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October 4, 1973

MEMORANDUM FOR: WILLIAM TIMMONS
THROUGH: MAX FRIEDERSDORF
FROM: VERN LOEN
SUBJECT: H. R. 9142, Shoup-Adams bill to create
"Fannie-Rae" to solve the Northeast Rail
crisis.

Secretary Brinegar met with Roy Ash Wednesday morning to bring him up to date on DOT's stance on this bill, which currently is in House Interstate and Foreign Commerce Committee markup.

DOT opposes very strongly the bill's requirement for the new railroad (s) to acquire the necessary assets from the bankrupts by the condemnation process.

Brinegar feels proper valuation approach is to convert the assets to a new corporation (s) and, through a voluntary agreement with the creditors, exchange the titles for common stock. The other alternative--selling the assets at public auction--runs the risk of a disruptive shutdown during the process. Other serious objections relate to the workrule requirements written right into the legislation.

The concept of creating a "Fannie-Rae" for railroads is popular in Congress. DOT wants to limit its life in the legislation and make it a small, one-shot deal.

Brinegar was to meet with Chairman Staggers Wednesday afternoon in an effort to make the legislation more acceptable. At present, it is regarded as too close to nationalization of the railroads and could necessitate a veto. (Rock Island Railroad has threatened to go bankrupt just to qualify for such aid). Ash expressed approval for Brinegar's efforts.



House Interstate and Foreign Commerce Committee

Priority for Contacts

Northeast Railroad

- | | |
|---------------------------|------------------------------|
| - John Heinz (Pa) | + John Jarman (Okla) |
| - William Hudnut (Ind) | + Paul Rogers (Fla) |
| - Barry Goldwater (Calif) | + John Murphy (NY) |
| - James Hastings (NY) | + Goodloe Byron (Md) |
| Samuel Young (Ill) | David Satterfield (Va) |
| Norman Lent (NY) | Bill Stuckey (Ga) |
| John McCollister (Neb) | Charles Carney (Ohio) |
| Louis Frey (Fla) | J. J. Pickle (Tex) |
| James Collins (Tex) | Fred Rooney (Pa) |
| Clarence Brown (Ohio) | Henry Helstoski (NJ) |
| Andrew Nelson (Minn) | Peter Kyros (Maine) |
| Sam Devine (Ohio) | Torbert Macdonald (Mass) |
| + Jim Harvey (Mich) | - Lionel Van Deerlin (Calif) |
| Joe Skubitz (Kans) | John Moss (Calif) |
| + Dan Kuykendall (Tenn) | - Richardson Preyer (NC) |
| + John Ware (Pa) | - Bob Eckhardt (Texas) |
| + Jim Broyhill (NC) | - Bertram Podell (NY) |
| + Tim Lee Carter (Ky) | - James Symington (Mo) |
| | + Ralph Metcalfe (Ill) |
| - Dick Shoup (Mont) | - William Roy (Kans) |
| | - John Breckinridge (Ky) |
| | John Dingell (Mich) |
| | Brock Adams (Wash) |
| | Harley Staggers (W. Va) |

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November 20, 1974

Dear John:

In connection with your inquiry on the reappointment of Isabelle Burgess as a Member of the National Transportation Safety Board, I indicated that this matter is somewhat bound up in the sweeping changes in the board functions embodied in S. 4057, Title III.

House Conferees, appointed yesterday, are Representatives Staggers, Jarman, Dingell, Devine and Kuykendall.

Here is a fact sheet which indicates some of the Administration's many problems with the bill, together with recommended alternatives. Any influence you may be able to exert upon the conferees would be appreciated. They have received the same information.

With kind regards, I am

Sincerely yours,

Vernon C. Loen
Special Assistant to
the President

Honorable John J. Rhodes
Minority Leader
House of Representatives
Washington, D. C. 20515

VCL:ncb

Enclosure (Fact Sheet = "S. 4057, Title III - Independent Safety Board)



S. 4057; Title III - Independent Safety Board

Title III, if enacted, would lead to an unwarranted expansion of the National Transportation Safety Board (NTSB) and establish it as a totally independent oversight agency similar to GAO. Provisions in this title would lead to the following changes from NTSB's present role:

- ... NTSB would continuously evaluate all government agencies with respect to transportation safety consciousness and efficacy in preventing accidents and make a yearly report to Congress.
- ... NTSB is given broad authority with an implied order to act as a safety advocate in Federal, State, and local proceedings.
- ... NTSB would be required to expand investigation of marine, ~~raft~~, highway and pipeline accidents; much of which would be duplicative of other Federal agencies or state and local agencies.
- ... NTSB would submit its budget and legislative recommendations to Congress and OMB concurrently.

Major Problems

- ... There is nothing in NTSB's past performance to suggest that it could effectively evaluate the R&D and demonstration project efforts in safety.
- ... Adding another layer in developing safety programs would be unproductive considering the uncertainty in designing effective safety improvement strategies. This is especially the case for NTSB because they profess not to consider benefit/cost ratios in developing safety recommendations.
- ... The safety advocacy role could have enormous unwanted side effects such as delaying proceedings, adding substantially to the cost of proceedings and placing the Federal Government in embarrassing roles in accident liability litigation.
- ... Concurrent submission of budget and legislative recommendations would remove the opportunity for coordination and dialogue among executive agencies prior to making a final recommendation.
- ... Since NTSB is operationally independent of DOT under present legislation, there is no need for further separation.
- ... Expansion of accident investigation would lead to duplication. Coast Guard has long standing expertise in the marine field. Substituting NTSB would put the decision on cause in a relatively inexperienced agency. In surface accidents several Federal agencies (NHTSA, FRA, FHWA and others) plus many local agencies devote considerable resources to accident investigation.

Recommendations

Alternative 1 - Eliminate Title III

The best alternative would be elimination of Title III from consideration for a bill approved by the Conference Committee. In that removal of the objectionable provisions would essentially not change the authority of NTSB, the rest of Title III would be unnecessary.

Alternative 2 - Remove objectionable provisions of Title III

If it is impossible to eliminate Title III, the following changes at a minimum are necessary:

1. Eliminate Section 304(a)(1)(B)
 - Provides for duplicate investigations of marine accidents by NTSB and Coast Guard
2. Eliminate Section 304(a)(4) and Section 305
 - gives NTSB safety advocacy role
3. Eliminate Section 304(a)(8) and (9)
 - gives NTSB oversight of other agencies and transportation of hazardous materials
4. Eliminate Section 304(b)(8)
 - requires concurrent submission of budget and legislative recommendations
5. Eliminate Section 306(d) and (e)(6)
 - requires annual report on oversight role and safety advocacy role.



THE WHITE HOUSE

WASHINGTON

November 20, 1974

MEMORANDUM FOR: WALLY SCOTT

THRU: WILLIAM E. TIMMONS
MAX L. FRIEDERSDORF *M.L.F.*

FROM: VERN LOEN *VL*

SUBJECT: National Transportation Safety Board

Minority staff of the House Interstate and Foreign Commerce Committee was glad to have the Fact Sheet and said their conferees could be expected to support most of the points raised.

If they are unable to eliminate Title III of the Senate version of S. 4057, they would support most of alternative II. However, they would probably yield to the Senate on making the Board an independent agency, but not as a safety advocate. They were in doubt about giving the Board oversight of other agencies and transportation of hazardous materials.

cc: T. Korologos, P. O'Donnell, G. Ainsworth

S. 4057; Title III - Independent Safety Board

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CONFERENCE REPORT ON H. R. 14234
1977 DOT APPROPRIATIONS ACT
HIGHWAY TRUST FUND

1. Fiscal Responsibility - Without a ceiling on the Trust Fund we would be going over both the President's budget and the Congressional budget. While trust funds are not appropriated, they are subject to the Congressional budget. Most other trust funds have such ceilings. Without such limitation on this fund, obligations for this program could go over the budget \$4 to \$5 billion.
2. If the House does not agree to the ceiling, the bill has very little chance of clearing the Senate where they are insisting upon a ceiling, or surviving a veto which has been recommended by Secretary Coleman and OMB Director Lynn. The consequences of not having a bill during this Transition Quarter is critical to many programs, including the enforcement of the 200 mile limit, funding the recently enacted Railroad Reconstruction legislation and most importantly, the Airport Development bill (ADAP), if not utilized this TQ, \$350 million will be lost forever to ADAP.
3. To the question that this is a jurisdictional fight between public works and appropriations and budget committees, it should be noticed that the Public Works Committee was given the opportunity at least twice this year to set their own ceiling on the Highway Trust Fund, but chose not to do so.

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RED TAG

THE WHITE HOUSE

WASHINGTON

May 9, 1975

MEMORANDUM FOR:

MAX FRIEDERSDORF

THRU:

VERN LOEN

FROM:

CHARLES LEPPERT, JR. *CLJ.*

SUBJECT:

Rep. John Jarman (R-Okla) and transfer
of FAA experimental center

Talked to Bill Heffelfinger, Assistant Secretary for Administration at DOT today regarding the decision to move the NAFEC facility from New Jersey to Oklahoma.

I am advised that the decision has been made but not announced. The decision, unless advised to the contrary by the White House, is not to move the facility to Oklahoma City.

Secretary Coleman's decision to keep the facility in New Jersey is based in part on the fact that Senator Clifford Case (R-NJ) is ranking Minority Member of the Subcommittee on Transportation Appropriations.

No date or time for announcing Secretary Coleman's decision on this had been made when I discussed this with Heffelfinger today.

In 1974, the Federal Aviation Administration proposed to move to the FAA Aeronautical Center in Oklahoma City most of the activities of its National Aviation Facilities Experimental Center (NAFEC) near Atlantic City, New Jersey. It was estimated that this consolidation would save more than \$100 million over a ten year period.

FAA FACILITY'S MOVE 'UNDER REVIEW' AGAIN

Front Page, The Daily Oklahoman, May 1, 1975

By Allan Cromley, Washington Bureau

WASHINGTON--Although grounded by impeachment politics last year, a proposed transfer of the FAA's experimental center from Atlantic City to Oklahoma City is "under active review."

The on-again, off-again project would bring 1,860 government jobs to the Oklahoma City Aeronautical Center of the Federal Aviation Administration.

