Yes. I am not back at my desk now, but as I recall, the gentleman from Ohio (Mr. BROWN) put in an amendment dealing with education which can be read to include special programing for the deaf. I think that would take care of it.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I thank the gentleman.

Mr. HARKIN. Those would deal with certain things like programs for the handicapped?

Mr. MACDONALD of Massachusetts. Yes.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Florida.

Mr. FREY. Mr. Chairman, I just want to reply to the gentleman. I have been very interested in this over a period of time and got into the hearings. Of course, they did pioneer this in public broadcasting and one of the remarks and promises they made was that they are going to try to do more for the handicapped, not only the handicapped in terms of hearing, but mental capacity.

I think it is very important and one of the real innovations we can get into in public television.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I thank the gentleman.

Mr. FREY. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. DEVINE).

(Mr. DEVINE asked and was given permission to revise and extend his remarks.)

Mr. DEVINE. Mr. Chairman, there has been, from the beginning, less than universal agreement on the concept of public broadcasting. There have been sharp differences among those who approve of public broadcasting as to the proper focus and objectives of such an effort. In addition, there has always been a variety of opinions as to the proper level of effort and the appropriate method of funding that effort. It is, therefore, not a clear-cut issue. One cannot answer the question, "Are you for or against public broadcasting," with a simple yes or no.

The basic differences in approach to this general subject have been there since the very beginning. The Commission which studied the subject and made a comprehensive report to Congress and the Executive, visualized the proposed corporation as the creator and distributor of high quality cultural fare. Others discounted this objective but saw in public broadcasting a long neglected development of radio and TV as a purely educational tool in the form of insrtuctional programing. The development of public broadcasting since the act in 1967 would seem to indicate that the cultural devotees have been winning hands down.

The bill before us today has the virtue of mandating a greater effort in the field of instructional broadcasting. The language is vague, and perhaps it must be. It does, however, tell both the corporation and the stations which receive Federal funds that they must use a "significant portion" of the funds to develop and disseminate instructional programing. Perhaps this will tend to swing the pendulum somewhat away from news roundups and English reruns.

In the matter of funding there have been two major issues which are linked together. How much taxpayers' money can you justify putting into public broadcasting, and how much control should be kept by Congress over such money? It is argued by some that public broadcasting needs long-range financing completely insulated from any hint of pressure or interference by Government if it is to do its thing. There are many who feel that congressional responsibility demands that we keep a corporation which lives largely on tax dollars on a short leash.

The bill before us today presents the first long-range financing plan upon which the administration and the Corporation generally agree. That does not necessarily make it acceptable to many here, including this Member. In the years the Corporation has been in operation it has gone from the first appropriation of $5 million in 1969 to $62.5 million for 1975. This bill would allow a quantum jump to $88 million in 1 year. The administration does not recommend such a large increase although it did approve an increase to $70 million for the next fiscal year. It would also put the funds completely out of the control of Congress over a 5-year period. The only constraint upon the expenditure of the funds would be the sums which could be obtained from the general public and various foundations and corporations for matching at 2.5 to 1.

Although this funding plan found favor in the Interstate and Foreign Commerce Committee, it received less than enthusiastic support in the Appropriations Committee. They proposed, rather, an initial 3-year advanced appropriation and then a yearly look at the fund with control remaining here in Congress. This would give the Corporation that planning time it feels is desirable without giving away the plantation. My personal preference would be yearly appropriations just as we have been doing in former years, but if a change is to be made, the suggestion of the Appropriations Committee is certainly better than the reported bill.

I wonder what would have happened if we had bowed to the pleas for long-range financing in the beginning? The advocates painted a rosy picture of rapid accomplishment and cooperation. As a matter of fact there were many different elements involved in the effort and many differing approaches. For the first few years the Corporation and its satellite corporations were plagued with internal bickering and backbiting. Only because Congress still held the string were they forced to settle these differences and make arrangements which were reasonably fair to all elements. If money had been sitting there to be grabbed by the winner, the feuds would have been fought to the death, and public broadcasting as it exists today might never have emerged. What would prevent a new outbreak of civil war if we relinquish complete control?

With the economy in its present condition and the fiscal affairs of the Government in a precarious state, it seems undesirable to tie up here and now the sum of $634 million in an effort which might very likely need to be pared back along with many other programs, no matter how worthy, in the interests of fiscal salvation. It is not a time we can sensibly make long-term commitments of large chunks of tax money.

I feel that the authorizations should be cut back to those proposed by the administration although this does not concern me nearly as much as losing the Appropriations Committee's ability to keep an eye on them from year to year to adjust the amounts available in the light of other needs and eventualities.

I support the position taken by Appropriations and understand that a point of order will be made against all appropriations language in the bill. I assume it will be upheld. In deleting the appropriations provisions, however, we must not also scuttle the amendment agreed upon by the committee, to which I referred earlier, to increase activity in instructional programing.

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

Mr. DEVINE. I yield to the gentleman from Idaho.

Mr. SYMMS. I thank the gentleman for yielding.

Mr. Chairman, what my concern is—and I think it is very similar to that of the gentleman in the well—are we losing control of which direction the Public Broadcasting Corporation is going with the enactment of this legislation? The gentleman talks about insulating the Public Broadcasting Board. Does that mean that they will have no political pressure as to direction of programing?

Mr. DEVINE. If they have carte blanche control for a 5-year period with $634 million, there will be no rein on them whatsoever.

Mr. SYMMS. Looking through the list of who is on the board, it is obvious that they have a very leftward tilt on the advisory board. Only recently, the other body refused to confirm the nomination of Mr. Coors of Colorado on the basis of his political bias; it was not his personal integrity, that was at issue but that he might give the board a balance that I think we should have.

Certainly, it is a concern that if the Federal Government, that is, the taxpayer is going to have to pay for this, we ought to have at least a nonbiased board. That is certainly a concern that needs to be worried about.

Mr. DEVINE. I think that is very much a legitimate concern, particularly with the great concern about the makeup of the board.

Mr. SYMMS. I thank the gentleman.

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

(Mr. FREY asked and was given permission to revise and extend his remarks.)

Mr. FREY. Mr. Chairman, today as we consider H.R. 6461, we are determining whether or not we shall, for the first time in its history, guarantee public broadcasting a financial base on which to operate with some degree of foresight and security. For the seven years of its existence, the Corporation for Public Broadcasting has had to seek renewal of its authorization six times, seek an appropriation seven times, and operate under continuing resolution funding for 39 of its 84 months. This sort of inherent delays in the budget process that resulted in such unpredictable funding lead the administration to propose the concept of long-range funding contained in this bill.

I think, as the chairman of the committee has pointed out, we have had somewhat of a compromise which will allow our committee and the Appropriations Committee to keep this oversight on public broadcasting, but yet I think the result is going to be some extended financing for the cause of public broadcasting, which they need.

Furthermore, the way this bill is structured, it says to the American public: "If you like public broadcasting and are willing to support it with your money, we will also chip in, but you are going to have to bear the major part of the burden at 2½ to 1 during the first period and then 3 to 1."

I think that is important. Furthermore, for those of us who have stations in our districts, there is a pass-through, starting off with a 40 percent pass-through.

I have been personally involved in attempting to get public broadcasting to become mindful of the obligations to assist people who really need some help, people who, frankly, the commercial stations have not helped a great deal—I guess perhaps because of the cost—to provide some innovations, for instance, for those whose hearing is impaired. This is administered through the public broadcasting service through HEW. Through this service, hard of hearing viewers are able to follow the television soundtrack by viewing captions specially placed in the picture.

Another such service offered by public radio is a reader service for the blind and visually impaired, whereby subchannels of the FM spectrum are used to transmit the reading of newspapers, magazines, and literature.

I think, frankly, this is just the sort of service that can be offered if we look to the people of the country to support public broadcasting.

In addition, there are numerous other features which I think are significant. The bill provides for a separation of funds for television and radio. Too long have funds for public radio lagged behind those available for television. While public television is currently available to roughly 80 percent of the people in the United States, public radio is available to only 62 percent of the people and is not present in 34 of the top 100 population centers.

For many people who are interested in minority problems—and there are many minorities in this country—I think radio provides our best ability to do this, to really shotgun, if you will, various interests in the community and State.

We need more public radio. We are not going to get it unless we can get some stability and unless we can get the matching funds, along with the increased authorization.

To give an example of the benefits of the manner in which public broadcasting is funded, under the recommended ceiling for fiscal year 1976, public television will cost the American citizen 40 cents each. At the same time, Canada will spend $7.70 per capita.

Public broadcasting in this country, I think, really is a bargain. Individual contributions in 1972 amounted to $22 million.

Public television is not everything we want it to be. Public television has a way to go. But it has been good, it has provided new innovations and it has provided some very good programing which we do not necessarily get from the commercial stations.

I believe there are also some problems in terms of both programing and of minority employment, but I think we have the laws basically to do this. We have made some progress. For instance, the total overall women in public broadcasting, the Corporation for Public Broadcasting, is 50.5 percent. And, of course, women provide 39.4 percent of the work force. So we are making some progress in that area.

I might say that at some of the top levels they have not done as well as they should, but they are making progress. While we want minorities of all kinds represented in public broadcasting, I do not think it is up to us in the Congress to tell people what to do and how to do it. We have the first amendment. I think that by exercising the oversight function that the chairman of the committee has exercised and will continue to exercise, we can put the heat on where necessary. Let us give them a chance, let us work with them, and let us keep them going in the proper direction.

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

Mr. FREY. I yield to the gentlewoman.

Mrs. FENWICK. I thank the gentleman for yielding. I would like to associate myself with the gentleman's remarks.

Mr. FREY. I thank the gentlewoman.

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

Mr. FREY. I yield to the gentleman.

Mr. HARKIN. I thank the gentleman for yielding. I would like to associate myself with the gentleman's remarks. I support him wholeheartedly.

I would like to ask the gentleman, first of all, he mentioned the proposal for captioned programs for the deaf in public broadcasting and public television. Will the gentleman advise us as to what is being done right now and perhaps what directions are being given to the corporation to instill in them the desire to go after this, to have more captioned programs for the deaf in this country?

Mr. FREY. During the hearings—and I think the subcommittee basically will agree with me—we pointed out to them that what they were doing was both necessary and a good effort.

But we felt they should look into this and expand on it.

Mr. Chairman, I would say to the gentleman that it is not just in the area of the deaf but, for instance, perhaps in the area of those who are mentally retarded that we should direct our efforts. We should probably include the exceptional child who needs some different kinds of help.

We have an ability in public broadcasting, in public television and public radio, to pinpoint these problems and make advances in these areas. It is my feeling that not enough is being done in this area and not enough emphasis is being placed on these matters.

I did not think I needed to offer an amendment to accomplish this, because I think the message is clear, and I know that the colloquy we are having on the floor right now will appear in the RECORD and will add to the message. I know now how at least one other Member feels, and I know that my committee chairman will join me in saying that not enough has been done in public television and public radio in this respect.

Mr. Chairman, this is an area in which public broadcasting should increase their efforts, and I am one Member who feels that way.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. MACDONALD of Massachusetts.

Mr. Chairman, I would certainly be 100 percent in favor of leaning over a little bit in that direction. Perhaps our fault was in not pinning them down as much as we should to letting us know what is being done right now.

Mr. HARKIN. Mr. Chairman, if the gentleman will yield further, I commend the chairman of the committee and the gentleman in the well for their efforts.

I know the gentleman from Florida (Mr. FREY) is personally involved in the problems of the deaf and the handicapped, and I know of his intense desire to see that this go forward in terms of captioned programing.

I will just ask one more question. In the report on page 26, under "Program Production," it says that the CPB or the Corporation for Public Broadcasting should give more attention to the "development and piloting of programs for women, minorities, and the elderly and near-elderly. These programs should recognize the special educational and public service needs of these groups."

The report does not specifically include the deaf or those with learning disabilities, as the gentleman in the well pointed out.

Mr. FREY. Mr. Chairman, I regret that the report does not include that. I believe the committee hearings do reflect that. If there is any question about this, I believe this colloquy we are having will serve to point it out.

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

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

Mr. FREY. I yield to the gentleman from Louisiana.

Mr. MOORE. Mr. Chairman, back on March 24, 1975, I was invited to attend a reception in the caucus room of the Cannon House Office Building being hosted by the Corporation for Public Broadcasting. I attended that reception to learn more about it.

I found to my dismay that it was the most lavish reception I have ever attended for Members of Congress. I have never before seen that amount and selection of drink and food consumed at any other reception in Washington, D.C. As a result, I was shocked.

I talked to the president of this Corporation and asked him who paid for it. I could not believe that possibly the taxpayers paid for any part of it. I received a letter in return from the Corporation on April 23, 1975, signed by George Linn, assistant to the president, indicating that the reception cost was $9,802.75 or a cost of $12.25 per person. That is $12.25 for every person who attended that reception.

I had received an earlier letter from him on March 25, 1975, when I had first asked for these figures and did not get them, saying that "the purpose of the reception was to make it possible for public radio representatives throughout the United States to meet with their Representatives in Congress at a time hopefully convenient to both."

Mr. Chairman, I want to say to the Members of the House that I will meet with anybody anytime in my office. They do not have to pay $12.25 and invite me to a reception.

