

Mr. BENTSEN. I yield back the remainder of my time, and ask for a vote on the amendment.

The PRESIDING OFFICER (Mr. HODGES). Does the Senator from Alaska yield back the remainder of his time?

Mr. GRAVEL. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. CRANSTON. Mr. President, I ask for the yeas and nays on the King's River amendment, which was set aside temporarily so that we could deal with these other amendments.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

#### AGRICULTURAL CREDIT ASSISTANCE ACT OF 1978

The PRESIDING OFFICER. Under the previous order, the hour of 2 o'clock p.m. having arrived, the Senate will now resume the consideration of S. 2146, and will proceed to vote on the amendments by Senators EAGLETON, ALLEN, and CLARK.

The question is on agreeing to the amendment of the Senator from Missouri (Mr. EAGLETON).

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Alabama (Mr. ALLEN).

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Iowa (Mr. CLARK).

Mr. ALLEN. Mr. President, this amendment is contested, and I believe the distinguished Senator from Iowa wishes a yeas or nays vote. He is not in the Chamber at the moment, and I therefore ask unanimous consent that I might be permitted to suggest the absence of a quorum until Senator CLARK returns.

The PRESIDING OFFICER. The Senator does not need unanimous consent to suggest the absence of a quorum.

Mr. ALLEN. I suggest the absence of a quorum.

Mr. DOMENICI. Here he is.

The PRESIDING OFFICER. Does the Senator withdraw that, since Senator Clark is now here?

Mr. ALLEN. Yes.

Mr. CLARK. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

#### AMENDMENT NO. 1825

The question is on agreeing to the amendment (No. 1825) of the Senator from Iowa (Mr. CLARK). The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Mississippi (Mr. EAST-

LAND), the Senator from Colorado (Mr. HASKELL), the Senator from Montana (Mr. HATFIELD), the Senator from Hawaii (Mr. INOUE), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "nay."

Mr. STEVENS. I announce that the Senator from Oregon (Mr. HATFIELD) and the Senator from Kansas (Mr. PEARSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "nay."

The result was announced—yeas 29, nays 62, as follows:

#### [Rollcall Vote No. 145 Leg.]

##### YEAS—29

Abourezk	Gravel	Moynihan
Anderson	Hart	Nelson
Bentsen	Hathaway	Percy
Burdick	Hollings	Riegle
Church	Huddleston	Sarbanes
Clark	Humphrey	Sasser
Cranston	Kennedy	Stevenson
Culver	Matsunaga	Stone
Durkin	McGovern	Williams
Ford	Morgan	

##### NAYS—62

Allen	Goldwater	Muskie
Baker	Griffin	Nunn
Bartlett	Hansen	Packwood
Bayh	Hatch	Pell
Bellmon	Hayakawa	Proxmire
Biden	Heinz	Ribicoff
Brooke	Heins	Roth
Bumpers	Hodges	Schmitt
Byrd,	Jackson	Schweiker
Harry F., Jr.	Javits	Scott
Byrd, Robert C.	Johnston	Sparkman
Case	Lavalt	Stafford
Chafee	Leahy	Stennis
Chiles	Long	Stevens
Curtis	Lugar	Talmadge
Danforth	Magnuson	Thurmond
Dole	Mathias	Tower
Domenici	McClure	Wallop
Eagleton	McIntyre	Welcker
Garn	Melcher	Young
Glenn	Metzenbaum	Zorinsky

##### NOT VOTING—9

Cannon	Hatfield,	Inouye
DeConcini	Mark O.	Pearson
Eastland	Hatfield,	Randolph
Haskell	Paul G.	

So the amendment was rejected.

The PRESIDING OFFICER (Mr. RIEGLE). If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. Under the previous order, third reading of S. 2146 having occurred, the Senate will now proceed to the consideration of the House companion bill, H.R. 11504, which will be amended by striking all after the enacting clause and inserting the text of the Senate bill followed by third reading and passage of the House bill without debate.

Mr. ALLEN. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

The bill will be stated by title.

The second assistant legislative clerk read as follows:

A bill (H.R. 11504) to amend the Consolidated Farm and Rural Development Act,

provide an economic emergency loan program to farmers and ranchers in the United States, and extend the Emergency Livestock Credit Act.

