

HOUSE OF REPRESENTATIVES—Monday, December 21, 1970

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The steps of a good man are ordered by the Lord: And he delighteth in his way.—Psalm 37: 23.

Eternal God, our Father, for the joy of this Christmas season we thank Thee and pray that it may ever live in our hearts. For the joy of this day, the birthday of our beloved Speaker, we raise our hearts in loving gratitude to Thee. We thank Thee for him who has provided such capable, effective, and unselfish service for his country and ours. For his wise and understanding leadership in this House, for his nobility of mind, his gentleness of spirit, his fervent support of home, church, and Nation, and for his loving devotion to his lovely wife, we thank Thee.

May this day be a great day for him and may it be a great day for us as we pray for a genuinely great and good man.

In the spirit of his Lord and ours we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Saturday, December 19, 1970, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On November 25, 1970:

H.R. 13978. An act to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds.

On November 30, 1970:

H.R. 18546. An act to establish improved programs for the benefit of producers and consumers of dairy products, wool, wheat, feed grains, cotton, and other commodities, to extend the Agricultural Trade Development and Assistance Act of 1954, as amended, and for other purposes.

On December 1, 1970:

H.J. Res. 1403. Joint resolution to provide an additional temporary extension of the Federal Housing Administration's insurance authority.

On December 2, 1970:

H.J. Res. 1255. Joint resolution to authorize and request the President to proclaim the period January 10, 1971, through January 16, 1971, as "National Retailing Week."

On December 3, 1970:

H.R. 14252. An act to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes.

On December 7, 1970:

H.R. 110. An act to amend section 427(b) of title 37, United States Code, to provide

that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control.

H.R. 386. An act to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance.

H.R. 670. An act to amend section 19 of the District of Columbia Public Assistance Act of 1962.

H.R. 4183. An act to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits.

H.R. 9486. An act to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service who is a prisoner of war, missing in action, or in a detained status during the Vietnam conflict.

H.R. 13564. An act to provide that in the District of Columbia one or more grantors in a conveyance creating an estate in joint tenancy or tenancy by the entireties may also be one of the grantees.

On December 8, 1970:

H.R. 3373. An act for the relief of Giuseppe Delina.

H.R. 4670. An act for the relief of Ok Yon (Mrs. Charles G.) Kirsch.

H.R. 9017. An act to amend the District of Columbia Alcoholic Beverage Control Act.

H.R. 10336. An act to revise certain laws relating to the liability of hotels, motels, and similar establishments in the District of Columbia to their guests.

H.R. 13565. An act to validate certain deeds improperly acknowledged or executed (or both) that are recorded in the land records of the Recorder of Deeds of the District of Columbia.

H.R. 14543. An act for the relief of Mrs. Rolando C. Dayao.

H.R. 15767. An act for the relief of Mrs. Maria Zahbanicz (nee Bojkiwska).

H.R. 15922. An act for the relief of Somporn (Leeta Noi) Bell.

H.R. 16857. An act for the relief of Soon Ho Yoo.

H.R. 17431. An act for the relief of Jacqueline and Barbara Andrews.

H.R. 17508. An act for the relief of Jung Yung Mi and Jung Ae Ri.

H.R. 17912. An act for the relief of Jin Soo Park and Moon Mi Park.

On December 9, 1970:

H.R. 6951. An act to enact the interstate agreement on detainers into law.

H.R. 15216. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in Japan in 1971, and for other purposes.

On December 10, 1970:

H.J. Res. 1413. Joint resolution to provide for a temporary prohibition of strikes or lockouts with respect to the current railway labor-management dispute.

On December 11, 1970:

H.R. 4302. An act to amend title 28 of the United States Code, section 753, to authorize payment by the United States of fees charged by court reporters for furnishing certain transcripts in proceedings under the Criminal Justice Act.

H.R. 8470. An act for the relief of Capt. Jackie D. Burgess.

H.R. 9677. An act to amend section 1866 of title 28, United States Code, prescribing the manner in which summonses for jury duty may be served.

H.R. 17272. An act for the relief of certain employees of the Department of Defense.

H.R. 17970. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

H.R. 19000. An act to amend the Act of April 24, 1961, authorizing the use of judgment funds for the Nez Perce Tribe.

On December 14, 1970:

H.R. 13934. An act to amend the act of September 21, 1959 (73 Stat. 590), to authorize the Secretary of the Interior to revise the boundaries of Minute Man National Historical Park, and for other purposes.

H.R. 14714. An act to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes.

H.R. 18126. An act to amend title 28 of the United States Code to provide for holding district court for the Eastern District of New York at Westbury, N.Y.

On December 15, 1970:

H.R. 471. An act to amend section 4 of the act of May 31, 1933 (48 Stat. 108).

H.R. 14213. An act to amend sections 5580, 5581, and 5582 of the Revised Statutes to provide for additional members of the Board of Regents of the Smithsonian Institution and to increase the number of members constituting a quorum.

On December 16, 1970:

H.R. 1160. An act to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park.

H.R. 8573. An act for the relief of Mrs. Margaret M. McNellis.

H.J. Res. 1077. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Railways Congress Association.

H.J. Res. 1411. Joint resolution correcting certain printing and clerical errors in the Legislative Reorganization Act of 1970.

On December 17, 1970:

H.R. 2876. An act for the relief of the Beasley Engineering Co., Inc.

H.R. 3328. An act to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; and to authorize long-term leases of land on the reservation.

H.R. 19830. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

On December 19, 1970:

H.R. 12958. An act for the relief of Central Gulf Steamship Corp.

H.R. 15770. An act to provide for conserving surface waters; to preserve and improve habitat for migratory waterfowl and other wildlife resources; to reduce runoff, soil and wind erosion, and contribute to flood control; and for other purposes.

H.R. 18679. An act to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 212. An act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes;

H.R. 956. An act to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Buckman lock";

H.R. 3107. An act to officially designate the Totten Trail Pumping Station;

H.R. 4982. An act for the relief of Thomas J. Beck;

H.R. 6100. An act for the relief of Hershel Smith, publisher of the Lindsay News, of Lindsay, Okla.;

H.R. 7264. An act for the relief of Mrs. Pearl C. Davis;

H.R. 7334. An act to designate the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Kooconusa";

H.R. 8933. An act to provide that the lock and dam referred to as the "Jackson lock and dam" on the Tombigbee River, Ala., shall hereafter be known as the Coffeetown lock and dam;

H.R. 11547. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans;

H.R. 12128. An act for the relief of William Heidman, Jr.;

H.R. 12564. An act to rename a pool of the Cross-Florida Barge Canal "Lake Ocklawaha";

H.R. 13182. An act for the relief of Frank E. Dart;

H.R. 13676. An act for the relief of certain retired officers of the Army, Navy, and Air Force;

H.R. 13806. An act for the relief of Irwin Katz;

H.R. 13862. An act to authorize the naming of the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan;

H.R. 14683. An act to designate as the John H. Overton lock and dam the lock and dam authorized to be constructed on the Red River near Alexandria, La.

H.R. 15270. An act for the relief of Thaddeus J. Powlak.

H.R. 15505. An act for the relief of Jack B. Smith and Charles N. Martin, Jr.

H.R. 16502. An act for the relief of Gary W. Stewart.

H.R. 16965. An act for the relief of Richard N. Stanford.

H.R. 17750. An act to grant the consent of Congress to the city of Boston to construct, maintain, and operate a causeway and fixed-span bridge in Fort Point Channel, Boston, Mass.

H.R. 18858. An act to change the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the Michael J. Kirwan Dam and Reservoir.

H.R. 19855. An act to designate the lake formed by the waters impounded by the Butler Valley Dam, Calif., as "Blue Lake".

H.R. 19890. An act to name a Federal building in Memphis, Tenn., for the late Clifford Davis.

H. Con. Res. 789. Concurrent resolution to provide for the printing of the prayers offered by the Chaplain as a House document.

H. Con. Res. 788. Concurrent resolution authorizing the printing of additional copies of "Hearings Relating to Various Bills To Repeal the Emergency Detention Act of 1950," 91st Congress, second session.

The message also announced that the Senate had passed with amendments in

which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H.R. 10517. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes.

H.R. 14645. An act to amend title 18 of the United States Code to prohibit certain uses of likenesses of the great seal of the United States, and of the seals of the President and Vice President; and

H.J. Res. 1162. Joint resolution to amend Public Law 403, 80th Congress, of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

The message also announced that the Senate agrees to the amendment of the House to bill of the Senate of the following title:

S. 3835. An act to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1008. An act for the relief of Robert J. Ebbert and Design Products Corp., Troy, Mich.;

S. 1985. An act for the relief of Randall L. Talbot;

S. 2956. An act to provide private relief for Lt. Comdr. LeRoy E. Coon, Supply Corps, U.S. Navy (retired), continued on active duty in a retired status after June 30, 1967; and

S. Con. Res. 85. Concurrent resolution authorizing the printing of additional copies of Senate hearings on U.S. Security Agreements and Commitments Abroad.

AWARD TO THE HONORABLE JOHN W. McCORMACK OF THE CAVALLIERE DI GRAN CROCE, ORDER AL MERITO DELLA REPUBBLICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1420) authorizing the Honorable JOHN W. McCORMACK, Speaker of the House of Representatives, to accept and wear the Cavaliere di Gran Croce, of the Order Al Merito della Repubblica, an award conferred by the Government of the Republic of Italy.

The SPEAKER pro tempore (Mr. FUQUA). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1420

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the Honorable JOHN W. McCORMACK, Speaker of the House of Representatives, is authorized to accept the Cavaliere di Gran Croce, of the Order Al Merito della Repubblica, an award conferred by the Government of the Republic of Italy, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable John W. McCormack any such decorations and documents evidencing such award.

Sec. 2. Notwithstanding section 5 of the Act of October 15, 1966 (80 Stat. 952; U.S.C. 7342(d)), or other provision of law to the

contrary, the Honorable JOHN W. McCORMACK may wear and display the decoration mentioned in section 1 after the acceptance thereof.

Mr. ALBERT. Mr. Speaker, I know that the House shares the joy which I have that a great and friendly ally, the Republic of Italy, has bestowed its highest honor upon the Speaker of the House of Representatives who has served with us so many years. It is particularly appropriate that we recognize this fact on the date of the anniversary of the birth of our great Speaker. I know I express the sentiments of every Member of the House when I say, "Happy birthday, Mr. Speaker, happy birthday to you."

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I join with the distinguished majority leader in extending to the great Speaker best wishes on his birthday anniversary. I hope and trust, as all of us do, that he will have many, many more in the years to come.

Mr. Speaker, it was my privilege to attend the luncheon, I think, last week, when the Ambassador of the Republic of Italy made the presentation to the Speaker. It was a great occasion, and I hope and trust that this resolution will receive the unanimous support of the House.

Mr. BOGGS. Mr. Speaker, it is with a great deal of pleasure that I join in wishing you a very pleasant and happy day, on this your 79th birthday.

As you well know, Mr. Speaker, it is a rare occasion when all the Members of this body find themselves in total agreement. Today, however, is such an occasion.

We all agree that Speaker JOHN W. McCORMACK of Massachusetts is the most admired and beloved Member of this body.

We all agree that through your consistent fairness and good judgment, the office of the Speaker has been raised to a new level of dignity and leadership.

And, we all agree that there is one Member of this body whom we all hold in maximum high regard, and that Member is JOHN W. McCORMACK.

For one half century now, you have given unselfish and dedicated service to the House of Representatives and to our country. At the same time, you have brightened and enriched the lives of all our people.

And so, Mr. Speaker, all of us—with deep affection—wish you a very happy birthday and many happy returns of the day.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the House Joint Resolution 1420 just passed.

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

There was no objection.

TO AUTHORIZE THE SPEAKER TO DECLARE RECESSES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it shall be in order during the remainder of this session for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. ALBERT. Mr. Speaker, I offer a resolution and move to suspend the rules and adopt the resolution (H. Res. 1317), making it in order for the Speaker to declare a recess at any time, subject to the call of the Chair.

The Clerk read as follows:

H. RES. 1317

Resolved, That during the remainder of this session it shall be in order for the Speaker to declare a recess at any time, subject to the call of the Chair.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second, and I make a point of order that a quorum is not present.

The SPEAKER. Without objection, a second will be considered as ordered.

Mr. ALBERT. Mr. Speaker, I withdraw the resolution until a later time in the day.

The SPEAKER. The gentleman from Oklahoma withdraws his resolution at the present time.

Mr. GROSS. Mr. Speaker, I withdraw the point of order.

SUPPORT OF RESOURCE CONSERVATION PROGRAM

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, a program which I feel deserves more support from the Congress is the development of Resource Conservation and Development Districts.

This program, administered by the Soil Conservation Service under the U.S. Department of Agriculture, is a signal forward step in the wiser use and conservation of our natural resources. It is my feeling that we in the Congress have not gone far enough in encouraging the development of this program.

A group of counties in my district have banded together to ask consideration for designation as one of 15 areas to be designated for new districts across the Nation. I have been impressed with the aggressive leadership and interest which officials of this area have shown.

My feeling is that approval of this application would be a signal step in wise use of natural resources in this particular interest, and serve as an inspiration and example for the entire State.

The U.S. Department of Agriculture through the Soil Conservation Service faces a most difficult decision in choosing between some very outstanding applications. My great disappointment is that more such districts cannot be created at this time, but I feel very strongly that this program has such merit that Congress will authorize the creation of many more such districts in the future.

Since I feel that this program can be of such benefit to the area for which the application has been filed in particular, and serve as an example for wise use of natural resources throughout my great State, it is my sincere hope that the application filed from my district will be approved.

But, equally important, I would urge my colleagues to take a look at this program. I feel it deserves our support as a vibrant step forward in the conservation of our natural resources.

MEMBERS ENCOURAGED TO MAINTAIN A QUORUM ON THE FLOOR

(Mr. BELL of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BELL of California. Mr. Speaker, it makes absolutely no sense for us to be here today if the membership does not remain on the floor to carry on the legislative process.

As long as we have to be here anyway, I hope that the Members will remain on the floor.

This will enable us to prevent the more mischievous Members of our body from impeding the democratic processes.

The delaying tactics of constant quorum calls seem to result only in the postponement of our enjoying Christmas at home with our families.

The House has been known to operate with extreme rapidity when the push is on to wind up its affairs and it is my feeling that 1 or 2 days of concentrated effort here on the floor might give us the opportunity to shut down and go home.

If the first call of the House today demonstrates that a quorum is present, I urge that the membership remain on the floor—as the maintenance of a quorum will help all of us complete the business of the 91st Congress and spend Christmas at home rather than in this Chamber.