I did not see any business being transacted at that reception. What I saw was that a majority of the people there were from the Corporation for Public Broadcasting and were having a good time. That is all I saw. I saw some Congressmen there, and they were having a good time, too. I did not see any business being transacted.

My point is that I object to Federal taxpayers' dollars being paid for a reception like this. I resent using taxpayers' dollars to lavishly entertain Congressmen to lobby them for more tax dollars. I was told by Mr. Linn that it is impossible to say what portion of the moneys were paid by the Federal Government because the Federal contributions go with the private contributions in the general fund of the Corporation, and the reception was paid for out of the general fund of that Corporation.

Mr. Chairman, I simply think that perhaps the committee should do some oversight on this and look into such expenditures as this. I do not think the people know this is going on, nor do I think they would appreciate it if they knew.

In addition, I looked on page 201 of the committee hearings of the Committee on Appropriations on this bill, and I find that they have 17 officials and executives with this organization who are paid $39,504 a year.

There are also 26 professionals and technicians earning over $22,882, both of which seem a goodly sum of money.

I have heard an awful lot of people complaining about salaries like this for persons working on the President of the U.S. staff.

Then let us look at the growth of Federal funding of this organization. The figures are as follows:

For fiscal year 1969, it was only $5 million.

For fiscal year 1970, 1 year later, it tripled to $15 million.

For fiscal year 1972, it more than doubled to $35 million.

For fiscal year 1975, it was $62 million, almost double again.

For fiscal year 1976, $103 million; for fiscal year 1977, $121 million; for fiscal year 1978, $160 million.

Mr. Chairman, I submit that we ought to be looking very closely at where the public tax dollars are doing in this Corporation and at what they are being used for.

I call this to the attention of the committee, the chairman of the committee, the ranking minority member of the committee, and I call it to the attention of the Members of the House.

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

Mr. MOORE. Yes, I yield to the gentleman from South Dakota.

Mr. PRESSLER. Mr. Chairman, I want to identify myself with the remarks of the gentleman in the well, and I commend him on his fine research and statement.

I am in support of this bill, but I think what the gentleman from Louisiana (Mr. MOORE) has pointed out is a criticism of what goes on in Washington.

People usually are not basically opposed to these programs so long as there is not waste in them. I think what he has pointed out is a very useful example, and I commend him for it.

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

Mr. MOORE. Yes, I yield to the gentleman from Florida.

Mr. FREY. Mr. Chairman, I most certainly cannot disagree with the position of the gentleman in the well as to that affair since I was not asked to attend it.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. MACDONALD of Massachusetts. Mr. Chairman, I do not know to whom the gentleman in the well was referring. It is not me because I was not at the affair.

Mr. MOORE. I congratulate the gentleman.

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

Mr. MOORE. Yes, I yield to the gentleman from Ohio.

Mr. CARNEY. Mr. Chairman, I was asked to attend. I was there. I had a good time.

If the gentleman thinks that this was the most elaborate party that has ever been given in Washington, he has not been to many Washington parties.

Mr. MOORE. Mr. Chairman, to answer the gentleman, I am just a small town boy who objects to using taxpayers' money in this outlandish way.

I thank the gentleman.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Pennsylvania.

(Mr. FLOOD asked and was given permission to revise and extend his remarks.)

Mr. FLOOD. Mr. Chairman, down through the years I have been one of the best friends that public broadcasting has had in this House. The Appropriation Subcommittee that I chair has handled the appropriation for the Corporation for Public Broadcasting since it was born in 1969.

The appropriation grew from $5 million in fiscal 1969 to $62 million in fiscal 1975. The 1975 appropriation was virtually the full amount authorized.

The fiscal year 1976 appropriation has not yet been made, since the authorization expired on June 30, 1975. The bill that we are considering today, H.R. 6461, would extend the authorization for 5 additional years, through fiscal year 1980.

I certainly favor a 5-year authorization for the Corporation for Public Broadcasting. However, this bill today goes beyond that. This bill not only authorizes appropriations for 5 years, it actually appropriates the money for 5 years. We on the Appropriations Committee are virtually unanimous in opposing the appropriation language that is contained in this bill.

The bill was reported from the Commerce Committee in May and was sequentially referred to the Appropriations Committee. In July, the Appropriations Committee issued an adverse report on the bill and recommended that it not pass unless the appropriation language were stricken from the bill.

The Appropriations Committee took this action after very careful deliberation, including a lengthy and detailed hearing with representatives of the public broadcasting industry. The public broadcasting people were unable to convince us that they should be exempted from the normal appropriations process. They should be required to compete for Federal dollars right along with everyone else.

We believe that the practice of annual review of appropriations of public funds is one of the most important responsibilities of the Congress, and should not be abandoned, except under most unusual circumstances.

The Appropriations Committee is also very much concerned about the growth of so-called "backdoor" spending programs. The congressional budgetary process is already too fragmented. We should be trying to reestablish control over some of these "uncontrollable" programs, instead of creating new ones.

Accordingly, when the bill is read for amendment, I, on behalf of the Appropriations Committee, will make a point of order against the paragraph in the bill containing appropriations, specifically the language appearing one lines 3 through 25 of page 3. We believe that it violates clause 5 of rule XXI, which prohibits appropriations in an authorization bill.

The Appropriations Committee does recognize, however, that advance appropriations for the Corporation for Public Broadcasting could help to improve the planning and management of public broadcasting. Accordingly, when authoring legislation is enacted, the committee will recommend appropriations for fiscal year 1976, and advance appropriations for fiscal years 1977 and 1978, and would expect that Congress would consider additional advance appropriations in the course of the annual appropriations process each year.

The committee believes that this procedure will help the public broadcasting stations to plan in advance, and, at the same time, will preserve the annual review of the budget which we believe is essential for proper congressional oversight of the expenditure of public funds.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Ohio.

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Chairman, we are at a crucial juncture in the development of our system of noncommercial broadcasting, which used to be called educational broadcasting before it came to be known as public broadcasting. The funding bill before us today holds tremendous potential for achieving the objectives of the Carnegie Report and those created in the 1967 Public Broadcasting Act.

The growth and accomplishment spawned by the 1967 act have been significant. The number of stations has grown phenomenally. Nearly three-fourths of the population of the United States is now reached by public broadcasting. Programing continues to improve and diversify in many areas. Local stations have strengthened their autonomy since PBS and CPB have apparently resolved some basic internal and parochial disputes and have affirmed passthroughs to local licenses; and hopefully local stations are more broadly involved in decisionmaking through the new program cooperative.

With Federal help, many stations have improved their technical facilities significantly. Most stations now have their own video tape recorders which allow them to schedule programing at the local level in response to local viewer needs, and not be totally dependent upon some centralized national format. And, we are now on the verge of seeing radio become a more equal partner in our noncommercial broadcast service. Such progress is consistent with the localism and diversity called for under the Communications Act of 1934 as a means of keeping our licensed media free from undue concentration and control and thereby strengthening first amendment freedoms.

But this progress does not mean there have been no problems.

The act that created the Corporation for Public Broadcasting emphasizes educational and instructional broadcasting throughout its provisions. In fact, the congressional declaration specifies that—

> It is in the public interest to encourage the growth and development of noncommercial radio and TV broadcasting, including the use of media for instructional purposes.

The purposes section of the law explicitly directs CPB "to facilitate the full development of educational broadcasting."

Yet education has been too peripheral a concern in public broadcasting of late, especially in view of the Corporation's legal and public mandate, and the desperate needs in education today. It is for this reason that I have advocated a requirement in this bill that "a significant portion of funds" be used for instructional programing.

It seems as if decisionmakers in public broadcasting have to an increasing degree, not considered education worthy enough of their attention. For example, almost $15 million in community service grants were awarded to 149 eligible licensees in 1974. Ten million dollars of those grants will be for program-related activities. Only 16 percent of this support will be devoted to instructional programing.

The needs of education are staggering. Consider the problem of financing alone. We are spending about $97 billion a year on education, and that cost is rising at the rate of $7 billion a year in spite of declining enrollments. And, as costs rise, funding sources are diminishing. Parents must raise $4,000 to $5,000 a year to send each of their children to private colleges. Basic tuition at public universities has tripled over the last decade. Who will pay the costs? Who can pay the costs?

In elementary and secondary education, not only is financing a challenge, but our techniques of teaching basic skills are often a disaster. A tragic testimonial to this is the public school system in the District of Columbia where half the sixth graders recently failed. Even the nearby and highly affluent Montgomery County, Md., system has its problems. Reportedly, over half the prospective English teachers who applied there flunked a basic high school English test. We all know of the recently publicized declines in the national averages of the high school student aptitude tests—SAT.

Clearly, supplemental means of educating students of all ages must be found and developed. Public broadcasting has the potential to help solve such problems. As PBS pointed out at a 1974 appropriations hearing, a congressional appropriation of $65 million in Federal funds for all activities of CPB during this year amounts to appropriating not more than .04 cent per hour for each household using public television programing. Compare this to our appropriations made directly for trying to improve public education.

Education and broadcasting can consolidate resources in many areas to provide imaginative means for instructional communication. Public broadcasting offers tremendous potential for innovating development of software and its dissemination.

Noncommercial broadcasting can bring basic university courses to the working student. The jobless can learn skills through the media. The semi-skilled can improve their credentials for a better job. The slow learner can benefit from extra instruction the media can provide. The handicapped can receive education heretofore impossible to attain. Minorities can utilize the media to help escape from the stereotypes into which their roles in society have been unfairly cast. Professionals can have the means to keep up-to-date in their fields, as the pace of change accelerates and leaves them buried in the information overload. The extension so effective in agriculture can become live, continuing education in a host of disciplines. Citizens with a natural reluctance to submit to the tensions and formal competition or classroom instruction have a new learning vehicle in the media. And all of us can learn enough to communicate in the specialized language of our neighbor's specialty.

In summary, public broadcasting has achieved substantial progress since its inception in 1967. But that progress is only a preface to the potential impact noncommercial broadcasting can have. especially in the area of educational instruction.

Attainment of the objectives in the legislation before us today can strengthen public broadcasting's ability to realize that potential.

Mr. FREY. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. CARNEY).

(Mr. CARNEY asked and was given permission to revise and extend his remarks.)

Mr. CARNEY. Mr. Chairman, today we are asked to consider an important piece of legislation—H.R. 6461, the Public Broadcasting Financing Act of 1975. This bill is the result of several years of planning, preparation, and hope—the hope that the Congress, in the public interest, will recognize the need for a sufficiently funded public broadcasting system in this country.

Public broadcasting has come a long way since 1967, when the Congress first enacted a program for Federal assistance to the medium. In the past 8 years, public broadcasting has created the machinery of an orderly national system—a decentralized system where the local station has a direct voice in the planning and execution of national program distribution. Public broadcasting has brought to the American people valuable programs on such controversial topics as alcoholism and venereal disease. It has provided the Congress with a national forum—a direct line to the American people—through its coverage of the Watergate and impeachment deliberations, and its several regular public affairs series produced in Washington. It has educated and delighted children through such programs as "Sesame Street," "The Electric Company," and "Mr. Rogers' Neighborhood." It has helped us expand our understanding of the wonders of science through "Nova" and the "Incredible Machine." It has helped us all deal with the travails of a troubled economy in such programs as "Wall Street Week," "Consumer Survival Kit," and "What's Cooking." It has expanded our cultural horizons with "Masterpiece Theatre," "In Performance at Wolf Trap," "Theater in America," "Great Performances," and others. It applauds our national heritage in the Bicentennial era, with "The Adams Chronicles," "Our Story," and "Lowell Thomas Remembers."

The necessity for public broadcasting lies in the fact that none of these vital programs, most likely, would have ever been shown on television had it not been for the existence of this publicly oriented, publicly supported, alternative service. It is not my purpose to downgrade the commercial televisions networks; they do a capable job of delivering programs intended for a mass audience. But nowhere else but on public television can programs be seen that zero in on specific topics that may be of limited interest to the average viewer, but of tremendous importance to specific audience groups.

There is a place on television for both commercial and noncommercial services. But only one of those services needs our assistance if it is to succeed—the service where no commercials are ever found.

Passage of H.R. 6461 would bring a new vitality to public broadcasting. For the first time, the medium would be able to anticipate, plan, and execute innovative programs regularly, programs which require ample time and sufficient financing to produce effectively. H.R. 6461, through its matching formula, would require public broadcasting to seek out additional funding far in excess of its annual Federal appropriations from a variety of sources, thus insuring that the medium remains a truly public entity.

The concept, and the objective, of this legislation make sense to me. Certainly, the concept is not lacking of support among my constituency, the viewers of WNEO, Alliance, Ohio. I have been alerted on numerous occasions to the impressive record of our local public television station, and I am gratified that the past support of the Congress has been instrumental in keeping it alive.

That support must continue. It is our obligation to insure that it does.

Mr. Chairman, I have 10 grandchildren, and I know that when they have started to school that they can do a lot more than their grandfather could when he started school because they know their A B C's and they can count to 100 and they can draw their numbers and print their names and they learned all of that on public television. I think that public broadcasting has done a great deal for all segments of the United States, and I urge that the Members vote for this legislation.

