

pervious sub-strata of Polecat Bench dips to the north and away from the balance of the existing project.

We appreciate the fact that this committee chose to make a field investigation on its own and that the integrity of Congress will not be unduly influenced by arbitrary recommendations of judgment agencies which do not fully recognize all of the benefits of irrigation and the importance of the Polecat Bench unit to Wyoming's agricultural economy. The establishment of 80 new farm units cannot be measured in terms of dollars expenditure alone but must also consider the impact on rural America, the sociological strengths, the stabilization of local economy in increased goods and services, recreation, municipal water supply, enlargement of local, State and Federal tax bases, and other tangible benefits as well as intangible benefits.

The area of Park County supports the development of Polecat Bench. We do know that a limited number of individuals, because of normal human frailties, are not in favor of development. No one can guarantee individual success without the individual's own efforts, but someone in the course of human events, has to have faith in the future.

Mr. Speaker, I rise in strong support of H.R. 10537, which in part authorizes the construction, operation, and maintenance of the Polecat Bench area of the Missouri River Basin program, located in northwest Wyoming near the city of Powell.

The development of this project would culminate a dream of Buffalo Bill Cody and John Wesley Powell first envisioned over 75 years ago. In 1898, Buffalo Bill secured from the State of Wyoming water development priority for virtually all of the lands east of the confluence of the north and south forks of the Shoshone River. Bill Cody's vision was later to become the rationale for the Newlands Act and its instrument, the Bureau of Reclamation. The Bureau's first project was made possible when Cody surrendered to it his development priority with the proviso that the Federal Government complete what is now known as Buffalo Bill Dam and Reservoir, near Cody, Wyo., and proceed with the irrigation program it would make possible.

This program has provided some of the most productive irrigable land in all the West. With the development of the Polecat Bench unit, a planned but uncompleted portion of the Buffalo Bill/Shoshone River program, the full potential of this early vision would finally be realized.

The objective of this authorization is to provide irrigation water to bring into intensive agricultural production new lands. The proposal would convert 19,200 acres of semiarid range land into 80 high-quality, irrigated farm units, by far the most desirable irrigation project waiting to be approved.

More than 13,000 acres of the proposed 19,200-acre project are classified as class I lands. Water is available from the existing storage provided by Buffalo Bill Reservoir. The water would be delivered part of the distance through the existing Shoshone Canyon Conduit and Heart Mountain Canal. The private landowners on the proposed Polecat Bench project have formed an irrigation district and are ready to carry out their purposes and administrative responsibilities to get this project underway. Local cooperation is

also evidenced by the owners of large land holdings within the project area by their indicated willingness to dispose of their property to accommodate present reclamation law.

Additionally the nearby town of Powell is seeking additional sources of municipal water. Holden Reservoir could meet those needs through gravity flow pipeline at a considerable savings over other water supply alternatives for the community. This bill would authorize water use for municipal and industrial purposes such as this.

Mr. Speaker, as the years have passed, the demand for food production has increased, the land available for intensive farming has decreased, and the desire for water—our most scarce resource in Wyoming—for other than agricultural purposes has intensified. Our rural areas today are facing the land use conflicts and resource allocation controversies that urban areas have long known. Faced with these demands and these conflicts, when such an opportunity develops, and brings forth with it the demonstrable benefits that this project will bring, it is imperative that we act to bring it to fruition. To fail to do so would be an irreparable injustice.

Mr. Speaker, it is time to move ahead with the authorization for the development of Polecat Bench. The result of doing so can only be a meaningful contribution to rural America and its people. It is my sincere hope that my colleagues and friends here in this body will join with me in granting our approval of this long overdue project.

Mr. Speaker, I ask unanimous consent that the letter from the new owners of the Two Dot Ranch, Mr. R. H. Hadley, might be a part of my remarks in that it will show the cooperation of the owners to let this land be acquired at dry-land values or fair values, rather than to seek any windfall profit.

The SPEAKER pro tempore (Mr. McFALL) Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The letter is as follows:

TWO DOT RANCH,

Cody, Wyoming, January 8, 1976.

HON. TENO RONCALIO
House of Representatives
Washington, D.C.

DEAR MR. RONCALIO: As the new owners of the Two Dot Ranch, we felt it desirable to transmit our views to you concerning the Polecat Bench Project.

A December meeting of the various agencies involved, provided our first information of the various ramifications of the project.

The following significant facts were presented:

1. Although the Cost/Benefit ratio is close, Wyoming had a large credit from downstream Missouri Basin power generation which could only be utilized in a development of this nature.
2. Approximately 80 families could be provided farms in this project with the resulting benefits to the community through production, taxes, and supporting industry.
3. The water is available from early filings and the soil and topography is excellent.

It is apparent that the project will benefit this area and is a logical progression in higher use of land and water.