William T. Coleman, Jr., secretary of transportation, said during a news conference Wednesday that his department has "under active review" last year's FAA proposal to move to Oklahoma City most of the activities of its National Aviation Facilities Experimental Center (NAFEC) near Atlantic City, N.J.

And from the former administrator of the FAA, Alexander Butterfield, it has been learned that the project was shelved last year on the request of Bryce N. Harlow, then counselor to President Richard M. Nixon.

This confirms an Aug. 22, 1974, story in The Oklahoman that Watergate politics was delaying the decision.

Harlow is a former Oklahoma Cityan, who served in upper echelons of the Eisenhower and Nixon White Houses. He is now Washington vice-president for Proctor & Gamble.

White House interest stemmed from the fact that the congressman from Atlantic City, Republican Charles W. Sandman, was a member of the House Judiciary Committee.

It was the committee which was about to hold hearings and vote on the impeachment of Nixon, and Sandman's vote could be crucial.

As it turned out, the vote was lopsided for impeachment, though Sandman was a principal defender of the President until release of White House tapes that brought Nixon's downfall.

Coleman, who recently succeeded Claude Brinegar as secretary of transportation, was asked about the status of NAFEC at a Wednesday news conference.

He said it is being considered and declared he has received "no directions or political pressure" from the Ford White House.

Later in the same press conference, Jim Dow, acting FAA administrator, was asked if he now supports last year's recommendation by Butterfield that NAFEC be moved to Oklahoma City.

Dow said, "I would have to think that one through, particularly in light of the time that has elapsed (since the recommendation last year)."

He said such a move has to be carried out like the launching of a spacecraft -- through a "launch window." You do it when the time is ripe, not before nor after, he said.

It should be done when there is a minimum amount of activity at the installation to be moved, he said, "and the work being done at NAFEC today is about as low as it is going to go."

He added that "Bill (Secretary Coleman) and I haven't sat down and talked it over."

When it was disclosed by The Oklahoman last year that the move was imminent, Sandman rushed to Brinegar, who overruled Butterfield by shelving the project.

This is how it happened, as recalled recently by Butterfield, who was pushed out of the FAA administrator's job by the Ford administration March 31.

"The White House was interested in it. Bryce (Harlow), being pretty sly, was thinking all angles. He only thought of it when I mentioned Case."

(Sen. Clifford P. Case, of New Jersey, was the ranking Republican member of the subcommittee which handles appropriations for the Department of Transportation, including the FAA.)

"Bryce said, 'Well, Case is not an immediate problem...right now, I'd like to have you shelve the whole thing if you can, because we've got a guy on the Judiciary Committee named Sandman...and that place (NAFEC) is right in his district.

'He might get sore enough to vote against the President, although we think he's a strong Nixon man,' which he turned out to be."

Asked about the incident Wednesday, Harlow said, "I can't vouch for it, but it sounds dead right. It's the way that I would have responded. It seems like I do remember it.

"Sandman was trying to be helpful..."

Harlow indicated he thought the impeachment issue was more important at that point than the location of an FAA facility.

As Butterfield reconstructed the scenario, Harlow asked him to hold off the NAFEC move.

"I said I would certainly hold off for that, so we shelved the whole thing and forgot about it. Sandman was never the wiser, but people kept asking us about it.

"We said we were looking at the study and just kept putting them off. After the Judiciary hearings I said to Brinegar that I wanted to go over this again and have a decision.

"Sandman called me up to his office one week after the hearings. I said that I'm still recommending that we move it.

"He said, 'Goddamn, you'll wipe me out. There's no way I can be re-elected if that thing goes through.'

"I said that I couldn't in good conscience change my mind but added, 'Maybe you can get to Brinegar. Be my guest and get to him.'

"So Sandman went to Brinegar the very next day. The next day, Brinegar went to California, and I heard nothing."

Butterfield said the next thing he heard was that Sandman was telling reporters Brinegar had promised him the facility would not be moved.

Butterfield called Brinegar in California and asked if he had made such a promise to Sandman.

"Oh, yes, I did, Alex," Brinegar told Butterfield.

The FAA chief then verified Sandman's story and authorized announcements to be made.

"I'm a good soldier. When I'm told to do something, that's it. I was glad to have a decision, frankly.

"Then, two days after, we had another meeting at FAA and someone called my attention to a DOT release which said that a decision on NAFEC would be made when the FAA forwarded its decision to the secretary of transportation.

"It had already been forwarded. But it was back with us, at the FAA, on ice...The press release was almost like a lie."

Butterfield said he heard at that time that Oklahoma City's Rep. John Jarman had intervened with Brinegar, who "backed down" from his previous position.

Since then, the project has been "on ice," as Butterfield termed it. Newsmen's queries were turned aside with the explanation that the FAA recommendation was an "internal administrative document which may or may not become the basis for a decision."

It was clear Wednesday the documents indeed were not the basis for the decision that was made last year. It was a Watergate decision.

However, it had been learned from FAA sources that its recommendations were based on estimates that the consolidation would save more than \$100 million over a 10-year-period.

As of last year, NAFEC had a 2,200-person work force, plus 350 contractor personnel. The payroll was \$40 million a year.

An FAA spokesman said that there are now about 1,800 government employees at the installation. The FAA consolidation proposal would bring about two-thirds of them to Oklahoma City.

THE WHITE HOUSE
WASHINGTON

July 1, 1975

MEMORANDUM FOR: JAMES CANNON

THROUGH: MAX L. FRIEDERSDORF
VERN LOEN *VL*

FROM: TOM LOEFFLER *TL*

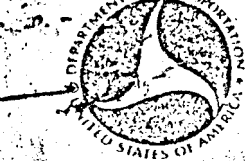
SUBJECT: Request by Congressman Joe D. Waggonner
(D. -La.)

For the past several years Congressman Waggonner has been interested in seeing that appropriate funds be made available for the construction of a proposed Louisiana toll road connecting Shreveport with New Orleans. During 1974 the Department of Transportation strongly indicated the Administration's desire to accommodate the State of Louisiana with proportionate Federal financing for this project. (See the attached letters.)

Congressman Waggonner now feels that the earlier Department of Transportation commitment may be lacking. Therefore, he is most interested in making certain that, in fact, Federal assistance will be forthcoming to the State of Louisiana for this highway project.

In light of the congressman's extreme concern over this matter, it is important that a firm decision and commitment be made expeditiously to resolve this matter.

Enclosures



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D.C. 20590

JUL 19 1974

OFFICE OF THE ADMINISTRATOR

IN REPLY REFER TO:

HOC-1

Honorable Joe D. Waggonner, Jr.
House of Representatives
Washington, D.C. 20515

Dear Mr. Waggonner:

This letter will reaffirm our understanding of an agreement reached November 1, 1973, with respect to the availability of priority primary mileage and funds for the proposed Louisiana Toll Road under section 126 of the Federal-Aid Highway Act of 1973, which provides for a priority primary highway program. As discussed with you this past Friday, July 12, 1974, and as reflected in a recent draft of a proposed agreement sent to the Louisiana State Highway Department, the Federal Highway Administration under existing law shall, subject to continued Congressional authorization of funds, reimburse the State the Federal share of costs of construction from the State's apportioned priority primary funds. The priority primary funds so provided will be in addition to the State's regular Federal-aid primary funds. We understand that Congress expects to make the priority primary program a continuous, ongoing program such as the Interstate System with subsequent authorizations until the system is completed. We believe the toll road can be built with these priority primary funds and that over the 15-year period within which the Federal share is payable under section 149 of the Federal-Aid Highway Act of 1973, sufficient funds will be available. If the State chooses, the law also permits us to reimburse the State for toll road construction from its regularly apportioned primary funds.

We also feel that the substitution of a large portion of Interstate 410 and the utilization of the assigned miles and funds for a free Interstate route within the toll road corridor is a potential option. The additional miles necessary for the full route are available in the Howard-Cramer amendment reserve for this purpose and upon a proper application we could approve the substitutions. We would like to emphasize that the availability of these additional miles does not increase the amount of funds available and that the total amount available for the toll road is governed by the cost to complete the withdrawn portion of I-410 as shown in the 1972 Interstate System Cost Estimate. The law also provides that the amount of funds available for the new substitute highway are frozen and restricted to the amount shown in the 1972 Interstate System Cost Estimate for the substituted

portion of I-410 and may never exceed that amount, which is approximately \$336,400,000. This means that the funds available for the new route would not be increased by subsequent revisions of the Interstate System Cost Estimates reflecting increased cost of construction.

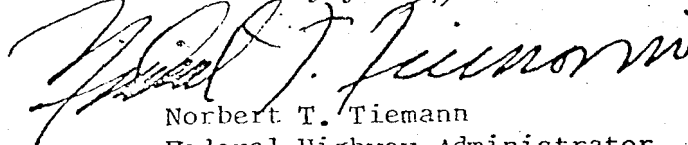
You have also asked if there is anything additional which the State must file in order for the U. S. Department of Transportation to allocate priority primary route mileage and to proceed with the signing of the final agreement. FHWA has received from the State a first draft of a proposed agreement. FHWA's Chief Counsel has reviewed the proposed agreement and has submitted a revised draft proposal to the State. The agreement may be executed as soon as the minor revisions being negotiated by the attorneys are completed and the agreement is put in final form.

FHWA will soon identify a 10,000-mile priority primary system nationwide, of which Louisiana will be allocated 110 miles. FHWA's Division Engineer will be able to approve, upon request, priority primary routes to the extent of the mileage allocated. However, in unusual cases, a State may request additional mileage through FHWA field offices to the Washington office. Louisiana, upon such an appeal, will receive sufficient mileage in addition to the 110 miles allocated to build the proposed toll road. Therefore, a documented request from Louisiana for additional mileage will be necessary.

After the priority primary mileage has been established, and since the priority primary funds have been apportioned to the States, the next step will be for the Federal Government to issue authority for the State to obligate the State's share of these funds. After the obligatory authority is issued, the State may then submit the project or a portion thereof to FHWA in accordance with our regular project approval process.

My staff is available to continue working on either of these proposals with you and the State.