Mr. FREY. Mr. Chairman, I yield 3½ minutes to the gentleman from Colorado (Mr. WIRTH).

(Mr. WIRTH asked and was given permission to revise and extend his remarks.)

Mr. WIRTH. Mr. Chairman, as a member of the Subcommittee on Communications and as one who has long believed in noncommercial, public broadcasting, I urge support of H.R. 6461, the Public Broadcasting Financing Act of 1975, which provides funding through 1980 for the Corporation for Public Broadcasting.

The bill, as reported by the Commerce Committee, makes the amount of Federal funding contingent upon the ability of public broadcasting to generate financial support in the community at large. Under H.R. 6461, the ratio of Federal contributions to non-Federal revenues for fiscal years 1976 through 1978 is $1 for every $2.50 raised from non-Federal sources. In fiscal 1979 and 1980, the ratio goes up to $1 for every $3 raised.

At the same time, a ceiling is put on the amount of the Federal contribution. In fiscal 1976, the authorization and appropriation could not exceed $88 million; in fiscal 1977, 1978, 1979, and 1980, it could not exceed $103 million, $121 million, $140 million, and $160 million, respectively. During the transitional period between fiscal 1976 and 1977, it could not be more than $22 million. This matching-fund formula provides incentives for increased non-Federal funding, while putting a lid on the maximum Federal contribution.

The reason for providing long-range financing is to insulate the Corporation from political pressures during the course of the usual annual budgetary process. In passing the Public Broadcasting Act of 1967, creating the Corporation for Public Broadcasting, Congress emphasized that the work of the Corporation was to be done "in ways that will most effectively assure the maximum freedom from interference with or control of program content or other activities." Long-term financing will insure that public broadcasting will remain free of the sort of political interference and control that Congress expressed concern about at that time. It will also enable the Corporation and local stations to engage in advance program planning, knowing the level of Federal funding that can be expected for the next several years.

Removing public broadcasting from the annual authorizations and appropriations process will not, however, insulate the Corporation from congressional oversight. The chairman of the Subcommittee on Communications has given his assurance that the subcommittee will continue to vigorously pursue its oversight responsibilities. Since the subcommittee completed hearings on H.R. 6461, CPB has made a number of commitments to Congress with respect to developing public radio, providing more minority and womens programing, and hiring and training more minorities and women.

I would like to insert in the RECORD letters from the president and the chairman of the Corporation for Public Broadcasting to the chairman of the Communications Subcommittee outlining these commitments. In my view, these commitments obviate the need for several of the proposed amendments to H.R. 6461. As a member of the Communications Subcommittee, let me assure my colleagues that the Corporation will be held accountable to make good its commitments.

Mr. Chairman, today almost 80 percent of the American public are within signal range of public television and almost 65 percent are within the broadcast area of public radio. Our goal should be to provide quality cultural and educational broadcast programing to every American. H.R. 6461 will put that goal within reach. I urge my colleagues to support the Public Broadcasting Financing Act of 1975, as unanimously reported by the Commerce Committee.

The letters follow:

CORPORATION FOR PUBLIC BROADCASTING,
Washington, D.C., May 22, 1975.

Hon. TORBERT MACDONALD,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Now that your Committee has completed hearings on the long-range funding bill, I thought that their impact upon the Corporation for Public Broadcasting would be of interest to you.

We were impressed with the level of involvement and commitment of the many representatives of the public who participated in the hearings. We believe that this increase in citizen involvement in public broadcasting through the hearings process has contributed to a keener awareness of important issues in the field of public communications.

At its meeting on May 14, the CPB Board took a number of actions that bear on concerns raised at the hearings. More specifically, the Board:

Approved from a previous allocation of $800,000 funding of three black cultural pilots and the funding of one or more series based on these pilots.

Approved production of a new series of programs portraying contemporary women, entitled, "Women Alive". $400,000 had previously been set aside for women's programming.

Received the revised Affirmative Action Plan for the Corporation presented by Man-

agement, which strengthens considerably the existing plan and goes beyond legal requirements.

Received the first of the semi-annual reports from me on progress in the minority area. (A copy of this report—required by an October 23, 1974, Board resolution approving recommendations of a panel dealing with more effective minority programming—is attached.)

Decided to defer a decision on open Board meetings until new members of the Board are confirmed.

Discussed the need for a comprehensive action plan to expand and improve Corporation activities in the areas of minority and women's affairs, and instructed Management to give high priority to preparing such a plan, giving due consideration to budgetary constraints.

Our present thinking is that such a plan should include at least the following:

The size of the staff of the Special Assistant for Minority Affairs would be increased by two persons—from a total of three to a total of five. New staff would consist of one professional and one support position, needed to increase the capabilities of the office commensurate with the additional responsibilities outlined below.

Representatives of the Office of the Special Assistant for Minority Affairs will participate fully in decisions concerning minority programs. They will also review all programs that CPB funds in whole or in part to give their opinion on portrayal of minority interests.

We plan a significant increase in our training budget. If we receive the full 1976 budget request, we would nearly triple these funds—from $250,000 in the current year to nearly $700,000 in FY 1976. The purpose of this program is to upgrade the quality of staffs of local stations, and grants are made usually on a matching basis. Over 75% of this budget will be spent for minority and women's training.

We will transfer responsibility for training activities from the Television section to CPB's Office of Educational Activities and develop it into a full-time, rather than the present part-time, job.

We will try to achieve more effective "clearing house" arrangements that would help bring together qualified minority and women candidates with stations seeking their services.

We are revamping our data collection and dissemination processes. Our existing data are not sufficiently precise or complete in a variety of fields. This is particularly true in the case of program identification and employment. We feel that it is incumbent on the Corporation to be able to provide the Congress and other interested parties more complete and accurate data on what public broadcasting as a whole has accomplished. This is a long-range project, but we will get started forthwith.

We will increase our efforts to aid those desiring to establish new stations in areas where there is insufficient coverage or in areas where specialized types of programming are under-represented. A specific project is the updating of a "How do you get a new station started" pamphlet.

Pending a ruling by the FCC on ascertainment requirements for public broadcasting, we propose to encourage increased station efforts through a project that would make research funds available on a matching basis for ascertainment activities incorporating new ideas and techniques. This will provide experience that should aid both individual stations and the entire system. We would propose to devote some $100,000 to this effort.

Several of the above proposals can start immediately and some are underway, although the extent to which all can be fully implemented will depend on our budget for fiscal year 1976.

I believe that the sum of these steps can make a major impact on the problems raised at the hearings. Furthermore, they are consistent with the Corporation's status as a non-governmental organization and with the fact that decentralization and local options are at the heart of public broadcasting.

We appreciate your understanding and support.

Sincerely,

HENRY LOOMIS.

CORPORATION FOR PUBLIC BROADCASTING,
Washington, D.C., June 10, 1975.

Hon. TORBERT H. MACDONALD,
Chairman, Subcommittee on Communications, Washington, D.C.

DEAR MR. CHAIRMAN: At first glance it may appear presumptuous for me to address to you, one of the Legislative Founding Fathers of Public Broadcasting and one of its most ardent suporters, a few well-accepted premises prior to commenting on the recommendations contained in the Report of the Committee on Interstate and Foreign Commerce. I do so only as a backdrop for my comments.

The Corporation was directed in the Public Broadcasting Act of 1967 to perform in ways that would most effectively assure the maximum freedom of the noncommercial radio, television or local broadcasting systems from interference with or control of program content or other activities.

The Report makes equally clear that the first and primary responsibility for what is telecast and when by a local station is the station itself.

It is of the essence of the principle of insulated financing that the public broadcasting entities be free of program interference from any source. Public broadcasting's obligation is to serve all the people, even if, on occasions, through programs to smaller-targeted audiences—for in the aggregate, rather than by the specific, all or most of the people must be served.

I believe that these premises underly the characterization by the Report of its suggestions as "recommendations" rather than directives to the Corporation. In that spirit I should like to convey some personal observations.

During the course of consideration of H.R. 6461 you and other members of the Congress, as well as community leaders and interested citizens, have raised many questions regarding Public Broadcasting's commitment to the participation of minorities and women in both its operations and its benefits. The questions were pointed; the concerns behind them serious. I believe the record will show that Public Broadcasting's responses were given in good faith and in a complete, candid and detailed form that reflects the importance the public broadcasters attached to the issues raised. Nevertheless, as is so often the case, the best of intentions, even the best-motivated actions, can be subject to misunderstanding or can disappoint those they were intended to satisfy.

The matter of CPB's responsibility in the area of compliance with Federal equal employment opportunity programs by public television and radio stations which receive its assistance, is one of these areas. As a private, nonprofit District of Columbia corporation and pursuant to the Public Broadcasting Act, CPB is not a Government department or agency. (47 U.S.C. 396(b)). Notwithstanding the fact that certain Titles of the Civil Rights Act do not on their terms apply to CPB, the CPB Board has adopted a comprehensive "Policy on Equal Opportunity and CPB Assistance".

An inspection of this Policy Statement (a copy of which will be made part of the record) will demonstrate that it is broader in scope and effect than might otherwise be required by law, but is contractual, rather than regulatory in nature. This is consistent in my judgment with CPB's Congressionally and Constitutionally required status. There is no insensitivity to Federal, state, or local equal opportunity requirements in the Policy Statement. Quite the contrary, the Policy Statement is based upon the determinations as made by courts and law enforcement and regulatory agencies at every level.

Morevorer, the Policy Statement commits CPB promptly to refer all equal opportunity complaints received by it to a government agency with the jurisdiction for any proceedings that may be appropriate, and to cooperate fully with every agency with jurisdiction to inquire into allegedly discriminatory practices of recipients of CPB assistance.

In reviewing the Report, and in discussions with representatives of interest groups and individual citizens since the hearings, I have become convinced that many suggestions for improvement in Public Broadcasting's service to minorities and women deserve the continuing attention of the CPB, and, hopefully, although I should not enter into personal commitments for them, our associates in the Public Broadcasting family—the Public Broadcasting Service, National Public Radio, and the Association of Public Radio Stations. I should like to share my thoughts—indeed, my personal convictions on these matters with your interested colleagues and constituents.

1. In response to many questions raised during the hearings, the Corporation submitted to the Committee a detailed report on its activities relating to minority and women's concerns. I am convinced that the compilation of a report similar to this one, on a regular basis, will not only assist those who have the right to criticize the Corporation's activities in this area, but will provide the Corporation itself with valuable, self-checking mechanism, against which we may measure, on a continuing basis, the way we are meeting our own objectives. Therefore, I have instructed CPB management to prepare such a report, for public distribution, every six months.

2. The accuracy of data concerning the minority and women's activities and programs of public television stations has also been called to question during the hearings. At present, CPB publishes annually, with the financial assistance of the Department of Health, Education and Welfare, a report entitled "Annual Survey of Public Broadcasting". It is the most comprehensive report of public broadcasting activities available. The hearings pointed out many areas in which the Survey could be improved. Example: there is no central bank of information regarding the programs and activities related to minority and women's concerns by and at the 400 independent, local public radio and television stations throughout the country. I have directed that steps be taken in an effort to improve the scope and detail of such reporting for inclusion in the Annual Survey. The Annual Survey is, of course, a public document.

3. Since October 1974, the CPB Board has given special priority to the development of programs to serve special interest audiences, including minorities and women. From FY 1974 to FY 1975, CPB funds for these purposes have doubled. I would expect that this significant upward trend will continue until programs for minorities and women reach a level appropriate to needs of these elements of our society for Public Broadcasting services. Perhaps more important, the CPB Board has recently restated its objectives in the minority program. The Board is committed to develop a pattern of services that has as its objective, "CPB support for the production and distribution of programs in which minority group members are involved in a meaningful way in every stage of the

undertaking, from concept through proposal, through production, and ultimately through distribution".

4. In March 1974, CPB filed its comments in an FCC proceeding regarding ascertainment by public stations of the needs of their communities. In that filing CPB said:

"Non-commercial stations have obligations and opportunities for community service that exceed those of commercial stations. Yet, responsibilities to serve community needs cannot be met until those needs are first identified. * * * Standards of community service must be higher than those for commercial broadcasters, and must be reflected not only in the ascertainment process but also in the quantity and quality of broadcast materials designed to address community needs."

As you know, the FCC has not yet moved to resolve the ascertainment issue. As a further sign of CPB's commitment to an ascertainment process fine-tuned to the responsibility of public broadcasters and the needs of the community they serve, I have written to the Commission, urging their prompt action on ascertainment, and reiterating CPB's position on the matter, as well as our offer to assist local stations that engage in the on-going community dialogues we believe invaluable to ascertaining real community needs and constructing broadcasting services to meet them.

5. There is a good deal of interest in the "opening up" of CPB Board meetings. As I have said during the hearings, this is a matter that requires formal Board action. I am personally sympathetic to the opening of CPB Board meetings to the public, and I intend to make this matter one of the first questions confronted by the CPB Board when its newly nominated Directors take their seats, hopefully in the very near future.

6. The Report on H.R. 6461 recommends that public broadcasting entities strengthen their affirmative action programs to ensure equal employment opportunity for qualified women and minority candidates. I am pleased to report that at its May 1975 meeting the CPB Board adopted a greatly improved affirmative action plan for use in CPB's own job placement decision-making. The plan itself was drafted by persons of diverse ethnic backgrounds, representing all levels of CPB employment. Upon submission of the draft, it received the unanimous endorsement of the Board of Directors.

