

for the consideration of sections 748(e)(2)-(4) and 759 of the Senate amendment, and are excepted from the consideration of parts E and G of title I of division B of the House amendment to the Senate amendment.

The second group of conferees from the Committee on Education and Labor are also appointed for the consideration of section 2505 of division B of the House amendment to the Senate amendment.

The conferees from the Committee on the Judiciary are appointed for that portion of section 1548, in division A of the House amendment to the Senate amendment, inserting subsection 4041(C)(2)(B)(ii), rather than (iii), in the Employee Retirement Income Security Act.

The conferees from the Committee on the Budget are appointed for sections 2502(a) and 2503 of division B of the House amendment to the Senate amendment, rather than sections 502(a) and 503 thereof.

There was no objection.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT DURING THE 5-MINUTE RULE ON WEDNESDAY, DECEMBER 11, 1985

Mr. GRAY of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation be permitted to sit during the 5-minute rule on Wednesday, December 11.

I would state further that this has been cleared by the minority, Mr. Speaker.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

FARM CREDIT AMENDMENTS ACT OF 1985

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1884) to amend the Farm Credit Act of 1971, and for other purposes, as amended.

The clerk read as follows:

H.R. 3792

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "Farm Credit Amendments Act of 1985".

TITLE I—PROVISIONS TO STRENGTHEN THE OPERATION OF FARM CREDIT SYSTEM LENDING INSTITUTIONS

CAPITAL AND FINANCING

SEC. 101. Part A of title IV of the Farm Credit Act of 1971 is amended by—

(1) amending section 4.0 to read as follows:

"SEC. 4.0. REVOLVING FUNDS; INVESTMENTS.—The revolving fund established by Public Law 87-343, 75 Stat. 758, as amended, and the revolving fund established by Public Law 87-494, 76 Stat. 189, as amended, and continued by Public Law 96-592, shall be merged and shall be available to the Farm Credit Administration for the purchase, on behalf of the United States, of capital stock of the Capital Corporation. The Farm Credit Administration may make such purchases of stock as the Farm Credit Administration determines, in its discretion, are necessary to achieve the purposes of this Act."

(2) striking out section 4.1;

(3) in section 4.3—

(A) redesignating subsection (b) as subsection (c); and

(B) by striking out the matter preceding subsection (b) and inserting in lieu thereof the following:

"SEC. 4.3. CAPITAL ADEQUACY OF BANKS AND ASSOCIATIONS.—(a) The Farm Credit Administration shall cause System institutions to achieve and maintain adequate capital by establishing minimum levels of capital for such System institutions and by using such other methods as the Farm Credit Administration deems appropriate. The Farm Credit Administration may establish such minimum level of capital for a System institution as the Farm Credit Administration, in its discretion, deems to be necessary or appropriate in light of the particular circumstances of the System institution.

"(b)(1) Failure of a System institution to maintain capital at or above its minimum level as established under subsection (a) may be deemed by the Farm Credit Administration, in its discretion, to constitute an unsafe and unsound practice within the meaning of this Act.

"(2)(A) In addition to, or in lieu of, any other action authorized by law, including paragraph (1), the Farm Credit Administration may issue a directive to a System institution that fails to maintain capital at or above its required level as established under subsection (a). Such directive may require the System institution to submit and adhere to a plan acceptable to the Farm Credit Administration describing the means and timing by which the System institution shall achieve its required capital level, but may not require merger or consolidation without a majority vote of the voting stockholders or the contributors to the guaranty fund of the institution.

"(B) Any directive issued under this paragraph, including plans submitted pursuant thereto, shall be enforceable under the provisions of section 5.31 of this Act to the same extent as an effective and outstanding order issued under section 5.25 of this Act that has become final.

"(3) The Farm Credit Administration may consider such System institution's progress in adhering to any plan required under paragraph (2) whenever such System institution, or an affiliate thereof, seeks the requisite approval of the Farm Credit Administration for any proposal that would divert earnings, diminish capital, or otherwise impede such System institution's progress in achieving its minimum capital level. The

Farm Credit Administration may deny such approval where it determines that such proposal would adversely affect the ability of the System institution to comply with such plan." and

(4) in section 4.4—

(A) redesignating subsection (c) as subsection (d); and

(B) inserting, after subsection (b), the following:

"(c) For purposes of this part, the term 'bank' shall include the Capital Corporation."