The PRESIDING OFFICER. Without objection, the text of S. 2146 as amended by the Senate is substituted for the text of the bill H.R. 11504.

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

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

The bill was read the third time.

Mr. ALLEN. Mr. President, I have an amendment to the title that I send to the desk.

The PRESIDING OFFICER. The Chair advises that the amendment is not in order until the bill is passed.

Mr. ALLEN. I leave it at the desk, then.

The PRESIDING OFFICER. The bill having been read the third time, the question now is, Shall the bill as amended pass?

Mr. ALLEN. Mr. President, I call for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that this be a 10-minute rollcall vote, with the warning bells to sound 2 minutes after the beginning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, I ask unanimous consent that the name of the distinguished and gracious Senator from Minnesota (Mrs. HUMPHREY) be added as a cosponsor of S. 2146.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMENTS ON USDA REPORT ON RECLAMATION PROJECT FARMS

● Mr. ABOUREZK. Mr. President, I recently asked Prof. Phillip LaVeen of the University of California at Berkeley to comment on a report issued by the Department of Agriculture on the impact of proposed regulations for the sale of excess lands in Federal reclamation projects. The report concluded that small farms (160-320 acres) would yield very good incomes to their operators. There has been some criticism of the report's methods, and Professor LeVeen shares at least some of these reservations. Overall, however, he found the report reliable and accurate in projecting net incomes. He makes a very important additional point, however, when he states that the report fails to account for the tremendous increase in wealth a farmer can expect from the ownership of reclamation land. This increase results from the fact that reclamation land, in addition to the normal appreciation for agricultural land, receives a very substantial appreciation due to the conditions of its sale.

The land is sold at controlled prices which do not reflect value added by the construction of the project. If the new owner retains ownership for a period of time (usually half the life of the project,

or about 20 years) he can sell the land at market value, including the value added by the project. This frequently amounts to a value equal to twice the controlled price.

The increasing evidence of the prospects for success for small farmers in reclamation projects makes it very clear that Congress must act to set strict acreage limitations in these projects so that as many people as possible can reap the benefits of the program's tremendous subsidies.

I ask unanimous consent that Professor LeVeen's letter be printed in the RECORD.

The letter follows:

UNIVERSITY OF CALIFORNIA,  
Berkeley, Calif., April 11, 1978.

HON. JAMES ABOUREZK,  
U.S. Senator, Committee on the Budget,  
U.S. Senate Office Building, Washington,  
D.C.

DEAR SENATOR ABOUREZK: Last February, you wrote inquiring if I would evaluate the U.S. Department of Agriculture's study of the proposed regulations for the Reclamation Act; this letter is a response to that request.

My most general comment concerns the validity of the conclusions of that report which show that farms of 160 and 320 acres are generally capable of producing enough income to support a family. I find no problems with the methodology of the USDA report with one exception. The data are based upon reasonably accurate cost figures, but they are based on 1976 prices. At the current time, most of the crop prices have fallen from their 1976 levels. Revisions of the report would suggest that the income capacity should be lowered because of lower crop prices. However, the current price and cost conditions may not be representative of the long run.

Ideally, we would like to have estimates of farm income capacity which are based on the true long-run prices and costs which will prevail over the life of the project. Unfortunately, we do not know what these long-run prices and costs will be. The present conditions may represent unusually depressed prices. Certainly, the period of 1973-1976 represented unusually high prices.

Much of the criticism of the report is based on its use of relatively high crop prices which yield high income estimates. My own feeling is, and based upon some work that I have done, that the estimates of the USDA report are reasonably precise.

There is one point, however, which I think deserves greater elaboration. It should be recognized that there will be an additional economic benefit to any family which can obtain 160 or 320 acres of land, which is not explicitly pointed out in the report, that is as follows:

The incomes reported in the study are for labor and management. They exclude a return on capital. However, presumably for every year the farmer pays the bank for his initial loan to buy the land and other capital of the farm, his equity in the farm will grow. In 30 years or so, the farmer will be the owner of an asset worth at least one-half million dollars in current prices and land values. They will likely be much higher in the values which obtain in 30 years.

Thus, in addition to the annual income the farmer receives, his wealth will increase rapidly to the point of which, when he sells his farm after 25 or 30 years, he may well be a millionaire as a result of the economic opportunity afforded by the Reclamation Act. This wealth, in effect, is completely overlooked in the report.