As a first step in assisting stations to improve their own affirmative action plans, I have directed the CPB's plan be distributed to all of them with an appropriate transmittal letter.

7. The participation of the public in CPB's decision-making has, in my opinion, been greatly enhanced by the creation and growth of the Advisory Council of National Organizations. I fully expect that the healthy trend of greater ACNO participation in the input to CPB decision-making will continue to be expanded. In addition, CPB will continue to use special, ad hoc, advisory committees on special projects. Such committees have already proven especially useful in the area of minority affairs and women's affairs. Much remains to be done in these areas, as you have already noted.

In closing, I wish to tell you how valuable the hearing process itself, and the Commerce Committee's Report, have been in stimulating our thinking and actions. Especially helpful were the Committee's comments on future oversight guidelines, found in pages 24–27 of the Report. I look forward to the oversight hearings provided for in the Public Broadcasting Financing Act, for, in my opinion, the combination of insulated, 5-year funding and regular Congressional oversight reflects an ideal accommodation between the freedom from day-to-day interference in Public Broadcasting's work that is its birthright, and the accountability of CPB and Public Broadcasters to the Congress, and through it, to the people, that is essential if we are to continue to merit the support and confidence of both.

I hope you will find this information helpful. I am certainly prepared to be of any assistance you may require.

Sincerely,

ROBERT S. BENJAMIN,
Chairman.

Mr. MACDONALD of Massachusetts. I yield such time as she may consume to the gentlewoman from Louisiana (Mrs. BOGGS).

(Mrs. BOGGS asked and was given permission to revise and extend her remarks.)

Mrs. BOGGS. Mr. Chairman, I rise in support of H.R. 6461. In 1967, Congress passed the Public Broadcasting Act. The legislation created an orderly system for the Federal assistance of a medium vital to the fulfillment of our Nation's communications objectives. Since that time, public radio and television have succeeded admirably in bringing to the American people an alternative program service of consistent quality, diversity and importance.

As is the case with all economically limited institutions, however, public broadcasting can only do so much. If the medium is to progress; if it is to fulfill its true potential as an independent, enlightening, informative, educational communications service, it must have the support of all Americans.

We, in the Congress, now have the opportunity to help public broadcasting realize that great potential. The passage of the Public Broadcasting Financing Act of 1975, which would guarantee the medium sufficient Federal funding ceilings to match the contributions of citizens and institutions nationwide, must be considered a major priority.

I have long witnessed, and heard numerous favorable reports from my constituents concerning the impressive achievements of our local public television station in New Orleans, WYES. Among them has been an editorial in support of H.R. 6461 published when the legislation was still in Rules Committee in the October 20, 1975, States-Item newspaper which states:

The Public Broadcasting Financing Act of 1975, which would provide a long-term reliable source of revenue for public television, is awaiting action by the Rules Committee of the House of Representatives. The bill is expected to be considered on the House floor soon. It merits the support of Louisiana's congressional delegation.

The bill would provide one federal dollar for every $2.50 raised by local stations such as WYES–TV in New Orleans. But federal funding would not be unlimited. The bill includes a ceiling on the amount the government can contribute each year.

Public television stations have involved community-wide participation in fund-raising, programing and production. To the degree that they do so, they deserve strong, continuous public support.

PUBLIC BROADCASTING BILL

Mr. MICHEL. Mr. Chairman, the Subcommittee on Appropriations on which I serve had a rather extensive hearing on this legislation.

First may I say that I support the principle of compromise that has been arrived at here by way of forward funding for public broadcasting. I thought the initial request of a 5-year authorization and appropriation was far too much, although I might have been willing to settle for it had the authorizing figures been at a lower level as proposed by the administration rather than the higher level provided for in this bill. As a matter of fact, I specifically asked the question of at least one of the witnesses whether he felt it was more important to have long-range funding or the larger amounts, and there was no clear, definitive response.

I will not offer an amendment to lower these authorizing figures. However, I will reserve the right to do so on the specific amounts when we go through the appropriating process.

By way of quick review, the administration proposed $70 million for fiscal year 1976, and the committee raised that figure to $88 million. In the transition period the administration proposed $17.5 million and the committee raised it to $22 million. For fiscal year 1977 the administration proposed $80 million and the committee increased it to $103 million. For fiscal year 1978 the administration proposed $90 million and the committee raised that to $121 million. In fiscal year 1979 the administration proposed $95 million and the committee increased it to $140 million. In fiscal year 1980 the administration proposed $100 million and the committee raised it to $160 million.

This makes an overall difference in this 5-year period of $182 million, from the $452 million proposed by the administration to the $634 million recommended by the committee.

Now, that increase has a decided bearing upon the increased amounts that can be generated from the private sector. At the 2.5-for-1 match rate called for during fiscal years 1976, 1977, and 1978, and the 3-for-1 match rate for fiscal years 1979 and 1980, you have a difference in non-Federal matching monies of between $1.229 billion over the 5-year period under the administration figures and $1.735 billion under the committee figures. We are talking about a significant sum of money here and I just happen to think there would be sufficient amounts in the till for this very fine program if we adhered to the administration's original figures. The following table, Mr. Chairman, probably better illustrates the point we have been attempting to make here verbally. And as I said earlier, my only reservation with the legislation is the funding level proposed.

The table follows:

PUBLIC BROADCASTING FUNDING

[In millions of dollars]

Fiscal year	Administration proposal			H.R. 6461		
	Federal funds	Non-Federal match	Total	Federal funds	Non-Federal match	Total
1976	$70.0	$175	$245	$88	$220.0	$308.0
Transition	17.5	43.75	61.25	22	55.0	77.0
1977	80.0	200	280	103	257.5	360.5
1978	90.0	225	315	121	302.5	423.5
1979	95.0	285	380	140	420.0	560.0
1980	100.0	300	400	160	480.0	640.0
Total	452.5	1,228.75	1,681.25	634	1,735.0	2,369.0

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 6461, the Public Broadcasting Financing Act of 1975. This legislation would authorize long-term financing for the Corporation for Public Broadcasting, which was created by the Congress to encourage and develop networks for the noncommercial broadcasting of public affairs, educational programs and other subjects of public interest and instruction. I feel that long-term funding for public radio and television can be a really helpful boost for these services. They can rely on certain payments from the Federal Government to support their activities in broadcasting with enough assurance to do the kind of forward planning that a truly excellent public broadcasting effort requires. I sincerely believe that the quality of programming that can be found on public radio and television today is the best argument that can be found to take this unprecedented move.

At the same time, I wish to go on record as supporting the gentleman from Pennsylvania (Mr. FLOOD) in his effort to limit the time over which the CPB's appropriation period will extend. Three years can provide enough lead time for public broadcasting planners to produce the kind and quality of programming that we all expect to continue to receive from public television and radio. In fact, this bill authorizes the development and use for public broadcasting of cable television and satellite technology as well.

As a parent, I can testify most appreciably for the excellence in children's broadcasting that the CPB has brought to my family and those of millions of other Americans. As one who looks for the unusual and the rarely discussed side of American political and social life, I applaud the contributions that public broadcasting has made to so many more. All this and much more can be improved upon, however. Public broadcasting can reach more Americans. It can touch us all in other ways. I look forward with great hope to the results of this legislation, for an entire Nation will be the beneficiaries. I urge the passage of this needed revision. The independence and fruitfulness of expression that it can help to ensure we will be a legacy for ages.

Mr. O'NEILL. Mr. Chairman, I rise in strong support of H.R. 6461 as the first step toward long-term Federal financing for the Corporation for Public Broadcasting and for the public radio and TV stations. The bill would authorize funds for 5 years, provided that they are matched with $2.50 by the stations and the corporation—$3 in the last 2 years—of non-Federal funds.

I cannot even begin to tell you how tremendously beneficial public broadcasting can be in a community. But I do know that channel 2 in my area is unquestionably one of the most outstanding educational broadcasting stations in the country. We have had tremendous improvement over the years in the kinds of programs on channel 2 and in the kinds of public support. All our people in the Boston area share in this. It means a great deal to the whole community because these programs are for them.

One important aspect of this bill that is particularly appealing to those of us who live within the channel 2 viewing perimeter, is that at least 40 percent of the funds will go directly to the public broadcasting stations. That is very important. We want them to have strong local programs as well as programs distributed across the whole country. We want them to have these funds locally—under local control.

Mr. Chairman, this is a good bill and I commend Chairman TORBY MACDONALD and the members of his subcommittee for the thoroughness in their consideration of H.R. 6461. I urge all my colleagues to support this important legislative initiative.

Mr. Chairman, I strongly support H.R. 6461, the Public Broadcasting Financing Act of 1975. Since public broadcasting was created, through the Public Broadcasting Act of 1967, it has needed long-range financing, both to insulate it from political pressures and to give it predictability of Federal support for its program offerings. H.R. 6461 provides both, through its 3-year authorizations and its procedures for future authorizations. Moreover, with its match of one Federal dollar for every three non-Federal dollars raised by public broadcasting, it encourages the industry to raise funds from other sources—from corporations, foundations, State and local governments, and individual contributors. The act therefore acts as a catalyst for diversity of funding—a concept which itself promotes public broadcasting's independence.

At the same time, H.R. 6461 requires accountability, by stating that Corporation for Public Broadcasting officials should be available at any time to report to Congress on public broadcasting's activities and progress. This is especially important in terms of public broadcasting's responsiveness to women and minorities, as it strives to meet the needs and interests of people throughout the United States.

As a long-time advocate and supporter of public television and public radio, I take special pride in the alternative programing services offered by local public broadcasting stations to their communities. For instance, in the Commonwealth of Massachusetts, WGBH-TV/FM and WBUR-FM of Boston are acknowledged leaders in the public broadcasting field, because of the financial and listener support they have garnered and because of the nature of the programs they offer. In fact, I am pleased to say that WGBH, a national production center, has made its call letter synonymous with quality programing, and benefits citizens not only of Boston but also of the Nation as a whole.

Mr. Chairman, public broadcasting has been striving for long-range funding for 8 years, a period during which it has sometimes been buffeted by political turmoil and largely been underfinanced. The time has come to give it an opportunity to show what it can do, if insulated and adequately funded. The time has come to fulfill the promises of the Public Broadcasting Act of 1967—by passing the Public Broadcasting Financing Act of 1975.

Mr. ROONEY. Mr. Chairman, public broadcasting has been before the Congress for many years. I have supported it since its inception when I sat on the subcommittee that considered it. I support it now.

I know something about public broadcasting in my district. Public TV Station WLVT is the only television station in the entire Lehigh Valley. It does an excellent job. Under the leadership of Phillip Berman, its chairman, and Sheldon Siegel, its manager, our station brings us everything from local sports and other public events to the best music and drama in the country.

The majority of the people in my district watch WLVT regularly. They contribute to it. Our schools use it extensively—both parochial schools and public schools. It has been a great help to them. I hope every part of the United States can have as fine a public television service as we have in the Lehigh Valley.

The pending legislation—H.R. 6461—the Public Broadcasting Financing Act—will help public television, not only regarding their national programs through the Corporation for Public Broadcasting and the Public Broadcasting Service, but also in helping every local public television station do a better job in its own community by giving it additional Fed-

eral support in dollars and in better programs. I urge its passage.

Mr. STAGGERS. Mr. Chairman, I rise in support of H.R. 6461—the Public Broadcasting Financing Act of 1975. As reported from our committee, the bill provided not only authorizations but also appropriations for the Corporation for Public Broadcasting for the fiscal years 1976 through 1980. This was in accord with recommendations of the administration and the public broadcasting community generally. This has presented some unique problems which I would like to address myself to before discussing the bill itself.

Perhaps the best way to do this would be to sketch the background of the bill.

When the Public Broadcasting Act of 1967, which established the Corporation for Public Broadcasting, was enacted it provided only temporary funding for the Corporation. Almost from the day President Johnson signed the Public Broadcasting Act the problem of financing public broadcasting has been under study. In the fall of 1973 the public broadcasting community reported its recommendations on funding the Corporation. In the main these were adopted in legislation recommended to the Congress by the Nixon administration in 1974. Our committee had no opportunity to consider that legislation last year, and it was resubmitted early this year by the Ford administration.

The principal feature of that legislation was an automatic authorization and appropriation based on the amount of funds received from non-Federal sources for the support of public broadcasting. These automatic authorizations and appropriations would have been provided in the legislation for 5 fiscal years. Underlying the legislation was the philosophy that the spirit of the first amendment requires that public broadcasting, involving as it does the communication of ideas and attitudes, should to the maximum possible extent be insulated from the budget and appropriation processes.

The Subcommittee on Communications under its chairman, Mr. MACDONALD of Massachusetts, held 5 days of intensive hearings on the legislation. It then reported a clean bill to the full committee by a unanimous voice vote. This new bill also adopted the concept of automatic authorizations and appropriations based on non-Federal support of public broadcasting.

The full committee then reported that bill to the House by a unanimous voice vote.

Mr. Chairman, let me make clear as does our committee report on the legislation, that from the beginning our committee has recognized that the appropriations provision in the legislation fall within the jurisdiction of the Appropriations Committee.

