plants, (2) higher capital costs for new power plants which include anti-pollution equipment, and (3) higher interest rates for construction funds.

The Environmental Protection Agency should adopt a "grandfather clause" relieving existing power plants of the requirement for scrubbers and requiring instead the construction of tall smoke stacks. Then, with the adoption of reasonable clean air standards, monitoring equipment at ground level could signal violations, in which case the plant would be switched to a low-sulphur fuel or its operation temporarily discontinued. In some cases, a blending of low-sulphur and high-sulphur coals could prevent any air standard violation. The additional advantage of monitoring would be reliance on mechanical equipment and not the excessive demands of a Federal inspector.

Many of the regulations issued by the EPA and their interpretation by field inspectors go far beyond the intent of Congress. Standards must be reviewed and modified to achieve desirable results at a cost which the economy can support.

Once realistic standards are adopted, a Federal licensing procedure should be established. Issuance of a license would be preceded by open hearings which would review the economic need for the project, the environmental impact, the economic impact on the consumer, and all alternatives. In particular, the EPA should be required to make a full showing of the actual costs of its actions to the consumer.

Such a licensing procedure would reduce the delays and expense occasioned by costly lawsuits instituted by environmentalists.

CAPITAL FORMATION

It is time to realize that the American standard of living, the highest the world has ever known, is the result of individual initiative employed with freedom from governmental restriction or interference. The best chance to ease the present energy plight is to allow initiative and industriousness the opportunity once again to earn a fair return on the investment of private capital.

Private capital will support the energy industry if it has a reasonable expectation that:

1. Congress and the administration will support and encourage expansion rather than threaten divestiture.

2. Risk will be rewarded with the opportunity for profit free from punitive taxes.

3. Regulation by federal agencies will be fair and realistic and will be administered by a few rather than a multitude of bureaus and departments. At present, 14 permits from Federal and State agencies are required to drill one offshore oil well.

During the past few years, the oil and gas industry has been maligned and misrepresented by the press and an uninformed government, while the nation's energy condition has worsened and its dependence on foreign sources has increased. This path leads to disaster. It is time to return to a proven system.

JOINT RESOLUTION TO PROVIDE FOR DIRECT ELECTION OF PRESIDENT AND VICE PRESIDENT

The SPEAKER. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 15 minutes.

Mr. HAMILTON. Mr. Speaker, the time has come to take the final step to guarantee for each and every American the right directly to elect the two most important officials in the land—the President and the Vice President of the United States. In a nation that has always striven to expand the franchise and remove the impediments to greater voter participation in elections, the electoral college is an anachronism that should no longer be endured.

Of course, the electoral college has long been the subject of controversy. The first proposed constitutional amendment to reform the electoral college was introduced in the House of Representatives in 1797. A proposed constitutional amendment providing for the direct popular election of the President and the Vice President was introduced in Congress in 1826. Scarcely a session of Congress has passed without the appearance of similar proposals. Members of Congress and State legislators must now be convinced that such proposals are justified. The time has come to recognize the electoral college for what it is: an unfair, inaccurate, uncertain, and undemocratic institution.

Some Members of Congress may believe that something less than this major reform would be sufficient to correct the flaws of the electoral college. Other Members of Congress may be reluctant to undertake a substantive revision of the Constitution. I respect such feelings, but I am persuaded that the electoral college should be abolished for several reasons.

The primary problem with the college is the possibility that a person who loses the popular vote may nonetheless become President. The college has permitted the election of three Presidents who trailed their opponents in the popular vote—John Q. Adams in 1824, Rutherford Hayes in 1876, and Benjamin Harrison in 1888. These results may have been acceptable in a century that was less politically aware than our own, but today a similar miscarriage of the popular will would not be tolerated. We should not risk the likelihood that the mandate of a President elected in this way would be so impaired that he or she would find the Nation ungovernable.

Beyond the primary problem of the system there are other difficulties. For example, there is the matter of the "faithless elector." At the present time there is no legal way to compel an elector to vote for the candidate to whom the elector is pledged. The "faithless elector" can disregard the pledge and cast his or her ballot for whomever he or she pleases. Defections of this sort have been all too common. The latest occurred in the last election. Unknown intermediaries are dangerous to and unnecessary for a democratic election.