We will cooperate to the fullest extent of our resources.

It should be established that I am a bonafide cattle producer and for 25 years have been engaged solely in this occupation with no other source of income. The Two Dot Ranch was purchased as an operating cattle ranch to be operated as such; and no subdivision or capital appreciated through resale was considered.

Our primary concern will be to preserve the operating integrity and basic balance of the ranch after removal of the land involved in the Polecat Bench Project.

We do not have the financing to develop this land ourselves, and it would be more desirable to have it in uniform public ownership to prevent unnecessary speculation. This would keep the cost to the ultimate man on the soil as low as possible and simplify financing.

To prevent erosion of capital thru taxes we would prefer either exchange or friendly condemnation to put our land in public ownership. These mechanical matters can be readily worked out if the Project is funded.

Sincerely yours,

R. H. HADLEY, *Manager*.

Mr. RONCALIO. In conclusion, Mr. Speaker, this project, the one in Wyoming I address myself to and its three companion projects, I think have been long overdue and I urge that my colleagues vote aye on these and I know my colleagues from North Dakota and South Dakota and Oregon will add their remarks to mine to insure the legislation is desired and should pass the House.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. ABDNOR).

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

Mr. ABDNOR. Mr. Speaker, I rise in support of H.R. 10537 and would like to discuss briefly with my colleagues the merits of title IV, which authorizes the Pollock-Herred Unit of the Pick-Sloan Missouri River Basin program.

As a few of my colleagues will recall, it was over 30 years ago when Congress authorized the Pick-Sloan plan. The plan cost the State of South Dakota over one-half million acres inundated by the reservoirs which have been constructed.

Even so, the people of my State have supported these developments because they also provided the promise of irrigation as well as hydropower, recreation, fish and wildlife enhancement, and other benefits.

The 15,000-acre Pollock-Herred Unit is not large by national standards, but it is extremely important to the economy and, more importantly, the people of the project area.

The residents of the small community of Pollock, for instance, had to move their entire town to make way for the reservoir, but they did so cheerfully with hope and anticipation of the benefits irrigation would bring to their community.

The farmers who organized the irrigation district have grown weary through the years of waiting for delivery of the precious and long-promised water. Men of lesser character might have given up in despair at having to watch their crops wither in drought over the years.

Our favorable consideration of H.R. 10537 in honor of a longstanding Federal commitment is the very least these fine

folks deserve for their patience and diligence. And, as noted by the committee, the project's benefits to the Nation will far outweigh its costs.

I urge my colleagues to vote for enactment of H.R. 10537.

Mrs. SMITH of Nebraska. Mr. Speaker, I yield such time as he may require to the gentleman from North Dakota (Mr. ANDREWS).

(Mr. ANDREWS of North Dakota asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS of North Dakota. Mr. Speaker, I appreciate the gentlewoman yielding to me.

I want to commend the subcommittee for its great work in meeting the needs of these communities. I want to talk specifically about the problem of the city of Dickinson, N. Dak. It is the largest city in southwestern North Dakota, and has had severe water supply problems since the 1960's. In 1961, it had to ration water to curtail the available water supply to priority needs. Our limited rainfall, 8 to 16 inches annually, further compounds the water problem in this area and only the avoidance of a severe drought has kept the situation manageable.

The development of our agricultural and other natural resources in this area has caused the city of Dickinson to grow from approximately 3,700 people in 1910 to over 12,000 in 1970. In fact, between 1960 and 1970, Dickinson was one of the fastest growing cities in the State. By 1985, Dickinson expects a 40-percent population increase, and 50 years from now studies indicate that its population will nearly triple because of the development of the energy resources in that area.

The primary reason, of course, for the growth potential is the lignite coal resources surrounding Dickinson. Just within 15 miles radius of the city, there are an estimated 800 million strippable tons of lignite alone.

I salute the chairman of the subcommittee, the gentleman from California (Mr. JOHNSON) for pointing out that these dams were built with faulty spillways and the protection simply is not there if we have a real splasher, which we occasionally get in the upper Midwest. If we had that type of rainfall the runoff could go over the top of that dam, it could give way, threatening the fastest growing city in the State and a key city in the development of the energy needs to serve this Nation.

For this reason, this legislation is very much needed. I commend it to my colleagues for their favorable support, and again I want to thank the subcommittee again for doing a great job in serving the needs of these areas.

Mr. HECHLER of West Virginia. Mr. Speaker, as I listened to the President's address last evening, I was struck by the numerous admonitions which he made to warn the Congress and the country against unnecessary spending.

On prior occasions, I have raised the question of why it is necessary to confine all of these reclamation projects to Western States. West Virginia qualifies by its name, yet can never be eligible under

current law for a single reclamation project under this authority.