Thus, when H.R. 6461 was reported from our committee it was sequentially referred to the Approriations Committee under the the new rules adopted at the beginning of this Congress.

As most Members probably know, Mr. Chairman, the Appropriations Committee adversely reported on the legislation because of the automatic appropriations contained in it. It is my understanding that at the appropriate time when the bill is being considered under the 5-minute procedure the gentleman from Pennsylvania (Mr. FLOOD), the chairman of the Labor-HEW Subcommittee of the Appropriations Committee, will make a point of order against lines 3 through 25 on page 3 of the reported bill. This is the portion of the bill containing the appropriation language. I should note that it contains more than appropriations language to which I will address myself in a moment. But first I would like to inform the Members that we do not intend to contest the point of order.

As I indicated a moment ago, Mr. Chairman, the language which will be stricken by the point of order includes some language, not appropriations language, which must be restored in order to make the legislation workable. In addition, a committee amendment offered by Mr. BROWN of Ohio, a member of the Commerce Committee was adopted in committee to the portion of the bill which will be stricken by the point of order. The amendment is printed in italic type in lines 10 through 14 on page 3 of the reported bill.

It is my understanding that from a parliamentary point of view the most expeditious way of dealing with the situation would be, once the point of order is sustained, to defeat the committee amendment. Immediately after that the gentleman from Massachusetts (Mr. MACDONALD) will offer a technical amendment restoring the necessary, nonappropriation language and the Brown amendment to the bill. I trust that the amendment will be adopted without difficulty since it is entirely technical in nature.

Insofar as the legislation itself is concerned, Mr. Chairman, I shall be brief. As I have already stated the basic concept embodied in the bill is endorsed by the administration and the public broadcasting community generally.

In summary, the bill would:

First. Authorize not more than $634 million for the 5 fiscal years 1976 through 1980 for the Corporation and public broadcasting generally.

Second. Provide that the actual authorization for each fiscal year will be based on non-Federal financial support of public broadcasting, with the authorization for each of the first 3 fiscal years, 1976, 1977, and 1978, based on $1 of authorization for every $2.50 of non-Federal financial support in the second preceding fiscal year and for fiscal years 1979 and 1980 based on $1 of authorization for every $3 of non-Federal financial support in the second preceding fiscal year.

Third. Require that, of the amounts appropriated to the CPB, from 40 to 50 percent be distributed directly to noncommercial educational broadcasting stations for their programing, operation, and maintenance.

Fourth. Require that a significant portion of the funds appropriated to the CPB and distributed to the stations be utilized for the development and dissemination of instructional programing.

Fifth. Authorize the Corporation to engage in the development and use of nonbroadcast communications technologies such as CATV and communications satellites for the distribution and dissemination of educational radio and television programs.

Mr. Chairman, the people of the United States are just beginning to realize the promise of public broadcasting. Today nearly 80 percent of our population are within the range of our 254 public television stations. The 176 full-service public radio stations can be received by nearly 62 percent of the American public.

Public television provided gavel to gavel coverage of our Judiciary Committee's impeachment hearings. Other congressional hearings of major interest are broadcast live by public radio and television, an important service to the American people.

Series such as "Sesame Street," "The Electric Company," "Feeling Good," "Nova," and "Washington Week in Review," inform and educate as they entertain. Two weeks ago a program called "The Incredible Machine" produced through the initiative of the National Geographic Society and vividly describing various organs of the human body and their functioning established new audience records for public broadcasting throughout the country. The American people support public broadcasting, Mr. Chairman, and are being educated and informed by it in growing numbers.

I could go on and on, Mr. Chairman, but in the interest of time I will not. Let me close by stating that I strongly endorse the legislation as I expect it to be changed by the point of order from the Appropriations Committee. I trust that it will be supported by an overwhelming vote of the Members of the House.

Mr. SYMMS. Mr. Chairman, H.R. 6461, public broadcasting financing, establishes a 5-year Federal financing plan for the Corporation for Public Broadcasting—CPB—and assures a reasonable portion of CPB funds for instructional programing. Funding is to be $634 million over a 5-year period, fiscal year 1976–80.

The CPB is the organization to which Joe Coors was nominated to the Board and rejected by the other body. The Board of the CPB is overwhelmingly dominated by those identified with the liberal left. Many of the groups represented on the Advisory Council of the CPB testified against the Coors nomination. The CPB is governed by a Board and an Advisory Council which, for all practical purposes, contain no representative of the limited government free enterprise point of view. Consequently, the criteria for "acceptable" programing by the CPB cannot possibly be anything but biased and is therefore not deserving of taxpayer support.

Mr. ROSTENKOWSKI. Mr. Chairman, public television today is a vital, robust part of America's communications resources.

A glance at the new program schedule

of station WTTW, Channel 11, Chicago television—WTTW Chicago—provides an indication of the kind of responsive, alternative service stations around the country are providing.

For national distribution via the Public Broadcasting Service, WTTW produces such important programs as Book Beat and the popular contemporary music series, Soundstage. But national programing is only a part of the story of public television. WTTW, for instance, this year is offering locally such important services as a 5-hour, live special on the Chicago hearings of the Joint Economic Committee on jobs and prices; a collegiate debate on the future of the Central Intelligence Agency; a documentary on the evolving world of mental health education; an analysis of the new foreign and domestic automobiles; a documentary portrait of artist Jean Monet; a special on the Chicago Film Festival; a pilot series profiling black businessmen; an ongoing Public Newscenter series; and even an educational series for parents illustrating how everyday situations can be used as practical learning experiences.

The level of public acceptance to WTTW and its sister stations continues to grow. As recently reported by WTTW Vice President and General Manager William J. McCarter:

In Chicago, community investment in Chicago public television is reaching record numbers. Viewers in almost 120,000 homes are now viewer/subscribers to the Chicago public television service, up from 21,000 three years ago. We reached many new viewers this year, being selected in more than 1,330,000 homes three years ago.

Obviously, not all public stations can claim records as impressive as this. I would, however, submit that WTTW's dedication to improving its service and making that service available to all segments of the viewing audience is indicative of the commitment characteristic of public television stations nationwide.

Public television needs our continued support. The legislation we are now considering, H.R. 6461—the Public Broadcasting Financing Act of 1975—would provide substantial assistance, long-term security for the medium and the incentive for it to reach out to its viewers even more diligently. I urge its favorable consideration.

Mr. MANN. Mr. Chairman. It is my understanding that the intent of the bill is to increase local stations' flexibility in the use of such Federal funds as they receive. Is it then also the bill's intent to include private, and State and local government contributions for nonbroadcast educational programming—such as cable and closed-circuit systems—in determining the amount of Federal moneys to be distributed by the Corporation for Public Broadcasting to local stations? In other words, would these amounts qualify as non-Federal financial support?

Mr. CEDERBERG. Mr. Chairman, while a lot of the publicity for public television speaks about the childrens' and cultural programs, there is still a lot of "education" left in what many still call "educational television." In Michigan, in cooperation with Michigan State University, the public TV stations will be bringing college credit courses by TV to most of the State's areas. This story in the Alma Record-Leader indicates just how much public or educational TV can do for colleges in Michigan.

The Public Broadcasting Financing Act, which our Appropriations Committee has studied carefully, will give major assistance to this kind of public TV service throughout the Nation. I support this legislation precisely because it can give us this invaluable help to education.

The article referred to follows:

Mr. MANN. Mr. Chairman, it is my understanding that the intent of the bill is to increase local stations' flexibility in the use of such Federal funds as they receive. Is it then also the bill's intent to include private, and State and local government contributions for nonbroadcast educational programming—such as cable and closed circuit systems—in determining the amount of Federal moneys to be distributed by the Corporation for Public Broadcasting to local stations? In other words, would these amounts qualify as non-Federal financial support?

[From the Alma, (Mich.) Record-Leader, Sept. 2, 1975]

MSU WILL OFFER TV COURSES

Most Michigan residents will be able to study college courses in their homes this fall as more public stations, colleges and universities cooperate in instruction via television.

And the students will have more options in their involvement. Michigan State University will introduce a new noncredit choice and the study materials are available in two sets, one to earn credit with two-year colleges or the other for four-year institutions.

Casual viewing of the telecourses, The Ascent of Man and The Classic Theatre: The Humanities in Drama, will be possible almost everywhere in Michigan as they will be carried by eight Public Broadcasting Service stations and many cable systems.

These stations are Michigan State University's WKAR-TV, Central Michigan University's WCMU-TV and its northern lower Michigan satellite WCML-TV-Grand Valley State Colleges' WGVC-TV, Northern Michigan University's WNPB, WTVS in Detroit and WNIT-TV in South Bend, Ind.

Most students desiring college credits can register with a two-year or four-year institution near their homes. If not, they can register with Michigan State University's University of the Air.

MSU offers two noncredit registration options. Anyone can enhance casual viewing of the lessons by registering at $10 per telecourse to receive the course outline and bibliography. This plan also allows them to purchase needed texts from the MSU bookstore, attend class discussion sessions as visitors and take the final examination without evaluation.

Student requests for evaluation of their study without college credit involvement led to the new MSU noncredit cption. Students registering at $25 per telecourse have their examinations graded on a pass-fail basis and can earn two Continuing Education Units for successful completion of a course.

MSU's Continuing Education Service awards the Continuing Education Unit (CEU), a nationally accepted measure for participation in organized continuing education experiences under responsible sponsorship, capable direction and qualified instruction. It also records an individual's CEU accumulations for proof of personal development or professional advancement.

Credit course requirements may vary with the institutions. Registrants with MSU's University of the Air can earn three term credits per course. They must pay off-campus fees, $26.50 per credit, and pass the final examination. Optional instructional contact includes two Saturday morning discussion sessions and telephone conferences with the resident MSU professor.

Viewing the lessons will be eased by the stations repeating segments. WKAR-TV will offer The Ascent of Man 9-10 p.m. Tuesdays starting September 23 with repeats at noon Wednesdays and 10 p.m. Sundays. Its 30 minute previews for The Classic Theatre will be at 6:30 p.m. Wednesdays starting Sept. 24 with repeats at 8:30 p.m. Thursdays and the two-hour play performances will start at 9 p.m. Thursdays and 9 p.m. Saturdays.

The late Dr. Jacob Bronowski based The Ascent of Man telecourse on his best-selling book and served as on camera guide for the lessons tracing mankind's evolution from the scientific-humanist aspect.

Dr. Lawrence Krupka will serve again as the MSU faculty coordinator for this repeat of the course which drew 22,000 registration for some 250 institutions last spring.

The Classic Theatre telecourse for which Dr. Lowell Fiet will be the MSU faculty coordinator was created by the University of California-San Diego. Its 13 plays range from "Macbeth" and "Candide" to "The Playboy of the Western World" and "The Three Sisters."

Mr. LEGGETT. Mr. Chairman, I rise in support of H.R. 6461, which would provide funds for the operation of the Corporation for Public Broadcasting over the next 5 years. As reported by the Commerce Committee, the bill would both authorize and approprite funds for CPB. The inclusion of appropriations in what is essentially an authorization bill has, of course, aroused controversy, and I understand that agreement has been reached to remove from the bill the provisions appropriating funds for CPB.

I believe it is clear to most of us that public broadcasting has come of age and now enjoys a broad base of support among the public. Just a few years ago the situation looked very different. As Hartford N. Guinn, Jr., president of CPB, said when he visited Scramento recently, the pressures mounted by the Nixon administration to control programing and cut funding for the system appeared insurmountable.

Surprising as it may seem, this may be one area in which the Watergate affair actually did us some good. The attacks of Nixon, Agnew, and their Watergate friends put PBS on the map. They made what PBS was doing seem important to the public, and the system was able to pass the gauntlet. CBS President Gunn believes that, if there had been no Watergate, public broadcasting would not have survived as a meaningful entity.

With the system clearly now well established, it is time that we in the Congress exercise the leadership role for which we are elected and put PBS on a sound and continuing financial footing. The way to protect the system from abuses of the sort committed by the Watergate crew is to provide for a long-term mandate and financing which

would enable public broadcasters to function independently of the vicissitudes of partisan politics.

The bill reported by the Commerce Committee would have done just that—providing PBS the independence needed to protect it from political pressures. At the same time, I can understand the concerns being raised by our friend on appropriations. The question is whether public broadcasting is sufficiently unique to warrant different Federal financial arrangements than other activities. I think a good case can be made for that proposition. I can see, however, that a case can also be made for the notion that many Federal activities appear unique, but all should compete in a similar manner for access to Federal funds. Thus I am prepared to accept the scaled down version of the bill which is limited to fund authorization.

I am hopeful that the Committee on Appropriations will, as is indicated in its report on H.R. 6461, proceed to report a 3-year appropriation for PBS promptly on the enactment of this bill. On that [illegible]is I urge my colleagues to support [illegible]e bill as modified.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I have no further requests for time.

Mr. FREY. Mr. Chairman, we have no further requests for time on this side.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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 "Public Broadcasting Financing Act of 1975".