TRIBUTE TO THE HONORABLE JOHN W. McCORMACK

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

Mr. CARTER. Mr. Speaker, the spirit of Christmas is to give.

Today, I want to give thanks to a most benevolent and kindly gentleman, the distinguished Representative from Massachusetts, and the Speaker of this House, the Honorable JOHN W. McCORMACK.

His kindly spirit pervades this august body. His fairness is recognized by all. Someone said, "I live for those who love me, whose hearts are strong and true, for the living God above me and the good that I can do."

These words personify the spirit of the Speaker, the Honorable JOHN W. McCORMACK. May we wish for him in his retirement the best that life has to offer.

ROGERS CHARGES THE RUSSIANS HOODWINKED ADMINISTRATION ON CUBAN SUB BASE

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

Mr. ROGERS of Florida. Mr. Speaker, for the past 3 months the Congress and the American public have been given conflicting reports of Russian activity on the construction of a submarine base in Cuba.

Reports published this morning indicate the Russians have indeed built, or are about to finish such a base in Cienfuegos. The administration's response to this report is in keeping with its previous statements—that it can neither confirm nor deny the situation.

In the past 2 months the administration has stated that the activity in Cienfuegos was not in violation of the so-called 1962 agreements and that the Nixon administration had a separate verbal understanding that would rule out any such construction of a base.

But the activity has now reached a point where I must submit that it is not in the interest of U.S. defense and security. And I think the administration should so address itself to the situation in that light.

I have asked for an explanation of the 1962 agreement and the verbal understanding, as I feel the American public and the Congress should know what has been agreed to between the United States and Russia concerning the use of Cuba as a military base.

I am fearful that the Russians have hoodwinked the administration, and especially Dr. Henry Kissinger, into believing that if we spoke out against the Cuban base it would upset the SALT talks, the Paris peace talks, and aggravate the situation in the Middle East. As a result of our inattention and meekness, the Russians have boldly established a base which will give their submarine fleet a capability which is twice what it would have been without the base.

The administration has watched this activity and remained silent, hoping that what the military reports said would turn out to be false. But it has not and the Russians are ready to establish a base.

I am calling upon the President and the proper committees of the House and Senate to immediately look into this very important matter and to make public any and all agreements and understanding which we have with Russia concerning the use of Cuba as a military base. And I am calling upon the President to

make public the condition of the submarine base and the rationale which has allowed its construction.

Mr. Ziegler's official comment that the administration could neither confirm nor deny the story is totally unsatisfactory, unresponsive and reflects an overall dereliction of responsibility to the American public.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I am delighted to yield to the gentleman from Illinois.

Mr. ARENDS. Like the gentleman, I have great concern as to what is going on in Cuba. I wonder if the gentleman has some information the rest of us have not been able to obtain. Are these newspaper reports or something basically substantial which the gentleman feels free to tell us about?

Mr. ROGERS of Florida. The latest report I have seen is just published this morning by Time magazine, which states the extent of the construction, from their reports.

EIGHTH ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

As required by law, I transmit to the Congress the Eighth Annual Report on Special International Exhibitions conducted during Fiscal Year 1970 under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256).

This report covers exhibits presented abroad by the U.S. Information Agency at international fairs and under East-West Cultural Exchange agreements, exhibits and labor missions presented abroad by the Department of Labor, and trade missions organized and sent overseas by the Department of Commerce.

RICHARD NIXON.

THE WHITE HOUSE, December 21, 1970.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

U.S. PARTICIPATION IN THE 1972 UNITED NATIONS CONFERENCE ON HUMAN ENVIRONMENT

The Clerk called House Resolution 562 expressing the sense of the House of Representatives that the United States should actively participate in the 1972 United Nations Conference on Human Environment.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

REPEAL OF THE NAVAL STORES ACT

The Clerk called the bill (H.R. 7444) to repeal the Naval Stores Act.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEFERRAL OF MARKETING QUOTA PROCLAMATION FOR BURLEY TOBACCO

The Clerk called the joint resolution (H.J. Res. 1415) to extend the time for the proclamation of marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971.

The SPEAKER. Is there objection to the present consideration of the Joint resolution?

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution (S.J. Res. 249) to extend the time for the proclamation of marketing quotas for burley tobacco for the 3 marketing years beginning October 1, 1971, be considered in lieu of the House joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the Senate joint resolution as follows:

S. J. RES. 249

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of Agriculture may defer until March 1, 1971, any proclamation under section 312 of the Agricultural Adjustment Act of 1938, as amended, with respect to national marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971.

The Senate joint resolution was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 1415) was laid on the table.

CHANGING THE NAME OF CERTAIN PROJECTS FOR NAVIGATION AND OTHER PURPOSES ON THE ARKANSAS RIVER

The Clerk called the bill (H.R. 13493) to change the name of certain projects for navigation and other purposes on the Arkansas River.

There being no objection, the Clerk read the bill as follows:

H.R. 13493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Arkansas River navigation and comprehensive development project authorized by the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938 (52 Stat. 1215), as amended and supplemented, shall be known and designated hereafter as the McClellan-Kerr Arkansas River project.

(b) Lock and dam number 1, Arkansas, on the Arkansas Post Canal approximately two thousand feet from the White River shall be known and designated hereafter as the Norrell lock and dam.

(c) The canal connecting the White River at river mile 10 with the Arkansas River at river mile 41.6 shall be known and designated hereafter as the Arkansas Post Canal.

(d) The water area on the Arkansas River, main channel, created by the cutoff at Boyds Point and a closure at the upstream end of the former channel, at Pine Bluff, Arkansas, shall be known and designated hereafter as Lake Langhofer.

(e) Lock and dam number 7, Arkansas River at Little Rock, Arkansas, shall be known and designated hereafter as Murray lock and dam.

(f) Lock and dam number 8, Arkansas River at Conway, Arkansas, shall be known and designated hereafter as Toad Suck Ferry lock and dam.

(g) Lock and dam number 10, Arkansas River in the vicinity of Russellville and Dardanelle, Arkansas, shall be known and designated hereafter as Dardanelle lock and dam, and the reservoir created by Dardanelle Dam shall be known and designated hereafter as Lake Dardanelle.

(h) The public overlook on the left descending river bank approximately one thousand six hundred feet upstream of Dardanelle Dam shall be known and designated hereafter as Caudle Overlook.

Sec. 2. Any law, regulation, map, document, or record of the United States in which any project lock, dam, reservoir, canal, or overlook named in this Act is referred to, shall be held to refer to such project, lock, dam, reservoir, canal, or overlook by the name designated for it by this Act.

With the following committee amendment:

Page 1, strike out line 9 and insert in lieu thereof, "the McClellan-Kerr Arkansas River Navigation System."

The committee amendment was agreed to.

(Mr. MILLS (at the request of Mr. HAMMERSCHMIDT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. MILLS. Mr. Speaker, this bill, amended slightly by the Committee on Public Works, is basically the result of the work of a citizens committee formed at the request of myself and other members of the Arkansas congressional delegation.

Several years ago we asked that the Arkansas Basin Association, because of its familiarity with the Arkansas River navigation project and its knowledge of the project history and of those persons who had worked to further the goal of navigation for the Arkansas, designate a committee to study the history of the project and the wishes and desires of people who live along the river and report back to the association, and through it to the congressional delegation with a list of

names of people and places to be memorialized by the Congress in naming the river project and some of the structures and bodies of waters along the river.

That committee completed its work last year and brought to us a memorandum which made a series of recommendations for the project and various parts of the project.

That memorandum is essentially reproduced in legislative language in the bill that is before us today. If you take the time to study it, you will see that in addition to honoring the two Senators who have led the fight for this great navigation system, Senator JOHN McCLELLAN, of Arkansas, and Senator Bob Kerr, of Oklahoma, this bill would put names to structures, bodies of water, and overlooks in honor of persons who contributed to the project or communities directly associated with a part of the project or place names that had a particular historical significance in areas adjacent to the project. As one of the sponsors of H.R. 13493, I commend it to the attention of the House.

(Mr. HAMMERSCHMIDT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HAMMERSCHMIDT, Mr. Speaker, I want to endorse wholeheartedly H.R. 13493. It is sponsored by our complete Arkansas House delegation—through the leadership of our distinguished colleague, the gentleman from Arkansas (Mr. MILLS). I would like to associate myself with his remarks made here earlier.

In essence, this measure, as amended, would designate the Arkansas River navigation project as the "McClellan-Kerr Arkansas River Navigation System" and change the name of certain additional projects for navigation and other purposes on the Arkansas River. The changing of the name of the river navigation system would honor two men who more than any others caused this project to be undertaken, and who must be credited for this new dimension in ocean-going commerce for Arkansas and Oklahoma.

It was the vision and foresight of JOHN McCLELLAN, who introduced the original bill, and strong support of the late Senator Bob Kerr, who spoke and worked in behalf of the proposal. As a team, they were all victorious.

Today, almost 30 years and \$2½ billion after the first bill was introduced, the vision has become virtually a whole reality.

Only a few weeks ago, I attended dedication ceremonies in Oklahoma for lock and dam Nos. 14 and 15. Those proceedings were marked by the distinguished presence of former President Lyndon Johnson, the next Speaker of the House, CARL ALBERT, and our esteemed colleague from Oklahoma, Ed EDMONDSON.

Those historical dedication ceremonies marked the completion of another leg of the navigation project which is soon to be fully operational for barge traffic all the way to the Tulsa port of Catoosa.

From the Mississippi to the prairie's edge in Oklahoma, navigation of the Arkansas River was the dream and vision of Senators JOHN McCLELLAN and Robert S. Kerr. It offers new hopes for economic and cultural enrichment all along a vast river valley.

These suggested name changes have come to the Arkansas delegation from a resolution by the Arkansas Basin Association. Its members have firsthand knowledge of the many people who have made contributions through the years toward the completion of this great waterway.

One final note on the name the "McClellan-Kerr Arkansas River Navigation System." When two eminent leaders work together so closely for a goal, sometimes the question arises as to whose names comes first in describing their teamwork.

In this case, Senator McCLELLAN's name leads because he introduced the first legislation in the Senate on the waterway.

Mr. EDMONDSON, Mr. Speaker, H.R. 13493 honors, among others, two great U.S. Senators who deserve a major share of the credit for the greatest river development program of this generation: The Arkansas River multipurpose project.

Senator Robert S. Kerr, in his lifetime, was a tower of strength in advancing this great navigation, flood control, water storage, and power project.

Senator JOHN McCLELLAN was not only the first legislator in modern times to introduce a bill calling for navigation of the Arkansas; he has also been both quarterback and fullback of the combined Arkansas-Oklahoma congressional effort for the project for many years.

Without JOHN McCLELLAN and Bob Kerr, there would be no Arkansas River navigation system today. It is certainly appropriate that the Congress act to authorize the naming of this great navigation system for those two great Americans.

I hope the other body will speedily join the House in approving this measure.

Mr. ALEXANDER, Mr. Speaker, some years ago an Arkansan perceived the shape of a dream of a better life for the people who have elevated him to a position of great honor and responsibility. That man was Senator JOHN L. McCLELLAN.

An agricultural economy which had served his people well was, he knew, declining. There was a need for bold solutions to the future problems this trend would certainly bring.

The Senator is endowed with a keen insight into the future. He has a compassionate desire to help the people of his native State. Senator McCLELLAN dreamed of vessels of commerce plying the currents of the rivers which thread their way across Arkansas and the mid-continent of America.

Arkansas River and the White River of eastern Arkansas are important among them.

Working with this esteemed colleague from Oklahoma, the late Senator Robert S. Kerr who shared his vision, Senator McCLELLAN embarked on a campaign to make of his dream a reality.

The system of inland waterways they envisioned would mean more to the mid-continent region than any other single project that could have been undertaken.

It can bring to fruition the region's promise of economic development thus far unparalleled by any other period of history.

The development which this system of waterways will support can be a major factor in easing the pressures on other regions of our Nation now reeling under a population explosion.

Already ports are being established along Arkansas inland waterways. Industries have begun building new plants. Others have plans on the drafting boards. And, still others intend to purchase sites for expansion into the region.

My years of experience in inland waterways affairs have convinced me there is a pressing need for revising and strengthening Federal, State, and local legislation on port and harbor development. These changes are necessary to increase the vitally needed progress along carefully selected inland waterways.

For the health of the economy of the midcontinent and overall well-being of our Nation, this expansion of water-related industry is essential.

Arkansas water resource potential ranks second in importance only to our people.

The inland waterway transportation system is relatively young. Even so, barges are already handling 15 percent of the U.S. domestic freight being transported.

In 1968, the first national assessment of the Water Resource Council was published under the title "The Nation's Water Resources." It included the estimate that by the year 2020 the freight being moved by water will have increased by 350 percent.

Another idea of what such a system of waterways as the Senators McCLELLAN and Kerr envisioned can do is found in an article which appeared in the May 25, 1970, issue of the U.S. News & World Report. On June 8, I had a copy of this article, titled "Seaports for an Inland Empire" included in the CONGRESSIONAL RECORD.

This news story investigated the effect of opening the Arkansas River from the Mississippi River to Tulsa, Okla.

At Catoosa, just 3 miles east of Tulsa, a \$20 million port is being developed. A 1,500-acre industrial park will adjoin the port. Officials expect 12.5 million tons of freight to move through this port in 1980.

Navigation along the Arkansas was opened to Little Rock in October 1968. A million tons of freight was forecast for the first year of operation. The river traffic actually moved 2.225 million tons.

Little Rock's public port, which has terminal and warehouse facilities, is in operation. A steel plant is under construction in the industrial area adjoining the port. In 1969, a million tons of bauxite from the Caribbean flower across private docks there and into the processing facilities of nearby aluminum plants.

At Russellville, upstream from Little Rock, the Arkansas Power & Light Co. is building a \$140 million nuclear plant. It is made possible by the existence of one of the numerous lakes created by the project to make the river navigable.

In Fort Smith, Ark., the Kansas City Southern Lines Railway has set aside 2,000 acres for an industrial park and port. The Kerr-McGee Corp. has dedicated a \$25 million uranium processing plant near Sallisaw, Okla.

This firm is also planning to build a \$20 million facility in the region.

In addition, Armco Steel, North American Rockwell, Skelly Oil, and Phillips Petroleum have or are planning to have plants along the river.

Water-based recreation activities have also benefited greatly. In 1969 alone, more than a million visitors were counted at 14 recreation sites around the Dardanelle Reservoir.

In May of this year, the Department of Commerce, recommended that 32 port sites be reserved now in small communities on the waterway.

There does not have to be a conflict between this development and the goals of the environmentalists and the conservationists.