Sincerely yours,



Norbert T. Tiemann
Federal Highway Administrator



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, D.C. 20590

August 22, 1974

IN REPLY REFER TO:

HCC-1

Mr. Philip K. Jones
General Counsel
Department of Highways
P. O. Box 44245, Capitol Station
Baton Rouge, Louisiana 70804

Dear Philip:

We have reviewed your letter of July 25, 1974, in which you comment on the proposal which we are currently negotiating between the State of Louisiana and the U.S. Department of Transportation with respect to the utilization of priority primary funds provided for in section 147 of title 23, United States Code Annotated, for the proposed Louisiana toll road.

You state that in view of the restrictions imposed upon the State by section 12 of the Louisiana Act 653 of 1974, "... there is no authority vested in the Governor nor the Director of Highways to execute an agreement which does not contemplate supplementary funds (that is, funds over and above those normally allocated to the Louisiana highway program)." You also request that we further review our proposal and the legislation to determine if a modification of the language of the contract needs to be made in order to accomplish the objective of the Louisiana legislation.

We believe it is possible to use the priority primary funds authorized by subsection (b) of section 147 of title 23 of the United States Code, for the toll road, and comply with the Louisiana law. The priority primary funds are in addition to the State's regularly apportioned highway funds for previously existing programs. The priority primary system funding is a new program and if the State of Louisiana designates the toll road as its priority primary route, then Federal-aid highway funds apportioned to Louisiana for construction of priority primary highways would be appropriated for the toll road. Hence, the apportionments for Louisiana's priority primary highways would subsequently become "Federal funds -- specifically appropriated for paying the costs of the expressway project --" within the meaning of the Louisiana statute.

As you know, title 23 with respect to the major categorical programs does not provide for the authorization and apportionment of funds for specific projects. Nor are title 23 funds earmarked or set aside in any way for defraying the costs of named or specific highway projects. Our program funds are apportioned to the States for obligation in broad categories pursuant to a grant formula. After projects are selected, approved and costs are incurred, funds are then appropriated to cover those costs. Thus, if Louisiana were to designate the proposed toll road as a priority primary route and were to obligate sums apportioned for the priority primary program in the construction of the toll road, Louisiana would be subsequently reimbursed pursuant to appropriations for that specific purpose from the Highway Trust Fund. In our judgment, such an appropriation would overcome the prohibition in the Louisiana statute that "no Federal funds not specifically appropriated for paying the costs of the expressway project shall be used for such purpose; . . ."

The Louisiana statute also provides that " . . . no Federal funds currently earmarked for the defraying of the costs of other highway construction projects in the State . . . shall be diverted to said expressway project." None of the priority primary funds are currently earmarked and made available for obligations. However, in the near future, as we indicated in a recent letter to Representative Joe D. Waggoner, Jr., a copy of which is enclosed for your information, the Federal Government will issue authority for the State to obligate its share of these funds. After the obligational authority is issued, the State may then submit the project or portion thereof to the Federal Highway Administration in accordance with our regular project approval process.

You also state in your letter that " . . . the Legislature intended that the . . . funds [be] in addition to those normally allocated by the Federal Highway Administration to Louisiana for the usual highway projects" The priority primary program is a supplementary program providing funds to supplement other Federal-aid highway programs. This is quite evident in the language of 23 U.S.C. 147 which says the priority primary routes to be improved are " . . . to supplement the service provided by the Interstate System" The 1973 Act established a priority primary aid program for the first time.

This program was designed to supplement, and its funds are provided in addition to, the funds provided by the Federal Interstate, primary, secondary, urban and other aid programs. The primary and secondary aid funds have traditionally been used by the States for basic road programs. A major purpose of the new priority primary aid was

to facilitate the construction of supplementary highways, in particular those connecting with the Interstate System over and above the Federal primary aid program. In short, the design of the 1973 Act was to allow continued funding of essential State highway needs through the primary and secondary road programs, but to initiate new supplementary construction under the priority primary funding procedures.

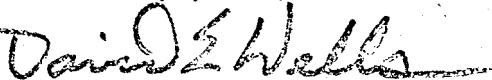
Since Louisiana's proposed North-South road is precisely the type of construction contemplated by the priority primary program, I do not understand why you believe the State, in section 12 of Act 653, would seek to bar the use of priority primary funds for the North-South road. Even if priority primary funds were used for the toll road, Louisiana's essential highway needs would continue to receive adequate Federal funding from other Federal sources, at previous levels. For these reasons, I do not believe that the Louisiana statute prevents use of the priority primary program funds for the proposed toll road.

Of course, the proper interpretation of section 12 of the Louisiana law and the uses to which the State of Louisiana wishes to put its Federal highway funds, are matters of State law for State officials to resolve according to their best judgment. If the State chooses to preclude the use of priority primary funds for toll road purposes, that is the State's choice which we cannot question. We are concerned, though, that section 12 of Act 653 may reflect a misunderstanding of the highway assistance program delineated in the 1973 Federal-Aid Highway Act.

It would be appreciated if you would review our proposed agreement in light of the foregoing and the information which we have included in the enclosed letter to Representative Waggonner and determine whether or not any major modification of our proposed agreement is necessary as a result of the recently enacted Louisiana law. My view is that no major modifications are necessary after reviewing your letter.

I trust this information clarifies and leaves no doubt that the toll road can be built with priority primary funds.

Sincerely yours,



David E. Wells
Chief Counsel

Enclosure

JAMES G. MARTIN
9TH DISTRICT, NORTH CAROLINA

COMMITTEE:
WAYS AND MEANS

COUNTIES:
IREDELL
LINCOLN
MECKLENBURG

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
115 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-1976

Jim July 28, 1975

Mr. Ray Warner, Director
Office of Intergovernmental Affairs
Department of Transportation
400 - 7th Street, S.W.
Washington, D. C. 20590

Dear Ray:

I cannot tell you how much I personally appreciate your efforts in trying to secure the Secretary for the Charlotte Chamber of Commerce. I want you to know that I fully understand the situation and hope that I can be of assistance to you in the future.

Sincerely,

Jim
James G. Martin
Member of Congress

bc: Mr. Tommy Loeffler ✓

Thanks anyway -



June 17, 1975

FOR: MAX FRIEDERSDORF
THROUGH: VERN LOEN
FROM: TOM LOEFFLER
SUBJECT: Request by Congressman
James Martin - R. - N.C.

During the month of September, Charlotte, North Carolina is planning for a "Salute to Trucking". Congressman Martin informed me that there are 130 trucking companies operating in Charlotte -- 33 of these companies have had their headquarters in Charlotte -- seven of these companies net worth is in excess of \$1 million.

Congressman Martin is deeply interested in seeing that the Secretary of Transportation, Mr. Coleman, will be in attendance for this "Salute to Trucking".

However, attached is correspondence from Mr. Coleman to Congressman Martin, stating that the Secretary would not be able to attend. Congressman Martin would like to have this decision reversed.

Attachment





OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

July 9, 1975

JUL 10 1975

OK

MEMORANDUM FOR: Max L. Friedersdorf

SUBJECT: Congressman Jim Martin

The Secretary has advised the Congressman he will be unable to attend the September "Salute to Trucking" program in Charlotte. Commitments made prior to the time of Congressman Martin's invitation have filled his September calendar.

I hope you can understand the Secretary's situation and explain the scheduling problem to the Congressman. Perhaps a visit to Charlotte can be arranged at some later date.

A handwritten signature in cursive script, reading 'Robert S. Marx', is positioned above the typed name.

Robert S. Marx
Acting Director
Office of Public Affairs



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

File

JUN 23 1976

Honorable John J. Rhodes
Minority Leader
House of Representatives
Washington, D. C. 20515

Dear John:

We understand that members of the House Public Works Committee will offer an amendment to the 1977 Department of Transportation Appropriations Act which would seek to strike sections 302, 303, 304, 316, and 317 of the bill as reported by the Appropriations Committee. The effect of this amendment would be the removal of obligation limitations on the highway, highway safety, and airports grant programs.

This amendment could increase the FY 1977 budget by up to \$5 billion.

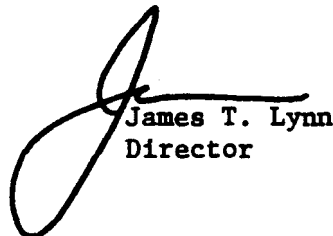
The Secretary of Transportation and I believe that such increases would be inflationary and unwarranted.

If this amendment to the Department of Transportation Appropriations Act is approved by the Congress, Secretary Coleman and I would strongly recommend to the President that the bill be vetoed.

If we are ever going to be in a position of restraining growth in Federal spending to get the balanced budgets and the tax cuts the economic health of our nation and fairness to our taxpayers require, it is vital that this proposed amendment be defeated.

With kind regards.

Sincerely yours,



James T. Lynn
Director

SIMILAR LETTERS SENT TO CONGRESSMEN MICHEL, MAHON, ADAMS, CEDERBERG, LATTA, McFALL, AND CONTE.

June 23, 1976

Key Points re Amendment to Eliminate Obligation
Ceilings in 1977 DOT Appropriations Bill (HR 14234)

1. Without such obligation ceilings, maximum amounts available for obligation in the programs covered by these obligation ceilings could exceed the President's Budget by approximately \$5 billion and could bust the obligation levels contemplated in the First Concurrent Budget Resolution by well over \$4 billion.
2. In addition to the FY 1977 impact, such action would have a particularly adverse impact on the Federal deficit for FY 1978/1979. This situation would be very harmful to the goal of both the Congress and the Executive Branch to move towards a balanced Federal budget during this period.
3. Such obligation ceilings in the DOT Appropriations Bill have ample precedent. Obligation ceilings have been used in the ADAP and NHTSA/FHWA State and community grant programs for several years; the FY 1976 Transportation Appropriations Bill contained a comparable obligation ceiling for the Federal-Aid Highway program in order to prevent potential inflationary increases in Federal spending.
4. In order to avoid any manipulation by the Executive Branch of the obligation ceilings, the Appropriations Committee has clearly indicated in its report on HR 14234 that it is not the intent of the Committee that this limitation be used by the Secretary as discretionary authority to distort the priorities established in the Federal highway legislation (page 25 of House Report #94-1221, June 8, 1976).

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CHAIRMAN

JAMIE L. WHITTEN, MISS.
ROBERT L. F. SIKES, FLA.
OTTO E. PASSMAN, LA.
JOE L. EVINS, TENN.
EDWARD P. BOLAND, MASS.
WILLIAM H. NATCHER, KY.
DANIEL J. FLOOD, PA.
TOM STEED, OKLA.
GEORGE E. SHIPLEY, ILL.
JACK M. SLACK, W. VA.
JOHN J. FLYNT, JR., GA.
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JOSEPH D. EARLY, MASS.
MAX BAUCUS, MONT.