SEC. 2. Subsection 396(k) of the Communications Act of 1934 is amended by inserting, after paragraph (2), the following paragraphs:

"(3) There is hereby established in the Treasury a fund which shall be known as the 'Public Broadcasting Fund,' administered by the Secretary of the Treasury. There are authorized to be appropriated to such fund for each of the fiscal years during the period beginning July 1, 1975, and ending Septem[illegible] 30, 1978, an amount equal to 40 per [illegible]tum of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year second preceding each such fiscal year, for the period July 1, 1976, through September 30, 1976, an amount equal to 10 per centum of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year ending June 30, 1975, and for each of the two fiscal years ending during the period beginning October 1, 1978, and ending September 30, 1980, an amount equal to 33⅓ per centum of the total amount of non-Federal financial support received by public broadcasting entities during the fiscal year second preceding each such fiscal year; except that the amount so appropriated shall not exceed $88,000,000 for the fiscal year ending June 30, 1976; $22,000,000 for the period July 1, 1976, through September 30, 1976; $103,000,000 for the fiscal year ending September 30, 1977; $121,000,000 for the fiscal year ending September 30, 1978; $140,000,000 for the fiscal year ending September 30, 1979; and $160,000,000 for the fiscal year ending September 30, 1980.

"(4) There are hereby appropriated to the Public Broadcasting Fund, out of any moneys in the Treasury not otherwise appropriated, for each of the fiscal years during the period beginning July 1, 1975, and ending September 30, 1980, and for the period July 1, 1976, through September 30, 1976, such amounts as are authorized to be appropriated by paragraph (3) of this subsection, which shall remain available until expended. Such funds shall be used solely for the expenses of the Corporation. The Corporation shall determine the amount of non-Federal financial support received by public broadcasting entities during each of the fiscal years indicated in paragraph (3) of this subsection for the purpose of determining the amount of each authorization, and shall certify such amount to the Secretary of the Treasury. Upon receipt of such certification, the Secretary of the Treasury shall disburse from the Public Broadcasting Fund the amount appropriated to the fund for each of the fiscal years and for the period July 1, 1976, through September 30, 1976, pursuant to the provisions of this subsection.

"(5) The Corporation shall reserve for distribution among the licensees and permittees of noncommercial educational broadcasting stations that are on the air an amount equal to not less than 40 per centum of the funds disbursed to the Corporation from the Public Broadcasting Fund during the period July 1, 1975, through September 30, 1976, and in each fiscal year in which the amount disbursed is $88,000,000 or more, but less than $121,000,000; not less than 45 per centum in each fiscal year in which the amount disbursed is $121,000,000 or more, but less than $160,000,000; and not less than 50 per centum in each fiscal year in which the amount disbursed is $160,000,000.

"(6) The Corporation shall, after consultation with licensees and permittees of noncommercial educational broadcast stations that are on-the-air, establish, and review annually, criteria and conditions regarding the distribution of funds reserved pursuant to paragraph (5) of this subsection, as set forth below:

"(A) The total amount of funds shall be divided into two portions, one to be distributed among radio stations, and one to be distributed among television stations. The Corporation shall make a basic grant from the portion reserved for television stations to each licensee and permittee of a noncommercial educational television station that is on-the-air. The balance of the portion reserved for radio stations shall be distributed to licensees and permittees of such stations in accordance with eligibility criteria that promote the public interest in noncommercial educational broadcasting, and on the basis of a formula designed to—

"(i) provide for the financial need and requirements of stations in relation to the communities and audiences such stations undertake to serve;

"maintain existing, and stimulate new, sources of non-Federal financial support for stations by providing incentives for increases in such support; and

"(iii) assure that each eligible licensee and permittee of a noncommercial educational radio station receives a basic grant.

"(B) No distribution of funds pursuant to this subsection shall exceed, in any fiscal year, one-half of a licensee's or permittee's total non-Federal financial support during the fiscal year second preceding the fiscal year in which such distribution is made.

"(7) Funds distributed pursuant to this subsection may be used at the discretion of stations for purposes related to the provision of educational television and radio programing, including but not limited to the following: producing, acquiring, broadcasting, or otherwise disseminating educational television or radio programs; procuring national or regional program distribution services that make educational television or radio programs available for broadcast or other dissemination at times chosen by stations; acquiring, replacing, and maintaining facilities, and real property used with facilities, for the production, broadcast, or other dissemination of educational television and radio programs; developing and using nonbroadcast communications technologies for educational television or radio programing purposes.".

SEC. 3. Subsection 396(g)(2)(H) of the Communications Act of 1934 is amended by deleting the period after the word "broadcasting" and inserting the following: "and the use of nonbroadcast communications technologies for the dissemination of educational television or radio programs.".

SEC. 4. Subsection 396(1) of the Communications Act of 1934 is amended by inserting at the end thereof the following sentence: "The officers and directors of the Corporation shall be available to testify before appropriate committees of the Congress with respect to such report, the report of any audit made by the Comptroller General pursuant to subsection 396(1), or any other matter which any such committee may determine.".

SEC. 5. Section 397 of the Communications Act of 1934 is amended by inserting, after paragraph (9), the following paragraphs:

"(10 The term 'non-Federal financial support' means the total value of cash and the fair market value of property and services (except for personal services of volunteers) received—

"(A) as gifts, grants, bequests, donations, or other contributions for the construction or operation of noncommercial educational broadcast stations, or for the production, acquisition, distribution, or dissemination of educational television or radio programs, and related activities, from any source other than (i) the United States or any agency or establishment thereof, or (ii) any public broadcasting entity; or

"(B) as gifts, grants, donations, contributions, or payments from any State, any agency or political subdivision of a State, or any educational institution, for the construction or operation of noncommercial educational broadcast stations or for the production, acquisition, distribution or dissemination of educational television or radio programs, or payments in exchange for services or materials respecting the provision of educational or instructional television or radio programs.

"(1) The term 'public broadcasting entity' means the Corporation, any licensee or permittee of a noncommercial educational broadcast station, or any nonprofit institution engaged primarily in the production, acquisition, distribution or dissemination of television and radio programs.".

Mr. MACDONALD of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the bill 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 Massachusetts?

There was no objection.

POINT OF ORDER

Mr. FLOOD. Mr. Chairman, I make a point of order against the paragraph in the bill beginning on line 3 of page 3 and continuing through line 25 of page 3. This paragraph contains appropriations for fiscal years 1976 through 1980.

The Committee on Appropriations believes that this language is clearly in violation of clause 5 of rule XXI, the pertinent portion of which reads as follows:

"No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations . . .".

The Commerce Committee has reported this bill containing appropriations. It is clear, of course, that the Commerce Committee has no jurisdiction to report appropriations.

Under the bill referral procedures adopted by the House last year, the bill was sequentially referred by the Speaker to the Appropriations Committee after it was originally reported from the Commerce Committee. This was done to enable the Appropriations Committee to consider that part of the bill containing appropriations.

The committee considered this bill very carefully and reported it adversely with the recommendation that it do not pass unless the appropriation language is stricken from the bill.

The legislative history of the Committee Reform Amendments of 1974, which established the new bill referral procedure, clearly indicates that the new system was devised to resolve jurisdictional conflicts between legislative committees. The House never intended that the new referral procedure be used to allow legislative committees to report bills containing appropriations, have them referred to the Appropriations Committee for review, and then take them to the floor and pass them. Such a procedure would make a mockery of the normal appropriations process and would render meaningless clause 5 of rule XXI.

Further, Mr. Chairman, last year the Congress passed the Congressional Budget and Impoundment Control Act of 1974. The legislative history of that act makes it abundantly clear that the Congress was attempting to curtail the use of backdoor spending. By backdoor spending, I am referring, of course, to bypassing the appropriations process and appropriating money in a legislative bill.

For these reasons, Mr. Chairman, we believe that the appropriations in this bill are not in order, and that the paragraph containing them must be stricken from the bill. I urge that the point of order be sustained.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. MACDONALD of Massachusetts. Mr. Chairman, I accept the point of order.

The CHAIRMAN. Is there further comment on the point of order? If not, the point of order is conceded and sustained.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 10, after "expended" and before the period insert the following: ", and a significant portion of such funds, including those funds distributed pursuant to paragraph (5) of this subsection, shall be utilized for the development and dissemination of instructional programming."

The committee amendment was rejected.

AMENDMENT OFFERED BY MR. MACDONALD OF MASSACHUSETTS

Mr. MACDONALD of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACDONALD of Massachusetts: On page 3, after line 2, insert the following:

"(4) The funds authorized by this subsection shall be used solely for the expenses of the Corporation. The Corporation shall determine the amount of non-Federal financial support received by public broadcasting entities during each of the fiscal years indicated in paragraph (3) of this subsection for the purpose of determining the amount of each authorization, and shall certify such amount to the Secretary of the Treasury. Upon receipt of such certification, the Secretary of the Treasury shall disburse to the Corporation, from such funds as may be appropriated to the Public Broadcasting Fund, the amount authorized for each of the fiscal years and for the period July 1, 1976, through September 30, 1976, pursuant to the provisions of this subsection. A significant portion of such funds, including those funds distributed pursuant to paragraph (5) of this subsection, shall be utilized for the development and dissemination of instructional programming."

Mr. MACDONALD of Massachusetts. Mr. Chairman, I have nothing to say other than I think it has been thoroughly discussed and I urge adoption of the amendment.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Florida.

Mr. FREY. I thank the gentleman for yielding.

I would just like to say I think it is a good amendment, and one that reflects the compromise. I hope it does the job that is needed to be done.

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

The amendment was agreed to.

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

(Mr. MANN asked and was given permission to revise and extend his remarks.)

Mr. MANN. Mr. Chairman, I should like to direct a question to the chairman of the committee.

Mr. Chairman, it is my understanding that the intent of the bill is to increase local stations' flexibility in the use of such Federal funds as they receive. Is it then also the bill's intent to include private, and State and local government contributions for nonbroadcast educational programing—such as cable and closed-circuit systems—in determining the amount of Federal moneys to be distributed by the Corporation for Public Broadcasting to local stations? In other words, would these amounts qualify as non-Federal financial support?

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. MACDONALD. I thank the gentleman for yielding.

Yes.

Mr. MANN. There has been some question about the present practices of nonbroadcast use. I understand this bill will broaden that so as to make that conform to coverage.

Mr. MACDONALD of Massachusetts. The question the gentleman asked me was would the amounts received from the State for nonbroadcast use for educational purposes qualify as non-Federal financial support, and my answer is "yes."

Mr. MANN. I thank the gentleman.

AMENDMENT OFFERED BY MR. STOKES

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

The Clerk read as follows:

Amendment offered by Mr. STOKES: Page 6, immediately after line 9, insert the following new section: Section 3. Subsection 396 (b) of the Communications Act of 1934 is amended by adding at the end thereof the following: "The Corporation shall be subject to the provisions of Title VI, VII and IX of the Civil Rights Act of 1964, in the same manner and to the same extent as Federal departments and agencies and renumber the succeeding sections accordingly.

Page 6, line 10, strike out "Section 3" and insert in lieu thereof "Section 4".

Page 6, line 15, strike out "Section 4" and insert in lieu thereof "Section 5".

Page 6, line 23, strike out "Section 5" and insert in lieu thereof "Section 6".

Mr. BAUMAN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Maryland reserves a point of order.

The gentleman from Ohio (Mr. STOKES) is recognized for 5 minutes in support of his amendment.

Mr. STOKES. Mr. Chairman, this amendment attempts to correct a very serious loophole in the existing law. The existence of the loophole came out during the course of testimony by the Corporation for Public Broadcasting and specifically by Mr. Loomis who was testifying at that time. I was questioning Mr. Loomis regarding the policies of the Corporation as they relate to equal employment opportunities and employment practices. This was based on the report from the committee chaired by the gentleman from Massachusetts (Mr. MACDONALD), and in talking to Mr. Loomis I cited from the committee report. The report said:

> While a serious effort is being made by most public broadcasting entities with respect to providing equal employment opportunities in professional and policymaking positions for members of minority groups and women, the Committee feels that much more remains to be done and should be done as soon as possible.

During the time that the Chairman of the subcommittee testified before our committee he reiterated the fact that his commtitee spent a great deal of time attempting to question the Public Broadcasting people about their policies in this vein and he had urged them to do much more.

When I questioned Mr. Loomis as to why they were not doing more, we were told at that time that because they are a nonprofit corporation and because they are insulated under the first amendment to the Constitution, the Federal funds which go to his corporation, once they are received by the corporation, are no longer Federal funds and they have no responsibility to comply with title VI of the law.

Let me cite from that section and the

testimony by Mr. Loomis so we know exactly what we are saying.

Mr. STOKES. But are they acquiring Federal funds through you?

Mr. LOOMIS. No, sir.

The purpose of the Corporation being established was so that it could receive appropriated funds. The funds that we distribute legally are considered non-Federal funds. That is the part, the essential part of the insulation of programing from the Federal Government. And as we have stated previously, first the Carnegie Commission and then the Public Broadcasting Act said there were two necessary things for insulation. One was the establishment of a nonprofit private corporation.

The second was the insulated funding. The law only did the first, hence the Corporation is in existence and that is the reason the law specifically states that we are not an agency or establishment of the Government.

Mr. STOKES. But in that same vein if I understand you correctly, as the recipient of Federal funds, once the funds are acquired by you, for purposes thereafter, they are no longer considered to be Federal funds?