The third point that I wish to make concerns the report's differing conclusions for the Westlands Water District as opposed to

the Imperial Irrigation District. The report points out that farms in the Westlands Water District will be capable of providing families with incomes two to three times higher than farms in the Imperial Irrigation District. It should be pointed out, however, that this difference does not derive from different farming conditions but simply from the different assumptions of the report. This point is of considerable importance. The major reason that Imperial Irrigation District farms produce low incomes is the report's assumption that farmers must buy the land in that district at the current market value of approximately \$1,500 to \$2,000 per acre. On the other hand, it is that the report assumes that farmers in the Westlands District will be able to purchase the land for \$700 per acre. The interest costs, therefore, in the Imperial Irrigation District are much higher, and these interest costs effectively wipe out much of potential income which would become available for the farmer.

Now the report assumed the high land prices in the Imperial Valley because the Bureau of Reclamation has not established what the prewater price of land should be in the Imperial Irrigation District. Certainly the \$2,000 per acre in the Imperial Irrigation District represents a major portion of the benefits of the project. Land would have a very low value without project water in this area. Had the report used lower prices of land in its conclusion, farm income would have been roughly the same as in the Westlands.

There is considerable interest in exempting the Imperial Irrigation District from the excess land provisions of the Act. Some might interpret the differences in economic potential in the two irrigation districts to be justification for such a move. However, it would appear that there is no economic justification for treating the Westlands and Imperial differently.

There are many minor points that could be made regarding the USDA report. I do not think that these are of sufficient importance to merit their discussion. I have many other interests and concerns regarding the development of reclamation policy, and I have written about these in two recent papers which I am including along with this letter. The first of these papers deals with the economic implications of imposing the proposed and alternative regulations in California. I think this paper will be of considerable relevance to the issues at hand. The second paper deals more generally with the Bureau of Reclamation as an agency of economic and rural development. This paper attempts to place in perspective the history of reclamation policy and argues that the Bureau of Reclamation by its very nature cannot carry out effectively rural development in states such as California. This paper may be of interest to you as well.

If I may be of additional assistance to you, do not hesitate to write.

Sincerely yours,

E. P. LEVEEN,  
Assistant Professor of Agricultural and  
Resource Economics ●

● Mr. McGOVERN. Mr. President, I rise in support of the pending legislation and urge its passage. For a number of years, I was the chairman of the subcommittee which reported this legislation. Under the reorganization of the committee, I now chair another subcommittee but remain the ranking majority member of the Subcommittee on Agricultural Credit and Rural Electrification. I congratulate my able colleague from Alabama (Mr. ALLEN), the present chairman, and for his leadership in the subcommittee and for his performance in the management of this bill on the floor. My congratulations

also go to our distinguished chairman, the senior Senator from Georgia (Mr. TALMADGE) for his valuable contributions to this bill as well as other major agricultural bills which have been passed in the Chamber.

Mr. President, though I am no longer the chairman of the Agricultural Credit Subcommittee, I maintain an active and sustaining interest in the subject matter. Farmers continue to be our most active participants in the credit market. As costs of production continue to rise it is thoroughly predictable that this quest for credit will be an integral if not major segment of farmers' productive capacity.

Commercial lending institutions and the Farm Credit Administration continue to be the backbone of the credit system for farmers. This has been the history of agriculture. In recent years, however, due to escalating land costs and inflated operating conditions as well as the entry of young farmers into the noble profession, the Farmers Home Administration has been called upon to furnish the major credit supplement to those unable to obtain credit through conventional means. In this regard, Mr. President, I want to call attention to the outstanding job the FmHA has done over the past years. Faced with intolerable shortages of personnel, the administration has continued to respond to agriculture's credit needs on both normal and emergency bases. In my own State, the FmHA lending section has become the largest single credit source in South Dakota. In this connection, I want to bring to the attention of this body the outstanding work of our State director, Mr. Jack Weiland. New on the job with the change of administrations, Jack Weiland has become a leader of unprecedented proportions. It is difficult to imagine how he has mastered the intricacies of administration in so short a time. For these reasons, I want to publicly commend him.