As Senator JOHN McCLELLAN told the U.S. News writer:

We don't intend to let the river become polluted. It is easier to prevent it than to remedy it.

Arkansas and the midcontinent region have the potential for the greatest inland waterway system in the world.

Completion of the development of the White River will allow the First Congressional District of Arkansas to share in the prosperity. The work will allow other regions of the Nation to benefit from the products and resources of northeast Arkansas.

It will add this river to the 14,000 miles of waterways now serving the Nation's needs.

This development can be accomplished without sacrificing the interests of conservationists and environmentalists.

As I stand here before the Speaker's chair, I again contemplate the words of Daniel Webster which are engraved in stone on the frieze of this Chamber's walls:

Let us deliver the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation, may not perform something to be remembered.

These immortal words are symbolic of the life of Senator JOHN L. McCLELLAN—of his dedication to work in the finest tradition of this land.

It is fitting that today we move to honor this effort by passing H.R. 13493. Let us further honor the dreams of Senator McCLELLAN and Kerr by wisely developing our midcontinent waterway resources.

Mr. PRYOR of Arkansas. Mr. Speaker I am delighted that the House of Representatives will today adopt H.R. 13493, in which I joined in sponsorship with my three Arkansas colleagues. This legislation provides that the Arkansas River and comprehensive development project shall be known and designated as the "McClellan-Kerr Arkansas River Navigation System."

Such a designation is a fitting tribute to the distinguished senior Senator from Arkansas, who, along with the late Sen-

ator Robert S. Kerr, initiated and pushed through the legislation that resulted in the creation of the Arkansas River Navigation project. Senator McCLELLAN deserves our praise for his insistence that the Arkansas River Valley be allowed to assume its rightful place in the economic progress of the United States.

GENERAL LEAVE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD on the bill under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964

The Clerk called the bill (S. 4571) to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

Mr. GROSS. Mr. Speaker, since this legislation is scheduled for consideration under suspension of the rules, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. This concludes the call of the Consent Calendar.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 434]

Abbitt	Clawson, Del	Gallagher
Adair	Clay	Gibbons
Andrews,	Collins, Ill.	Gilbert
N. Dak.	Conyers	Gray
Ashbrook	Corbett	Griffiths
Ashley	Coughlin	Haley
Aspinall	Cowger	Hall
Ayres	Crane	Halpern
Baring	Daddario	Harsha
Barrett	Daniels, N.J.	Hastings
Berry	Delaney	Hébert
Blackburn	Denney	Helstoski
Blatnik	Dent	Hicks
Brock	Devine	Horton
Brooks	Diggs	Hull
Brown, Calif.	Dowdy	Hungate
Burke, Calif.	Dwyer	Jarman
Burlison, Mo.	Edwards, Calif.	Landrum
Burton, Utah	Edwards, La.	Langen
Button	Evins, Tenn.	Latta
Caffery	Fallon	Leggett
Camp	Farbstein	Long, La.
Carey	Fascell	Lujan
Chisholm	Fish	Lukens
Ciancy	Foreman	McCarthy
Clausen,	Fulton, Tenn.	McClory
Don H.	Galifianakis	McCloskey

McCulloch	O'Neal, Ga.	Sebelius
McKneally	Ottinger	Shipley
Macdonald,	Patman	Sikes
Mass.	Pelly	Slak
MacGregor	Pettis	Snyder
Martin	Podell	Steele
Mathias	Powell	Steiger, Ariz.
May	Price, Tex.	Stephens
Meskill	Rarick	Sullivan
Michel	Reifel	Taft
Mills	Rhodes	Thompson, N.J.
Minish	Rivers	Tunney
Minshall	Roe	Waggoner
Mize	Rostenkowski	Waldie
Monagan	Roudebush	Weicker
Montgomery	Rousselot	Wiegman
Moorhead	Ruppe	Winn
Morton	Ruth	Wold
Moss	St Germain	Wolf
Murphy, Ill.	Sandman	Wylder
Murphy, N.Y.	Satterfield	Young
Nedzi	Saylor	Zwack
O'Konski	Scherle	
Olsen	Scheuer	

The SPEAKER. On this rollcall 285 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROHIBITING CERTAIN USES OF SEALS OF THE UNITED STATES, PRESIDENT, AND VICE PRESIDENT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14645) to amend title 18 of the United States Code to prohibit certain uses of likenesses of the great seal of the United States, and of the seals of the President and Vice President, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, after line 9, insert:

"Sec. 4. Section 3056 of title 18, United States Code, is amended—

"(1) by adding the following clause after the second clause thereof: "protect the person of a visiting head of a foreign state or foreign government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad;" and

(2) by striking the words "Chief, Deputy Chief, Assistant Chief" and inserting in lieu thereof "Director, Deputy Director, Assistant Directors, Assistants to the Director".

Sec. 5. Section 3506 of title 18, United States Code, as amended by section 4 of this Act, shall be subject to Reorganization Plan Numbered 26 of 1950 (64 Stat. 1280).

Amend the title so as to read: "An Act to amend title 18 of the United States Code to prohibit certain uses of likenesses of the great seal of the United States, and of the seals of the President and Vice President, and to authorize Secret Service protection of visiting heads of foreign states or governments, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. POFF. Mr. Speaker, reserving the right to object—and I shall not object, because I am wholeheartedly in support of the legislation—I would ask, however, that the gentleman explain for the benefit of the Speaker and the Members of the House the purpose of the Senate amendments.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, the amendment added by the Senate embodies a proposal of the Department of the Treasury to authorize the Secret Service protection of visiting heads of foreign states or governments. It would also authorize Secret Service protection, at the direction of the President, of other distinguished foreign visitors and official representatives of the United States performing special missions abroad. I introduced H.R. 19936, which contains these Treasury Department proposals.

Traditionally, this protective function has been provided by the Department of State. The Senate amendment would not in any way affect the responsibilities and authority of the Secretary of State for the management of State visitors and other official visitors. The Senate amendment would only transfer to the Secret Service the responsibility for providing security for such visitors.

I am advised that no additional personnel or appropriations will be immediately required by the Secret Service but in view of the frequency with which official governmental representatives have been assaulted in various parts of the world, it seems prudent to authorize Secret Service protection at this time.

The following statement, urging enactment of this proposal, was made by the Acting Secretary of the Treasury, Charles E. Walker, in a letter dated December 7 to the Speaker of the House of Representatives:

THE SECRETARY OF THE TREASURY,
Washington, December 7, 1970.
Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill, "To authorize Secret Service protection of visiting heads of foreign states or governments, and for other purposes."

The proposed legislation would authorize at the direction of the President, Secret of foreign states or foreign governments and, at the discretion of the President, Secret Service protection of other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad.

In recent years, visits of heads of foreign states and governments to this country have substantially increased, as have visits of official representatives of the United States to foreign countries. Such visits are usually attended by much public notice and international attention. The possibility of an incident involving the personal safety of a foreign dignitary is always present.

The United States Government, in authorizing a visit or extending an invitation, assumes a special duty under the law of nations, to take all reasonable steps to insure against any attack upon its distinguished guest.

The President has decided that the function of protecting foreign dignitaries should be assigned to the Secret Service in view of the greater resources at that agency's command and the substantial experience it has acquired over the years in assuring the protection and security of the highest officials of our own Government. This protective function traditionally has been provided by the Department of State under its general

responsibilities for state visits. It should be emphasized that under the proposed legislation for matters other than the provision of security for visiting heads of state and other officials designated by the President, the management of state visits, and other official visits, as a foreign affairs function, would continue to be performed by the Secretary of State. Apart from the provision of such security, it is not intended that enactment of the draft bill would in any way diminish the authority and responsibility of the Secretary of State relating to visits of foreign dignitaries to the United States.

While it is our view that the President now has the inherent constitutional authority to direct the Secret Service to perform the functions which would be authorized by this legislation, we believe that it would be desirable to clarify our responsibilities for these functions in law.

There is enclosed for your convenient reference a comparative type showing the changes in existing law that would be made by the proposed legislation.

It would be appreciated if you would lay the proposed bill before the Senate. An identical bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Office of Management and Budget that enactment of the proposed legislation would be in accord with the program of the President.

Sincerely yours,

CHARLES E. WALKER,
Acting Secretary.

Mr. POFF. Mr. Speaker, as explained by the distinguished gentleman from New York, this is a good bill.

Mr. Speaker, I rise in support of H.R. 14645, as amended. I would like to address myself briefly to the amendment to this bill added by the other body.

This legislation would authorize the Secret Service to provide protection for visiting heads of state and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of this country performing special missions abroad.

Our Government, in authorizing a visit or extending an invitation, assumes a special duty under the law of nations to make all reasonable steps to insure against attack upon official visitors to this country. This task has become especially important in light of the recent rash of kidnappings of ambassadors and other high government officials throughout the world. These lawless acts of terrorism can result, and have resulted, in the murder of the victim.

If such a tragedy should befall a foreign head of state during a visit to the United States, the consequences would be fearful to contemplate. Therefore, President Nixon, personally, decided that immediate action must be taken to guard against such an occurrence.

The problem could be met by substantially increasing the personnel and facilities of the Department of State's Office of Security, which has capably performed protective functions relating to foreign dignitaries for many years. However, the Secret Service already has considerable resources and has acquired substantial experience in protecting the highest officials of the United States which can be utilized in protecting foreign visitors. Moreover, many of the dignitaries con-

cerned visit the United States to confer with the high officials of this Government whom the Secret Service now protect under existing law. For these reasons, the proposed legislation presents the more efficient and effective way to meet an important international responsibility.

It is not intended that the proposed legislation would in any way diminish the authority and responsibility of the Department of State relating to the protocol and political aspects of the visits of foreign dignitaries to the United States.

The Secret Service estimates that for fiscal year 1971, no additional appropriations will be necessary to finance the protection provided pursuant to this legislation and that the Service can absorb these costs. Additional appropriations will, of course, be required for fiscal year 1972.

But the importance of this protection cannot be measured in dollars, Mr. Speaker. The kidnapping of or injury to a world leader visiting the United States would cause an international incident of frightening proportions. We must act now to prevent even the possibility of such an occurrence.

I therefore urge that the House concur with the other body and send this vital legislation to the President for signature.

Mr. POFF. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, further reserving the right to object, do I understand that this makes a change in the seal of the President of the United States, as well as that of the Vice President?

Mr. CELLER. It protects the seal of both the President and the Vice President.

Mr. GROSS. But does it make a change, or does it merely protect?

Mr. CELLER. No; this is just for protection.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 19885, DISTRICT OF COLUMBIA REVENUE ACT OF 1970

Mr. FUQUA. Mr. Speaker, I call up the conference report on the bill (H.R. 19885) to provide additional revenue for the District of Columbia, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 19, 1970.)

Mr. FUQUA (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, the managers on the part of the House spent a considerable amount of time with the managers on the part of the Senate arriving at this report, which I hope will be accepted by this House.

The bill is basically as it passed the House of Representatives, with the exception that there was a compromise reached between the two bodies on the amount of Federal payment to the District of Columbia.

The House had agreed to a \$15 million increase and the Senate had agreed to a figure of over twice that amount. We compromised on the figure of \$21 million payment.

Basically, the bill is the same except for some technical changes in two sections of the bill.

Section 702 of the conference substitute amends the District of Columbia Minimum Wage Act to provide an exemption from the overtime requirements of that act for certain employees of motor carriers. The exemption was made effective as of February 1, 1967. In addition, section 803(a) of the conference substitute provides that amendments made to an act shall not affect any right accrued or accruing under the amended act. However, since the overtime exemption provided is specifically made effective as of February 1, 1967, section 803(a) is not to be construed to give those covered by the exemption any right to bring an action to recover overtime compensation for the period beginning February 1, 1967, and ending on the date of the enactment of the conference substitute.

I will be happy to answer any questions that the gentleman from Iowa might have.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me see if I have this straight. The compromise is a substantial increase—regardless of the fact that it did not meet the increases asked for by the other body. It still is a substantial increase; is that not correct?

Mr. FUQUA. I would say to the gentleman that it is—the entire Federal payment is a substantial increase over what has been previously authorized by the Congress.

The Senate had passed a formula based upon 30 percent of the tax revenues that are received by the District of Columbia which would have amounted to some \$131 million. Our figure is \$126 million for the total Federal payment and we did not accept the formula as proposed by the Senate.

Mr. GROSS. So the provision that the conferees have adopted is \$126 million; is that correct?

Mr. FUQUA. It is the authorized amount. The bill must go through the Committee on Appropriation, of course.

Mr. GROSS. Is this the total amount that the Federal Government contributes to the District of Columbia?

Mr. FUQUA. This is the total amount by this procedure—there are other grants such as highway funds and other moneys that they receive the same as other States.

Mr. GROSS. This then is an increase from what—\$105 million to \$126 million; is that correct?

Mr. FUQUA. Yes; that is correct.

Mr. GROSS. That is a very substantial increase, I would say, to the District of Columbia which has a population of some 800,000 or perhaps slightly less, but which has on its payroll more than 45,000 employees whereas the city of Cleveland, Ohio, with 811,000 population has approximately 15,000 employees.

In other words, the District of Columbia government has nearly three times the number of employees than does the city of Cleveland with even more population.

I am surprised, under the circumstances, the conferees would increase, and substantially, the Federal expenditure upon the District of Columbia.

Also, I note in the report that the other body has prevailed with an amendment which provides that liquor may be sold in the District of Columbia on all election days, except presidential election days.

Now can the gentleman tell me what makes a presidential election more sacrosanct than a District election?

Mr. FUQUA. Generally and historically, such prohibition has prevailed on presidential election days. Some States are repealing those statutes to provide the nonsale of alcoholic beverages on certain election days. In the District it would be very difficult to enforce the law in certain sections of the city on days on which, for example, school board elections are held in different wards. The District Government requested this provision be added to the bill.

Mr. GROSS. It seems that any time the District of Columbia government requests something, Congress is expected to jump and usually does jump right through the hoop to accommodate it. There is one notable exception, of course, and that is the freeway proposition. I hope the Appropriations Committee will hold fast on the freeway proposition. I thank the gentleman for yielding.

Mr. FUQUA. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 19333, SECURITIES INVESTOR PROTECTION ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (H.R. 19333), to provide greater protection for customers of registered brokers and dealers and members of national securities exchanges, and ask unanimous consent that the statement of the

managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 18, 1970.)

Mr. STAGGERS. Mr. Speaker, earlier this month the House passed H.R. 19333, the Securities Investor Protection Act of 1970. The Senate substituted the provisions of a similar Senate bill.