Mr. LOOMIS. That is correct.

I brought this to the attention of the gentleman from Massachusetts (Mr. MACDONALD) when he appeared before the committee and he indicated that there was a serious loophole in that law and the loophole ought to be plugged.

I am attempting by this amendment to plug that loophole.

I have never heard of Federal funds once they are Federal funds not being considered as Federal funds once they are received by a corporation. Therefore, the provisions of titles VI, VII, and IX of the Civil Rights Act of 1964 certainly ought to be applied to these funds.

The CHAIRMAN. Does the gentleman from Maryland insist on his point of order?

Mr. BAUMAN. Mr. Chairman, I still reserve my point of order.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MACDONALD) is recognized.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise reluctantly to oppose the amendment. I oppose this amendment for two reasons, one major and one minor.

Mr. Chairman, the minor one is that I never saw the amendment until a few minutes ago, which does not give us very much time to consider it.

I understand the gentleman from Ohio (Mr. STOKES) in this matter and his interest is legitimate. I have reviewed the matter with many people during the hearings and I have received promises in return; however, each time they have asked that I not include such amendments in the legislation that would set a precedent for interfering directly with the decision-making process of public broadcasters.

I understand that title VI to which the gentleman from Ohio (Mr. STOKES), made reference has already been reviewed by the Justice Department and also that title VI is applicable to local stations.

So I feel this is neither the time nor the place for dealing with this important matter. I urge defeat of the amendment.

Before I conclude, I would like to read from a letter sent to me by the Chairman of the Corporation for Public Broadcasting, Mr. Robert S. Benjamin of New York.

He says that as a private, nonprofit District of Columbia corporation and pursuant to the Public Broadcasting Act, CPB is not a Government department or agency (47 U.S. Code 396(b)). Notwithstanding the fact that certain titles in the Civil Rights Act do not on their terms apply to CPB, the CPB Board has adopted a comprehensive "Policy on Equal Opportunity and CPB Assistance."

I would like to point out that the gentlewoman from New York (Ms. ABZUG) gave some figures that I do not believe are correct.

For the year 1974 the total employment of minority groups is 10.7 percent and of women, 28.9 percent.

Among the professional and technical employees, 8.9 percent are minorities and 19 percent are women; 3.3 percent of upper management is comprised, according to this table, of minority people and 6.8 percent of women. Other professional and technical employees include 10.3 percent minority persons and 21.4 percent women.

Among nonprofessional workers, 20.9 percent are minorities and 83.2 percent are women.

The remarks of the gentleman from Ohio (Mr. STOKES) are most worthy of our consideration. He did ask a question and I have answered it in the manner which I indicated.

I have seen in the RECORD what Mr. Loomis said. I happen to disagree with what Mr. Loomis said, and I think it was a very poor statement coming from a witness. But, one witness does not make a bill, and I think he misinterpreted the law and so passed on this misinterpretation to the gentleman from Ohio (Mr. STOKES).

I still urge, however, that this amendment not be adopted at this time.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(On request of Mr. FREY and by unanimous consent Mr. MACDONALD of Massachusetts was allowed to proceed for 2 additional minutes.)

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

Mr. MACDONALD of Massachusetts. I am happy to yield.

Mr. FREY. Mr. Chairman, I would just like to agree with the chairman. I am not certain of the effect of this if it goes through. I wish we had seen its provisions before this. I am sure, however, that we did have 6 days of hearings and this did not come up. We would be delighted to have hearings and we would ask anybody who wishes to appear and look at the full ramifications and total effect of this. This is obviously something that could be quite detrimental or quite helpful, depending upon how it comes out. I am in sympathy with what they are trying to do. I think they might have a way to do this and we could do it and solve some of the problems.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentlewoman from New York.

Ms. ABZUG. Mr. Chairman, were hearings not held on this issue? Was that not the gentleman's statement?

Mr. MACDONALD of Massachusetts. Not directly on this.

Ms. ABZUG. The gentleman had no testimony in his hearings on this question?

Mr. MACDONALD of Massachusetts. It touched upon it.

Ms. ABZUG. Did the gentleman have testimony from organizations representing NOW and minority groups on the question of representation?

Mr. MACDONALD of Massachusetts. To the best of my knowledge no direct testimony was given to our committee on this subject.

Mr. ECKHARDT. Mr. Chairman, I move to strike the last word, and rise to speak in favor of the amendment.

Mr. Chairman, I speak in favor of the amendment, and yet I do not believe that I am in disagreement, except in his final conclusion, with the chairman of the subcommittee. I agree with the chairman of the subcommittee that the act probably now includes the agency under the Civil Rights Act, as the Justice Department seems to say, but it is also true, as the gentleman from Massachusetts has said, that Mr. Loomis probably misspoke in saying that it does not, in answering the question of the gentleman from Ohio (Mr. STOKES).

It seems to me as plain as day that section 6 of the Civil Rights Act applies to any body receiving Federal financial assistance. It states:

No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefit of or be subject to discrimination on any program or activity receiving Federal financial assistance.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from Massachusetts, the distinguished chairman of the subcommittee.

Mr. MACDONALD of Massachusetts. Of course, I agree with that 100 percent. I voted for the ERA and all the civil rights bills. These were important pieces of legislation. That is not the reason for my objection. I have stated my objections.

Mr. ECKHARDT. I understand quite well, and I think I do not really disagree with the chairman. I also have before me a letter to Mr. Thomas G. Gherardi from J. Stanley Pottinger, Attorney General, Civil Rights Division, in which he says:

The Civil Rights Division is of the opinion that Title VI coverage extends to all programs and activities receiving federal financial assistance regardless of the vehicle used to distribute that assistance.

Therefore the Justice Department seems to agree with both of us.

So the Public Broadcasting Corporation may not escape the reach of the Civil Rights Act, by merely stating that it is private in nature and not public,

Yet when the gentleman from Ohio (Mr. STOKES) said to Mr. Loomis:

But in that same vein if I understand you correctly, as the recipient of Federal funds, once the funds are acquired by you, for purposes thereafter, they are no longer considered to be Federal funds?

Mr. Loomis said: "That is correct."

If the head of the agency does not agree with the Justice Department, if he insists he is not covered by language which seems plainly to cover him, I think we ought to say here that he is covered. And that is all I understand the Stokes amendment does.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. MACDONALD of Massachusetts. I thank the gentleman for yielding. Unfortunately, it goes further than that. I have already said that I think Mr. Loomis was incorrect in his statement before the subcommittee. I am not going to say it was untruthful, but it did not reflect the actual state of affairs.

Mr. ECKHARDT. I may be mistaken in my construction as to what the amendment does further than that, but I am not convinced it does anything further than that. I hope it does not go further, and perhaps we may make some legislative history in favor of my construction of it here on the floor.

It is true, of course, that certain grantees also receive Federal funds. But it would seem to me that the grantee is directly covered and directly made responsible to comply with title VI by virtue of existing law. And I would not assume that the Stokes amendment purports to do anything more than to require that the corporation itself be subject to the act, and I would not think that the amendment would require the corporation to assume any greater duty than it now has with respect to funds going to the grantees.

Mr. MACDONALD of Massachusetts. If the gentleman will yield further, I would like to say that the corporation does think it would have to become a supervisor of the licensees under such an agreement. This is their feeling. Otherwise, I think the gentleman from Texas and I agree 100 percent, and everything the gentleman says buttresses my position, frankly.

I just think it is a matter of such importance that it should not be debated before a handful of Members here on the floor of the House, even by the proponents. The place to have it discussed would be before a committee, my committee, the committee that handles this matter.

Mr. ECKHARDT. If the distinguished chairman of the subcommittee will yield back to me, I might say that the agency might be a second time incorrect that it had any additional responsibility with reference to enforcing the right of the grantees.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(On request of Mr. MACDONALD of Massachusetts, and by unanimous consent, Mr. ECKHARDT was allowed to proceed for 1 additional minute.)

Mr. MACDONALD of Massachusetts. If the gentleman will yield further, I would like to say—and I cannot go any further at this point without consultation with other members of the subcommittee—that I personally guarantee that I will hold hearings on this very matter to explore it, in all of its ramifications. We cannot do justice to it here with a handful of Members of the Congress debating something that just came up within the last very few minutes.

Mr. ECKHARDT. May I say, in conclusion, that it seems to me that the responsibility of the grantee stems from the same act as the responsibility of the Corporation itself. It does not seem to me that this amendment, in any way, alters the responsibility of the Public Broadcasting Corporation.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield further?

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

Mr. MACDONALD of Massachusetts. I thank the gentleman for yielding. I fully understand this reasoning, but I would still like to ask why put in an amendment now when we have not had an opportunity to study it more fully?

I have offered to explore this entire issue in front of our committee as soon as I can get the committee together for this purpose.

Mr. ECKHARDT. And I point out that the Corporation does not agree with the Justice Department.

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

Mr. Chairman, I would like to ask the author of the amendment, the gentleman from Ohio (Mr. STOKES) a question.

As I understand it, titles VI, VII, and IX of the Civil Rights Act applies presently under the law to other Federal agencies; is that correct?

Mr. STOKES. Mr. Chairman, if the gentleman will yield, the gentleman is correct.

Mr. ROUSSELOT. What is wrong with having these sections of the civil rights law apply to the public broadcasting corporation? I do not understand why this should not be applied to the PBC.

Mr. STOKES. Mr. Chairman, the best way I can answer the gentleman's question is to make reference to page 184 of the hearings, which shows the conversation between Mr. Loomis and myself in which he said this: that the funds that we distribute legally are considered non-Federal funds. It is his contention that it was set up as a private corporation and by virtue of that, the fact that they received Federal funds, they are not considered to be a Federal agency, and that the Federal law under titles VI, VII and IX would not then apply to them as they relate to Federal funds.

Mr. ROUSSELOT. There are clearly Federal funds in this bill, are there not?

Mr. STOKES. Yes, there are. That is why I went further then and asked the gentleman if he was saying this, and on the same page I asked this:

But in that same vein if I understand you correctly, as the receipt of Federal funds, once the funds are acquired by you, for purposes thereafter, they are no longer considered to be Federal funds?

Mr. Loomis said: "That is correct."

Mr. ROUSSELOT. Mr. Chairman, I think the gentleman's amendment is correct. On the basis that we apply it to one Federal agency or to activities funded by Federal financing. We ought to apply it to all equally.

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

Mr. ROUSSELOT. Mr. Chairman, I think the gentleman's amendment is well considered. It is a fairness amendment, and I think the gentleman is to be complimented for offering it.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentueman from Massachusetts.

Mr. MACDONALD of Massachusetts. Mr. Chairman, the law of the land is the law of the land no matter what a witness says to a Member of Congress. He might state an absolute untruth.

Mr. ROUSSELOT. Mr. Chairman, let me ask the gentleman a question.

Did the gentleman support the 1964 Civil Rights Act?

Mr. MACDONALD of Massachusetts. Yes.

Mr. ROUSSELOT. Does the gentleman support it now?

Mr. MACDONALD of Massachusetts. Yes.

Mr. ROUSSELOT. Then why does the gentleman not accept the amendment?

Mr. MACDONALD of Massachusetts. Because I have already supported it. Why should we do it again?

Mr. ROUSSELOT. Then the gentleman does accept the idea of fairness behind the amendment?

Mr. MACDONALD of Massachusetts. We have also the fact that this amendment takes in some things that the letter from the Department of Justice did not cover, and that, I believe, is mainly title VII and title IX.

Mr. ROUSSELOT. Then basically the gentleman does accept conceptually the amendment offered by the gentleman from Ohio (Mr. STOKES)?

Mr. MACDONALD of Massachusetts. I have said that ad nauseum.

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

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

Ms. ABZUG. Mr. Chairman, I wanted to take a few minutes of time to make a point that I think has not been made very clear thus far. It is true that the amendment offered by the gentleman from Ohio (Mr. STOKES) was not the subject of hearings, but the issue that it covers was the subject of hearings and of a lot of testimony.

It seems clear to me that the sections of the statute that were referred to by the gentleman from Ohio (Mr. STOKES) in his amendment and discussed by the chairman of the committee and by the gentleman from Texas (Mr. ECKHARDT) quite clearly cover this situation, because it is a situation in which we have programs and activities which receive Federal financial assistance.

I believe that the courts in their decisions thus far have held that vehicles

such as the Corporation would be subject to title VI in the distribution of Federal funds. Therefore, what the gentleman from Ohio (Mr. STOKES) is doing is putting existing law into this bill before us, because there has been a laxity on the part of the Corporation in fulfilling its responsibilities in the area of civil rights.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. Yes; I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Would the gentlewoman in the well give us some specifics as to where there is laxity in this bill?

Ms. ABZUG. Yes; I would be glad to.

I appreciate the gentleman's statistics, but the fact is that the gentleman stood in this well and said that we do have representation of women and minorities, even though it is incorporated in 1 person on the Corporation board out of 10.

I do not have to stand here and tell the gentleman from Massachusetts that that is not representation.

Mr. ECKHARDT. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. Yes, I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I think that there is one thing that ought to be clarified here, and that is that this amendment, if the chairman is correct, does not change the law, but it settles what seems to be a dispute in the executive department, the man who is supposed to comply with the law. Does the gentlewoman understand it that way?