However, there are more serious reasons for my objection to the pending legislation. I have read very carefully the reports of the Department of the Interior on the four projects, the total cost of which is \$77.3 million. I call attention to the fact that on page 11 of the committee report, a letter from Assistant Secretary of the Interior Jack Horton states with respect to title I that—

The project does not meet the test of economic feasibility based on the national economic efficiency criteria applied to all other water projects.

Assistant Secretary of the Interior John Kyle, by letter of October 2, 1975, is quoted on page 12 of the committee report with respect to title II:

The bill is premature for the following reasons:

1. The feasibility report on the modifications for increased capacity is not yet final and has not yet been approved by the Department, the Administration or the Congress; action on the bill now would therefore serve to circumvent and short-circuit proper consideration of the report as well as the legislative procedures normally followed for a project of this type, pursuant to authorization of a feasibility study.

2. The report on the safety feature of the dam has not been approved by the Department, nor has the Administration or the Congress had time to consider it. . . .

3. The proposed modifications are not of such urgency that further consideration of the issues for a period amounting to a matter of weeks would be a serious or unwarranted delay.

With respect to title III of the pending legislation, page 15 of the committee report contains a letter from Assistant Secretary of the Interior John Kyl, dated October 29, 1975, stating "the administration has advised that it considers the project unnecessary."

And commenting on title IV of the pending bill, the committee report includes on page 17 a letter dated October 29, 1975, from Assistant Secretary of the Interior John Kyl, stating:

We have reviewed the proposed legislation and recommend that consideration of it be deferred until a feasibility report on the unit is currently reevaluated.

Mr. Speaker, I heard the gentleman from California (Mr. DON CLAUSEN) analyzing these departmental conclusions and I believe he stated that the responsible vote of responsible Members of Congress was to support and vote for this bill. Does this then mean that these careful analyses by the administration must be dismissed as "irresponsible"? Congress must exercise a measure of responsibility in following the customary procedures on legislation. I shall call for a vote on the pending legislation because I am disturbed by the adverse reports on these projects.

Mrs. SMITH of Nebraska. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion offered by the gentleman from California (Mr. JOHNSON) that the House suspend the rules and pass the bill H.R. 10537.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to the provisions of clause 3(b) of rule XXVII and the prior announcement of the Chair, further proceedings on this motion will be postponed.

Does the gentleman from West Virginia withdraw his point of order that there is no quorum?

Mr. HECHLER of West Virginia. Mr. Speaker, I do so withdraw said point of order.

EDUCATIONAL BROADCASTING FACILITIES AND TELECOMMUNICATIONS DEMONSTRATION ACT OF 1976

Mr. MACDONALD of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9630) to extend the educational broadcasting facilities program and to provide authority for the support of demonstrations in telecommunications technologies for the distribution of health, education, and social service information, and for other purposes, as amended.

The Clerk read as follows:

H.R. 9630

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 "Educational Broadcasting Facilities and Telecommunications Demonstration Act of 1976."

PURPOSE

SEC. 2. (a) Part IV of title III of the Communications Act of 1934 is amended by striking out the heading of such part and inserting in lieu thereof "ASSISTANCE FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES; TELECOMMUNICATIONS DEMONSTRATIONS; CORPORATION FOR PUBLIC BROADCASTING".

(b) Subpart A of such part is amended by striking out the heading of such subpart and inserting in lieu thereof "ASSISTANCE FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES AND TELECOMMUNICATIONS DEMONSTRATIONS".

(c) Section 390 of such Act is amended to read as follows:

"DECLARATION OF PURPOSE

"SEC. 390. The purposes of this subpart are (1) to assist (through matching grants) in the construction of noncommercial educational television or radio broadcasting facilities, and (2) to demonstrate (through grants or contracts) the use of telecommunications technologies for the distribution and dissemination of health, education, and other public or social service information."

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. Section 391 of the Communications Act of 1934 is amended to read as follows:

"SEC. 391. There are authorized to be appropriated \$7,500,000 for the period July 1, 1976, through September 30, 1976, and \$30,000,000 for the fiscal year ending September 30, 1977, to assist (through matching grants) in the construction of noncommercial educational television or radio broadcasting facilities as provided in this subpart. Sums appropriated under this section for any fiscal year or period shall remain available for payment of grants for projects for which applications approved under section 392 have been submitted under such section within

one year after the last day of such fiscal year or period."

CRITERIA FOR BROADCAST FACILITIES
CONSTRUCTION

SEC. 4. (a) Section 392(a) (1) of the Communications Act of 1934 is amended by striking out clause (C) and inserting in lieu thereof "(C) a public or private nonprofit college or university,".