Mr. President, on the farmer credit side of this bill, I want to endorse its provisions because they are urgently needed. Current lending ceilings are far too low for both established and young farmers to perform the important function of producing food for the Nation and the world. Land acquisition ceilings and operating loan limits under existing legislation are totally inadequate and I do not think that there is anyone who does not recognize this. An important provision of this section of the bill is that we can now assist farm partnerships and family corporations. It is my judgment that there is sufficient legislative history on this subject to insure that its provisions will not be abused.

On the rural development side of the bill, I endorse the provisions for water and waste disposal, community facility loans, and business and industrial loans. Agriculture has come a long way since the end of World War II. And so has rural America. No longer do small towns and communities serve only as service centers for farmers. They have taken on a new identity of autonomous commercial communities, each with its own individual characteristics and its own problems. Public facilities are necessary to sustain their expansion. There is public concern for adequate financing for

ever expanding small business and manufacturing plants that are now an accepted part of the formerly pastoral small town.

As a matter of fact, Mr. President, these cities are now bustling and vibrant centers of commerce, business and various levels of fabricating manufactured goods. In many instances, they are also centers of higher education as well as contributors to the cultural and artistic heritage of our land. Indeed, demographic studies indicate a decided movement of people from urban centers to medium and small towns as our Nation's attitudes develop new values on the quality of life. For these reasons a strong program is needed to insure adequate funding for desirable aspects of public and business facilities. This legislation does this, especially in terms of degree of Federal commitment to such programs as water and waste disposal loans and grants.

Mr. President, I consider this bill a constructive step toward meeting our obligations to farmers and rural America. I urge its overwhelming passage.●

● Mr. ROBERT C. BYRD. Mr. President, I want to express my appreciation and admiration for the work of Senator ALLEN, the distinguished floor manager of S. 2146, the Consolidated Farm and Rural Development Act. He and the able minority managers, Senator CURTIS and Senator DOLE, moved this important agriculture bill to Senate passage with their usual skill and demonstrated their thorough knowledge of the field.

I also want to commend the able chairman, Senator TALMADGE, who also moved to passage today the conference report on H.R. 6782, the Emergency Agricultural Act. Under his chairmanship, the Committee on Agriculture, Nutrition, and Forestry always distinguishes itself in its efficient manner of expediting important legislation on the floor.●

Mr. THURMOND. Mr. President, I rise in support of S. 2146, the Agricultural Credit Assistance Act of 1978.

Many thousands of the farmers of our country are facing financial crisis. They are struggling with high production costs and low commodity prices. Others are suffering from crop losses due to drought or other disasters.

The situation should improve greatly by the end of the year. The cost-price squeeze should be rectified by higher farm commodity prices as a better balance of supply and demand is reached.

For many farmers, the crucial and immediate problem is how to meet debt obligations and continue in operation until those cures for the crisis take effect. However, many farmers are finding that the commercial lenders are loaned up to their limits. Further, the lenders are reluctant to overextend since new loans to farmers who are overloaded by present obligations and still operating at little or no profit are hardly good risks.

The Farmers Home Administration is the major Government lending institution for farmers. But the FmHA is simply not in a position, with its existing programs, to meet all the credit needs of the farmers today.

S. 2146 addresses this problem by establishing an economic emergency loan program and making a number of improvements in current loan programs. Therefore, I urge my colleagues to join me in support of S. 2146.

● Mr. HELMS. Mr. President, I rise in support of S. 2146 to amend the Consolidated Farm and Rural Development Act.

Every Senator knows of the financial crisis currently facing many of our farmers, and it is imperative that farmers continue to have access to an adequate amount of credit if small family farms are to survive.

There is no question, of course, that spiralling inflation is the root cause of the economic problems on the farm, and indeed, in the whole economy. It ought to be our first priority to put an end to the massive Federal deficits and wasteful spending that are the most direct cause of inflation. But, sad to say, the Congress does not seem to be inclined to vote that way in the immediate future.

S. 2146, as amended by the Senate Committee on Agriculture, Nutrition, and Forestry, makes several improvements in the Federal credit assistance programs for farmers, ranchers, rural communities, and businesses.