The conference report which is before us contains the recommendations of the conferees to resolve the differences between the Senate- and House-passed versions. I am pleased to report that the conference recommendation not only follows the structure and format of the House bill, but substantively is very close to the House-passed bill. The most significant difference is in the composition of the Board of Directors. The conference substitute recommends a seven-member Board composed of a designee of the Secretary of Treasury; a designee of the Federal Reserve Board; and five directors appointed by the President, three of whom shall be selected from the industry and two of whom shall be selected from the general public. While there are many Members of the House who might still believe that the convertible board has great merit, it became apparent that some compromise on the composition of the Board had to be reached in order that this legislation would be enacted. Recognizing that there was substantial feeling by some Members of the House during the House debate for a public dominated board, your conferees have agreed to the compromise set forth in the conference report.

Aside from the composition of the Board of Directors, the substantive differences between the House bill and the conference report are relatively minor. I would like to call attention, however, to one of the more important provisions—a provision which was in the House bill and is contained in the conference report in basically the same way. This provision is the amendment to section 15(c)(3) of the Securities Exchange Act of 1934 which grants broad rulemaking authority to the Securities and Exchange Commission to promulgate rules to provide safeguards with respect to the financial responsibility and related practice of broker-dealers. The Senate version would have altered this amendment to section 15(c)(3) by specifying in some detail certain practices of broker-dealers which should be prohibited. Your conferees are pleased that the conference report continues this section in the broad general language of the House version. By not embodying the details in the legislation, we believe the Commission's hand is stronger in that it has flexibility to meet changing situations and needs.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman please

repeat the new membership requirement of this Board or Commission?

Mr. STAGGERS. I am sorry, I made a mistake. The Secretary of the Treasury shall designate one member and the Federal Reserve Board shall designate the President as members of the public, and three are to be appointed by the President as representatives or members from industry.

Mr. GROSS. So it is now a 4-to-3 Board?

Mr. STAGGERS. That is right.

Mr. GROSS. I assume that most of the so-called members of whom the gentleman speaks have heavy financial interests someplace, somewhere. Did the gentleman say the Secretary of the Treasury appoints one and the Federal Reserve Board appoints one? The banking industry then will be well represented.

Mr. STAGGERS. We felt that we had to have some assurance in the legislation that these are two knowledgeable men. They will be public members who will be appointed from this group. They will not be the heads of either of the exchanges, but they will be men appointed from the securities industry, and also the President will appoint the industry men.

Mr. GROSS. There are no farmers on this Board?

Mr. STAGGERS. No, sir; I would hope not.

Mr. GROSS. Is there something wrong with putting a farmer on a board of this kind?

Mr. STAGGERS. The only thing is, I would think the gentlemen who would be on this Board would have to have some knowledge about what is going on in the securities market.

Mr. GROSS. I do not think they would have to have very much expertise because 110 broker-investment firms passed out of the picture in the last 2 years. I think just about anybody could do as well as some have done to bring order out of the chaos in the stock exchange.

Mr. STAGGERS. I would say to the gentleman I think it is wise for the President to pick seven men who are knowledgeable, and he even picks the three industry men himself, so all of the seven are picked in this way.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, the bill which the conferees bring back to you for approval is so much the bill which you passed a few days ago that it merits little comment or discussion. Most of the changes were designed only to enhance or specify the intent of the House bill. For the benefit of Members who may be interested in these various changes I submit herewith a list of the things which were settled by the conference.

The differences between the two bills were resolved in the conference as follows:

First. The Senate bill had a predominantly public Board of Directors while the House bill provided an industry board which became dominated by public members when public money became involved.

The conference agreed upon a Board of Directors composed of the following: two government members; five public members of whom three will be from industry.

Second. The 1-percent ceiling on assessments imposed by the House bill is modified only to indicate that the amounts over one-half of 1 percent will only be assessed when the industry can stand it. This is consistent with the intent of the House-passed measure.

Third. An exemption from the effect of the act on income from handling Treasury securities was eliminated to avoid an unfair advantage to certain such dealers over others handling the same items.

In determining what revenues must be included as gross revenues for purposes of assessments under the act both SEC and the Corporation will have exemptive powers to prevent inequities.

Fourth. The \$50,000 coverage of the act was changed to specify that only \$20,000 of such claim may be for cash.

Fifth. The authority of the SEC was expanded to require rules which should protect customers' property more fully.

Sixth. A study of industry practices was added.

Seventh. Minimum assessments which were \$250 in the House bill were lowered to \$150.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

INTERGOVERNMENTAL PERSONNEL ACT OF 1970

Mrs. GREEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (S. 11) to reinforce the federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the temporary assignment of personnel between the Federal Government and State and local governments, and for other purposes, as amended.

The Clerk read as follows:

S. 11

That this Act may be cited as the "Intergovernmental Personnel Act of 1970".

DECLARATION OF POLICY

Sec. 2. The Congress hereby finds and declares—

That effective State and local governmental institutions are essential in the maintenance and development of the federal system in an increasingly complex and interdependent society.

That, since numerous governmental activities administered by the State and local

governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a high caliber of public service in State and local governments.

That the quality of public service at all levels of government can be improved by the development of systems of personnel administration consistent with such merit principles as—

(1) recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;

(2) providing equitable and adequate compensation;

(3) training employees, as needed, to assure high-quality performance;

(4) retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;

(5) assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed and with proper regard for their privacy and constitutional rights as citizens; and

(6) assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

That Federal financial and technical assistance to State and local governments for strengthening their personnel administration in a manner consistent with these principles is in the national interest.

Sec. 3. The authorities provided by this Act shall be administered in such manner as (1) to recognize fully the rights, powers, and responsibilities of State and local governments, and (2) to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

DECLARATION OF PURPOSE

Sec. 101. The purpose of this title is to provide for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by this Act.

ADVISORY COUNCIL

Sec. 102. (a) Within one hundred and eighty days following the date of enactment of this Act, the President shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an advisory council on intergovernmental personnel policy. The President may terminate the council at any time after the expiration of three years following its establishment.

(b) The advisory council of not to exceed fifteen members, shall be composed primarily of officials of the Federal Government and State and local governments, but shall also include members selected from educational and training institutions or organizations, public employee organizations, and the general public. At least half of the governmental members shall be officials of State and local governments. The President shall designate a Chairman and a Vice Chairman from among the members of the advisory council.

(c) It shall be the duty of the advisory council to study and make recommendations regarding personnel policies and programs for the purpose of—

(1) improving the quality of public administration at State and local levels of gov-

ernment, particularly in connection with programs that are financed in whole or in part from Federal funds;

(2) strengthening the capacity of State and local governments to deal with complex problems confronting them;

(3) aiding State and local governments in training their professional, administrative, and technical employees and officials;

(4) aiding State and local governments in developing systems of personnel administration that are responsive to the goals and needs of their programs and effective in attracting and retaining capable employees; and

(5) facilitating temporary assignments of personnel between the Federal Government and State and local governments and institutions of higher education.

(d) Members of the advisory council who are not regular full-time employees of the United States, while serving on the business of the council, including travel time, may receive compensation at rates not exceeding the daily rate for GS-18; and while so serving away from their homes or regular places of business, all members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

REPORTS OF ADVISORY COUNCIL

SEC. 103. (a) The advisory council on intergovernmental personnel policy shall from time to time report to the President and to the Congress its findings and recommendations.

(b) Not later than eighteen months after its establishment, the advisory council shall submit an initial report on its activities, which shall include its views and recommendations on—

(1) the feasibility and desirability of extending merit policies and standards to additional Federal-State grant-in-aid programs;

(2) the feasibility and desirability of extending merit policies and standards of grant-in-aid programs of a Federal-local character;

(3) appropriate standards for merit personnel administration, where applicable, including those established by regulations with respect to existing Federal grant-in-aid programs; and

(4) the feasibility and desirability of financial and other incentives to encourage State and local governments in the development of comprehensive systems of personnel administration based on merit principles.

(c) In transmitting to the Congress reports of the advisory council, the President shall submit to the Congress proposals of legislation which he deems desirable to carry out the recommendations of the advisory council.

TITLE II—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is to assist State and local governments to strengthen their staffs by improving their personnel administration.

STATE GOVERNMENT AND STATEWIDE PROGRAMS AND GRANTS

SEC. 202. (a) The United States Civil Service Commission (hereinafter referred to as the "Commission") is authorized to make grants to a State for up to 75 per centum (or, with respect to fiscal years commencing after the expiration of three years following the effective date of the grant provisions of this Act, for up to 50 per centum) of the costs of developing and carrying out programs or projects, on the certification of the Governor of that State that the programs or projects contained within the State's application are consistent with the applicable

principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen personnel administration in that State government or in local governments of that State. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration.

(b) An application for a grant shall be made at such time or times, and contain such information, as the Commission may prescribe. The Commission may make a grant under subsection (a) of this section only if the application therefor—

(1) provides for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the approved program or project at the State level;

(2) provides for the establishment of merit personnel administration where appropriate and the further improvement of existing systems based on merit principles;

(3) provides for specific personnel administration improvement needs of the State government and, to the extent appropriate, of the local governments in that State, including State personnel administration services for local governments;

(4) provides assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes; and

(5) sets forth clear and practicable actions for the improvement of particular aspects of personnel administration such as—

(A) establishment of statewide personnel systems of general or special functional coverage to meet the needs of urban, suburban, or rural governmental jurisdictions that are not able to provide sound career services, opportunities for advancement, adequate retirement and leave systems, and other career inducements to well-qualified professional, administrative, and technical personnel;

(B) making State grants to local governments to strengthen their staffs by improving their personnel administration;

(C) assessment of State and local government needs for professional, administrative, and technical manpower, and the initiation of timely and appropriate action to meet such needs;

(D) strengthening one or more major areas of personnel administration, such as recruitment and selection, training and development, and pay administration;

(E) undertaking research and demonstration projects to develop and apply better personnel administration techniques, including both projects conducted by State and local government staffs and projects conducted by colleges or universities or other appropriate nonprofit organizations under grants or contracts;

(F) strengthening the recruitment, selection, assignment, and development of handicapped persons, women, and members of disadvantaged groups whose capacities are not being utilized fully;

(G) training programs related directly to upgrading within the agency for nonprofessional employees who show promise of developing a capacity for assuming professional responsibility;

(H) achieving the most effective use of scarce professional, administrative, and technical manpower; and

(I) increasing intergovernmental cooperation in personnel administration, with respect to such matters as recruiting, examining, pay studies, training, education, personnel interchange, manpower utilization, and fringe benefits.

LOCAL GOVERNMENT PROGRAMS AND GRANTS

SEC. 203. (a) The Commission is authorized to make grants to a general local government, or a combination of general local governments, that serve a population of fifty thousand or more, for up to 75 per centum (or, with respect to fiscal years commencing after the expiration of three years following the effective date of the grant provisions of this Act, for up to 50 per centum) of the costs of developing and carrying out programs or projects, on the certification of the mayor(s), or chief executive officer(s), of the general local government or combination of local governments that the programs or projects are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen the personnel administration of such governments. Such a grant may not be made—

(1) if, at the time of submission of an application, the State concerned has an approved plan which, with the agreement of the particular local government concerned, provides for strengthening one or more aspects of personnel administration in that local government, unless the local government concerned has problems which are not met by the previously approved plan and for which, with the agreement of the State government concerned with respect to those aspects of personnel administration covered in the approved plan, it is submitting an application; or

(2) after the State concerned has a statewide plan which has been developed by an appropriate State agency designated or established pursuant to State law which provides such agency with adequate authority, administrative organization, and staffing to develop and administer such a statewide plan, and to provide technical assistance and other appropriate support in carrying out the local components of the plan, and which provides procedures insuring adequate involvement of officials of affected local governments in the development and administration of such a statewide plan, unless the local government concerned has special, unique, or urgent problems which are not met by the approved statewide plan and for which it submits an application for funds to be distributed under section 506(a).

Upon the request of a Governor or chief executive authority, a grant to a general local government or combination of such governments in that State may not be made during a period not to exceed ninety days commencing with the date provided in section 513, or the date on which official regulations for this Act are promulgated, whichever date is later: *Provided*, That the request of the Governor or chief executive authority indicates that he is developing a plan under (1) above, or during a period not to exceed one hundred and eighty days commencing with the date provided in section 513, or the date on which official regulations for this Act are promulgated, whichever date is later, provided the request of the Governor or chief executive authority indicates that he is developing a statewide plan under (2) above.

(b) An application for a grant from a general local government or a combination of general local governments shall be made at such time or times and shall contain such information as the Commission may prescribe. The Commission may make a grant under subsection (a) of this section only if the application therefor meets requirements similar to those established in section 202(b) of this Act for a State application for a grant, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (c) of this section. Such a grant may cover the costs of developing the program or project covered by the application. The Commission may make grants to general local governments, or combinations

of such governments, that serve a population of less than fifty thousand, if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special problems in personnel administration related to such programs or projects.

(c) An application to be submitted to the Commission under subsection (b) of this section shall first be submitted by the general local government or combination of such governments to the Governor for review, comments, and recommendations. The Governor may refer the application to the State office designated under section 202(b) (1) of this Act for review. Comments and recommendations (if any) made as a result of the review, and a statement by the general local government or combination of such governments that it has considered the comments and recommendations of the Governor shall accompany the application to the Commission. The application need not be accompanied by the comments and recommendations of the Governor if the general local government or combination of such governments certifies to the Commission that the application has been before the Governor for review and comment for a period of sixty days without comment by the Governor. An explanation in writing shall be sent to the Governor of a State by the Commission whenever the Commission does not concur with recommendations of the Governor in approving any local government applications.

INTERGOVERNMENTAL COOPERATION IN RECRUITING AND EXAMINING

SEC. 204. (a) The Commission may join, on a shared-costs basis, with State and local governments in cooperatives recruiting and examining activities under such procedures and regulations as may jointly be agreed upon.

(b) The Commission also may, on the written request of a State or local government and under such procedures as may be jointly agreed upon, certify to such governments from appropriate Federal registers the names of potential employees. The State or local government making the request shall pay the Commission for the costs, as determined by the Commission, of performing the service, and such payment shall be credited to the appropriation or fund from which the expenses were or are to be paid.

TECHNICAL ASSISTANCE

SEC. 205. The Commission may furnish technical advice and assistance, on request, to State and general local governments seeking to improve their systems of personnel administration. The Commission may waive, in whole or in part, payments from such governments for the costs of furnishing such assistance. All such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

COORDINATION OF FEDERAL PROGRAMS

SEC. 206. The Commission, after consultation with other agencies concerned, shall—

(1) coordinate the personnel administration support and technical assistance given to State and local governments and the support given State programs or projects to strengthen local government personnel administration, including the furnishing of needed personnel administration services and technical assistance, under authority of this Act with any such support given under other Federal programs; and

(2) make such arrangements, including the collection, maintenance, and dissemination of data on grants for strengthening State and local government personnel administration and on grants to States for furnishing needed personnel administration services and technical assistance to local governments, as needed to avoid duplication and insure consistent administration of related Federal activities.

