

Tiny snail darter will lose federal protection

Here's how area members of Congress were recorded on major roll call votes in the days preceding the adjournment of the 95th Congress

HOUSE

SNAIL DARTER Adopted, 231 for and 157 against, an amendment to permit continued construction of the Tellico Dam in Tennessee, by removing it from the reaches of the Endangered Species Act. A recent U.S. Supreme Court decision is blocking work on the Little Tennessee River public works project, on grounds that the dam threatens the habitat of the snail darter, a fish protected by the endangered species law. This vote came during consideration of HR 1404, a bill later passed and sent to conference with the Senate.

The version of the bill approved by conferees and sent to President Carter continues to apply the Endangered Species Act to the Tellico Dam. However, unless a special executive branch committee takes action within 90 days to affirm that jurisdiction, the project will be automatically exempted from the law.

Rep. Marilyn Lloyd (D-Tenn.), a supporter, said "every indication available points to the fact that the snail darter is surviving and in fact prospering in habitats other than the Little Tennessee River, specifically in the Hiwassee River."

Rep. Edwin Forsythe, R-N.J., an opponent, said "it is not yet determined whether the transplanting of the snail darter (in the Hiwassee) is actually effective."

Members voting yea favored exempting the Tellico Dam project from the Endangered Species Act.

Reps. William Broomfield, (R-Birmingham), voted yea.

Reps. David Bonior (D-Mt. Clemens), William Ford (D-Taylor), William Brodhead (D-Detroit) and James Blanchard (D-Pleasant Ridge) voted nay.

Roll Call Report



Rep. Carl Pursell (R-Plymouth) did not vote.

ENERGY BILL Voted, 207 for and 266 against, to consider five major energy bills not separately but as a package to be approved or rejected on a single up-or-down vote. The bills deal with coal conversion, natural gas pricing, electric utility rate reform, conservation and the setting of incentives and penalties on energy use.

Although procedural, this vote was virtually a referendum on the President's national energy policy. The 206 is an admission that the natural gas bill, in hopes of defeating one or more of them. The natural gas bill, eventually removing all price controls, was the most vulnerable.

Rep. Thomas Ashley (D-Ohio), a supporter, said that all five bills taken together form "a solid, logical platform on which to build for the future—a start in coping with our energy problem."

Rep. John Anderson (R-Ill.), an opponent, said the Administration's strategy to lump the five bills together is an admission that the natural gas component "is too weak to stand on its own merits."

Members voting yea favored enactment of the five-part program.

Ford, Brodhead and Blanchard voted yea. Bonior, Broomfield and Pursell voted nay.

ATTORNEY FEES Rejected, 153 for and 222 against, an amendment allowing banks and individuals sued under federal banking laws to be reimbursed by Uncle Sam for attorney fees and court costs—if they win the lawsuit. It was proposed to HR 13471, a bank regulatory bill which later was set aside.

Although the amendment addressed itself only to civil suits brought under certain banking laws, its supporters hoped to establish a precedent that would eventually benefit successful defendants in other areas of government litigation—such as parties who win suits brought by the IRS or OSHA.

Rep. Henry Hyde (R-Ill.), a supporter, said: "A person can be ruined when all of the resources of the U.S. government are brought to bear against him in litigation."

Rep. Ferdinand St. Germain (D-R.I.), an opponent, said that if the legislation had merit a similar proposal would not be firmly lodged in a Judiciary Committee pigeonhole.

Members voting yea felt the government should pay the defendant's litigation costs when it unsuccessfully brings a civil law suit.

Broomfield voted yea. Bonior, Ford, Brodhead, Blanchard and Pursell voted nay.

SENATE

SUNSET PROVISION Tabled, 50 for

and 41 against, an amendment to establish a periodic congressional review and justification of tax loopholes (also called tax incentives). This vote prevented inclusion of the amendment in the tax bill (HR 13511).

The measure stipulated that tax loopholes (incentives) would come up for review on an individual basis every 10 years, and would expire unless extended by affirmative action of the House and Senate. The Senate Finance Committee could exempt from the review process any tax loophole (incentive) it wished to perpetuate.

Sen. Carl Curtis (R-Nebr.), a supporter of tabling, said the procedure is "dangerous and wrong" because it would "put into our economy that feeling you cannot depend upon the permanency of the tax law."

Sen. Edmund Muskie (D-Maine), an opponent of tabling, said the drafting of tax legislation is already "chaotic," and that "if the business world of America could sit in these galleries and watch how tax policy is written in America."

Sensors voting yea favored establishing the review process for tax loopholes (incentives).

Sens. Robert Griffin, R, and Donald Riegle, D, voted nay.

HOSPITAL COSTS Failed, 42 for and 47 against, to table and thus kill a proposal for standby controls on hospital costs. Left unchanged by the vote was language to impose mandatory government controls if the American Hospital Association's voluntary controls prove ineffective. The association urges its members to cut the rate of cost increases by two per cent this year and another two per cent in 1979. This vote occurred during debate on HR 5285, a health bill that died when the 95th Congress adjourned. It marked the first time either house had

voted approval of federal controls on hospital costs.

Sen. Herman Talmadge (D-Ga.), a supporter of tabling and thus killing the proposal, said it takes "the bludgeon rather than the carrot-and-stick approach."

Sen. Donald Riegle, an opponent of tabling, called the standby authority "a reasonable compromise" between mandatory and voluntary controls. Sensors voting yea favored the standby authority for federal hospital-cost controls.

Riegle voted nay. Griffin did not vote.

Room for 50 in culinary arts

Oakland Community College's (OCC) culinary arts program will accept 50 new students in the winter semester, beginning in January.

The program, which began with a capacity of 80, prepares students for careers as chefs and bakers in the restaurant industry.

In the student's first year, he or she

killed an amendment to disallow 50 per cent of the deduction. It came during debate on HR 13511, the major tax bill later signed into law.

Sen. Daniel Inouye (D-Hawaii), a sponsor of the tax deduction, said that "for the business community, business meals are one of the tools of the trade."

Sen. Edward Kennedy (D-Mass.), sponsor of the amendment, said: "If there is any symbol in our society of a two-class system it is on the one hand the working people who pay for their (meals) and on the other hand those who have the opportunity to write off their (meals) on their expense accounts (which are subsidized by the taxpayer)."

Sensors voting yea favored the tax deduction for business meals.

Riegle voted nay. Griffin did not vote.

Channel 56 focuses on elections

At 10:00 p.m. Sunday, Nov. 5, WTUV, channel 56, will present an hour-long program with the Republican and Democratic candidates for governor, Gov. William Milliken and William Fitzgerald.

The interviews will be conducted by

capital correspondent Tim Skubick, host of the weekly series "Off the Record."

At 11:00 p.m. the same day, Democratic candidate Carl Levin will appear for a half-hour interview with

Tim Skubick. Republican candidate Sen. Robert Griffin declined an invitation to appear on the show.

The two Sunday night specials will wrap up the nine local election previews covering many of the major

statewide offices and issues. Earlier that Sunday evening, the national series "Elections '78," at 8:00 p.m. will present a capsize round-up of important political contests in other states around the country.

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