The bill will make farm partnerships and corporations eligible for farm ownership loans of the Farmers Home Administration; it would increase the limitation on farm ownership loans to \$200,000 for direct loans and to \$300,000 for guaranteed loans; for farm operating loans the amounts would be increased to \$100,000 and \$200,000, respectively.

Also, Mr. President, the interest rates on ownership and operating loans would remain at 5 percent up to \$200,000, while interest on emergency loans would remain at 3 percent for those who could not get credit elsewhere. And, it would extend the very useful emergency livestock loan program for another year.

Many of our rural communities will benefit from the increase from 50 percent to 75 percent for the amount of maximum Federal participation in the water and waste disposal grant program.

In short, Mr. President, this bill will up-date the rural credit situation in accounting for the tremendous inflation that has made the costs of farmland and the costs for operating a farm skyrocket in recent years.

I might caution that many smaller and younger farmers are deeply in debt already, and that the Farmers Home Administration should be very judicious in its use of the increased credit authority granted by this bill.

Overall, this legislation is very much needed, and will benefit both our credit institutions and the family farmer. I hope Senators will give it their support.●

SENATE RESOLUTION 76 AND HOUSE RESOLUTION 238

Mr. HAYAKAWA. Mr. President, this body passed unanimously on September 9, 1977, Senate Resolution 76 "expressing the sense of the Senate that the President should take steps to terminate highly restrictive regulations of the European communities that seriously damage U.S. exports of dried prunes and certain other agricultural products."

Last Thursday, April 27, the House Ways and Means Committee ordered reported by unanimous vote, a similar resolution, House Resolution 238. Chairman ULLMAN patiently delayed consideration of the vote by his trade subcommittee in late October 1977 to allow the President more time to make clear what was certainly the sense of the Congress. The resolution will now be sent to the House floor for what will probably be rapid approval.

Both of these resolutions were prompted by the July 1975 announcement by the EEC that effective January 1, 1978, new restrictive import regulations were to be imposed on U.S. dried prunes and certain other agricultural products. This action threatened to disrupt historic export trade amounting to more than \$60,000,000 in 1977-78, when walnuts are included. The regulations, 516/77 are now in effect.

However, Mr. President, despite the Senate's urging—now reinforced by House action—that the President should put the EC "on notice that the United States intends to exercise its rights under the General Agreement for Tariffs and Trade to take retaliatory measures against these restrictive regulations if they are not removed," and, that "the President should seek to obtain agreement from the European Communities that similar restrictive regulations on U.S. exports of other agricultural products will not be imposed in the future," there is no report available suggesting that any advance has been made in this matter which had its beginning nearly 3 years ago.

It is clear that the U.S. Government has not yet come to grips with this flagrant violation of hard-won access to EC markets by thousands of industrious and skilled growers in California. The President should be submitting an MTN agreement to the Senate later this year or early next year. I hope the Senate will not be unmindful of our Government's lack of resolve in this matter should the agreement omit specific reference to the lifting or the satisfactory resolution of these patently illegal actions by the European Community.

Mr. ALLEN. Mr. President, on the bill, I yield myself 3 minutes.

The PRESIDING OFFICER. The Chair has to advise the Senator from Alabama that there is no time remaining.

Mr. ALLEN. I did not know that all time had been yielded back on the bill.

The PRESIDING OFFICER. The Chair must advise that it was provided that, without further debate, the Senate would go to this vote.

Mr. ALLEN. It is not debate that I have. I ask unanimous consent that I may proceed for 3 minutes.

The PRESIDING OFFICER. Is there objection to the Senator's request? Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senator's request is well taken. I ask the Senators to take their seats and others that may be on the floor to suspend conversations so that we may have order in the Senate so the Senator from Alabama may be heard. The Senator from Alabama is recognized for 3 minutes.

Mr. ALLEN. Mr. President, this is landmark legislation that the Senate has passed. It is legislation that has been under consideration, in the process of evolving and in the process of being shaped, for more than 3 years. We have had excellent cooperation from the Department of Agriculture and from the Farmers Home Administration. I wish especially to thank Secretary Bob Bergland and FmHA Administrator, Gordon Cavanaugh, for this assistance to the committee. I believe that, equipped with this bill, the Farmers Home Administration and the Secretary of Agriculture will be able to greatly alleviate the plight of our farmers through seeing to it that their legislative needs for financing in their farm operations are met.