INTERSTATE COMPACTS

SEC. 207. The consent of the Congress is hereby given to any two or more States to enter into compact or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance (including the establishment of appropriate agencies) in connection with the development and administration of personnel and training programs for employees and officials of State and local governments.

TRANSFER OF FUNCTIONS

SEC. 208. (a) There are hereby transferred to the Commission all functions, powers, and duties of—

(1) the Secretary of Agriculture under section 10(e) (2) of the Food Stamp Act of 1964 (7 U.S.C. 2019(e) (2));

(2) the Secretary of Labor under—

(A) the Act of June 6, 1933, as amended (29 U.S.C. 49 et seq.); and

(B) section 303(a) (1) of the Social Security Act (42 U.S.C. 503(a) (1));

(3) the Secretary of Health, Education, and Welfare under—

(A) sections 134(a) (6) and 204(a) (6) of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (42 U.S.C. 2674(a) (6) and 2684(a) (6));

(B) section 303(a) (6) of the Older Americans Act of 1965 (42 U.S.C. 3023(a) (6));

(C) section 314(a) (2) (F) and (d) (2) (F) and 604(a) (8) of the Public Health Service Act (42 U.S.C. 246(a) (2) (F) and (d) (2) (F) and 291d(a) (8)); and

(D) sections 2(a) (5) (A), 402(a) (5) (A), 505(a) (3) (A), 1002(a) (5) (A), 1402(a) (5) (A), 1602(a) (5) (A), and 1902(a) (4) (A) of the Social Security Act (42 U.S.C. 302(a) (5) (A), 602(a) (5) (A), 705(a) (3) (A), 1202(a) (5) (A), 1352(a) (5) (A), 1382(a) (5) (A), and 1396a(a) (4) (A)); and

(4) any other department, agency, office, or officer (other than the President) under any other provision of law or regulation applicable to a program of grant-in-aid that specifically requires the establishment and maintenance of personnel standards on a merit basis with respect to the program; insofar as the functions, powers, and duties relate to the prescription of personnel standards on a merit basis.

(b) The Commission shall—

(1) provide consultation and technical advice and assistance to State and local governments to aid them in complying with standards prescribed by the Commission under subsection (a) of this section; and

(2) advise Federal agencies administering programs of grants or financial assistance as to the application of required personnel administration standards, and recommend and coordinate the taking of such actions by the Federal agencies as the Commission considers will most effectively carry out the purpose of this title.

(c) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds of any Federal agency employed, used, held, available, or to be made available in connection with the functions, powers, and duties vested in the Commission by this section as the Director of the Management and Budget shall determine shall be transferred to the Commission at such time or times as the Director shall direct.

(d) Personnel standards prescribed by Federal agencies under laws and regulations referred to in subsection (a) of this section shall continue in effect until modified or superseded by standards prescribed by the Commission under subsection (a) of this section.

(e) Any standards or regulations established pursuant to the provisions of this section shall be such as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own in-

dividual systems of personnel administration.

(f) Nothing in this section or in section 202 or 203 of this Act shall be construed to—

(1) authorize any agency or official of the Federal Government to exercise any authority, direction, or control over the selection, assignment, advancement, retention, compensation, or other personnel action with respect to any individual State or local employee;

(2) authorize the application of personnel standards on a merit basis to the teaching personnel of educational institutions or school systems;

(3) prevent participation by employees or employee organizations in the formulation of policies and procedures affecting the conditions of their employment, subject to the laws and ordinances of the State or local government concerned;

(4) require or request any State or local government employee to disclose his race, religion, or national origin, or the race, religion, or national origin, of any of his forebears;

(5) require or request any State or local government employee, or any person applying for employment as a State or local government employee, to submit to any interrogation or examination or to take any psychological test or any polygraph test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters; or

(6) require or request any State or local government employee to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(g) This section shall become effective sixty days after the date of enactment of this Act.

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 301. The purpose of this title is to strengthen the training and development of State and local government employees and officials, particularly in professional, administrative, and technical fields.

ADMISSION TO FEDERAL EMPLOYEE TRAINING PROGRAMS

SEC. 302. (a) In accordance with such conditions as may be prescribed by the head of the Federal agency concerned, a Federal agency may admit State and local government employees and officials to agency training programs established for Federal professional, administrative, or technical personnel.

(b) Federal agencies may waive, in whole or in part, payments from, or on behalf of, State and local governments for the costs of training provided under this section. Payments received by the Federal agency concerned for training under this section shall be credited to the appropriation or fund used for paying the training costs.

(c) The Commission may use appropriations authorized by this Act to pay the initial additional developmental or overhead costs that are incurred by reason of admission of State and local government employees to Federal training courses and to reimburse other Federal agencies for such costs.

GRANTS TO STATE AND LOCAL GOVERNMENTS FOR TRAINING

SEC. 303. (a) If in its judgment training is not adequately provided for under grant-in-aid or other statutes, the Commission is authorized to make grants to State and gen-

eral local governments for up to 75 per centum (or, with respect to fiscal years commencing after the expiration of three years following the effective date of the grant provisions of this Act, for up to 50 per centum) of the costs of developing and carrying out programs, on the certification of the Governor of that State, or the mayor or chief executive officer of the general local government, that the programs are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act, to train and educate their professional, administrative, and technical employees and officials. Such grants may not be used to cover costs of full-time graduate-level study, provided for in section 305 of this Act, or the costs of the construction or acquisition of training facilities. The State and local government share of the cost of developing and carrying out training and education plans and programs may include, but shall not consist solely of, the reasonable value of facilities and of supervisory and other personal services made available by such governments. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in developing and carrying out training and education programs for their personnel.

(b) An application for a grant from a State or general local government shall be made at such time or times, and shall contain such information, as the Commission may prescribe. The Commission may make a grant under subsection (a) of this section, only if the application therefor meets requirements established by this subsection unless any requirement is specifically waived by the Commission. Such grant to a State, or to a general local government under subsection (c) of this section, may cover the costs of developing the program covered by the application. The program covered by the application shall—

(1) provide for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the program at the State level;

(2) provide, to the extent feasible, for coordination with relevant training available under or supported by other Federal Government programs or grants;

(3) provide for training needs of the State government and of local governments in that State;

(4) provide, to the extent feasible, for intergovernmental cooperation in employee training matters, especially within metropolitan or regional areas; and

(5) provide assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes.

(c) A grant authorized by subsection (a) of this section may be made to a general local government, or a combination of such governments, that serve a population of fifty thousand or more, for up to 75 per centum (or, with respect to fiscal years commencing after the expiration of three years following the effective date of the grant provisions of this Act, for up to 50 per centum) of the costs of developing and carrying out programs or projects, on the certification of the mayor(s), or chief executive officer(s), of the general local government or combination of local governments that the programs or projects are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act, to train and educate their professional, administrative, and technical employees and officials. Such a grant may not be made—

(1) if, at the time of submission of an application, the State concerned has an approved plan which, with the agreement of the particular local government concerned, provides for strengthening one or more aspects of training in that local government, unless the local government concerned has problems which are not met by the previously approved plan and for which, with the agreement of the State government concerned with respect to those aspects of training covered in the approved plan, it is submitting an application; or

(2) after the State concerned has a statewide plan which has been developed by an appropriate State agency designated or established pursuant to State law which provides such agency with adequate authority, administrative organization, and staffing to develop and administer such a statewide plan, and to provide technical assistance and other appropriate support in carrying out the local components of the plan, and which provides procedures insuring adequate involvement of officials of affected local governments in the development and administration of such a statewide plan, unless the local government concerned has special, unique, or urgent problems which are not met by the approved statewide plan and for which it submits an application for funds to be distributed under section 506(a).

Upon the request of a Governor or chief executive authority, a grant to a general local government or combination of such governments in that State may not be made during a period not to exceed ninety days commencing with the date provided in section 513, or the date on which official regulations for this Act are promulgated, whichever date is later: *Provided*, That the request of the Governor or chief executive authority indicates that he is developing a plan under (1) above, or during a period not to exceed one hundred and eighty days commencing with the date provided in section 513, or the date on which official regulations for this Act are promulgated, whichever date is later, provided the request of the Governor or chief executive authority indicates that he is developing a statewide plan under (2) above. To be approved, an application for a grant under this subsection must meet requirements similar to those established in subsection (b) of this section for State applications, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (d) of this section. The Commission may make grants to general local governments, or combinations of such governments that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special needs for personnel training and education related to such programs or projects.

(d) An application to be submitted to the Commission under subsection (c) of this section shall first be submitted by the general local government or combination of such governments to the Governor for review, comments, and recommendations. The Governor may refer the application to the State office designated under section 303(b)(1) of this Act for review. Comments and recommendations (if any) made as a result of the review and a statement by the general local government or combination of such governments that it has considered the comments and recommendations of the Governor shall accompany the application to the Commission. The application need not be accompanied by the comments and recommendations of the Governor if the general local government certifies to the Commission that the application has been before the Governor for review and comment for a period of sixty days without comment by the Governor. An ex-

planation in writing shall be sent to the Governor of a State by the Commission whenever the Commission does not concur with recommendations of the Governor in approving any local government applications.

GRANTS TO OTHER ORGANIZATIONS

SEC. 304. (a) The Commission is authorized to make grants to other organizations to pay up to 75 per centum (or, with respect to fiscal years commencing after the expiration of three years following the effective date of the grant provisions of this Act, up to 50 per centum) of the costs of providing training to professional, administrative, or technical employees and officials of State or local governments if the Commission—

(1) finds that State or local governments have requested the proposed program;

(2) determines that the capability to provide such training does not exist, or is not readily available, within the Federal or the State or local governments requesting such program or within associations of State or local governments, or if such capability does exist that such government or association is not disposed to provide such training; and

(3) approves the program as meeting such requirements as may be prescribed by the Commission in its regulations pursuant to this Act.

(b) For the purpose of this section "other organization" means—

(1) a national, regional, statewide, area-wide, or metropolitan organization, representing member State or local governments;

(2) an association of State or local public officials; or

(3) a nonprofit organization one of whose principal functions is to offer professional advisory, research, development, educational or related services to governments.

GOVERNMENT SERVICE FELLOWSHIPS

SEC. 305. (a) The Commission is authorized to make grants to State and general local governments to support programs approved by the Commission for providing Government Service Fellowships for State and local government personnel. The grants may cover—

(1) the necessary costs of the fellowship recipient's books, travel, and transportation, and such related expenses as may be authorized by the Commission;

(2) reimbursement to the State or local government for not to exceed one-fourth of the salary of each fellow during the period of the fellowship; and

(3) payment to the educational institutions involved of such amounts as the Commission determines to be consistent with prevailing practices under comparable federally supported programs for each fellow, less any amount charged the fellow for tuition and nonrefundable fees and deposits.

(b) Fellowships awarded under this section may not exceed two years of full-time graduate-level study for professional, administrative, and technical employees. The regulations of the Commission shall include eligibility criteria for the selection of fellowship recipients by State and local governments.

(c) The State or local government concerned shall—

(1) select the individual recipients of the fellowships;

(2) during the period of the fellowship, continue the full salary of the recipient and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance; and

(3) make appropriate plans for the utilization and continuation in public service of employees completing fellowships and outline such plans in the application for the grant.

COORDINATION OF FEDERAL PROGRAMS

SEC. 306. The Commission, after consultation with other agencies concerned, shall—

(1) prescribe regulations concerning administration of training for employees and officials of State and local governments provided for in this title, including requirements for coordination of and reasonable consistency in such training programs;

(2) coordinate the training support given to State and local governments under authority of this Act with training support given such governments under other Federal programs; and

(3) make such arrangements, including the collection and maintenance of data on training grants and programs, as may be necessary to avoid duplication of programs providing for training and to insure consistent administration of related Federal training activities, with particular regard to title IX of the Higher Education Act of 1965.

TITLE IV—MOBILITY OF FEDERAL, STATE, AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 401. The purpose of this title is to provide for the temporary assignment of personnel between the Federal Government and State and local governments and institutions of higher education.

AMENDMENTS TO TITLE 5, UNITED STATES CODE

SEC. 402. (a) Chapter 33 of title 5, United States Code, is amended by inserting the following new subchapter at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"§ 3371. Definitions—

"For the purpose of this subchapter—

"(1) 'State' means—

"(A) a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

"(B) an instrumentality or authority of a State or States as defined in subparagraph (A) of this paragraph (1) and a Federal-State authority or instrumentality; and

"(2) 'local government' means—

"(A) any political subdivision, instrumentality, or authority of a State or States as defined in subparagraph (A) of paragraph (1); and

"(B) any general or special purpose agency of such a political subdivision, instrumentality, or authority.

"§ 3372. General provisions

"(a) On request from or with the concurrence of a State or local government, and with the consent of the employee concerned, the head of an executive agency may arrange for the assignment of—

"(1) an employee of his agency to a State or local government; and

"(2) an employee of a State or local government to his agency; for work of mutual concern to his agency and the State or local government that he determines will be beneficial to both. The period of an assignment under this subchapter may not exceed two years. However, the head of an executive agency may extend the period of assignment for not more than two additional years.

"(b) This subchapter is authority for and applies to the assignment of—

"(1) an employee of an executive agency to an institution of higher education; and

"(2) an employee of an institution of higher education to an executive agency.

"§ 3373. Assignment of employees to State and local governments

"(a) An employee of an executive agency assigned to a State or local government under this subchapter is deemed, during the assignment, to be either—

"(1) on detail to a regular work assignment in his agency; or

"(2) on leave without pay from his position in the agency.

An employee assigned either on detail or on leave without pay remains an employee of his agency. The Federal Tort Claims Act and any other Federal tort liability statute apply to an employee so assigned. The supervision of the duties of an employee on detail may be governed by agreement between the executive agency and the State or local government concerned.

"(b) The assignment of an employee of an executive agency either on detail or on leave without pay to a State or local government under this subchapter may be made with or without reimbursement by the State or local government for the travel and transportation expenses to or from the place of assignment and for the pay, or supplemental pay, or a part thereof, of the employee during assignment. Any reimbursements shall be credited to the appropriation of the executive agency used for paying the travel and transportation expenses or pay.