Congress of the United States
House of Representatives
Committee on Appropriations
Washington, D.C. 20515

July 29, 1976

MINORITY MEMBERS
ELFORD A. CEDERBERG, MICH.
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GARNER E. SHRIVER, KANS.
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ROBERT C. MC EWEN, N.Y.
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J. KENNETH ROBINSON, VA.
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C. W. BILL YOUNG, FLA.
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WILLIAM L. ARMSTRONG, COLO.
RALPH S. REGULA, OHIO
CLAIR W. BURGNER, CALIF.

CLERK AND STAFF DIRECTOR
KEITH F. MAINLAND

TELEPHONE:
CAPITOL 5-3121
EXT. 5271
OR
225-2711

Dear Colleague:

We are writing this letter to urge you to support the Appropriations and Budget Committees' effort to comply with the letter and the spirit of the Congressional Budget Act of 1974 in recommending a spending ceiling in fiscal year 1977 for the Federal-Aid highway and highway safety construction programs. When the conference report on the Transportation Appropriations Bill (H.R. 14234) is considered by the House on August 3, we will be asking for a "YEA" vote on a motion to recede and concur with an amendment to Senate amendment number 61.

We are and have always been strong supporters of the highway program. We believe that this amendment will fully provide for the nation's highway needs while at the same time giving the Congress a better way of restoring fiscal integrity to our economy.

We ask you to consider the following points:

1. Certain Members of the House believe that section 401(d)(1)(B) of the Budget Act exempts trust fund financed programs from the Congressional budget process. This is demonstrably FALSE. Messrs. Adams and Latta in their letter of June 29 provided a clear and succinct discussion of this contention. Budget authority for trust fund financed programs has been and continues to be the jurisdiction of the Public Works and Transportation Committee. The obligation ceiling applies to highway obligations in fiscal year 1977. It does not create nor rescind any budget authority. The provision we recommend is required if the new budget control process relating to aggregate Federal spending is going to work.
2. It has been stated that trust fund spending doesn't affect aggregate Federal spending and the budget deficit. Unhappily, we must report that this contention is not true. Since the adoption of the unified budget in 1968, the Treasury Department administers the budget on a consolidated basis, which means that from time to time there is interfund borrowing. When funds are borrowed from the highway trust fund, the Treasury is obligated to repay those funds plus interest. The spending ceiling we propose cannot and does not alter or change this process. Spending from a trust fund affects the economy and Federal debt held by the private sector in the same way that spending from the general fund does. All Members should recognize this important fact.
3. The \$7.2 billion ceiling plus the special highway programs not included in the ceiling would provide for a obligation level of approximately \$7.7 billion in FY 1977. We believe this limitation represents the practical capacity of the highway construction industry. However, if the states were able to solve their individual environmental, financial and capacity problems and were able to obligate more than the \$7.7 billion level, the Congress could, within the framework of the Budget Act, provide for a higher obligation ceiling. The amendment would provide for such a contingency. Since a large majority

(OVER)

of both parties has and continues to support the highway program, we are confident that the important economic and employment benefits of the program will continue to weigh heavily in the Congressional budget process.

4. It should be noted that this limitation does not apply to mass transit grants substituted for Interstate highway projects. Since these substitutions are financed from the general fund, this program is funded in a separate part of the appropriation bill.
5. We are well aware of the controversies that accompanied executive branch impoundment of highway funds. A careful reading of the House Report accompanying the appropriations bill (H. Report. 94-1221, pages 25 and 26) clearly shows what is expected from the executive branch regarding the administration of this provision.

It is not the intent of the Committee that the limitation be used by the Secretary as discretionary authority to distort the priorities established in the Federal highway legislation.

Rather, the Secretary should take only the action necessary, consistent with the intent of the Congress, to insure that a program level of \$7.2 billion is achieved, consistent with each state's highway program abilities and priorities.

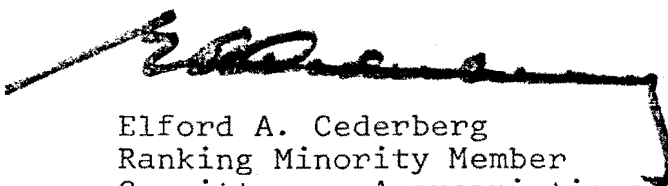
During our hearings on the 1977 budget, we received assurances that this limitation would be administered fairly, pursuant to the intent of Congress as expressed in the authorizing legislation.

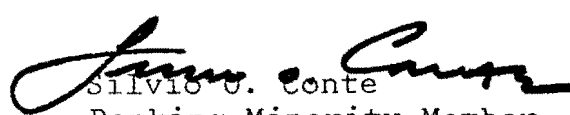
Since the Appropriations Committee controls the administrative expenses for the Department of Transportation, we believe the Department will make every effort to comply with the standards set down in the report.

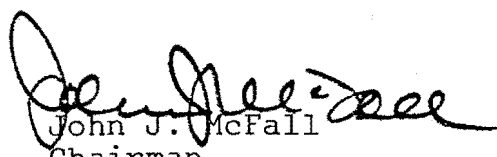
6. The provision we advocate is part of the larger movement to restore control over the budget by the legislative branch. During the past 40 years the Congress has been criticized for abrogating its important powers to the executive branch. The Congressional Budget Act of 1974 was an attempt to restore legislative control over the Federal pursestrings. The new Budget Act will not work alone, it requires the determined effort of all Members and Committees. This year, more than ever, we need to insure that the integrity of the Congressional budget process is maintained and protected.

Sincerely,


George H. Mahon
Chairman
Committee on Appropriations


Elford A. Cederberg
Ranking Minority Member
Committee on Appropriations


Silvio O. Conte
Ranking Minority Member
Subcommittee on Transportation
Appropriations


John J. McFall
Chairman
Subcommittee on Transportation
Appropriations

HOUSE DEMOCRATS

<u>YEAS</u>	<u>NAYS</u>	<u>YEAS</u>	<u>NAYS</u>
X Abzug		Cornell	X
Adams	X	X Cotter	
X Addabbo		X D'Amours	
Albert		X Daniel, D.	
Alexander	X	X Daniels	
X Allen		Danielson	X
X Ambro		X Davis	
X Anderson, G.		X De La Garza	
X Andrews, I.		Delaney	X
X Annunzio		X Dellums	
Ashley	X	Dent	
Aspin	X	Derrick	
Au Coin		X Diggs	
Badillo	X	Dingell	X
Baldus	X	Dodd	X
		Downey	X
X Baucus		X Downing	
X Beard, E.		Drinan	X
X Bedell		Duncan, R.	X
Bennett	X	Early	X
X Bergland		Eckhardt	X
X Bevill		X Edgar	
X Biaggi		X Edwards, D.	
Bingham	X	X Eilberg	
X Blanchard		X English	
X Blouin		Evans, D.	X
X Boggs		Evans, F.	X
Boland	X	X Evins, J.	
Bolling	X	X Fary	
Bonker	X	X Fascell	
X Bowen		Fisher	X
Brademas		X Fithian	
X Breaux		Flood	
X Breckinridge		X Florio	
X Brinkley		X Flowers	
X Brodhead		X Flynt	
X Brooks		Foley	X
Brown, George	X	X Ford, H.	
X Burke, J.		X Ford, W.	
Burke, Y.		X Fountain	
X Burleson		X Fraser	
Burlison	X	X Fuqua	
X Burton, J.		X Gaydos	
X Burton, P.		X Giaimo	
X Byron		Gibbons	X
X Carney		X Ginn	
Carr	X	X Gonzalez	
X Chappell		X Green	
X Chisholm		X Haley	
X Clay		X Hall, S.	
X Collins, C.		X Hall, T.	
Conyers		X Hamilton	
X Corman		X Hanley	
		Hannaford	X

YEAS	74
NAYS	61
?	
ABSENT	
TOTAL-R	
YEAS	177
NAYS	85
?	
ABSENT	
TOTAL-D	
GRAND TOTAL	
YEAS	251
NAYS	146
?	35
ABSENT	
TOTAL	432

<u>YEAS</u>	<u>NAYS</u>
X Harkin	
Harrington	X
Harris	X
X Hawkins	
X Hayes	
Hays	
Hebert	
X Hechler	
X Hefner	
Helstoski	
X Henderson	
Hicks	X
X Hightower	
X Holland	
Holtzman	X
X Howard	
X Howe	
X Hubbard	
X Hughes	
Hungate	X
Ichord	X
X Jacobs	
X Jenrette	
X Johnson, H.	
Jones, E.	
X Jones, J.	
X Jones, R.	

<u>YEAS</u>	<u>NAYS</u>	<u>YEAS</u>	<u>NAYS</u>	<u>YEAS</u>	<u>NAYS</u>
Jones, W.		X Murtha		X Shipley	
Jordan		X Natcher		Sikes	X
Karth		Neal	X	Simon	X
Kastenmeier	X	Nedzi	X	Sisk	
X Kazen		X Nichols			
X Keys		Nix	X	X Slack	
Koch	X	X Nolan		X Smith, N.	
Krebs	X	X Nowak		Solarz	X
X Krueger		X Oberstar		X Spellman	
La Falce	X	Obey	X	Staggers	X
Landrum		O'Hara	X	Stanton, J.V.	
X Leggett		X O'Neill		X Stark	
Lehman	X	X Ottinger		X Steed	
X Levitas		Passman	X	X Stephens	
Litton		X Patten		X Stokes	
X Lloyd, J.		X Patterson		X Stratton	
X Lloyd, M.		Pattison	X	Stuckey	
Long, C.	X	Pepper		Studds	X
X Long, G.		X Perkins		X Sullivan	
X Lundine		Pickle	X	Symington	
X McCormack		Pike	X	X Taylor, R.	
X McDonald		Poage	X	Teague	
McFall	X	X Preyer		X Thompson	
X Mc Hugh		X Price		X Thornton	
McKay	X	X Randall		X Traxler	
X Madden		X Rangel		Tsongas	X
X Maguire		X Rees		Udall	
Mahon	X	Reuss	X	X Ullman	
X Mann		X Richmond		X Van Deerlin	
X Mathis		Riegle		Vander Veen	X
Matsunaga		X Risenhoover		Vanik	X
Mazzoli	X	Roberts		X Vigorito	
Meeds	X	X Rodino		X Waggonner	
X Melcher		X Roe		X Waxman	
X Metcalfe		Rogers	X	X Weaver	
X Meyner		X Roncalio		X White	
X Mezvinsky		X Rooney		Whitten	X
X Mikva		X Rose		X Wilson, C. (Tx.)	
X Milford		Rosenthal	X	Wilson, C.H. (Ca)	X
X Miller, G.		X Rostenkowski		Wirth	X
Mills	X	Roush	X	X Wolff	
X Mineta		Roybal	X	X Wright	
X Minish		Runnels	X	Yates	X
X Mink		X Russo		X Yatron	
X Mitchell, P.		X Ryan		X Young, A.	
Moakley		X St. Germain		X Young, J.	
X Moffett		X Santini		Zablocki	X
X Mollohan		X Sarbanes		X Zeferetti	
X Montgomery		X Satterfield			
Moorhead, W.	X	Scheuer	X		
X Morgan		Schroeder	X		
Moss	X	Seiberling	X		
Mottl	X	X Sharp			
X Murphy, J.					
X Murphy, M.					