(b) Section 392(d) of such Act is amended to read as follows:

"(d) (1) The Secretary shall base his determinations of whether to approve applications for television grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (A) a strengthening of the capability of existing noncommercial educational television stations to provide local services; (B) the adaptation of existing noncommercial educational television facilities to broaden educational uses; and (C) extension of noncommercial educational television services, with due consideration to equitable geographic coverage throughout the United States.

"(2) The Secretary shall base his determination of whether to approve applications for radio grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (A) extension of noncommercial educational radio services with due consideration to equitable geographic coverage throughout the United States; (B) a strengthening of the capability of existing noncommercial educational radio stations to provide local service; and (C) the provision of multiple radio stations in major population centers to broaden services for special interest, minority, and educational uses."

COORDINATION

SEC. 5. Section 395 of the Communications Act of 1934 is amended to read as follows:

"COORDINATION WITH THE COMMISSION AND
THE CORPORATION

"Sec. 395. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this subpart as may be requested by the Secretary. The Secretary shall provide for close coordination with the Federal Communications Commission in the administration of his functions under this subpart which are of interest to or affect the functions of the Commission. The Secretary shall provide for close coordination with the Corporation for Public Broadcasting in the administration of his functions under this subpart which are of interest to or affect the functions of the Corporation."

CONSTRUCTION

SEC. 6. Section 397(2) of the Communications Act of 1934 is amended to read as follows:

"(2) The term 'construction', as applied to educational television broadcasting facilities or educational radio broadcasting facilities, means the acquisition and installation of transmission and reception apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, video recording equipment, nonvideo recording equipment, radio subcarrier receivers, and satellite transceivers) necessary for television broadcasting or radio broadcasting, as the case may be, including apparatus which may incidentally be used for transmitting closed circuit television or radio programs, but such terms does not include the construction or repair of structures to house such apparatus. In the case of apparatus, the acquisition and installation of which is so included, such term also includes planning therefor."

AUTO RECORDING EQUIPMENT

SEC. 7. Section 399(b) of the Communications Act of 1934 is amended by adding at the end thereof the following new paragraph:

"(5) From amounts appropriated pursuant to section 391 after the date of enactment of this paragraph, the Secretary may make a grant to any licensee of a noncommercial educational broadcast station who received assistance under this part of the full amount necessary to acquire equipment to permit such licensee to comply with paragraph (1) of this subsection."

TELECOMMUNICATIONS DEMONSTRATIONS

SEC. 8. The Communications Act of 1934 is amended by adding after section 392 the following new section:

"TELECOMMUNICATIONS DEMONSTRATIONS

"Sec. 392A. (a) It is the purpose of this section to promote the development of nonbroadcast telecommunications facilities and services for the transmission, distribution and delivery of health, education, and public or social service information. The Secretary is authorized, upon receipt of an application in such form and containing such information as he may by regulation require, to make grants to, and enter into contracts with public and private nonprofit agencies, organizations, and institutions for the purpose of carrying out telecommunications demonstrations.

"(b) The Secretary may approve an application submitted under subsection (a) if he determines—

"(1) that the project for which application is made will demonstrate innovative methods or techniques of utilizing nonbroadcast telecommunications equipment or facilities to satisfy the purpose of this section;

"(2) that demonstrations and related activities assisted under this section will remain under the administration and control of the applicant;

"(3) that the applicant has the managerial and technical capability to carry out the project for which the application is made; and

"(4) that the facilities and equipment acquired or developed pursuant to the application will be used substantially for the transmission, distribution, and delivery of health, education, or public or social service information.

"(c) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to or enter into a contract with the applicant in an amount determined by the Secretary not to exceed the reasonable and necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with established practice, as he may determine.

"(d) Funds made available pursuant to this section shall not be available for the construction, remodeling, or repair of structures to house the facilities or equipment acquired or developed with such funds, except that such funds may be used for minor remodeling which is necessary for and incident to the installation of such facilities or equipment.

"(e) For purposes of this section, the term 'nonbroadcast telecommunications facilities' includes, but is not limited to, cable television systems, communications satellite systems and related terminal equipment, and other methods of transmitting, emitting, or receiving images and sounds or intelligence by means of wire, radio, optical, electromagnetic or other means.

"(f) The funding of any demonstration pursuant to this section shall continue for not more than three years from the date of the original grant or contract.

"(g) The Secretary shall require that the recipient of a grant or contract under this section submit a summary and evaluation of the results of the demonstration at least annually for each year in which funds are received pursuant to this section.

"(h) There are authorized to be appropriated \$1,000,000 for the fiscal year ending June 30, 1976, and \$250,000 for the period July 1, 1976, through September 30, 1976, to carry out the provisions of this section. Sums appropriated under this subsection for any fiscal year or period shall remain available for payment of grants or contracts for projects for which applications approved under this section have been submitted within one year after the last day of such fiscal year or period."