"(c) For any employee so assigned and on leave without pay—

"(1) if the rate of pay for his employment by the State or local government is less than the rate of pay he would have received had he continued in his regular assignment in the agency, he is entitled to receive supplemental pay from the agency in an amount equal to the difference between the State or local government rate and the agency rate;

"(2) he is entitled to annual and sick leave to the same extent as if he had continued in his regular assignment in the agency; and

"(3) he is entitled, notwithstanding other statutes—

"(A) to continuation of his insurance under chapter 87 of this title, and coverage under chapter 89 of this title or other applicable authority, so long as he pays currently into the Employee's Life Insurance Fund and the Employee's Health Benefits Fund or other applicable health benefits system (through his employing agency) the amount of the employee contributions;

"(B) to credit the period of his assignment under this subchapter toward periodic step-increases, retention, and leave accrual purposes, and, on payment into the Civil Service Retirement and Disability Fund or other applicable retirement system of the percentage of his State or local government pay, and of his supplemental pay, if any, that would have been deducted from a like agency pay for the period of the assignment and payment by the executive agency into the fund or system of the amount that would have been payable by the agency during the period of the assignment with respect to a like agency pay, to treat his service during that period as service of the type performed in the agency immediately before his assignment; and

"(C) for the purpose of subchapter I of chapter 85 of this title, to credit the service performed during the period of his assignment under this subchapter as Federal service, and to consider his State or local government pay (and his supplemental pay, if any) as Federal wages. To the extent that the service could also be the basis for entitlement to unemployment compensation under a State law, the employee may elect to claim unemployment compensation on the basis of the service under either the State law or subchapter I of chapter 85 of this title.

However, an employee or his beneficiary may not receive benefits referred to in subparagraphs (A) and (B) of this paragraph (3), based on service during an assignment under this subchapter for which the employee or, if he dies without making such an election, his beneficiary elects to receive benefits, under any State or local government retirement or insurance law or program, which the Civil Service Commission determines to be similar.

The executive agency shall deposit currently in the Employee's Life Insurance Fund, the Employee's Health Benefits Fund or other applicable health benefits system, respectively, the amount of the Government's contributions on account of service with respect to which employee contributions are collected as provided in subparagraphs (A) and (B) of this paragraph (3).

"(d) (1) An employee so assigned and on leave without pay who dies or suffers disability as a result of personal injury sustained while in the performance of his duty during an assignment under this subchapter shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(2) An employee who elects to receive benefits from a State or local government may not receive an annuity under subchapter III of chapter 83 of this title and benefits from the State or local government for injury or disability to himself covering the same period of time. This provision does not—

"(A) bar the right of a claimant to the greater benefit conferred by either the State or local government or subchapter III of chapter 83 of this title for any part of the same period of time;

"(B) deny to an employee an annuity accruing to him under subchapter III of chapter 83 of this title on account of service performed by him; or

"(C) deny any concurrent benefit to him from the State or local government on account of the death of another individual.

"§ 3374. Assignments of employees from State or local governments

"(a) An employee of a State or local government who is assigned to an executive agency under an arrangement under this subchapter may—

"(1) be appointed in the executive agency without regard to the provisions of this title governing appointment in the competitive service for the agreed period of the assignment; or

"(2) be deemed on detail to the executive agency.

"(b) An employee given an appointment is entitled to pay in accordance with chapter 51 and subchapter III of chapter 53 of this title or other applicable law, and is deemed an employee of the executive agency for all purposes except—

"(1) subchapter III of chapter 83 of this title or other applicable retirement system;

"(2) chapter 87 of this title; and

"(3) chapter 89 of this title or other applicable health benefits system unless his appointment results in the loss of coverage in a group health benefits plan the premium of which has been paid in whole or in part by a State or local government contribution.

"(c) During the period of assignment, a State or local government employee on detail to an executive agency—

"(1) is not entitled to pay from the agency;

"(2) is deemed an employee of the agency for the purpose of chapter 73 of this title, sections 203, 205, 207, 208, 209, 602, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, section 638a of title 31, and the Federal Tort

Claims Act and any other Federal tort liability statute; and

"(3) is subject to such regulations as the President may prescribe.

The supervision of the duties of such an employee may be governed by agreement between the executive agency and the State or local government concerned. A detail of a State or local government employee to an executive agency may be made with or without reimbursement by the executive agency for the pay, or a part thereof, of the employee during the period of assignment.

"(d) A State or local government employee who is given an appointment in an executive agency for the period of the assignment or who is on detail to an executive agency and who suffers disability or dies as a result of personal injury sustained while in the performance of his duty during the assignment shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within 1 year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(e) If a State or local government fails to continue the employer's contribution to State or local government retirement, life insurance, and health benefit plans for a State or local government employee who is given an appointment in an executive agency, the employer's contributions covering the State or local government employee's period of assignment, or any part thereof, may be made from the appropriations of the executive agency concerned.

"§ 3375. Travel expenses

"(a) Appropriations of an executive agency are available to pay, or reimburse, a Federal or State or local government employee in accordance with—

"(1) subchapter I of chapter 57 of this title, for the expenses of—

"(A) travel, including a per diem allowance, to and from the assignment location;

"(B) a per diem allowance at the assignment location during the period of the assignment; and

"(C) travel, including a per diem allowance, while traveling on official business away from his designated post of duty during the assignment when the head of the executive agency considers the travel in the interest of the United States;

"(2) section 5724 of this title, for the expenses of transportation of his immediate family and of his household goods and personal effects to and from the assignment location;

"(3) section 5724a(a)(1) of this title, for the expenses of per diem allowances for the immediate family of the employee to and from the assignment location;

"(4) section 5724(a)(3) of this title, for subsistence expenses of the employee and his immediate family while occupying temporary quarters at the assignment location and on return to his former post of duty; and

"(5) section 5726(c) of this title, for the expenses of nontemporary storage of household goods and personal effects in connection with assignment at an isolated location.

"(b) Expenses specified in subsection (a) of this section, other than those in paragraph (1)(C), may not be allowed in connection with the assignment of a Federal or State or local government employee under

this subchapter, unless and until the employee agrees in writing to complete the entire period of his assignment or one year, whichever is shorter, unless separated or reassigned for reasons beyond his control that are acceptable to the executive agency concerned. If the employee violates the agreement, the money spent by the United States for these expenses is recoverable from the employee as a debt due the United States. The head of the executive agency concerned may waive in whole or in part a right of recovery under this subsection with respect to a State or local government employee on assignment with the agency.

"(c) Appropriations of an executive agency are available to pay expenses under section 5742 of this title with respect to a Federal or State or local government employee assigned under this subchapter.

"§ 3376. Regulations

"The President may prescribe regulations for the administration of this subchapter."

(b) The analysis of chapter 33 of title 5, United States Code, is amended by inserting the following at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"Sec.

"3371. Definitions.

"3372. General provisions.

"3373. Assignments of employees to State or local governments.

"3374. Assignments of employees from State or local governments.

"3375. Travel expenses.

"3376. Regulations."

REPEAL OF SPECIAL AUTHORITIES

SEC. 403. The Act of August 2, 1956, as amended (7 U.S.C. 1881-1888), section 553 of the Act of April 11, 1965 as amended (20 U.S.C. 867), and section 314(f) of the Public Health Service Act (42 U.S.C. 246(f)) (less applicability to commissioned officers of the Public Health Service) are hereby repealed.

SEC. 404. This title shall become effective sixty days after the date of enactment of this Act.

TITLE V—GENERAL PROVISIONS

DECLARATION OF PURPOSE

SEC. 501. The purpose of this title is to provide for the general administration of titles I, II, III, and V of this Act (hereinafter referred to as "this Act"), and to provide for the establishment of certain advisory committees.

DEFINITIONS

SEC. 502. For the purpose of this Act—

(1) "Commission" means the United States Civil Service Commission;

(2) "Federal agency" means an executive department, military department, independent establishment, or agency in the executive branch of the Government of the United States, including Government owned or controlled corporations;

(3) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States, and includes interstate and Federal-interstate agencies but does not include the governments of the political subdivisions of a State; and

(4) "local government" means a city, town, county, or other subdivision or district of a State, including agencies, instrumentalities, and authorities of any of the foregoing and any combination of such units or combination of such units and a State. A "general local government" means a city, town, county, or comparable general-purpose political subdivision of a State.

GENERAL ADMINISTRATIVE PROVISIONS

SEC. 503. (a) Unless otherwise specifically provided, the Commission shall administer this Act.

(b) The Commission shall furnish such advice and assistance to State and local governments as may be necessary to carry out the purposes of this Act.

(c) In the performance of, and with respect to, the functions, powers, and duties vested in it by this Act, the Commission may—

(1) issue such standards and regulations as may be necessary to carry out the purposes of this Act;

(2) consent to the modification of any contract entered into pursuant to this Act, such consent being subject to any specific limitations of this Act;

(3) include in any contract made pursuant to this Act such covenants, conditions, or provisions as it deems necessary to assure that the purposes of this Act will be achieved; and

(4) utilize the services and facilities of any Federal agency, any State or local government, and any other public or nonprofit agency or institution, on a reimbursable basis or otherwise, in accordance with agreements between the Commission and the head thereof.

(d) In the performance of, and with respect to the functions, powers, and duties vested in it by this Act, the Commission—

(1) may collect information from time to time with respect to State and local government training programs and personnel administration improvement programs and projects under this Act, and make such information available to interested groups, organizations, or agencies, public or private;

(2) may conduct such research and make such evaluation as needed for the efficient administration of this Act;

(3) shall include in its annual report a report of the administration of this Act; and

(4) shall make such arrangements as may be necessary to avoid duplication of programs providing for training and to insure consistent administration of the related Federal training activities, with particular regard to title I of the Higher Education Act of 1965.

(e) The provisions of this Act are not a limitation on existing authorities under other statutes but are in addition to any such authorities, unless otherwise specifically provided in this Act.

REPORTING REQUIREMENTS

SEC. 504. (a) A State or local government office designated to administer a program or project under this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal funds and the operation of the approved program or project as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

(b) An organization which receives a training grant under section 304 of this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal grant funds and the operation of the training program as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

REVIEW AND AUDIT

SEC. 505. The Commission, the head of the Federal agency concerned, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a grant recipient that are pertinent to the grant received.

DISTRIBUTION OF GRANTS

SEC. 506. (a) The Commission shall allocate 20 per centum of the total amount

available for grants under this Act in such manner as will most nearly provide an equitable distribution of the grants among States and between State and local governments, taking into consideration such factors as the size of the population, number of employees affected, the urgency of the programs or projects, the need for funds to carry out the purposes of this Act, and the potential of the governmental jurisdictions concerned to use the funds most effectively.

(b) (1) The Commission shall allocate 80 per centum of the total amount available for grants under this Act among the States on a weighted formula taking into consideration such factors as the size of population and the number of State and local government employees affected.

(2) The amount allocated for each State under paragraph (1) of this subsection shall be further allocated by the Commission to meet the needs of both the State government and the local governments within the State on a weighted formula taking into consideration such factors as the number of State and local government employees and the amount of State and local government expenditures. The Commission shall determine the categories of employees and expenditures to be included or excluded, as the case may be, in the number of employees and amount of expenditures. The minimum allocation for meeting needs of local governments in each State (other than the District of Columbia) shall be 50 per centum of the amount allocated for the State under paragraph (1) of this subsection.

(3) The amount of any allocation under paragraph (2) of this subsection which the Commission determines, on the basis of information available to it, will not be used to meet needs for which allocated shall be available for use to meet the needs of the State government or local governments in that State, as the case may be, on such date or dates as the Commission may fix.

(4) The amount allocated for any State under paragraph (1) of this subsection which the Commission determines, on the basis of information available to it, will not be used shall be available for reallocation by the Commission from time to time, on such date or dates as it may fix, among other States with respect to which such a determination has not been made, in accordance with the formula set forth in paragraph (1) of this subsection, but with such amount for any of such other States being reduced to the extent it exceeds the sum the Commission estimates said State needs and will be able to use; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced.

(5) For the purposes of this subsection, "State" means the several States of the United States and the District of Columbia.

(c) Notwithstanding the other provisions of this section, the total of the payments from the appropriations for any fiscal year under this Act made with respect to programs or projects in any one State may not exceed an amount equal to 12½ per centum of such appropriation.

TERMINATION OF GRANTS

SEC. 507. Whenever the Commission, after giving reasonable notice and opportunity for hearing to the State or general local government concerned, finds—

(1) that a program or project has been so changed that it no longer complies with the provisions of this Act; or

(2) that in the operation of the program or project there is a failure to comply substantially with any such provision;

the Commission shall notify the State or general local government of its findings and no further payments may be made to such government by the Commission until it is satisfied that such noncompliance has been, or

will promptly be, corrected. However, the Commission may authorize the continuance of payments to those projects approved under this Act which are not involved in the non-compliance.

ADVISORY COMMITTEES

SEC. 508. (a) The Commission may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, such advisory committee or committees as it may determine to be necessary to facilitate the administration of this Act.

(b) Members of advisory committees who are not regular full-time employees of the United States, while serving on the business of the committees including traveltime may receive compensation at rates not exceeding the daily rate for GS-18; and while so serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

APPROPRIATION AUTHORIZATION

SEC. 509. There are authorized to be appropriated, without fiscal year limitation, such sums as may be necessary to carry out the programs authorized by this Act.

REVOLVING FUND

SEC. 510. Section 1304(e) of title 5, United States Code (relating to the revolving fund of the Civil Service Commission), is amended—

(1) by striking out "of \$4,000,000" in paragraph (1); and

(2) by inserting ", which appropriations are hereby authorized" immediately before the semicolon at the end of paragraph (2) (A).

LIMITATIONS ON AVAILABILITY OF FUNDS FOR COST SHARING

SEC. 511. Federal funds made available to State or local governments under other programs may not be used by the State or local government for cost-sharing purposes under grant provisions of this Act, except that Federal funds may be used to pay a pro-rata share of such cost sharing. State or local government funds used for cost sharing on other federally assisted programs may not be used for cost sharing under grant provisions of this Act.

METHOD OF PAYMENT

SEC. 512. Payments under this Act may be made in installments, and in advance or by way of reimbursement, as the Commission may determine, with necessary adjustments on account of overpayments or underpayments.

EFFECTIVE DATE OF GRANT PROVISIONS

SEC. 513. Grant provisions of this Act shall become effective one hundred and eighty days following the date of enactment of this Act.

The SPEAKER pro tempore (Mr. NATCHER). Is a second demanded?

Mr. QUIE. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Oregon (Mrs. GREEN), will be recognized for 20 minutes, and the gentleman from Minnesota (Mr. QUIE) will be recognized for 20 minutes.