The entire Committee on Agriculture has worked diligently on this legislation. The staff of the committee has done an outstanding job in helping shape the legislation. I express my gratitude to the following members of the agriculture staff: Mr. James Giltmier, Mr. Reider White, Mr. Phillip Fraas, Mr. Stuart Hardy, Mr. Morgan Williams, Mr. Carl Rose, and Mr. Tom Kay of my staff.

I yield the floor.

Mr. TALMADGE. Will the Senator yield at that point?

Mr. ALLEN. Yes.

Mr. TALMADGE. I simply wish to express my appreciation as chairman of the full committee to the distinguished Senator from Alabama as chairman of the Subcommittee on Agricultural Credit for the outstanding job he has done, both in managing the bill on the floor and in preparing the bill for markup and reporting it to the full committee for its consideration.

Mr. ALLEN. I thank the distinguished chairman.

Mr. BELLMON. Mr. President, I would like to provide an explanation of section 117, and specifically, the portion of that section that requires that appropriations acts stipulate two program levels for loans—insured and guaranteed.

This particular section was sponsored by Senator DOLE and me at the subcommittee markup of S. 2146, and was originally part of a bill we cosponsored—S. 312. Under section 346, when a program level is provided in an appropriation act, it shall contain two amounts, one against which insured loans will be charged and the other against which guarantee loans will be charged.

This provision is designed to get away from the current situation in which loan levels in appropriations acts do not distinguish between insured (direct) and guaranteed loans. Right now, insured and guaranteed loans are both subtracted from the same amount. The combination of direct and guaranteed loans into one account does not recognize that guaranteed loans entail no Government expenditures except administrative costs or in cases where the loans are defaulted. In addition, guaranteed loans require less FmHA supervision.

In the past, FmHA has been reluctant to expand the guaranteed loan program, because doing so would reduce the direct loan program, which historically has

been at levels well below the need. Our purpose in inserting this provision is to encourage FmHA to utilize guaranteed loans to a much greater extent than it has in the past. This would enable it to service more individuals, and perhaps could lessen the tremendous demand on the insured loan program which currently suffers from a very large backlog.

I might add that such a development would be beneficial to the taxpayer since guaranteed loans are made at negotiated interest rates by private institutions, and involve no interest subsidy. In addition, the credit needs of producers may be more adequately met in certain cases through guaranteed loans.

One final point with respect to this subject: This matter came to my attention after the 1978 agricultural appropriations bill was marked up by the Appropriations Committee. Consequently, I did not suggest the "dual" ceiling approach in last year's agricultural appropriation bill. In my subsequent discussion with the chairman of the Agriculture Appropriations Subcommittee he has indicated his strong support for a separate stipulation of insured and guaranteed loan levels. We intend to propose this at the subcommittee markup of this year's agriculture appropriations bill. We are very hopeful that this will provide additional help to farmers in obtaining credit assistance where needed.

Mr. DOLE. Will the Senator yield?

Mr. ALLEN. Yes.

Mr. DOLE. Let me add my commendation to the distinguished Senator from Alabama. I say to my colleagues on this side that I do not know of any opposition to this legislation. It is needed. As far as I know, there is not a single bit of controversy. I hope it will have the unanimous support of my colleagues. The farmers need it. It is in their interest and I think it is in the interest of the Nation.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. ALLEN. I am ready to vote.

The PRESIDING OFFICER. The question is shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Arizona (Mr. DECONCINI), the Senator from Colorado (Mr. (Mr. HATFIELD), the Senator from Hawaii (Mr. INOUE), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from Montana (Mr. HATFIELD) and the Senator from West Virginia (Mr. RANDOLPH) would each vote "yea."

Mr. STEVENS. I announce that the Senator from Oregon (Mr. HATFIELD) and the Senator from Kansas (Mr. PEARSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "yea."