HOUSE REPUBLICANS

YEAS	NAYS	YEAS	NAYS	YEAS	NAYS
✓ X Abdnor		✓ X Grassley - PR		✓ X Rhodes	X
✓ X Anderson, J. CL		✓ X Gude	X	✓ X Rinaldo - CL	
✓ X Andrews, M.		✓ X Guyer	X	✓ X Robinson - CL	
✓ X Archer - TL		✓ X Hagedorn		✓ X Rousselot - PR	
✓ X Armstrong	X	✓ X Hammerschmidt		✓ X Ruppe - TL	
✓ X Ashbrook		✓ X Hansen	X	✓ X Sarasin - CL	
✓ X Bafalis		✓ X Harsha		✓ X Schneebeil	X
✓ X Bauman	X	✓ X Heckler - CL		✓ X Schulze	X
✓ X Beard, R. TL		✓ X Heinz		✓ X Sebelius	X
✓ X Bell		✓ X Hillis		✓ X Shriver	X
✓ X Biester	X	✓ X Hinshaw		✓ X Shuster	
✓ X Broomfield		✓ X Holt	X	✓ X Smith, V. - TL	X
✓ X Brown, C. - TL	X	✓ X Horton - CL		✓ X Snyder	
✓ X Brown, G.		✓ X Hutchinson	X	✓ X Spence	
✓ X Broyhill	X	✓ X Hyde	X	✓ X Stanton, J. W.	X
✓ X Buchanan - TL		✓ X Jarman	X	✓ X Steelman - TL	
✓ X Burgener - PR		✓ X Jeffords - TL		✓ X Steiger, S. - CL	
✓ X Burke, J. H. - TL		✓ X Johnson, A. - CL		✓ X Steiger, W.	X
✓ X Butler - CL		✓ X Johnson, J. - CL		✓ X Symms - TL	
✓ X Carter - CL		✓ X Kasten - TL		✓ X Talcott - PR	
✓ X Cederberg	X	✓ X Kelly	X	✓ X Taylor, G.	
✓ X Clancy		✓ X Kemp		✓ X Thone - PR	
✓ X Clausen		✓ X Ketchum - PR		✓ X Treen	X
✓ X Clawson	X	✓ X Kindness - TL		✓ X Vander Jagt	X
✓ X Cleveland		✓ X Lagomarsino		✓ X Walsh	
✓ X Cochran		✓ X Latta	X	✓ X Wampler	
✓ X Cohen - CL		✓ X Lent	X	✓ X Whalen	X
✓ X Collins, J.	X	✓ X Lott - TL		✓ X Whitehurst - TL	
✓ X Conable	X	✓ X Lujan	X	✓ X Wiggins	X
✓ X Conlan		✓ X McClory	X	✓ X Wilson, B. - PR	
✓ X Conte	X	✓ X McCloskey	X	✓ X Winn	X
✓ X Coughlin	X	✓ X McCollister - PR		✓ X Wyder	X
✓ X Crane - CL		✓ X McDade - CL		✓ X Wylie	X
✓ X Daniel, R. - CL		✓ X McEwen	X	✓ X Young, C. W.	X
✓ X Derwinski - CL		✓ X McKinney	X	✓ X Young, D. - PR	
✓ X Devine	X	✓ X Madigan	X	✓ X Skubitz - TL	
✓ X Dickinson	X	✓ X Martin	X		
✓ X Duncan, J.		✓ X Michel - PR			
✓ X du Pont	X	✓ X Miller, C.	X		
✓ X Edwards, J.	X	✓ X Mitchell, D. - CL			
✓ X Emery - TL		✓ X Moore			
✓ X Erlenborn	X	✓ X Moorhead, C. - PR			
✓ X Esch		✓ X Mosher	X		
✓ X Eshleman		✓ X Myers, G. - CL			
✓ X Fenwick	X	✓ X Myers, J.			
✓ X Findley	X	✓ X O'Brien	X		
✓ X Fish - CL		✓ X Paul	X		
✓ X Forsythe	X	✓ X Pettis - CL			
✓ X Frenzel	X	✓ X Peyser - CL			
✓ X Frey - TL		✓ X Pressler - PR			
✓ X Gilman - PR		✓ X Pritchard	X		
✓ X Goldwater - PR		✓ X Quie	X		
✓ X Goodling - CL		✓ X Quillen - TL			
✓ X Gradison	X	✓ X Railsback - CL			
		✓ X Regula	X		



JUL 27 1976



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

July 27, 1976

ASSISTANT SECRETARY

MEMORANDUM FOR MAX FRIEDERSDORF

FROM: Roger W. Hooker, Jr. *Roger*

SUBJECT: DOT Appropriations Bill

The Issue

As you will remember, on June 28 the House passed a Howard floor amendment (251-146) to eliminate the obligation ceiling of \$7.2 billion for highway programs for FY 1977. The impact of striking the ceiling would permit potential contract authority obligations in FY 1977 of as much as \$12 billion -- approximately \$5 billion of which represents unobligated authorizations from prior years. More importantly this amount exceeds both the President's budget by more than \$5 billion (making it a certain veto item) and the allocation for highway programs contained in the First Concurrent Budget Resolution by more than \$4.5 billion, making the House (with a majority of Republicans concurring) to appear more fiscally irresponsible than even the jobs bill would indicate.

In conference last week, the Senate insisted on the obligation ceiling with Birch Bayh telling the House conferees (who are sympathetic) that if he returned to the Senate without a ceiling Muskie and Randolph would muster sufficient votes to reject the conference report. McFall, who favors the ceiling, will take the conference report back to the House floor probably on Thursday. However, because of the beating he took earlier he will offer a motion to recede and concur with Senate Amendment No. 61, so that the issue can be fully aired again and an up and down vote will occur. This is where we need your help.

Background

The Public Works Committee, which was totally unified in support of the Howard amendment, asserted the argument that trust fund programs should not be subject to Appropriations or Budget committee control. McFall and Conte (Appropriations) and Adams and Latta (Budget) argued, on the other hand, that under the unified budget obligation ceilings are

Page Two
Memo to Max Friedersdorf
July 27, 1976

perfectly appropriate to control levels of spending for any program in a given year. However, there were substantial bi-partisan defections on Appropriations and Democratic defections on Budget.

One key point that needs to be used with discretion: When the Howard amendment was voted upon on June 28 both Public Works and the highway lobby argued, with some justification, that nowhere near \$12 billion would be obligated in 1977 because the states would be unable to come up with the local match for highway programs. This situation has substantially changed, however, as a result of last week's override of the Public Works Jobs bill, Title I of which contains \$2 billion that can be used for the local match of public works projects. Needless to say, \$2 billion used to meet the 10% local match requirement of 90/10 Interstate Highway projects or even the 30% local match of most other highway projects, could increase obligations substantially.

Attached are:

1. The June 28 vote on the Howard amendment.
2. A list of Members requiring your special attention.
3. A one page issue paper on the subject.

cc: Tom Loeffler
✓ Charlie Leppert

July 27, 1976

DISCUSSION SHEET
Conference Report on HR 14234
1977 DOT Appropriations Act

Later this week the House is expected to take final action on the 1977 DOT Appropriations Act. During this deliberation, it is anticipated that the Conference Managers (Mr. McFall), with the support of the House Budget Committee, will offer a motion to recede and concur with Senate Amendment No. 61. This amendment establishes a limitation on FY 1977 obligations for Federal-Aid Highway Construction programs.

The following reasons support a "Yea" vote on this motion:

1. The obligation ceiling established by this amendment would be consistent with the First Concurrent Congressional Budget Resolution for FY 1977. Without such a limitation, obligations for this program could bust the Congressional Budget by \$4.0-\$5.0 billion. Not only will this action unnecessarily and unwisely increase the FY 1977 deficit, but it would create tremendous, uncontrollable deficit pressures on the FY 1978-1979 budget.

2. While Trust Fund programs are exempted from certain provisions of the Budget Control Act, they are not exempt from the comprehensive process of deciding an appropriate level of total Federal expenditures (and revenues) and allocating that total among various competing programs. Does the House really want to subject programs for national defense, health, mass transit, railroads, airports, etc., to the discipline of the comprehensive budget review process, but let highway construction have anything it wants "off the top."

3. Contrary to the claims of some opponents of the limitation, the Department of Transportation has not administered the existing FY 1976/TQ as a "huge discretionary fund." Furthermore, in view of the basic formula nature of the highway program, the Department has indicated in testimony that it has no intention of implementing any FY 1977 ceiling as a discretionary program.

4. The DOT FY 1977 Appropriations Bill has funds for many important programs such as the implementation of the 200-mile zone legislation, improvement of the Northeast Rail Corridor, branch line rail continuation subsidies, airport development grants, etc. However, failure to approve this obligation limitation will very likely jeopardize or delay these programs in view of the strong budget control discipline in the Senate and the fact that both Secretary Coleman and OMB Director Lynn have indicated they will recommend that the President veto a DOT budget bill without such a limitation.