Mrs. GREEN of Oregon. Mr. Speaker, the Intergovernmental Personnel Act of 1970, is designed to strengthen the quality of administration of State and local governments by assisting them to deal more effectively with their personnel

management, recruiting, and training problems, particularly in the administrative, technical, and professional categories. Testimony reflected widespread concern among officials of government at every level over shortage of personnel, properly qualified to carry the responsibilities of modern-day government. Demands are beyond financial capabilities of State and local agencies in areas of pressing concern such as housing, education, health, pollution, and mass transit.

More and more demands are now being placed on State and local government personnel. We are accustomed to think of Federal governmental functions as increasing in number, scope, complexity, and expense. In every way the recent growth of State and local governmental functions has been even more spectacular.

According to testimony of the Civil Service Commission, between 1948 and 1967 Federal expenditures for civil government increased from \$16.3 billion to \$43.5 billion. Meanwhile State and local outlays increased from \$21 billion to \$83.8 billion. In terms of manpower, the number of Federal civilian employees rose from 2.4 million in 1946 to 3 million in October 1967—a 25-percent increase. During that same period, State and local employees soared from 3.6 million in 1946 to 9 million in 1967—a 150-percent jump. Today the number of such employees is almost 10 million. In 1975 it is estimated that it will have increased to 11.4 million.

This growth in governmental activity has been accompanied by a great increase in intergovernmental assistance programs. Again, according to Civil Service Commission testimony, Federal aid to State and localities amounted to \$1.8 billion in 1948 and reached the \$25 billion mark in 1970. State aid to local governments rose from \$3.5 billion in 1949 to \$19 billion in 1967—a 543-percent increase.

This extraordinary growth has inspired a great and growing concern about program administration, and with it a concern for improvement of public personnel management. S. 11 is a major effort to accomplish that improvement.

S. 11 passed the Senate without opposition on October 27, 1969. The Special Subcommittee on Education held 3 days of hearings on the bill. Those hearings developed a strong difference, between Governors on the one hand and the mayors and executives of county governments on the other, in regard to the authority of the Governors to veto applications of cities and local governments for grants. At the hearings the witnesses for all parties indicated that they might be able to reconcile their differences. Compromise language was agreed upon just before the election recess late this year. It assured the Governors of control over applications originating in their States but gave the cities and local governments a bypass in that the Governor did not act on the application. Thereupon on December 3, 1970 the Special Subcommittee on Education reported the bill with a number of amendments, the most important of which reflected the compromise.

The bill with the subcommittee amendments was adopted by the Committee on Education and Labor with only one dissenting vote on December 9, 1970.

In the version in which the bill came to the House from the Senate, the Governors were given a veto in certain circumstances. In testimony before the Special Subcommittee on Education, representatives of city and county organizations expressed their dissatisfaction with that provision. Thereafter, compromise language was worked out which was acceptable to the Governors, mayors, and executives of county governments.

In its present form, the bill has the support of the administration, the Civil Service Commission, the National Governors' Conference, the National Association of Counties, the U.S. Conference of Mayors, and the National League of Cities.

S. 11 is designed to meet certain basic needs: First, to strengthen intergovernmental cooperation and administration of grant-in-aid programs; second, to extend State and local merit systems to additional programs financed by Federal funds; third, to provide grants for improvement of State and local personnel administration; fourth, to authorize Federal assistance in training State and local employees; fifth, to provide grants to State and local government for training of employees; sixth, to authorize interstate compacts for personnel and training activities; and seventh, to facilitate interchange of Federal, State, and local personnel.

Title I of the bill provides for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by the act. This will be helped by an advisory council on intergovernmental personnel policy which the President will appoint within 6 months after the bill is enacted.

The basic purpose of title II of the bill is to stimulate and assist State and local governments to strengthen their staffs and improve their systems of personnel administration. A related objective is to help bring about the maximum possible degree of effectiveness in the administration of federally aided programs.

Title II authorizes the Civil Service Commission to furnish technical advice and assistance, on request, to State and general local governments seeking to improve their systems of personnel administration. The Commission may make grants to State and local governments on a 75 to 25 matching basis to help offset the costs of developing and carrying out programs or projects to strengthen the personnel administration of such governments. The Commission may join on a cost-sharing basis, with State and local governments in cooperative recruiting and examining activities.

The Commission may coordinate the personnel administration support and technical assistance given to State and local governments.

The Commission may administer Federal statutory provisions requiring the

establishment and maintenance of personnel standards on a merit basis for State and local personnel engaged in certain federally assisted programs.

The purpose of title III is to strengthen the training and development of State and local government employees and officials, particularly in professional, administrative, and technical fields. Title III authorizes grants on a 75 to 25 matching basis to State and local governments and other organizations to help offset the costs of developing and carrying out programs for training of State and local government professional, administrative, and technical employees and officials.

It also authorizes grants to support Government service fellowships for State and local government personnel. It permits reimbursement for the initial additional developmental or overhead costs that are incurred by reason of admission of State and local government employees to Federal training courses and to reimburse other Federal agencies for such costs. It authorizes the covering of training costs incurred by the Commission in admitting State and local government personnel into the Commission's interagency training programs on a partially or nonreimbursable basis.

The purpose of title IV is to provide for the temporary assignment of personnel between the Federal Government and State and local governments and institutions of higher education.

The assignment of a Federal employee to a State or local government is subject to the employee's consent.

Title IV permits assignments for 2 years with an extension possible for two more.

Title IV provides a salary equalization allowance to Federal employees assigned to the States in case the State salary is lower than the Federal employee's salary. The Department of Agriculture authority now makes no provision for this, but present law for the Office of Education and the Public Health Service does.

Title IV provides that Federal employees assigned to States shall receive the same amount of leave to which they would have been entitled at their regular post of duty.

The purpose of title V is to provide for the general administration of the act, and to provide for the establishment of certain advisory committees.

The bill authorizes such sums as are necessary with no set annual amounts listed in order to make it possible to make requests for specific amounts consistent with budgetary requirements for the programs. The authorization is open-ended both in duration and in amount. The Civil Service Commission has advised the committee that it now estimates \$20 million will be requested for the first year of operations under the act, \$30 million in the second, and \$40 million annually in the immediate years thereafter. Funding requirements under the various titles of the bill for the next 2 fiscal years have been summarized by the Commission as follows:

SUMMARY OF ESTIMATED FUNDING REQUIREMENTS

	Fiscal year 1972	Fiscal year 1973
Personnel compensation.....	\$400,000	\$1,093,000
Title I.....	30,000	75,000
Title II.....	230,000	823,000
Title III.....	140,000	195,000
Title IV.....		
Title V.....		
Grants-in-aid.....	18,248,000	28,444,000
Title II.....	7,294,000	11,100,000
Title III.....		
Training grants.....	10,454,000	16,744,000
Fellowships.....	500,000	600,000
Other objects of expenditure.....	352,000	463,000
Revolving fund.....	1,000,000	
Total.....	20,000,000	30,000,000

Under the bill, the Civil Service Commission will make a distribution of 20 percent of the available money among State and local governments on subjective factors as: emergency situations, number of employees affected, urgency of program or projects, et cetera.

The remaining 80 percent shall be allocated by the Commission among the States on an objective formula taking into consideration such factors as, first, the relative population; and second, the number of State and local government employees affected.

The committee was greatly concerned that effective coordination of programs be obtained and that duplication be avoided. To that end the Civil Service Commission is directed: first, to include requirements for coordination in regulations for training programs; second, to coordinate training programs under this act with other Federal training programs; and third, to avoid duplication of training programs, with particular regard to title IX—Education for the Public Service—of the Higher Education Act of 1965. Similar coordination and avoidance-of-duplication provisions are required in regard to personnel administration and technical assistance. The same principle is given general application in section 503(d)(4), with particular regard to title I—Community Service and Continuing Education—of the Higher Education Act of 1965.

Various merit programs now administered by other departments are transferred to the Civil Service Commission insofar as they relate to the prescription of personnel standards. Typically, these programs relate to Federal requirements for personnel administration on a merit basis in connection with certain Federal grant-in-aid programs.

At the same time the committee was also concerned that the independence of State and local governments be preserved. Accordingly, the Commission is directed to recognize fully the rights, powers, and responsibilities of State and local governments and to encourage innovation and allow for diversity.

Mr. Speaker, I urge that the House approve passage of S. 11. It is an important and necessary step towards the more effective administration of pro-

grams which this country needs and its citizens expect.

Mr. BRADEMAS. Mr. Speaker, will the distinguished gentlewoman from Oregon yield?

Mrs. GREEN of Oregon. I would be very happy to yield to the distinguished gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, I thank very much the distinguished gentlewoman from Oregon for yielding to me this time.

Mr. Speaker, I want to express my strong support of the statement which has been made by the distinguished chairman of the subcommittee and to express the hope that this legislation will win strong support on both sides of the aisle, indicating the concern of the Members of this body that we strengthen State and local governments and thereby contribute to a strengthening of the entire Federal system.

Mr. GROSS. Mr. Speaker, will the distinguished gentlewoman yield?

Mrs. GREEN of Oregon. I would be very glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentlewoman for yielding.

This bill calls for, as I understand it, an expenditure of \$90 million over the next 3 years. That is not an inconsequential amount of money even in these days of wholesale spending.

Is it intended in this legislation to eliminate some of the training programs presently in effect, or is this in addition to the wide-ranging assortment of training programs and alleged liaison between Federal and State governments?

Mrs. GREEN of Oregon. May I refer the gentleman to pages 69 and 70 of the bill which has been reported. The provisions set forth on those pages require the Civil Service Commission to coordinate Federal training programs and to avoid duplication. We would cut down as much as possible on the duplication.

Mr. GROSS. I would certainly hope that that would be one of the beneficial effects of this legislation, if it is approved.

It is not the intent of this legislation, or is it, to bring under the Federal merit system, the retirement program and other benefits, employees in the States who are paid in whole or part out of Federal funds?

Mrs. GREEN of Oregon. It is not the intention of this legislation to do this. The intent of this legislation is to provide training and help to the States and the localities in establishing their own or strengthening their own merit systems. It is not intended to bring them under the umbrella of the Federal merit system.

Mr. GROSS. I am sure the gentlewoman is aware of the fact that we already have some State employees under the Federal Retirement System and other fringe benefits. If this bill in any way provides or encourages an increase along that line I would be opposed to it.

I would like to have the assurance of the distinguished gentlewoman that it does not.

Mrs. GREEN of Oregon. I can assure the gentleman from Iowa that I also would oppose such legislation.

May I add one other thing. The gentleman from Iowa mentioned the possible expenditure of \$90 million that the Civil Service Commission has suggested that it might request over the next 3 years. I suggest that with increased productivity and performance, in my judgment much of that amount, if not all of it, would be saved under this act.

Mr. GROSS. Mr. Speaker, if the gentlewoman will yield further, I would say to the gentleman if she will further indulge me, that will be the day when we get the increased productivity about which we have heard so much as being the means by which we can finance increased pay for Federal workers. That will be the day when you get the productivity that will result in paying for these constant pay increases. I do not anticipate that there will be very much increased productivity and thereby decrease the payrolls under this or any other legislation.

Mr. PERKINS. Mr. Speaker, the Intergovernmental Personnel Act of 1970 is designed to strengthen the capacity of State and local governments to deal with our most difficult domestic problems by upgrading the quality and effectiveness of the people serving at the State and local levels. Its emphasis is on improved personnel management and better recruiting and training of public service employees, particularly in the administrative, technical, and professional categories. I consider this measure vital to the future of our federal system of government.

Initially, Mr. Speaker, I want to compliment the members of the Special Subcommittee on Education of the Committee on Education and Labor—from both sides of the aisle—for their diligent work on this legislation. Particularly, I want to commend the chairman of the subcommittee—the gentlewoman from Oregon (Mrs. GREEN) for her effective leadership and management of this most important proposal.

There were many issues in controversy in connection with this legislation, and the bill before us today—which is acceptable to all interested parties—represents many hours of concerted effort on the part of the gentlewoman from Oregon (Mrs. GREEN) and the members of her subcommittee.

S. 11 comes to the floor of the House following unanimous approval by the Committee on Education and Labor on December 9, 1970. It twice passed the Senate in similar versions, first in the 90th Congress by an overwhelming margin, and most recently in the 91st Congress without opposition on October 27, 1969. It has the endorsement of leading Governors, mayors, and other public officials along with the major organizations representing them, and the strong support of citizen groups devoted to the public interest. It has broad bipartisan backing and the full support of this administration.

Three days of hearings were held by the Special Subcommittee on Education. On December 3, 1970, the bill was reported unanimously to the full committee with a number of perfecting and other amendments, all of which were approved by the full committee.

The principal changes from the Senate-passed bill are designed to prevent problems in State and local relationships which have emerged in other federally assisted programs. They provide a more definitive and equitable framework for States and localities to seek and obtain assistance provided under this legislation. These changes were approved by the principal organizations representing the States and localities, and have the full concurrence of the administration.

Mr. Speaker, this legislation is crucial to the successful execution of programs of Federal aid to State and local governments. We have invested heavily of our hopes and our national wealth in these programs. This year Federal aid to State and local governments will top \$25 billion, and this amount is certain to increase. But this money will be wasted if the program for which it is used are not competently administered.

Numerous studies have emphasized the pressing need to improve the quality and competence of personnel at the State and local levels. The proposed Intergovernmental Personnel Act would provide the means to do this by.

First, authorizing the Civil Service Commission to make grants to State and local governments to plan and make improvements in their systems of personnel administration;

Second, authorizing the temporary exchange of personnel between and among the levels of government;

Third, transferring to the Civil Service Commission responsibility for administration of existing Federal statutory provisions requiring merit personnel administration for State and local employees engaged in certain federally assisted programs;

Fourth, authorizing Federal agencies to admit State and local government officials and employees, particularly in administrative, professional, and technical occupations, to Federal training programs.

Fifth, authorizing the Civil Service Commission to make grants to State and local governments and other appropriate organizations for carrying out plans for training State and local government employees, as well as for the development of such plans, and for Government service fellowships for employees selected for special graduate-level university training;

Sixth, authorizing the Civil Service Commission to join with State and local governments in cooperative recruitment and examining activities;

Seventh, giving the consent of Congress to interstate compacts designed to improve personnel administration as well as the training of State and local employees;

Eighth, providing for an advisory council appointed by the President to de-

velop recommended policies and standards for the administration of Federal programs for the improvement of State and local personnel administration and training; and

Ninth, directing the Civil Service Commission to coordinate these activities, in order to avoid overlap and duplication of effort and thus insure maximum effectiveness of administration.