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—92

Abourezk	Glenn	Morgan
Allen	Goldwater	Moynihan
Anderson	Gravel	Muskie
Baker	Griffin	Nelson
Bartlett	Hansen	Nunn
Bayh	Hart	Packwood
Bellmon	Hatch	Pell
Bentsen	Hathaway	Percy
Biden	Hayakawa	Proxmire
Brooke	Heinz	Ribicoff
Bumpers	Helms	Riegle
Burdick	Hodges	Roth
Byrd	Hollings	Sarbanes
Harry F., Jr.	Huddleston	Sasser
Byrd, Robert C.	Humphrey	Schmitt
Case	Jackson	Schweiker
Chafee	Javits	Scott
Chiles	Johnston	Sparkman
Church	Kennedy	Stafford
Clark	Laxalt	Stennis
Cranston	Leahy	Stevens
Culver	Long	Stevenson
Curtis	Lugar	Stone
Danforth	Magnuson	Talmadge
Dole	Mathias	Thurmond
Domenici	Matsunaga	Tower
Durkin	McClure	Wallop
Eagleton	McGovern	Weicker
Eastland	McIntyre	Williams
Ford	Melcher	Young
Garn	Metzenbaum	Zorinsky

NAYS—0

NOT VOTING—8

Cannon	Hatfield,
DeConcini	Paul G.
Haskell	Inouye
Hatfield,	Pearson
Mark O.	Randolph

So the bill, as amended, was passed.

Mr. ALLEN. Mr. President, I call up my amendment to amend the title.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

Amend the title of H.R. 11504 to read as follows:

"A bill to amend the Consolidated Farm and Rural Development Act, provide an economic emergency loan program for farmers and ranchers, extend the Emergency Livestock Credit Act of 1974, and for other purposes."

The PRESIDING OFFICER. The question is on agreeing to the amendment to amend the title.

The amendment was agreed to.

Mr. ALLEN. Mr. President, I ask unanimous consent that H.R. 11504 as passed by the Senate be printed and that the Secretary be authorized to make technical and clerical corrections in the engrossment of the Senate amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, I move that the Senate insist on its amendments to H.R. 11504, that it request a conference with the House on the disagreeing votes between the two bodies, and that the Chair be authorized to name conferees on behalf of the Senate.

The motion was agreed to, and the Presiding Officer (Mr. RIEGLE) appointed Messrs. TALMADGE, MCGOVERN, ALLEN, HUDDLESTON, CLARK, DOLE, YOUNG, and HAYAKAWA conferees on the part of the Senate.

The PRESIDING OFFICER. Does the Senator from Alabama ask unanimous consent that S. 2146 be indefinitely postponed?

Mr. ALLEN. I thank the Chair.

Mr. President, I do ask unanimous consent that the companion bill which we worked on prior to bringing up the

House bill, it having served its purpose, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NAVIGATION DEVELOPMENT ACT

The Senate continued with the consideration of H.R. 8309.

UP AMENDMENT NO. 1265

Mr. BENTSEN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The Chair advises that the amendment is not in order except by unanimous consent at this time.

Mr. GRAVEL. Mr. President, I ask unanimous consent that the amendment be in order.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be stated.

The legislative clerk read as follows:

The Senator from Texas (Mr. BENTSEN) proposes an unprinted amendment numbered 1265.

Mr. BENTSEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 17, line 5 insert:

The project on Galveston Bay at Baytown, Texas authorized in Section 191 of the Water Resources Development Act of 1976, Public Law 94-587, is modified to provide for: (a) the price to be paid for property rendered uninhabitable due to encroachment of flood water caused by land subsidence in the project area will be based on an appraisal at fair market value disregarding damage caused by flood waters and vandals; (b) owners occupying their property at the time flooding rendered said property uninhabitable are eligible for all benefits under Section 203 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), without regard to any other occupancy requirements of that Section. Such owners shall also be considered displaced persons for the purposes of obtaining all other benefits of said Act.

Mr. CULVER. Mr. President, will the Senator yield?

Mr. BENTSEN. I yield.

Mr. CULVER. Mr. President, I ask unanimous consent that Mr. Peter Rosenberg, of my staff, have the privilege of the floor during the consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAFEE. Mr. President, I ask unanimous consent that Mimi Feller, of my staff, have the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will be in order.

Mr. BARTLETT. Mr. President, I ask unanimous consent that Ed King, of my staff, have the privilege of the floor during the votes and consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. My amendment, Mr. President, is designed to correct an ob-

vious inequity in the manner in which homeowners in the Brownwood area of Baytown, Tex., will be compensated for their homes.

Let me provide a little background.