Ms. ABZUG. That is exactly right.

Mr. ECKHARDT. Therefore, why do we not tell him that that is the way it is?

Ms. ABZUG. Exactly.

Mr. ECKHARDT. We can do it. If the distinguished gentleman from Massachusetts (Mr. MACDONALD), the chairman of the subcommittee, feels that this has further ramifications, I do not think any of us want to give it any further ramifications. It can certainly be corrected in conference so as to make clear what we are saying.

All we want to do, as I understand it, is to provide that this agency, the public broadcasting agency, conform with the Civil Rights Act, not that it acts for anybody else or does anything else except to use its funds in accordance with the Civil Rights Act. That is all we want, as I understand it.

Ms. ABZUG. That is correct.

Mr. MACDONALD of Massachusetts. Mr. Chairman, would the gentlewoman yield to me again?

Ms. ABZUG. Yes; I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I wanted the gentlewoman from New York (Ms. ABZUG) to yield to me for a correction of mine. I am correcting myself, which she should be happy to hear, and that is to say that at the time of the hearings there was just one lady on the board. Now there are three.

Ms. ABZUG. That is very good.

Mr. MACDONALD of Massachusetts. That is pretty good.

Ms. ABZUG. Mr. Chairman, I do not want to take any further time, since the gentleman corrected his statement.

However, I want to read in the record just for a moment the fact that the statistics show that generally—and this is buttressed, I think, by the FCC statistics for public TV stations—minority employment, for example, both in managerial and nonmanagerial positions, has increased only from 2 to 5 percent since 1972.

I indicated earlier the percentage of women who were working. Since 1973 the number of female employees has risen by less than 1 percent. I also indicated earlier that there is an inequity in the salaries of female employees as opposed to the salaries of male employees.

Mr. Chairman, I will not take any further time.

The CHAIRMAN. Does the gentleman from Maryland (Mr. BAUMAN) insist upon his point of order?

Mr. BAUMAN. No, Mr. Chairman, I do not wish to press it. I withdraw the reservation of a point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. STOKES).

The question was taken; and on a division (demanded by Mr. MACDONALD of Massachusetts) there were—ayes 30, noes 7.

So the amendment was agreed to.

The CHAIRMAN. Are there further amendments? If not, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS, 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. 6461) to amend certain provisions of the Communications Act of 1934 to provide long-term financing for the Corporation for Public Broadcasting and for other purposes, pursuant to House Resolution 852, 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. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 336, nays 26, not voting 71, as follows:

[Roll No. 684]

YEAS—336

Abdnor
Abzug
Adams
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Annunzio
Archer
Armstrong
Ashley
Aspin
AuCoin
Bafalis
Baldus
Barrett
Baucus
Bedell
Bennett
Bergland
Bevill
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bonker
Bowen
Brademas
Breckinridge
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Fla.
Burton, John
Butler
Byron
Carney
Carter
Casey
Cederberg
Clausen, Don H.
Clay
Cochran
Cohen
Collins, Ill.
Conable
Conte
Conyers
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Davis
Delaney
Dellums
Dent
Derrick
Diggs
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Duncan, Tenn.
du Pont
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Evans, Colo.
Evans, Ind.
Evins, Tenn.
Fascell
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Forsythe
Fountain
Frenzel
Frey
Fuqua
Gaydos
Giaimo
Gibbons
Ginn
Goldwater
Gonzalez
Goodling
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hamilton
Hammer-schmidt
Hanley
Hannaford
Harkin
Harris
Harsha
Hastings
Hayes, Ind.
Hays, Ohio
Hébert
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hightower
Hillis
Holtzman
Horton
Howard
Howe
Hubbard
Hughes
Hungate
Hutchinson
Hyde
Jacobs
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Karth
Kasten
Kastenmeier
Kazen
Kemp
Ketchum
Keys
Koch
Krebs
LaFalce
Lagomarsino
Landrum
Latta
Leggett
Lehman
Lent
Levitas
Lloyd, Calif.
Lloyd, Tenn.
Long, Md.
Lott
Lujan
McClory
McDade
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
O'Hara
O'Neill
Passman
Patten, N.J.
Patterson, Calif.
Pepper
Perkins
Pettis
Pickle
Pike
Pressler
Preyer
Price
Pritchard
Quillen
Railsback
Randall
Rees
Regula
Reuss
Rhodes
Richmond
Riegle
Roberts
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Roybal
Runnels
Ruppe
Russo
Ryan
Santini
Sarasin
Sarbanes
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
Staggers
Stanton, J. William

Stanton, James V.	Thornton	Wilson, Bob
Stark	Traxler	Wilson, C. H.
Steed	Treen	Wilson, Tex.
Steelman	Tsongas	Winn
Stephens	Van Deerlin	Wirth
Stokes	Vander Veen	Wolff
Stratton	Vanik	Wright
Stuckey	Vigorito	Wylie
Studds	Waggonner	Yates
Sullivan	Wampler	Yatron
Talcott	Waxman	Young, Alaska
Taylor, Mo.	Weaver	Young, Tex.
Taylor, N.C.	Whalen	Zablocki
Thompson	White	Zeferetti
Thone	Whitehurst	
	Whitten	

NAYS—26

Ashbrook	Crane	McDonald
Bauman	Derwinski	O'Brien
Beard, Tenn.	Devine	Poage
Breaux	Dickinson	Rousselot
Burleson, Tex.	Hansen	Shuster
Burlison, Mo.	Holt	Steiger, Ariz.
Clancy	Ichord	Symms
Collins, Tex.	Kelly	Wiggins
Conlan	Kindness	

NOT VOTING—71

Addabbo	Fary	Mikva
Alexander	Findley	Milford
Andrews, N. Dak.	Ford, Tenn.	Mosher
Badillo	Fraser	Obey
Beard, R.I.	Gilman	Ottinger
Bell	Gradison	Patman, Tex.
Biaggi	Harrington	Pattison, N.Y.
Bolling	Hawkins	Peyser
Brinkley	Hefner	Quie
Brodhead	Hinshaw	Rangel
Burke, Calif.	Holland	Rinaldo
Burke, Mass.	Jarman	Risenhoover
Burton, Phillip	Jeffords	St Germain
Carr	Jordan	Satterfield
Chappell	Krueger	Steiger, Wis.
Chisholm	Litton	Symington
Clawson, Del	Long, La.	Teague
Cleveland	McCloskey	Udall
Danielson	McCollister	Ullman
de la Garza	McCormack	Vander Jagt
Early	McEwen	Walsh
Esch	Mathis	Wydler
Eshleman	Metcalfe	Young, Fla.
	Michel	Young, Ga.

The Clerk announced the following pairs:

Mr. Rangel with Mr. Early.
Mr. Addabbo with Mr. Risenhoover.
Mr. Teague with Mr. Brodhead.
Mr. Patman with Mr. Andrews of North Dakota.
Mr. Chappell with Mr. Cleveland.
Mr. Ottinger with Ms. Jordan.
Mr. Biaggi with Mr. Milford.
Mr. Badillo with Mr. Findley.
Mrs. Chisholm with Mr. Ford of Tennessee.
Mrs. Burke of California with Mr. de la Garza.
Mr. Hawkins with Mr. Carr.
Mr. Symington with Mr. Bell.
Mr. Burke of Massachusetts with Mr. Del Clawson.
Mr. Harrington with Mr. Esch.
Mr. Obey with Mr. Gilman.
Mr. Beard of Rhode Island with Mr. Hefner.
Mr. Young of Georgia with Mr. Gradison.
Mr. Mathis with Mr. Jarman.
Mr. St Germain with Mr. Eshleman.
Mr. Pattison of New York with Mr. McCloskey.
Mr. Ullman with Mr. Hinshaw.
Mr. Udall with Mr. Young of Florida.
Mr. Metcalfe with Mr. Mikva.
Mr. Danielson with McCollister.
Mr. Litton with Mr. Jeffords.
Mr. Brinkley with Mr. Mosher.
Mr. Satterfield with Mr. McEwen.
Mr. Long of Louisiana with Mr. Rinaldo.
Mr. Fary with Mr. Wydler.
Mr. Fraser with Mr. Peyser.
Mr. Alexander with Mr. Vander Jagt.
Mr. Holland with Mr. Quie.
Mr. Krueger with Mr. Walsh.
Mr. McCormack with Mr. Phillip Burton.

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. MACDONALD of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the bill (H.R. 6461) just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. BURKE of Massachusetts. Madam Speaker, during rollcall 684 I was in the House Physician's office. Had I been present I would have voted "yea."

HOUSE MEMBERS PAY TRIBUTE TO SECRETARY OF DEFENSE JAMES R. SCHLESINGER; A JOB WELL DONE

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

Mr. BAUMAN. Mr. Speaker, today James R. Schlesinger will end his distinguished career as Secretary of Defense. In ceremonies at the Pentagon he will be paid full honors appropriate for such occasions. I personally regret that Secretary Schlesinger has been asked to leave his post and I am fearful of what this portends for our future national defense policies. While I acknowledge that any President of the United States has the full right to nominate his Cabinet officers, that does not alter the regret I and many others in Congress feel at Secretary Schlesinger's leaving.

The press, in its analysis of the President's actions speculated that the Secretary's relationship with the Congress may have been one of the problems. If that is so, it is not reflected in the response I received to a letter circulated on the floor last Thursday.

The letter, addressed to Secretary Schlesinger, follows together with the names of 108 Members of the House who signed the letter.

I would note that the signers included 42 Democrats and 66 Republicans, 108 Members in all, among them the majority leader, Mr. O'NEILL, and both the chairman and ranking minority member of the House Committee on Armed Services, as well as many of its members. This is truly a bipartisan demonstration of the respect this Congress has for Mr. Schlesinger and his service to America.

The letter and signatures follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., November 6, 1975.

Hon. JAMES R. SCHLESINGER,
Secretary, Department of Defense, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: We the undersigned Members of the House of Representatives wish to express to you our sincere regret and distress that you are resigning your post as Secretary of Defense. We fully recognize the right of any President to choose the members of his Cabinet but that recognition in no way detracts from our belief that you should have continued in your present post.

Each of us, and all of us, express our admiration for the truly excellent manner in which you have served the United States and its people. While we naturally may not have agreed in every respect with your views, nevertheless we fully support your view that this nation's overall defense capability should and must be at all times superior to that of any prospective aggressor. We also maintain a healthy skepticism regarding the so-called benefits of détente, which we know you share.

We wish you Godspeed in all that you may do in the future and again, it is with the greatest regret that we view your departure from a job well done.

Sincerely,

LIST OF SIGNATURES ON LETTER TO SECRETARY JAMES R. SCHLESINGER, NOVEMBER 6, 1975

REPUBLICANS

Robert E. Bauman, Maryland.
Marjorie S. Holt, Maryland.
John M. Ashbrook, Ohio.
Jack Kemp, New York.
James F. Hastings, New York.
Tom Hagedorn, Minnesota.
Albert H. Quie, Minnesota.
Henry J. Hyde, Illinois.
Steve Symms, Idaho.
Sam Steiger, Arizona.
Tennyson Guyer, Ohio.
Carlos J. Moorhead, California.
Charles E. Grassley, Iowa.
George Hansen, Idaho.
W. Henson Moore, Louisiana.
Edward Derwinski, Illinois.
James Abdnor, South Dakota.
Richard T. Schulze, Pennsylvania.
Philip M. Crane, Illinois.
William C. Wampler, Virginia.
Edward Hutchinson, Michigan.
Robert J. Lagomarsino, California.
Gene Taylor, Missouri.
William L. Dickinson, Alabama.
Robin Beard, Tennessee.
John H. Rousselot, California.
Del Clawson, California.
William M. Ketchum, California.
Benjamin A. Gilman, New York.
J. Kenneth Robinson, Virginia.
Barry M. Goldwater, Jr., California.
Clair W. Burgener, California.
Bill Young, Florida.
Burt L. Talcott, California.
Bill Archer, Texas.
William F. Goodling, Pennsylvania.
James M. Collins, Texas.
James G. Martin, North Carolina.
George M. O'Brien, Illinois.
Tim Lee Carter, Kentucky.
Trent Lott, Mississippi.
David C. Treen, Louisiana.
James H. Quillen, Tennessee.
Delbert L. Latta, Ohio.
G. William Whitehurst, Virginia.
Robert W. Daniel, Jr., Virginia.
John B. Conlan, Arizona.
Jack Edwards, Alabama.
Floyd Spence, South Carolina.
Norman F. Lent, New York.
H. John Heinz, III, Pennsylvania.
Silvio O. Conte, Massachusetts.
Manuel Lujan, New Mexico.
Keith G. Sebelius, Kansas.
Charles Thone, Nebraska.
John Paul Hammerschmidt, Arkansas.
Bob Wilson, California.
L. A. Skip Bafalis, Florida.
J. Herbert Burke, Florida.
Hamilton Fish, New York.
John K. McCollister, Nebraska.
Mark Andrews, North Dakota.
Alan Steelman, Texas.
Shirley Pettis, California.
Paul Findley, Illinois.

DEMOCRATS

Mendel J. Davis, South Carolina.
Marty Russo, Illinois.
Richard H. Ichord, Missouri.