July 29, 1976

DISCUSSION SHEET
Conference Report on HR 14234
1977 DOT Appropriations Act

On Tuesday, August 2, the House is expected to take final action on the 1977 DOT Appropriations Act. During this deliberation, it is anticipated that the Conference Managers (Mr. McFall), with the support of the House Budget Committee, will offer a motion to recede and concur with Senate Amendment No. 61. This amendment establishes a limitation on FY 1977 obligations for Federal-Aid Highway Construction programs.

The following reasons support a "Yea" vote on this motion:

1. The obligation ceiling established by this amendment would be consistent with the First Concurrent Congressional Budget Resolution for FY 1977. Without such a limitation, obligations for this program could bust the Congressional Budget by \$4.0-\$5.0 billion. Not only will this action unnecessarily and unwisely increase the FY 1977 deficit, but it would create tremendous, uncontrollable deficit pressures on the FY 1978-1979 budget.

2. While Trust Fund programs are exempted from certain provisions of the Budget Control Act, they are not exempt from the comprehensive process of deciding an appropriate level of total Federal expenditures (and revenues) and allocating that total among various competing programs. Does the House really want to subject programs for national defense, health, mass transit, railroads, airports, etc., to the discipline of the comprehensive budget review process, but let highway construction have anything it wants "off the top."

3. Contrary to the claims of some opponents of the limitation, the Department of Transportation has not administered the existing FY 1976/TQ as a "huge discretionary fund." Furthermore, in view of the basic formula nature of the highway program, the Department has indicated in testimony that it has no intention of implementing any FY 1977 ceiling as a discretionary program.

4. The DOT FY 1977 Appropriations Bill has funds for many important programs such as the implementation of the 200-mile zone legislation, improvement of the Northeast Rail Corridor, branch line rail continuation subsidies, airport development grants, etc. However, failure to approve this obligation limitation will very likely jeopardize or delay these programs in view of the strong budget control discipline in the Senate and the fact that both Secretary Coleman and OMB Director Lynn have indicated they will recommend that the President veto a DOT budget bill without such a limitation.

THOMAS P. O'NEILL, JR., MASS.
TIM WRIGHT, TEX.
THOMAS L. ASHLEY, OHIO
RONNIE M. GLASSCO, CONN.
KEAL SMITH, IOWA
JAMES G. O'HARA, MISS.
ROBERT L. LESSETT, CALIF.
BARRON J. MITCHELL, MD.
CHAS. BUNLISON, TEX.
PHIL LANDRUM, GA.
SAM OGDON, FLA.
PATSY MINK, HAWAII
LOUIS STOKES, OHIO
HAROLD TUNNELLE, N. ME.
ELIZABETH HOLTMAN, N.Y.
BUTLER DORRICK, S.C.

GEORGE JONES,
EXECUTIVE DIRECTOR
225-7208

U.S. House of Representatives

COMMITTEE ON THE BUDGET

Washington, D.C. 20515

July 30, 1976

HERMAN Y. BROWN
JAMES T. BROWNE
DEL. CLAWSON, CAL.
BARRY E. SHAW
BARBARA S. CORLE
MARJORIE S. HOLY
MELVIN M. MILLER
MINORITY STAFF

RE: Transportation Appropriation Conference
Report:
Vote "yes" on Committee motion to recede
and concur on Amendment #61.

Dear Colleague:

The Conference Report on H.R. 14234, the Transportation Appropriations Bill, will be taken up by the House early next week. Following a conversation today with Mr. McFall, it is our understanding that he will offer, on the floor of the House, a motion that will continue ceilings on obligations for the Highway Trust Fund program. This motion, which we support, specifically provides the Public Works Committee with the opportunity to express its will regarding the size of an obligation ceiling for the Highway Trust Fund prior to the beginning of Fiscal Year 1977.

The Budget Committee urges you to vote YES on the McFall motion.

The issue of ceilings on outlays from the Highway Trust Fund is complex and has generated some discussion in recent days. We intend to deal fully with the technical aspects of the issue but first we would like to address ourselves to the broad general aspects of the situation.

What this proposal does NOT do is:

- violate the integrity of the Trust Fund.
- diminish the amount of money that is in the Trust Fund.
- permit the diversion of Trust Fund monies for other purposes.

What it DOES do is provide a safeguard against a sudden and devastating increase in the federal deficit that would be totally unanticipated and particularly difficult to explain.

Just so that Members understand how this could happen it should be remembered that last year highway program commitments ballooned a cool \$1 billion suddenly and unexpectedly in the final month of the fiscal year. In fact, the program managed to obligate \$700 million in the last 24 hours of that fiscal year. This occurred even though the Senate, during the course of a debate on removing the presidential deferral had been assured it would not happen.

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Page 2

No one is trying to tell the Public Works Committee how much money should be expended from the Trust Fund in a given year. We would welcome the Public Works Committee setting of a ceiling each fiscal year which they could adjust when necessary as part of the overall budget process each year. All that is required is for the Public Works Committee to set a program level from which the Budget Committee can set outlays, first in the target resolution, and later in the second budget resolution which sets ceilings in the overall federal outlays for the upcoming fiscal year.

Congress now has a budget procedure--a new budget procedure--and to make it work we need to have some idea of how much money we can reasonably expect will be spent each year by such programs as the Highway Trust Fund. The Public Works Committee is welcome to set any ceiling it wishes and the House will work its will. But, without any ceiling at all, we are vulnerable to sudden and vast increases in the amount of money that Congress must spend. Such unanticipated increases in expenditures will either swell the deficit or crowd out other programs as a result of the fixed ceiling contained in the second budget resolution.

It is possible that this last point may not have been fully understood by all the Members but we would reiterate that, under the unified budget, all expenditures--including those from the Highway Trust Fund--in excess of total federal revenues will swell the size of the federal deficit. Thus, if total revenues remain as assumed in the budget resolution and outlays are increased by \$1 billion (whether for highway or any other activity), the deficit must be \$1 billion higher in the second budget resolution or funds must be taken from another category of spending. If Congress is to control fiscal policy and meet our own budget targets, we must treat this program just as we do other spending programs. Second, to make the Budget Act work we should stabilize the level of funding for the highway program since it is important to our economy. It should not have rapid expansions and contractions that run counter to the needs of the economy.

The recently approved Public Works Jobs Bill can be used by the states to provide matching funds for highway construction. In Fiscal Year 1977, Highway Trust funds available for obligation by the states will total at least \$11.9 billion and could rise to as much as \$14 billion if current spending does not adhere to present estimates.

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Page 3

Thus, Trust Fund obligations could rise \$4 billion or more unless control is established.

The cash revenues coming into the Fund in Fiscal Year 1977 are estimated at \$7.1 billion. The outlays are expected to be at least \$6.2 billion. There is a current cash balance in the Highway Trust Fund of \$9 billion. There are, at the same time, however, outstanding unpaid authorizations of \$19 billion, which are expected to be liquidated from the Fiscal Year 1977 receipts and from future tax and interest income to the Highway Trust Fund.

In order to prevent an uncontrolled rise in the Fiscal Year 1977 program and to stabilize outlay levels in future years, the budget resolution assumed total obligations of \$7.2 billion in Fiscal Year 1977. This \$7.2 billion represents an increase of \$500 million over the amount requested by the President. It is in line with projected construction plans submitted by state highway departments. Since new contract authority becoming available in 1977 is some \$3.8 billion, the proposed limitation uses up a substantial part of previous Executive impoundments. Thus, you can see the surplus is being worked off in an orderly fashion.

The enactment of budget authority for programs financed by trust funds such as the highway program is specifically exempted by the Budget Act from the new backdoor spending controls, which are those controls which allow spending without going through the appropriations process. However, the exemption is only from those controls and not from the spending controls of the new budget process itself.

The statement of managers on the conference report on the Budget Act legislation states this clearly: "The managers note that these exemptions relate only to the procedures in section 401 and that the programs are fully subject to the congressional budget process."

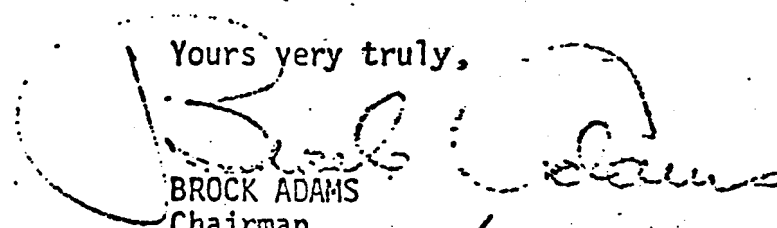
A limitation on obligations is not intended as a means for the Administration to re-order program priorities, but only as an overall economic control on this significant federal program. The Appropriation Committee has made it clear in the conference report that this ceiling will preserve congressional control over this program.

The phrase "congressional impoundment" has been used. This is a false issue, since every appropriation bill and every authorization limit can be called an "impoundment" if that means to place a limit on a program.

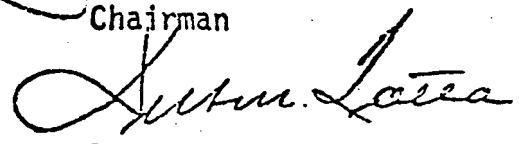
July 30, 1976
Page 4

We therefore urge you to support the Appropriations Committee conference report and vote "aye" on the motion to recede and concur with an amendment on Amendment #61 to the Transportation Appropriations Bill for Fiscal Year 1976.

Yours very truly,



BROCK ADAMS
Chairman



DELBERT L. LATTA
Ranking Minority Member

BA:DL:CW:ns

REPUBLICAN WHIP—ROBERT H. MICHEL

Date: 7/30/76 - Will you support a vote to recede & concur in a Sen. Amend. ^{94th Congress}
 Question: to H.R. 14234, the Transportation Approp. for FY77, which provides ^{Tally Sheet}
 \$7.7 billion in obligations from the Highway Trust Fund in FY 77?