APPOINTMENT OF CONSERVATOR OR RECEIVER

SEC. 102. Section 4.12 of the Farm Credit Act of 1971 is amended by striking out subsection (b) and inserting in lieu thereof the following:

"(b) The Farm Credit Administration may appoint a conservator or receiver for any System institution on the determination by the Farm Credit Administration that one or more of the following exists, or is occurring, with respect to the institution: (1) insolvency, in that the assets of the institution are less than its obligations to its creditors and others, including its members; (2) substantial dissipation of assets or earnings due to any violation of law, rules, or regulations, or to any unsafe or unsound practice; (3) an unsafe or unsound condition to transact business; (4) willful violation of a cease and desist order that has become final; (5) concealment of books, papers, records, or assets of the institution or refusal to submit books, papers, records, or other material relating to the affairs of the institution for inspection to any examiner or to any lawful agent of the Farm Credit Administration. The Farm Credit Administration shall have exclusive power and jurisdiction to appoint a conservator or receiver. If the Farm Credit Administration determines that a ground for the appointment of a conservator or receiver as herein provided exists, the Farm Credit Administration may appoint ex parte and without notice a conservator or receiver for the institution. In the event of such appointment, the institution, within thirty days thereafter, may bring an action in the United States district court for the judicial district in which the home office of such institution is located, or in the United States District Court for the District of Columbia, for an order requiring the Farm Credit Administration to remove such conservator or receiver, and the court, shall on the merits, dismiss such action or direct the Farm Credit Administration to remove such conservator or receiver. On the commencement of such an action, the court having jurisdiction of any other action or enforcement proceeding authorized under this Act to which the institution is a party shall stay such action or proceeding during the pendency of the action for removal of the conservator or receiver."

FARM CREDIT SYSTEM CAPITAL CORPORATION

SEC. 103. Title IV of the Farm Credit Act of 1971 is amended by inserting, after section 4.28, the following:

"PART D1—FARM CREDIT SYSTEM CAPITAL CORPORATION

"SEC. 4.28A. EXISTENCE OF CORPORATION.—The Farm Credit Administration, not later than 60 days after enactment of the Farm Credit Amendments Act of 1985, shall (1) charter the Farm Credit System Capital Corporation (referred to in this Act as 'the Capital Corporation'), which, subject to the provisions of this part and the regulations of the Farm Credit Administration, shall be a federally chartered instrumentality of the United States and an institution of the Farm Credit System, and (2) revoke the charter for the Farm Credit System Capital

and I comment Representative PAT WILLIAMS for his leadership.

The use of polygraphs as a condition of employment is an extremely important civil rights issue. Too often, these devices have been used for purposes of employee intimidation—intentionally or unintentionally—to weed out employees with political or union beliefs which are unacceptable to the employer—and as an excuse to dismiss employees.

When the Polygraph Protection Act is brought to the floor, those opposed to the ban will point to the security needs of many industries. But this argument misses the important point that polygraphs are not an accurate determinant of guilt or innocence—a study by the Office of Technology Assessment found little scientific evidence to establish their validity—and are therefore worthless for purposes of crime detection or deterrence. In fact, the admission of polygraph results as evidence is almost uniformly prohibited by American courts.

For all of these reasons, I would urge the House to pass this important civil rights bill when it comes up for consideration on the floor.

□ 1310

LET US MOVE ON THE WAR CHEST BILL—HELP PROTECT AMERICAN JOBS

(Mrs. JOHNSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JOHNSON. Mr. Speaker, in a tiny article in the Wall Street Journal, we see the announcement that the Japanese Government is preparing to subsidize small exporters that have been hurt by the rising yen. The report goes on to describe Japan's new \$500 million program to subsidize low-interest loans for small exporters, plans to relax credit rules, and provide loans without collateral.

Mr. Speaker, our Treasury has been working hard with a group of five economic powers, including the Japanese, to ease pressure on the United States dollar and to improve our trade balance with the rest of the world. Unbelievably, at the same time, Japan, with whom we have the largest trade deficit and which already provides exports financing support for at least 40 percent of her exports, is planning a new half-billion dollar program of deep export subsidies. In contrast, Mr. Speaker, the Banking Committee of this Congress last week reported back to subcommittee the \$300 million war chest bill that we need to combat foreign export financing subsidies.