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MACDONALD) will be recognized for 20 minutes, and the gentleman from Florida (Mr. FREY) will be recognized for 20 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. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 9630, the Educational Broadcasting Facilities and Telecommunications Demonstration Act of 1976, which was adopted unanimously by the Subcommittee on Communications and the full Committee on Interstate and Foreign Commerce.

The Congress first enacted the Educational Television Facilities Act in 1962 (Public Law 87-447) to provide Federal matching grants to establish and expand public educational television broadcasting stations. Additional legislation was passed in 1967 to include public educational radio facilities under the program. There are currently 254 public television stations serving 80 percent of the American people. There are 176 public radio stations reaching 62 percent of the population. We must see to it that this growth continues, and this bill makes that commitment.

The Subcommittee on Communications held 2 days of hearings on this legislation during which time we heard testimony from nine witnesses. Although there was some disagreement as to what the appropriate funding levels should be, all of them supported the goals of the bill.

H.R. 9630 provides for the authorization of funds for the educational broadcasting facilities program and of funds for the newly created telecommunications demonstration program. Both programs are administered by the Department of Health, Education, and Welfare.

The facilities portion of the legislation makes grants to noncommercial or educational television and radio stations to assist them with the construction or improvement of their facilities. The bill authorizes \$7.5 million for the period from July 1 to September 30, 1976, and \$30 million for the fiscal year ending September 30, 1977. Although these figures represent an increase of Federal

support for the facilities program, they are consistent with the amounts authorized by the Congress in previous years.

These authorizations and appropriations are as follows:

Educational television facilities act appropriations, 1963-76
[In thousands]

Fiscal year	Authori- zation	Appropri- ation
1963-67	\$32,000	\$32,000
1968	10,500	-----
1969	12,500	4,375
1970	15,000	5,083
1971	15,000	11,000
1972	15,000	13,000
1973	25,000	13,000
1974	25,000	15,675
1975	30,000	12,000
1976	30,000	12,500
Total	210,000	118,635

¹ Aggregate.

Since the beginning of the public broadcasting facilities grant program in 1963, little more than \$100 million in Federal funds have been awarded. Notwithstanding the success of the program, authorizations and appropriations have failed to meet established needs. For example, in 1975 there were 193 applications for grants, but only 62 could be funded. More than 100 of these applications are still pending at HEW for lack of grant money. We must do better if public broadcasting is to succeed in becoming a truly national resource.

The Telecommunications Demonstration program is a new undertaking which will enable the Secretary of HEW to promote the development of nonbroadcast telecommunications facilities and services of the transmission, distribution and delivery of health, education, and public or social service information. The demonstration program is intended to permit the conceptualization, development, experimentation, and demonstration of cost-effective applications of telecommunications to public or social service. The demonstration program is intended to respond to local and community initiatives in generating proposals.

Since this proposed program would be new, the Committee has only requested authorization for 1 fiscal year, plus the transitional fiscal period. While this program should be a continuing one, the committee feels that it should review the progress of the program before authorizing funds for additional years. However, I feel strongly that the \$1,250,000—\$1 million for fiscal 1976 plus \$250 thousand for the transitional period of July to September, 1976—authorization represents the minimum amount required to make this program functional. An appropriation of a lesser amount would seriously cripple the program.

In December the Congress and the President reaffirmed the Federal commitment to public broadcasting by enacting into law the Public Broadcasting Financing Act of 1975 (Public Law 94-192). It is equally important that we act favorably on this companion legislation before us today.

H.R. 9630 is sponsored by every member of the Subcommittee on Communications and is supported by the full Interstate and Foreign Commerce Committee.

I strongly urge my colleagues here this afternoon to adopt this bill.

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

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

Ms. ABZUG. Mr. Speaker, let me state to the gentleman from Massachusetts (Mr. MACDONALD) that during the debate in the first session on H.R. 6461, the Public Broadcasting bill, the gentleman from Ohio (Mr. STOKES) and I introduced an amendment to make the antidiscrimination provisions of titles VI and VII of the 1964 civil rights law and title IX of the 1972 Education Act Amendments applicable to the Corporation for Public Broadcasting. Although this amendment was deleted in conference, the conference committee expressed its concern over the continuing employment and program discrimination by public broadcasting entities.

Today we are asked again to vote funds for educational broadcasting, and I would like to clarify through the chairman of the subcommittee whether the antidiscrimination laws are applicable to these funds.

Mr. MACDONALD of Massachusetts. Yes, Mr. Speaker, I assure the gentlewoman from New York that her understanding is absolutely correct.

Any recipient of funds under the EBF program must comply with title VI and the Civil Rights Act of 1964 and with title IX of the 1972 Education Act Amendments. Enforcement responsibilities in this matter lie completely with the Office of Civil Rights contained within HEW.