The Brownwood extension of Baytown is located in an area which, due to an unusual confluence of natural factors, is steadily sinking into the upper reaches of Galveston Bay. The problem is essentially one of subsidence. As ground water is pumped out of the area, the region is sinking and is prone to flooding in times of high tides or high winds. The bay has already reclaimed parts of Brownwood. The process is irreversible.

The Water Resources Development Act of 1976 recognized the problems of Brownwood and took commendable steps to redress the situation. Under the terms of this legislation, the Corps of Engineers will relocate the homeowners out of the region and reclaim the area as parkland. As this project, still in the design phase, moves along, Brownwood homeowners will receive fair market value for their homes and a relocation allowance.

The problem, Mr. President, is that the waters of Galveston Bay are not prepared to wait for the Army Corps of Engineers to move forward on this project. Eight homes in the area have recently become uninhabitable due to subsidence and flooding. The corps estimates that an additional 12 homes will have to be abandoned before the project is completed and the owners are eligible for compensation.

Under the terms of the current legislation, the 20 homeowners who have either been forced out of their dwellings or face the prospect of abandonment in the near future will not be eligible to receive fair market value for their homes and relocation allowance provided for under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. They will instead, through no fault of their own, be compensated only for the salvage value of their dwellings. This amounts to only a few thousand dollars, but would spell economic disaster for the families affected.

My amendment, Mr. President, is designed to correct these inequities. It neither expands the scope of the Brownwood flood control program nor significantly affects the project cost-benefit ratio. Rather, it provides that homes necessarily abandoned due to the encroachment of floodwaters will be appraised without regard to damage caused by flooding and vandalism. It also stipulates that the approximately 20 owners who occupied their dwellings at the time of permanent flooding will be eligible for benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

I recognize, Mr. President, that this may seem like a small matter in the context of such major legislation. But to the 20 families involved, it is clearly a matter of economic survival.

I understand that the committee staff has had an opportunity to look at this amendment, as has the manager of the bill. If I may have the attention of the manager of the bill, I ask favorable consideration of the amendment.

Mr. GRAVEL. The Senator has my attention. I have no objection to this amendment.

Mr. CHAFEE. There are no objections on this side.

Mr. GRAVEL. I yield back the remainder of my time.

Mr. BENTSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BENTSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GRAVEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### ZUNI INDIAN TRIBE OF NEW MEXICO

Mr. ABOUREZK. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 482.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 482) entitled "An Act to direct the Secretary of the Interior to purchase and hold certain lands in trust for the Zuni Indian Tribe of New Mexico; to confer jurisdiction on the Court of Claims with respect to land claims of such tribe; and to authorize such tribe to purchase and exchange lands in the States of New Mexico and Arizona", do pass with the following amendments:

Strike out all after the enacting clause, and insert: That (a) the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall acquire, through purchase or exchange, the lands described in subsection (b).

(b) The lands to be acquired under subsection (a) are lands in the State of New Mexico upon which the Zuni Salt Lake is located and which are more particularly described as follows: Lots 3 and 4, east half southwest quarter, west half southeast quarter, section 30, township 3 north, range 18 west, lots 1 and 2, east half northwest quarter, west half northeast quarter, section 31, township 3 north, range 18 west, southeast quarter southeast quarter, section 25, and east half northeast quarter, section 36, township 3 north, range 19 west, all of the New Mexico principal meridian, New Mexico, containing approximately 618.41 acres, more or less.

(c) Title to the lands to be acquired under subsection (a) shall be taken and held in trust in the name of the United States for the benefit of the Zuni Indian Tribe of New Mexico (hereinafter in the Act referred to as the "tribe"), and such lands shall be exempt from State and local taxation.

SEC. 2. (a) Notwithstanding sections 2401 and 2501 of title 28, United States Code, and section 12 of the Act of August 13, 1946 (60 Stat. 1052; 25 U.S.C. 70k), jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment on any claims of the Zuni Indian Tribe of New Mexico against the United States with respect to any lands or interests therein in the State of New Mexico or the State of Arizona held by aboriginal title or otherwise which were acquired from the tribe without payment of adequate compensation by the United States: *Provided*, That jurisdiction is conferred only with respect to claims accruing on or before August 13, 1946, and all such claims must be filed within three years after approval of this