The panel is waiting on OMB to specify where it wants the money to come from (which I thought was our job) but the point is that our trade negotiators are going to look silly and weak next month when they sit down to complain about financing subsidies emptyhanded when the Japanese have

moved once again with speed and effectiveness to address their own interests and counter on important joint initiative to reduce our trade imbalance.

Mr. Speaker, we are in a vicious trade war that demands aggressive action now. If we want to protect American jobs and assure our competitiveness in the future, we must pass that war chest bill, and I urge my colleagues to join me in so doing.

FATHER LAWRENCE JENCO HELD HOSTAGE IN LEBANON 11 MONTHS

(Mr. O'BRIEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'BRIEN. Mr. Speaker, last Sunday was the beginning of the 12th month Father Lawrence Jenco has been held hostage in Lebanon.

Father Jenco was kidnaped on the streets of Beirut January 8. Sunday was his 336th day of captivity.

Monday was the beginning of the seventh month of captivity for Thomas Sutherland, dean of the American University school of agriculture in Beirut.

William Buckley, a U.S. Foreign Service officer, was kidnaped in Beirut 644 days ago today.

The Associated Press bureau chief in Beirut, Terry Anderson, has been held hostage in Lebanon for 268 days.

David Jacobsen, the director of the American University hospital, was kidnaped 196 days ago today.

Today also marks the 371st day since the disappearance of Peter Kilburn, the American University librarian.

Mr. Speaker, America has its fingers crossed, hoping and praying for the swift release of the hostages in Lebanon.

BOB DORNAN and I think it would be appropriate that we storm the stars, Mr. Speaker, that we plead for a heavenly private bill, if you will, and in so doing reach back for the words of an ancient prayer used by families of captive crusaders some several hundred years ago: "Father, rescue those unjustly deprived of liberty, and restore them to the freedom you wish for all men as your sons."

LET US VOTE FOR THE FARM CREDIT BILL

(Mr. JEFFORDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFFORDS. Mr. Speaker, we will soon be taking up the farm credit bill. I had first opposed that bill. I now support it, as does the Springfield Bank in our district. So I speak to those Members from the Northeast and the Mid-Atlantic States. The House bill gives much more protection than the Senate bill for transfers from those remaining healthy banks in the

system. They are limited to insure those banks' continued viability.

Second, the board of directors spending the money will be those from the banks contributing the money.

Third, the transfers are considered an investment, not a loan.

Fourth, they are better off under this bill than they would be under present existing loss-sharing agreements.

The most important thing for our farmers is to keep the cost of money down. This bill would keep the cost of the farm credit bonds' interest down. A "yes" vote will do this also.

WE ARE STANDING IDLY BY AS SOVIET UNION CONTINUES TO MOVE ON SOUTHERN AFRICA

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, the freedom of the countries of southern Africa is vital to the security of the entire Free World. Five minerals that are essential to the freedom of the free world come from southern Africa; 40 percent of the free world oil supplies come around the Cape of Good Hope. Yet we are standing idly by as the Soviet Union and her surrogates continue to move on the countries of southern Africa to take away their freedoms and to checkmate the free world.

Right now in Angola the Soviet Union is moving very strongly, along with her Cuban allies, to take away all of the freedoms in Angola and move on Namibia and ultimately South Africa. They have worked in Mozambique as well.

So a crescent has been formed across southern Africa, they are moving rapidly to take all of southern Africa into the Communist bloc.

This past week 15 planeloads per day of Soviet weapons have been flying into Angola; military supplies by the ton are coming in there to defeat the freedom fighters who are fighting not only for their freedom but the freedom of the entire free world.

Mr. Speaker, for us to turn our backs on these people and to let the Communists have their way with all the countries of southern Africa is a sin. We must open our eyes before it is too late.

CORRECTION IN APPOINTMENT OF CONFEREES ON H.R. 3128, OMNIBUS BUDGET RECONCILIATION ACT

The SPEAKER pro tempore (Mr. CARPER). Without objection, the Chair makes the following correction in the appointment of conferees on H.R. 3128, the Omnibus Budget Reconciliation Act:

The conferees from the Committee on Ways and Means are also appointed