As the gentlewoman can see from our hearings, at pages 26 through 29, other Members and I questioned HEW witnesses about the scope of their enforcement program for educational facilities grants. The details are set forth in the hearings, and during our oversight hearings on employment practices in all of public broadcasting, which we will be holding in April, I plan to explore this area very thoroughly.

As the gentlewoman and the other Members are aware, I feel that more effective and responsible enforcement of the antidiscrimination laws by departments and agencies which are already charged with enforcement is far preferable to having CPB undertake such enforcement. I can only stress again my concern about discrimination and the commitment of our committee to do something about it. I certainly would welcome the gentlewoman's cooperation in our efforts to this effect.

Mr. Speaker, the gentlewoman might note that in conference I have been wont to raise my voice solidly against some of the practices that had been followed in the past. I will point out that they now say they can do much better because they have long-range funding.

Ms. ABZUG. Mr. Speaker, I thank the gentleman very much.

As I understand the gentleman's statement, then, every entity receiving funds under this legislation is already prohibited by existing law from discrimination on the basis of race, color, or national origin pursuant to title VI of the

Civil Rights Act and on the basis of sex pursuant to title IX of the 1972 Education Act Amendments?

Mr. MACDONALD of Massachusetts. The gentlewoman is correct.

Ms. ABZUG. Mr. Speaker, I thank the subcommittee chairman.

Mr. FREY. Mr. Speaker, 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. Speaker, I join my colleague, Chairman MACDONALD, in supporting H.R. 9630, a bill that extends the matching grant program for construction of noncommercial educational radio and television broadcasting, a program which originated in 1962 when the Educational Television Facilities Act of 1962 was enacted into law.

Since 1962 Congress has continually supported this program, although the annual authorizations have not increased to the extent we would expect. In fact, the authorization for broadcast facilities for fiscal year 1977 contained in this bill is the same amount as was authorized for fiscal year 1975—\$30 million.

The facilities grant program extended by this bill provides for grants by the Secretary of HEW to eligible applicants of up to 75 percent of the cost of acquisition of broadcasting equipment. Those who are now eligible are such groups as State and local public school agencies, State public broadcasting agencies, tax supported colleges and universities, non-profit public broadcasting groups, and municipalities operating public stations. Let me stress, these grants are for equipment, not for programming.

In making these grants, the Secretary of HEW must follow the guidelines outlined in the Communications Act. This bill, for the first time, establishes separate guidelines for radio and television. The reason for that is obvious; public television has expanded to a point where 80 percent of the population receives its benefits, while public radio reaches only 61 percent of the populace. Therefore, the guidelines contained in H.R. 9630 emphasize the extension of noncommercial education radio services throughout the country while stressing a strengthening of existing noncommercial education television.

A second major change in the facilities grant program made by this bill is that it applies to reception apparatus as well as broadcasting equipment. By so doing, we allow for the use of such devices as the radio subcarrier receivers which are used to provide reading services to the visually handicapped. This is an admirable project and very similar to another broadcasting service in which I have long been interested—captioning on television for those of our citizens with a hearing handicap. Commercial broadcasters should certainly strive to achieve the same sort of dedication to assisting the handicapped as has public broadcasting.

Apart from the facilities grants, this bill establishes a program to promote the development of cost-effective nonbroadcast telecommunications facilities through grants to fund demonstrations

of such techniques as fiber optics and satellite systems.

The intention of the program is obviously not to fund large, new systems since this bill does not contain a large authorization in this regard, but it is rather to stimulate private industry to develop new techniques in telecommunications which will benefit the public at large.

Our committee felt very strongly that this program should be set apart from the facilities grant program so that it would not be lost in the process. I heartily concur.

Mr. Speaker, this is a necessary and responsible bill. The total Federal investment over the length of the program's existence has been less than 10 percent of the gross expenditure from public and private sources, but it has generated an investment in public broadcasting from the private sector of over \$1 billion. Rather than being a bottomless pit of Federal expenditures as so many Government programs have been, this program has had a very beneficial effect on the national economy and the public's well-being.

Mr. STAGGERS. Mr. Speaker, H.R. 9630 is a short and simple bill but nonetheless an important one. It authorizes appropriations for the public broadcasting facilities grant program which is administered by the Department of Health, Education, and Welfare. For that program \$7.5 million is authorized for the transitional fiscal period, and \$30 million is authorized for fiscal year 1977.

The bill also authorizes the appropriation of funds for telecommunications demonstrations projects. For that program \$1 million is authorized for fiscal year 1976, and \$250,000 is authorized for the transitional fiscal period.

The bill creates separate priorities for radio and television in the public broadcasting facilities grant program. In addition, the bill requires that the Secretary of HEW closely coordinate the administration of his functions outlined in this bill with both the FCC and the Corporation for Public Broadcasting.