Western and Plains (Talcott)

Midwestern States (Myers)

	Yes	No	Und.	N/R
California				
Bell				
Burgener				
Clausen				
Clawson				
Goldwater				
Harmon				
Ketchum				
Lagomarsino (ARW)				
McCloskey				
Moorhead				
Rousselot				
Talcott				
Wiggins				
Wilson				
Pettis				
Alaska				
Young				
Arizona				
Conlan				
Rhodes				
Steiger				
Colorado				
Armstrong (ARW)				
Johnson				
Idaho				
Hansen				
Symms				
New Mexico				
Lujan				
Washington				
Pritchard				
Kansas				
Sebelius				
Shriver				
Skubitz				
Winn				
Nebraska				
McCollister				
Smith				
Thone (ARW)				
North Dakota				
Andrews				
Oklahoma				
Jarman				
South Dakota				
Abdnor				
Pressler				
Total	8	3	11	13
Total	35	19	37	43

	Yes	No	Und.	N/R
Indiana				
Hillis				
Myers				
Iowa				
Grassley				
Michigan				
Broomfield				
Brown				
Cederberg				
Esch				
Hutchinson				
Ruppe				
Vander Jagt				
Minnesota				
Frenzel (ARW)				
Hagedorn				
Quie				
Wisconsin				
Kasten				
Steiger				
Ohio				
Ashbrook				
Brown (ARW)				
Clancy				
Devine				
Gradison				
Guyer				
Harsha				
Kindness				
Latta				
Miller				
Mosher				
Regula				
Stanton				
Whalen				
Wylie				
Illinois				
Anderson				
Crane				
Derwinski				
Erlenborn				
Findley (ARW)				
Hyde				
Madigan				
McClory				
Michel				
O'Brien				
Railsback				
Total	15	4	12	10

Total pages 1 and 2

REPUBLICAN WHIP—ROBERT H. MICHEL

Date: 7/30/76 - TRANSPORT. Approp.
Question (Highway Trust)

94th Congress
Tally Sheet

Border and Southern (Young)					New England and Mid-Atlantic (McDade)				
	Yes	No	Und.	N/R		Yes	No	Und.	N/R
Maryland					Connecticut				
Gude					McKinney				
Holt					Sarasin leaning yes				
Bauman					Delaware				
Missouri					duPont				
Taylor (ARW)					Maine				
Kentucky					Cohen				
Carter					Emery				
Snyder					Massachusetts				
Tennessee					Conte (ARW)				
Beard					Heckler				
Duncan					New Hampshire				
Quillen					Cleveland				
Florida					New Jersey				
Bafalis					Fenwick				
Burke					Forsythe				
Frey					Rinaldo				
Kelly					Vermont				
Young					Jeffords				
North Carolina					New York				
Broyhill					Conable				
Martin					Fish				
South Carolina					Gilman				
Spence					Glavin				
Virginia					Horton				
Butler					Kemp				
Daniel					Lent				
Robinson					McEwen				
Wampler					Mitchell (ARW)				
Whitehurst (ARW)					Peyser				
Alabama					Walsh				
Buchanan					Wydler				
Dickinson					Pennsylvania				
Edwards					Biester				
Arkansas					Coughlin				
Hammerschmidt					Eshleman				
Louisiana					Goodling				
Moore					Heinz				
Treen					Johnson (ARW)				
Mississippi					McDade leaning				
Cochran					Myers				
Lott					Schneebeli				
Texas					Schulze				
Archer					Shuster				
Collins									
Steelman									
Paul									
Total	4	8	8	14	Total	8	4	6	6

(10)

REPUBLICAN WHIP—ROBERT H. MICHEL

Date: 7/30/76 - Will you support a vote to recede & concur in a Sen. Amend. 94th Congress
 Question: to H.R. 14234, the Transportation Approp. for FY77, which provides Tally Sheet
 \$7.7 billion in obligations from the Highway Trust Fund in FY 77?

Western and Plains (Talcott)

Midwestern States (Myers)

	Yes	No	Und.	N/R
California				
Bell				
Burgener				
Clausen				
Clawson				
Goldwater				
Ketchum				
Lagomarsino (ARW)				
McCloskey				
Moorhead				
Rousselot				
Talcott				
Wiggins				
Wilson				
Pettis				
Alaska				
Young				
Arizona				
Conlan				
Rhodes				
Steiger				
Colorado				
Armstrong (ARW)				
Johnson				
Idaho				
Hansen				
Symms				
New Mexico				
Lujan				
Washington				
Pritchard				
Kansas				
Sebelius				
Shriver				
Skubitz				
Winn				
Nebraska				
McCollister				
Smith				
Thone (ARW)				
North Dakota				
Andrews				
Oklahoma				
Jarman				
South Dakota				
Abdnor				
Pressler				

	Yes	No	Und.	N/R
Indiana				
Hillis				
Myers				
Iowa				
Grassley				
Michigan				
Broomfield				
Brown				
Cederberg				
Esch				
Hutchinson				
Ruppe				
Vander Jagt				
Minnesota				
Frenzel (ARW)				
Hagedorn				
Quie				
Wisconsin				
Kasten				
Steiger				
Ohio				
Ashbrook				
Brown (ARW)				
Clancy				
Devine				
Gradison				
Guyer				
Harsha				
Kindness				
Latta				
Miller				
Mosher				
Regula				
Stanton				
Whalen				
Wylie				
Illinois				
Anderson				
Crane				
Derwinski				
Erlenborn				
Findley (ARW)				
Hyde				
Madigan				
McClory				
Michel				
O'Brien				
Railsback				

Total 8 3 11 13

Total 15 4 12 10

Total pages 1 and 2 35 19 37 43

Date: 7/30/76 - TRANSPORT. Approp.
Question: (Highway Trust)

94th Congress
Tally Sheet

Border and Southern (Young)					New England and Mid-Atlantic (McDade)				
	Yes	No	Und.	N/R		Yes	No	Und.	N/R
Maryland					Connecticut				
Gude					McKinney				
Holt					Sarasin <i>leaning yes</i>				
Bauman					Delaware				
Missouri					duPont				
Taylor (ARW)					Maine				
Kentucky					Cohen				
Carter					Emery				
Snyder					Massachusetts				
Tennessee					Conte (ARW)				
Beard					Heckler				
Duncan					New Hampshire				
Quillen					Cleveland				
Florida					New Jersey				
Bafalis					Fenwick				
Burke					Forsythe				
Frey					Rinaldo				
Kelly					Vermont				
Young					Jeffords				
North Carolina					New York				
Broyhill					Conable				
Martin					Fish				
South Carolina					Gilman				
Spence					Strom				
Virginia					Horton				
Butler					Kemp				
Daniel					Lent				
Robinson					McEwen				
Wampler					Mitchell (ARW)				
Whitehurst (ARW)					Peyser				
Alabama					Walsh				
Buchanan					Wydler				
Dickinson					Pennsylvania				
Edwards					Biester				
Arkansas					Coughlin				
Hammerschmidt					Eshleman				
Louisiana					Goodling				
Moore					Heinz				
Treen					Johnson (ARW)				
Mississippi					McDade <i>leaning</i>				
Cochran					Myers				
Lott					Schneebeli				
Texas					Schulze				
Archer					Shuster				
Collins									
Steelman									
Paul									
Total	4	8	8	14	Total	8	4	6	6
									(10)

STATE AND PARTY REPORT

3 AUG. 1976 3:05 PM PAGE 1

ROLL NO. 593

H R 14234

YEA-AND-NAY

CLOSED 3 AUG. 1976 3:03 PM

AUTHOR(S): MR. MCFALL.

R & C W/AMEND IN S AMEND NO 61

TRANSPORTATION APPROPRIATIONS, FY 1977

	YEA	NAY	PRES	NY
DEMOCRATIC	143	116		28
REPUBLICAN	83	51		11
OTHER				
TOTAL	226	167		39



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

ALABAMA

DEVILL	NAY
FLOWERS	NAY
JONES (AL)	NAY
NICHOLS	NAY

BUCHANAN	NAY
DICKINSON	YEA
EDWARDS (AL)	YEA

ALASKA

YOUNG (AK)	YEA
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ARIZONA

UDALL	YEA
-------	-----

CONLAN	NV
RHODES	YEA
STEIGER (AZ)	NV

ARKANSAS

ALEXANDER	YEA
MILLS	NAY
THORNTON	YEA

HAMMERSCHMIDT	NAY
---------------	-----

CALIFORNIA

ANDERSON (CA)	NAY
BROWN (CA)	YEA
BURKE (CA)	NAY
BURTON, JOHN	NAY
BURTON, PHILLIP	NAY
CORMAN	NAY
DANIELSON	YEA
DELLUMS	YEA
EDWARDS (CA)	YEA
HANNAFORD	YEA
HAWKINS	NAY
JOHNSON (CA)	NAY
KREBS	YEA
LEGGETT	YEA
LLOYD (CA)	YEA
MC FALL	YEA
MILLER (CA)	NAY
MINETA	NAY
MOSS	YEA
PATTERSON (CA)	NAY
REES	NV
ROYBAL	YEA
RYAN	NAY
SISK	YEA
STARK	YEA
VAN DEERLIN	YEA
WAXMAN	NAY
WILSON, C. H.	NAY

BELL	YEA
BURGENER	YEA
CLAUSEN, DON H.	NAY
CLAWSON, DEL	YEA
GOLDWATER	NAY
HINSHAW	NV
KETCHUM	NAY
LAGOMARSINO	NAY
MC CLOSKEY	NV
MOORHEAD (CA)	YEA
PETTIS	YEA
ROUSSELOT	YEA
TALCOTT	YEA
WIGGINS	NV
WILSON, BOB	YEA

COLORADO

EVANS (CO)	YEA
SCHROEDER	YEA
WIRTH	YEA

ARMSTRONG	YEA
JOHNSON (CO)	NV



STATE AND PARTY REPORT

3 AUG. 1976 3:05 PM PAGE 3

ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

CONNECTICUT

COTTER	YEA
DODD	YEA
GIAIMO	YEA
MOFFETT	YEA

MC KINNEY	YEA
SARASIN	NAY

DELAWARE

DU PONT	YEA
---------	-----

FLORIDA

BENNETT	YEA
CHAPPELL	NAY
FASCELL	NV
FUQUA	NAY
GIBBONS	YEA
HALEY	YEA
LEHMAN	YEA
PEPPER	YEA
ROGERS	YEA
SIKES	YEA

BAFALIS	NAY
BURKE (FL)	YEA
FREY	YEA
KELLY	NAY
YOUNG (FL)	NAY

GEORGIA

BRINKLEY	NAY
FLYNT	NV
GINN	NAY
LANDRUM	NAY
LEVITAS	NAY
NATHIS	NAY
MC DONALD	NV
STEPHENS	NAY
STUCKEY	NAY
YOUNG (GA)	NV

HAWAII

NATSUNAGA	NAY
MINK	NAY

IDAHO

HANSEN	NV
SYMMS	YEA



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

ILLINOIS

ANNUNZIO	NAY
COLLINS (IL)	YEA
FARY	NAY
HALL (IL)	YEA
METCALFE	YEA
MIKVA	YEA
MURPHY (IL)	NAY
PRICE	NAY
ROSTENKOWSKI	NAY
RUSSO	YEA
SHIPLEY	YEA
SIMON	YEA
YATES	YEA