Other difficulties are occasioned by the so-called unit rule, an integral provision of the electoral college under which all of a State's electoral votes are awarded to the winner of the popular contest in that State. This rule effectively disenfranchises millions of voters and discourages voter participation in elections in various ways. To begin, the voters supporting a national candidate who loses in their State are not represented in the electoral college. When it comes to the actual election of the President and the Vice President, these voters have no voice at all even if they turned out in large numbers. Moreover, the unimportance of the margin of popular victory in a State has several undesirable consequences. Two of these consequences should be mentioned. First, a premium is placed on electoral fraud. When a few votes are enough to swing an entire State, zealous partisans may be tempted to tamper with ballot boxes in a close election. Second, there is no incentive for the minority party in a traditionally one-party State to participate in the election of national officials. Democrats in Nebraska or Republicans in Massachusetts have little reason to campaign actively for their national tickets: their efforts are useless.

Mr. Speaker, any electoral process which permits the selection of the less popular candidate, favors some States over others and some citizens over others, promotes electoral fraud and undermines minority party efforts is patently inconsistent with democratic ideals. Only one measure of reform can bring about all the needed changes.

Therefore, I am introducing this joint resolution to abolish the electoral college and provide for the direct election of the President and the Vice President of the United States. I urgently request its full consideration.

A BILL TO PROTECT THE AMERICAN 200-MILE FISHING LIMIT

The SPEAKER. Under a previous order of the House, the gentleman from Oregon (Mr. AuCOIN) is recognized for 10 minutes.

Mr. AuCOIN. Mr. Speaker, today along with my friend and distinguished colleague from Massachusetts, Mr. STUBBS, I am introducing legislation to help protect the new American 200-mile coastal fishing limit.

The 200-mile law was one of the landmark bills passed by Congress in America's Bicentennial Year. By establishing a 200-mile fisheries conservation and development zone, and by accepting American responsibility for managing it, this law reaffirmed our commitment to a proud industry whose roots are as old as the Republic itself: the U.S. fishing industry.

We all know why the law had to be written. In recent years, the men and women of this industry were facing economic ruin because huge foreign fleets devastated fish stocks off our coast through overfishing and a lack of respect for sustained yield conservation practices.

When it goes into effect on March 1 of this year, the 200-mile act will bar foreign nations from their old practices.

Fees will be required for the privilege of fishing in U.S. fishing waters.

American rules of sound conservation will hold sway.

Foreign harvests will be limited to surplus fish not harvested by American fishermen.

This, and more, is the promise and the purpose of the 200-mile act, giving us the potential to turn to the sea as a major source of food and protein in future generations.

Yet I must warn my colleagues today that these great hopes may vanish; that

we may awaken one day to find that we are right back where we started. We may find that loopholes will be discovered and used to circumvent the intent of this historic legislation.

I say this because there is nothing to prevent foreign countries from buying U.S. fishing enterprises and, through them, roaming at will throughout our 200-mile zone, despite the new law.

What is more, evidence is mounting that this practice is already underway.

If this practice takes hold, it would be a crippling blow to the new 200-mile act. It could adversely affect this act in at least two ways: First, by severely reducing the fishing fees to be collected from foreign fleets, and second, by curbing the ability of the United States to allocate to foreign countries only those fish that are surplus to U.S. needs. Mr. Speaker, I say to my colleagues that allowing foreign countries to again gain unrestricted access to U.S. fisheries would, in effect, be a repudiation of the 200-mile law.

The losers would not only be the U.S. fishing but also the American consumer.

For example, the silence of the new law leaves nothing to prevent a foreign controlled U.S. vessel from simply transferring its catch to a foreign ship stationed 201 miles off the U.S. coastline. Once filled to capacity, that ship could head home without the slightest regard to the protein needs of the American public.

I want my colleagues to know that foreign investment in the U.S. fishing industry is already reaching significant proportions. In its study, Foreign Direct Investment in the U.S. Commercial Fisheries Industry, the Commerce Department noted that at the end of 1974, 47 U.S. fisheries firms reported foreign ownership of at least 10 percent of their voting stock. That was only 2 years ago. Today the number has increased to approximately 56 firms—the 10-percent figure is actually misleading because foreign firms in fact own controlling interest in many of these companies.

Mr. Speaker, foreign investment doubled between the years 1970 and 1974—and increased 30 percent during 1974 alone. Indeed, in surveying these statistics, the Commerce Department study reached this pointed conclusion:

> The imminent extension of U.S. jurisdiction to 200 miles probably was a factor in the surge of direct investment in U.S. commercial fisheries in 1974.

Because of these questions and concerns, I sought oversight hearings in the Merchant Marine and Fisheries Committee in the closing weeks of the last Congress. Those hearings were held on September 8. I would like to share some of our findings with my colleagues.

At present, the law (46 U.S.C. 802(a) requires only that to be considered a U.S. firm, corporations be incorporated under the laws of the United States or of any state; that the president or chief executive officer and the chairman of the board of directors be citizens of the United States, and that no more than a minority of the number of directors necessary to constitute a quorum be noncitizens.