FACILITIES GRANT PROGRAM

Under the public broadcasting facilities grant program, the Secretary of Health, Education, and Welfare makes grants to eligible applicants of up to 75 percent of the cost of acquiring and installing specified radio and television broadcasting apparatus. Grant funds cannot be used for the purchase, construction, or repair of buildings or the acquisition of land.

There are five classes of eligible applicants for grants under the program: First, State or local public school agencies; second, State public broadcasting agencies and commissions; third, tax supported colleges and universities; fourth, nonprofit community corporations and associations organized primarily to engage in public broadcasting; and fifth, municipalities operating public broadcasting stations.

Any grant must—in addition to being used for the acquisition and installation of broadcasting apparatus—be used in

furtherance of public broadcasting, which requires that the grantee have or be in the process of obtaining a license from the Federal Communications Commission to engage in public broadcasting.

Of the funds appropriated for this program in any fiscal year, not more than 8½ percent may be granted for projects in any one State.

In 1962, when the educational television broadcasting facilities grant program was enacted, there were 76 educational television stations on the air serving areas occupied by slightly more than 50 percent of the population of the United States. Today there are 264 such stations on the air serving areas occupied by approximately 80 percent of the population. These stations are located in every State, except Montana and Wyoming, and also in the District of Columbia, Virgin Islands, Puerto Rico, Guam, and American Samoa.

In addition to noncommercial television broadcasting stations the public broadcasting facilities grant program also applies to noncommercial radio broadcasting stations of which there are at present about 800 on the air serving areas occupied by approximately 61 percent of the population. These areas that are presently served by noncommercial radio broadcasting stations do not include 36 of the top 100 markets.

Since the beginning of the public broadcasting facilities grant program in 1963, less than \$100 million in Federal funds have been awarded. In addition to matching project costs, stations must: First, guarantee to operate the equipment purchased for 10 years; second, show evidence of at least the first year's operating funds on hand or certified available; and third, pay all building and land costs from other than grant funds. The Federal investment in public broadcasting facilities, while less than 10 percent of the gross expenditure from public and private sources, has stimulated an investment in excess of \$1 billion.

Notwithstanding the success of the broadcasting facilities grant program, authorizations and appropriations have failed to meet established needs; \$30 million was authorized and \$12 million appropriated for the program for fiscal year 1975. When all of the funds appropriated for fiscal year 1975 had been expended there remained 100 applications which had not been acted upon seeking approximately \$32 million in Federal funds.

The authorizations contained in H.R. 9630 will not only increase local station capability to provide better local service through their purchase of local production equipment and facilities to expand their coverage areas, but will, as well, substantially insure that they become truly free to make use of national programming distributed to them over the interconnection in a manner that allows them to schedule the programs at the most convenient local time.

DEMONSTRATION PROGRAM

H.R. 9630 provides that the Secretary of HEW promote the development of nonbroadcast telecommunications facili-

ties and services of the transmission, distribution and delivery of health, education, and public or social service information. The demonstration program is intended to permit the conceptualization, development, experimentation, and demonstration of cost-effective applications of telecommunications to public or social service.

Your committee does not intend that this authorization fund large new hardware telecommunications systems, but rather that it stimulate, through a minimum of Federal expenditures, the rechanneling of large existing local, private, and individual resources toward more efficient and effective service delivery.

The demonstration program allows for a diverse number of technologies to be stimulated into uses of public or social benefit. Satellite technology, coaxial cable, fiber optics and other means of transmission might be considered.

The demonstration program is intended to respond to local and community initiatives in generating proposals. Since the demonstration program proposed in this bill would be new, an authorization for only 1 fiscal year, plus the transitional fiscal period is requested. While it is intended that this program be a continuing program, the committee was of the opinion that it should review the progress of the program before authorizing funds for additional fiscal years.

Mr. Speaker, I feel strongly that the \$1,250,000 authorization represents the minimum amount required to make this program functional. An appropriation of a lesser amount would seriously cripple this program.

Mr. Speaker, I hope that every Member of the House will join me in support of H.R. 9630.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. MACDONALD) that the House suspend the rules and pass the bill (H.R. 9630), as amended.

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

The title was amended so as to read: "A bill to extend the educational broadcasting facilities program and to provide authority for the support of demonstrations in telecommunications technologies for the distribution of health, education, and public or social service information, and for the other purposes."

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 bill just passed.

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

There was no objection.

AUTHORIZING THE 101ST AIRBORNE DIVISION ASSOCIATION TO ERECT A MEMORIAL IN THE DISTRICT OF COLUMBIA OR ITS ENVIRONS

Mr. NEDZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3710) to authorize the 101st Airborne Division Association to erect a memorial in the District of Columbia or its environs, as amended.