ANDERSON (IL)	YEA
CRANE	NAY
DERWINSKI	NAY
ERLENBORN	YEA
FINDLEY	NV
HYDE	YEA
MADIGAN	YEA
MC CLORY	YEA
MICHEL	YEA
O'BRIEN	NAY
RAILSBACK	YEA

INDIANA

BRADENAS	YEA
EVANS (IN)	YEA
FITHIAN	NAY
HAMILTON	YEA
HAYES (IN)	YEA
JACOBS	YEA
MADDEN	NAY
ROUSH	YEA
SHARP	YEA

HILLIS	NAY
MYERS (IN)	NAY

IOWA

BEDELL	NAY
BLOVIN	NAY
HARKIN	NAY
MEZVINSKY	NAY
SMITH (IA)	NAY

GRASSLEY	NAY
----------	-----

KANSAS

KEYS	NAY
------	-----

SEBELIUS	YEA
SHRIVER	YEA
SKUBITZ	YEA
WINN	NAY

KENTUCKY

BRECKINRIDGE	YEA
HUBBARD	NAY
MAZZOLI	YEA
HATCHER	YEA
PERKINS	YEA

CARTER	YEA
SNYDER	NAY

LOUISIANA

BOGGS	NAY
BREAUX	NAY
HEBERT	NV
LONG (LA)	YEA
PASSMAN	NV
WAGGONER	NAY

MOORE	NAY
TREEN	YEA



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

MAINE

COHEN	YEA
EMERY	YEA

MARYLAND

BYRON	YEA
LONG (MD)	YEA
MITCHELL (MD)	YEA
SARBANES	YEA
SPELLMAN	YEA

BAUMAN	YEA
GUDE	YEA
HOLT	YEA

MASSACHUSETTS

BOLAND	YEA
BURKE (MA)	YEA
DRINAN	YEA
EARLY	YEA
HARRINGTON	YEA
HOAKLEY	YEA
O'NEILL	YEA
STUDDS	YEA
TSONGAS	YEA

CONTE	YEA
HECKLER (MA)	YEA

MICHIGAN

BLANCHARD	YEA
BRODHEAD	YEA
CARR	NAY
CONYERS	NV
DIGGS	NV
DINGELL	NAY
FORD (MI)	NAY
HEDZI	YEA
O'HARA	NV
RIEGLE	NV
TRAXLER	NAY
VANDER VEEN	NV

BROOMFIELD	YEA
BROWN (MI)	YEA
CEDERBERG	YEA
ESCH	NV
HUTCHINSON	YEA
RUPPE	NAY
VANDER JAGT	YEA

MINNESOTA

BERGLAND	NAY
FRASER	NAY
KARTH	NV
NOLAN	NAY
OBERSTAR	NAY

FRENZEL	YEA
HAGEDORN	NAY
QUIE	YEA

MISSISSIPPI

BOWEN	NAY
MONTGOMERY	NAY
WHITTEN	NAY

COCHRAN	NAY
LOTT	NAY



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

MISSOURI

BOLLING	NV
BURLISON (MO)	NV
CLAY	NV
HUNGATE	YEA
ICHORD	YEA
LITTON	NV
RANDALL	NV
SULLIVAN	NV
SYMINGTON	NV

TAYLOR (MO) NAY

MONTANA

BAUCUS	YEA
MELCHER	NAY

NEBRASKA

MC COLLISTER	NAY
SMITH (NB)	NAY
THONE	NAY

NEVADA

SANTINI	NAY
---------	-----

NEW HAMPSHIRE

D'AMOURS	NAY
----------	-----

CLEVELAND NAY

NEW JERSEY

DANIELS (NJ)	NAY
FLORIO	NV
HELSTOSKI	NAY
HOWARD	NAY
HUGHES	NAY
MAGUIRE	YEA
MEYNER	NAY
MINISH	NAY
PATTEN (NJ)	NAY
RODINO	NAY
ROE	NAY
THOMPSON	YEA

FENWICK	YEA
FORSYTHE	YEA
RINALDO	NAY

NEW MEXICO

RUNNELS	YEA
---------	-----

LUJAN YEA



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

NEW YORK

ABZUG	NY
ADDASBO	YEA
AMBRO	NAY
BADILLO	YEA
DIAGGI	YEA
BINGHAM	YEA
CHISHOLM	YEA
DELANEY	YEA
DOWNEY (NY)	YEA
HANLEY	YEA
HOLTZMAN	YEA
KOCH	YEA
LAFALCE	YEA
LUNDINE	YEA
MC HUGH	YEA
MURPHY (NY)	NAY
NOVAK	NAY
OTTINGER	NAY
PATTISON (NY)	YEA
PIKE	NAY
RANGEL	YEA
RICHMOND	YEA
ROSENTHAL	YEA
SCHEUER	YEA
SOLARZ	YEA
STRATTON	YEA
WOLFF	YEA
ZEFERETTI	YEA

CONABLE	YEA
FISH	YEA
GILMAN	NAY
HORTON	YEA
KEMP	YEA
LENT	YEA
MC EWEN	YEA
MITCHELL (NY)	YEA
PEYSER	NY
WALSH	NAY
WYDLER	YEA

NORTH CAROLINA

ANDREWS (NC)	NAY
FOUNTAIN	NY
HEFNER	NAY
HENDERSON	NAY
JONES (NC)	NAY
NEAL	NY
PREYER	NAY
ROSE	NAY
TAYLOR (NC)	NAY

BROYHILL	YEA
MARTIN	YEA

NORTH DAKOTA

ANDREWS (ND)	NAY
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ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

OHIO

ASHLEY	YEA
CARNEY	YEA
HAYS (OH)	YEA
MOTTL	YEA
SEIBERLING	YEA
STANTON, JAMES V.	NAY
STOKES	YEA
YANIK	YEA

ASHBROOK	NAY
BROWN (OH)	YEA
CLANCY	NAY
DEVINE	YEA
GRADISON	YEA
GUYER	YEA
HARSHA	NAY
KINDNESS	YEA
LATTA	YEA
MILLER (OH)	NAY
MOSHER	YEA
REGULA	YEA
STANTON, J. WILLIAM	YEA
WHALEN	YEA
WYLIE	YEA

OKLAHOMA

ALBERT	
ENGLISH	NAY
JONES (OK)	NAY
RISENHOOVER	NAY
STEED	NAY

JARMAN	YEA
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OREGON

AUCOIN	YEA
DUNCAN (OR)	YEA
ULLMAN	YEA
WEAVER	YEA

PENNSYLVANIA

DENT	NAY
EDGAR	YEA
EILBERG	NAY
FLOOD	YEA
GAYDOS	NAY
GREEN	NAY
MOORHEAD (PA)	YEA
MORGAN	NAY
MURTHA	NAY
NIX	NAY
ROONEY	YEA
VIGORITO	YEA
YATRON	YEA

BIESTER	YEA
COUGHLIN	YEA
ESHLEMAN	YEA
GOODLING	YEA
HEINZ	NAY
JOHNSON (PA)	NAY
MC DADE	YEA
MYERS (PA)	NAY
SCHNEEBELI	YEA
SCHULZE	NAY
SHUSTER	NAY

RHODE ISLAND

BEARD (RI)	NAY
ST GERMAIN	NAY



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

SOUTH CAROLINA

DAVIS	NAY
DERRICK	YEA
HOLLAND	NAY
JENNETTE	NAY
MANN	NAY

SPENCE	NAY
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SOUTH DAKOTA

ABDNOR	NAY
PRESSLER	NAY

TENNESSEE

ALLEN	YEA
EVINS (TN)	NV
FORD (TN)	YEA
JONES (TN)	NV
LLOYD (TN)	NAY

BEARD (TN)	YEA
DUNCAN (TN)	YEA
QUILLEN	YEA

TEXAS

BROOKS	NAY
BURLESON (TX)	YEA
DE LA GARZA	YEA
ECKHARDT	NAY
GONZALEZ	NAY
HALL (TX)	NAY
HIGHTOWER	NAY
JORDAN	YEA
KAZEN	NAY
KRUEGER	NAY
MAHON	YEA
MILFORD	NAY
PICKLE	YEA
POAGE	YEA
ROBERTS	NAY
TEAGUE	YEA
WHITE	NAY
WILSON, (TX)	NV
WRIGHT	NAY
YOUNG (TX)	NAY

ARCHER	NAY
COLLINS (TX)	YEA
PAUL	YEA
STEELMAN	NV

UTAH

HOWE	NAY
MC KAY	YEA

VERMONT

JEFFORDS	YEA
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VIRGINIA

DANIEL, DAN	NAY
DOWNING (VA)	NAY
FISHER	YEA
HARRIS	YEA
SATTERFIELD	NAY

BUTLER	NAY
DANIEL, R. W.	NAY
ROBINSON	NAY
WAMPLER	NAY
WHITEHURST	NAY



ROLL NO. 593

DEMOCRATIC

OTHER

REPUBLICAN

WASHINGTON

ADAMS	YEA
BONKER	YEA
FOLEY	YEA
HICKS	YEA
MC CORMACK	YEA
NEEDS	YEA

PRITCHARD	YEA
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WEST VIRGINIA

HECHLER (WV)	YEA
HOLLOHAN	YEA
SLACK	NY
STAGGERS	YEA

WISCONSIN

ASPIN	YEA
BALDUS	YEA
CORNELL	YEA
KASTENMEIER	YEA
OBEY	YEA
REUSS	YEA
ZABLOCKI	YEA

KASTEN	NAY
STEIGER (WI)	YEA

WYOMING

RONCALIO	YEA
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* * * * * E N D O F R E P O R T * * * * *

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