I would like to quote an exchange I had with a representative of the U.S. Coast Guard concerning this point during the oversight hearings:

Mr. AuCoin. Having satisfied all of those requirements, a joint venture that is dominated on the basis of stock by a foreign state could own vessels which would then be treated as U.S. flag vessels.

Mr. Yglesias. Yes, Sir.

Mr. AuCoin. Therefore, the joint venture would be just as able as any wholly owned U.S. venture to fish at will within the 200 mile zone.

Mr. Yglesias. Yes, Sir.

Later in the same hearing, I asked the representative from the Commerce Department about the effect these arrangements might have on the 200-mile law:

Mr. AuCoin. Doesn't it really boil down to this: A foreign company that feels squeezed as a result of the foreign fishing quota—or for that matter, a foreign government which feels itself in need of additional fish protein—could easily establish a U.S. business venture, build or acquire fishing vessels, take as many of the species as it can until the American catch hits the ceiling established by the management plan for that species, and market that species to whomever it wants to. In short, don't those foreign business operations have an opportunity to entirely circumvent the fee requirements, and the surplus American catch requirements of the 200-mile law?

Mr. Wallace. I think it is clear that they can do all of the things that you outlined under the present situation.

Mr. Speaker, I believe the facts speak for themselves.

The potential for violating the spirit if not the actual letter of the new law is clearly there. For this reason, today, along with my able colleague, the gentleman from Massachusetts (Mr. Studds), who authored the 200-mile limit, I am introducing legislation which I believe will insure that foreign fishing fleets remain under the umbrella of the 200-mile act as Congress intended.

I want to make very clear that this bill is not intended to discourage foreign investment in our domestic fishing industry. Such investment will still be profitable. But this bill will not allow such investment to be a ruse to sidestep the landmark 200-mile law, the intent of Congress, and the will of the American people.

Part one of the bill says that for purposes of the 200-mile law any foreign country must treat as one of its own any U.S.-flag vessel which is 25 percent or more owned by a citizen or entity of that nation.

This means that U.S.-flag vessels controlled by foreign countries shall be subject to the same fees, quotas and other restrictions which that nation's own vessels would be subject to under the 200-mile law. In effect, what we would be telling foreign countries is that they are welcome in our fisheries but only so long as they play by the rules Congress laid down when it passed the 200-mile bill last year.

Part two of the bill goes beyond the issue of vessel ownership.

It would require the Secretary of Commerce to undertake a broad study of foreign investment in all aspects of the American fisheries industry. This is aimed at giving Congress indepth baseline information regarding the scope of investment, the impact of such investment on the employment of U.S. citizens, the impact of such investment on the future of the U.S. industry, and other information it needs in order to develop sound future policy.

Mr. Speaker, I anticipate broad support for this legislation. During hearings on similar legislation introduced in the 93d Congress, State fisheries personnel and fisheries associations from across the country supported the concept of bringing the harvest of our fisheries resource under the control of U.S. citizens.

At that time, the deputy director of the Federal agency most directly responsible for the well-being of U.S. fisheries resources—National Marine Fisheries Service—stated:

> From the viewpoint of the existing fishing industry of the United States it would appear that the bill may be beneficial.

At the very least, it is time for the Congress to come to grips with the problem. In the words of the Pacific Marine Fisheries Commission in a resolution adopted November 15, 1973, time and events are pushing Congress to clearly define a "national policy with respect to any permitted majority alien ownership of U.S.-flag vessels."

To this end—and to the proposition that American fishermen deserve the help and support of Congress promised them in the new 200-mile act—I introduce this legislation and commend it to my colleagues.

EXEMPTION FOR SHEEP MOBILE HOUSING FROM REGULATIONS FOR PERMANENT HOUSING FOR AGRICULTURE WORKERS

(Mr. RONCALIO asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RONCALIO. Mr. Speaker, today I am introducing legislation which would exempt the range sheep industry mobile housing from regulations affecting permanent housing for agricultural workers. Section 120.17(b) of the Department of Labor Housing Regulations requires a second means of egress of at least 24 inches by 24 inches in housing units for less than 10 persons. This regulation is simply not practical for sheepherders on the range throughout the entire year, experiencing changing weather conditions continually.

Sheepherders need mobility in rough terrain, and the sheepwagons must be practical in order to accommodate their needs as well as those inherent in their occupation.

Camps are customarily parked facing away from the prevailing wind, and for this reason have traditionally been constructed with small rear windows to make them warmer. The winter winds are penetrating, and another exit would create major problems in maximizing the warmth of the camps. The requirement of a 24 inch by 24 inch second exit