The Clerk read as follows:

H.R. 3710

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the One Hundred and First Airborne Division Association is authorized to erect a memorial on public grounds in the District of Columbia or its environs in honor and in commemoration of the men of the "Screaming Eagles" of the One Hundred and First Airborne Division, United States Army, who have served their country in World War II, Vietnam, and maintaining peace.

Sec. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this Act: *Provided, That if the site selected is on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Mayor of the District of Columbia shall also be obtained.*

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts and the National Capital Planning Commission, and the United States or the District of Columbia shall be put to no expense in the erection thereof.

Sec. 3. The authority conferred pursuant to this Act shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

Sec. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior, or, if the memorial is erected upon public grounds belonging to or under the jurisdiction of the District of Columbia, the government of the District of Columbia.

The SPEAKER pro tempore. Is a second demanded?

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. NEDZI) will be recognized for 20 minutes, and the gentleman from Louisiana (Mr. MOORE) will be recognized for 20 minutes.

The Chair now recognizes the gentleman from Michigan (Mr. NEDZI).

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

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

Mr. Speaker, this bill would authorize the 101st Airborne Division Association to erect a memorial to the men of the 101st Airborne Division who served their country and served with the division during World War II and the Vietnam conflict.

Although similar legislation has been before the Congress before and was enacted and signed into law in 1959, the Association was, at that time, unable to fully fund the project before the authorization of Public Law 85-403 expired after 5 years. The Subcommittee on Library and Memorials has, however, been assured by the Association that as of the current date, they have raised in excess of \$100,000. This figure is expected to be more than sufficient to complete the project at this time.

Upon enactment, this legislation will provide the authorization for the selection of a site by the Secretary of the Interior in consultation with the Commission on Fine Arts, the National Capital Planning Commission, and the District of Columbia government. Final design approval is also to be within the jurisdiction of the Secretary of the Interior in consultation with the Fine Arts Commission, the National Capital Planning Commission, and the District Government.

The Federal Government will not bear any of the costs associated with the design or construction of this memorial. These costs will be the responsibility of the 101st Association. Upon completion of the memorial, the care and maintenance of the site will be the responsibility of the Interior Department or the District of Columbia government if the site is in the District. The costs of maintenance and care are expected to be nominal.

A report recommending favorable consideration has been received from the Department of the Interior as well as from the District of Columbia government and this report is included in House Report 94-740, which accompanies H.R. 3710.

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

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

Mr. MOORE. Mr. Speaker, I should like to point out that there is very strong support for this bill on this side of the aisle. The committee and the subcommittee held hearings on this matter and we were unanimous in both in favor of the bill. One reason for this is that the committee feels that it is justifiable since this unit, the 101st Airborne Division, has a tremendous military history behind it, as indeed have many other units of our military forces. But I believe that this is indeed an exemplification of our country's military efforts, and certainly if there is any military unit that deserves such attention, it is this one.

Mr. Speaker, I would also like to point out that the gentleman from Tennessee (Mr. BEARD) is the author of this bill. The gentleman from Tennessee led the presentation of testimony on this matter before the subcommittee. The gentleman from Tennessee has been a strong backer of this measure for some time. I believe that a great deal of credit is due to the gentleman from Tennessee for having brought this measure to the floor of the House today.

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

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

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

Mr. FRENZEL. Mr. Speaker, I thank the gentleman from Louisiana for yielding me this time.

Mr. Speaker, I rise in strong support of this legislation. I wish to congratulate the gentleman from Louisiana (Mr. MOORE) and the gentleman from Tennessee (Mr. BEARD) for bringing this legislation to our attention.

The committee hopes that it is not, by the passage of this bill, setting a precedent for a deluge of memorials here to many of the worthy military units which have defended our shores and our security with honor, distinction, and courage.

The "Screaming Eagles," however, have earned their memorial, not only by military service, but also by voluntarily donating the cost of the monument, and by demonstrating unusual solidarity and persistence in this matter. The memorial will honor the 101st's accomplishments, but also it will also stand for all the fine units and brave Americans who have served their country.

Mr. NEDZI. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I want to thank the gentleman from Michigan (Mr. NEDZI) for yielding me this time. I wish to thank the Committee on House Administration and the sponsor of this legislation, the gentleman from Tennessee (Mr. BEARD) for the manner in which this bill has been handled.

Mr. Speaker, I had the privilege many, many years ago of being a member of the 101st Airborne Division having joined the 501st Parachute Infantry at Camp Toccoa and therefore was allowed to tag along with the 101st Airborne Division until the end of World War II.

Mr. Speaker, I know that the members of the 101st Airborne Division Association will do a very fine job in erecting a memorial that will be most fitting and proper for the memory of the deceased members of the 101st Airborne Division.

Again I want to thank the committee for its fine work and its dedicated attention to the merits of this bill.

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

Mr. MOORE. Mr. Speaker, at this time