Mr. Speaker, I should like to discuss the conditions which have created the need for this legislation.

Increasing population and urbanization in this country pose massive problems for all levels of government. The problem areas are well known—slums, substandard housing, traffic congestion, pollution, crime, delinquency, and others with which we are all too familiar. There are demands for better education and better roads, hospitals, and programs for safeguarding economic and social security.

The major burden for solving these problems and meeting these demands rests primarily with our State and local governments. But, as the demands have increased, their capacity to meet them has not. Just in terms of obtaining enough qualified personnel, the State and local governments have a serious problem on their hands.

Between 1955 and 1970, State and local government employment increased from 4.7 million to almost 10 million persons. It is estimated that this total will increase to 11.4 million by 1975. Total recruiting needs for these employees, other than for teachers, are estimated at 2.5 million over the 10-year period, or an average of 250,000 per year. This, just to stay abreast of replacement and growth needs. Nothing similar to this critical manpower situation has ever been faced by State and local governments before.

Expanded Federal assistance has aggravated personnel problems at the local government level. Federal programs have moved local government into new and complex areas and programs which have seriously challenged the knowledge and competence of present employees. Implementing such programs will be disastrous, if we are not concerned with the qualifications, abilities, and training of the local government employees who are to run these programs.

If we are to appropriate billions of dollars each year to solve the problems confronting the Nation, it is surely sensible to spend a relatively small sum to insure that these programs will be properly administered.

The proposed legislation has now been considered in three Congresses. We have delayed much too long in dealing with the critical shortage of properly qualified personnel for the public service. The burden grows constantly. S. 11 is intended to help strengthen State and local governments in their quest for improved administration of these many programs and to help them meet their responsibilities within the Federal system. It would do this in such a way as to encourage innovation and allow for diversity on the part of State and local govern-

ments in the design, execution, and management of their own systems of personnel administration.

I would like to add a few words about one provision of S. 11 which I feel will have a significant impact on the quality of government. I refer to the authorization for temporary personnel interchange between the different levels of government. This provision will make it possible for high quality personnel to bring fresh thinking to bear on mutual problems. It will enable governmental jurisdictions to obtain the expert help they need to solve a special problem or get a new program started. Being able to share hard-to-get specialists will work to the mutual advantage of all.

For these reasons, I hope that the House will approve passage of S. 11 as an important step toward improvement of intergovernmental relations between the National, State, and local governments and in providing services demanded by our citizens.

Mr. QUIE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise to support the bill S. 11, as amended. Almost every domestic problem which we as a nation face puts unusual burdens on all levels of government. People are looking more and more to Government for solutions; solutions for inadequate health systems, a polluted environment, rising crime rates, congested transportation networks, shortage of housing—the list could go on and on.

The record of the U.S. Congress and of State legislatures in developing programs to combat these problems is a record unparalleled by any nation. In fact, we have built this record so rapidly, that, in the process, we have created unbelievable pressures on the executive agencies of the Federal, State, and local governments to deliver the services which we have authorized and funded.

Now is the time—indeed it is far past the time—for us to recognize our responsibility to update Government personnel administration; to train public employees to become more proficient in their responsibilities; and to coordinate the proliferation of personnel functions carried out at each level of government.

The Intergovernmental Personnel Act of 1970, as amended, is directed to these needs. It recognizes the interdependency among all levels of government. It recognizes the responsibility of the Federal Government to provide leadership in upgrading Government services. It is only fitting that we assume this leadership, since the Federal Government must depend to a great extent on the quality of personnel at the State and local level to administer the grants which we provide.

During our hearings, we learned that State and local government employment rose 65 percent between 1955 and 1965. It is projected that from 1965 to 1975, this employment figure will rise another 55 percent to over 12 million employees. State and local governments now need to recruit and train each year over 250,000 administrative, professional, and technical employees alone. This creates tremendous problems for personnel administrators. It is clearly in the national

interest to focus much, much more attention—as this bill does—on the structure of our personnel systems, the recruitment and training of key employees, and the potential for better government through the coordination of services among the various levels of government. To do less would be extremely shortsighted, even irresponsible.

This is a comprehensive bill. The costs of the several programs authorized in the bill will be shared. In the major programs, the Federal Government will contribute 75 percent for the first 3 years, then only 50 percent. The State or local government participating in any given program will bear the remainder of the cost.

The Civil Service Commission will administer these programs at the Federal level.

The major features of the bill are as follows:

Federal matching grants can be made to States, local governments, or combinations of local governments to develop and strengthen their own systems of personnel administration. Whatever programs are proposed must be consistent with basic merit principles outlined in section 2. But diversity is allowed and innovation is encouraged.

Intergovernmental cooperation and coordination will be strengthened through cooperative recruiting and examining; interstate compacts for personnel training and development; exchange of employees between levels of government and joint training efforts; technical assistance to State and local governments by the Civil Service Commission; and better coordination of all the personnel administration assistance now provided by various Federal programs.

Training programs for State and local administrative, professional, and technical employees will be supported on a cost-sharing basis. States are given first chance to develop a State plan for these programs. Should a State decide not to provide for the training of local employees, or should a local government have unique training needs not covered by the State plan, then the local jurisdiction can apply directly to the Civil Service Commission for a training grant. These proposals would, however, go first to the Governor for review and comment.

Mr. Speaker, these are the major features of a bill which I feel could have far-reaching effects on Government service at all levels. We must do everything we can to keep Government organization and Government employees up-to-date and compatible with the ever-changing demands we as a people are placing on our governments.

The bill, as passed by the other body and our committee, has an open-end authorization. I feel that we should leave it that way. Let the Civil Service Commission request exactly what it needs and can effectively administer. To place unrealistic levels of authorization would only give the States and local governments something to complain about if Congress funded these programs at lower levels.

The Civil Service Commission indicated to the committee that it expected to request about \$20 million the first year, \$30 million the second and could conceivably be expanded to upwards of \$40 million several years from now. I believe these are reasonable figures for the improved quality of Government services which we should expect.

As our distinguished Chairman indicated, this bill was not without problems when it was sent over from the other body. Credit is due to many individuals who were instrumental in finally getting the city, county, and State people to agree on new language for certain sections. The new language incorporated in the committee bill is completely acceptable to the Administration as well. And we understand that the other body is willing to accept the amended bill so that a conference will not be necessary.

One question which was naturally raised in our committee is the extent to which teachers and other educational personnel are included in the bill. Let it be clear that this bill is directed at administrative, professional, and technical employees working in Government agencies—people in the "management core" of each level of government.

It is possible for a Governor or a chief executive of a local government unit to include in his proposal provisions for improving the personnel administration of public educational institutions and provisions for training certain management personnel of public schools or institutions of higher learning. In no case, however, would the Civil Service Commission be allowed to make grants which duplicate the programs already offered under other legislation. Teaching personnel per se will not be assisted under either title II or title III.

Under title IV, which provides for exchange of government employees, it is possible for employees of a college or university to be temporarily assigned to a government executive agency, and vice versa. These arrangements are made between the relevant organizations and would not consume any of the Federal funds authorized under this bill.

Another question which was raised in committee is the opportunity for organizations other than government organizations to receive grants for training government employees and officials. I believe we have amended Section 304 to satisfy our concerns. According to the Civil Service Commission, there are a handful of organizations and professional associations which already provide training assistance to government. These groups sometimes have training expertise in certain specific areas which is not available within the government.

The way we amended this section, the Government personnel system will be required to provide the desired training if it is capable and able to do so. Any outside organization must have a request from a State or local government before its proposal for a grant can be considered. Finally, in this regard, it is important to remember that one of the main themes of this bill is to strengthen the Government personnel systems. We should depend on them first. The capac-

ity of Government to provide employee training will develop best when it is used and challenged to the fullest extent possible.

In summary, Mr. Speaker, I believe this bill, which has taken 5 years to get this close to final passage, will result in new measures of excellence in government service. The administration strongly endorses it. The associations representing the cities, the counties, and the States strongly endorse it. I urge the House to pass the bill as reported by our committee and express the hope that the Senate can in turn agree to our language and send it on to the President before the end of the year.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I want to associate myself with the remarks of the gentleman from Minnesota.

This bill has been a long time coming. I think it has been worth the wait.

The chairman of the subcommittee and the ranking member, the gentleman from Minnesota, have done well in having straightened out the problems dealt with in this bill.

I know that there is a great deal of interest in this legislation on the local and State level in Wisconsin and it is well we have this bill before us today, and I hope it is promptly passed.

The SPEAKER pro tempore. The gentlewoman from Oregon (Mrs. GREEN) is recognized.

Mr. GONZALEZ. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. GONZALEZ. Mr. Speaker, I have a question with respect to this legislation.

I have cosponsored legislation for better than 8 years.

One of the things I am wondering about is discussed on page 19 of the committee report and it has to do with the assignment of State and local government employees.

I am just wondering if we could get an explanation as to the local responsibility that can flow from this type of arrangement whereas a State employee is assigned to the Federal Government—and even though the committee report says it would be on a limited basis and that regardless of the merit provisions of the civil service laws that he shall not have an equal footing with the regular merit service employee—still in the report there is a discussion of how the local and State government shall pay into his retirement fund—I mean the Federal Government would pay for it if the State and local government unit either fails or refuses to continue to pay into his retirement fund and insurance fund.

It seems to me this is inviting the State and local government units to do exactly that and to let the Federal Government pay for it.

Is there some explanation that could

enlighten me a little further than the committee report does on page 19?

Mrs. GREEN of Oregon. I would say, first of all, this is a cooperative venture and its success will be determined on the degree of cooperation between the various units of government.

The bill is very clear, saying that no person shall be eligible for duplicate benefits—Federal, State, or local. It has to be one or the other.

As far as the possibility of shifting the burden, if I understand the gentleman's question correctly—shifting the financial burden to the Federal Government from the States—we would hope this would not be the case, and that the States would continue to meet their responsibilities as before.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. BRADEMAS. Mr. Speaker, I would also like to add to what the gentlewoman has just said, the observation that on page 95 of the bill, it should be noted that the employer's contribution in the event of the circumstances suggested by the gentleman were to occur, may be made from the appropriations of the executive agency concerned—which is not the same as "shall" and therefore I would hope that that would represent some warning to the State and local governments who are concerned, to resolve their problems in the manner described by the gentleman, and that they will not find their purpose achieved.

Mr. Speaker, as a sponsor of the bill now before us the Intergovernmental Personnel Act of 1970, I believe that this legislation will enable us to initiate a program to strengthen the Federal system at its most crucial point—the quality of the men and women administering the many tasks of modern government.

I commend the gentlewoman from Oregon, the distinguished chairman of the Special Education Subcommittee, Mrs. GREEN, for her statement and hope this measure will win strong support from both sides of the aisle.

Mr. Speaker, the statistics on the growth of employment in the public sector in the past quarter century are staggering, and it is clear that the pace will not diminish in the future.

It is a fact that by far the fastest rising rate of government employment is at the State and local levels, despite the frequent cries about the oversized Federal bureaucracy. In the next 5 years, it is expected that a quarter million trained persons will have to be hired by regional governments each year. By 1975, 12 million will be employed in State and local administrations, as compared to about a third that number in the Federal Government.

It is evident too that with the growing complexity of the problems we face, the professional background of the persons administering programs is of vital importance. The challenges faced by government at all levels are tremendous now, and they are growing. Day-to-day confrontations with the baffling demands of our time—air and water pollution,

waste disposal, law enforcement, urban planning, education reform, coping with high unemployment—are daily facets of life for modern day administrators. We can no longer make the vague assumption that these problems will solve themselves. In testimony before our subcommittee, numerous witnesses told us of the critical need for adequately prepared men and women at the State, county, and community levels. We cannot expect the great commitments of this decade to be transformed into results by themselves, though we often seem to presume they can. We need to have trained and educated women at every level of government—State and local as well as Federal—if we are to make good on these commitments.

It is significant that American business has never pursued so haphazard an employment and training policy. In many businesses it is now common to send a man for retraining courses two and three times during his career, so fast do the demands upon a competent employee change. With the enactment of S. 11, we will adopt a corresponding attitude toward government.

Mr. Speaker, in the next decade, it is estimated the Federal Government will allocate something like a quarter of a trillion dollars to States and local communities in various forms of assistance. Certainly no one wants so vast a sum to be subject to wastage and inefficient use. Yet we run that risk if we do not take steps to assure the quality of those who will have the responsibility of administering these funds. Unquestionably, this legislation will enable us to meet these needs in the context of a strong and flexible federal system.

Mr. Speaker, S. 11 approaches these problems in several ways. It offers the opportunity for State and local administrations to exchange personnel with the Federal Government on a temporary basis. It directs the Civil Service Commission to coordinate the various personnel training programs so that we will avoid duplication and overlapping.

S. 11 establishes a Presidential appointed advisory council to study and make recommendations for improving the quality of public administration at State and local levels of government, and for aiding such governments in training their professional, administrative, and technical employees and officials.

Further, Mr. Speaker, the bill authorizes grants to State and local governments and various related organizations for the purpose of developing and carrying out training programs for government employees. Also, S. 11 establishes a government service fellowship program for State and local government personnel.

Through another provision, the Federal Government will join on a shared cost basis with State and local governments in cooperative recruiting and examining activities.

Finally, S. 11 authorizes grants to State and local governments on a matching basis to help offset the cost of developing and carrying out programs and projects to strengthen the personnel administration of such governments.

So, Mr. Speaker, I strongly urge passage of this legislation. The future of our federal system may well depend on our doing so.

Mr. GONZALEZ. From a purely practical standpoint, however, I wonder what this is going to lead us into from a legal standpoint. For example, under a section of the bill which, I believe, appears on pages 94 or 95, there is reference to payment for compensation due to injuries while an employee is assigned to Federal employment. The bill would make it the responsibility of the Federal Government. It seems to me that there is involved a legal question that has many ultimate ramifications, and I am merely wondering if that was checked out. I am sure it must have been. I would like to have some explanation.

Mrs. GREEN of Oregon. Did the gentleman say page 94 or page 95.

Mr. GONZALEZ. Well, it may not be in the bill sequence, but referring to page 19 of the report, the following language appears:

Subsection (d) provides that a State or local government employee serving on detail or under Federal appointment who is disabled or dies as a result of personal injury sustained while in the performance of official duty is to be treated as a Federal employee for on-the-job injury compensation benefits.

What I have reference to is whether or not the full legal implications of this dual arrangement, of a State employee assigned to Federal employment, has been explored by the legal counsel of the committee.

Mrs. GREEN of Oregon. Yes; it has been explored very carefully to be sure that they do not get both. It seems to me the provision is justified if a person, who is on leave and working for a Federal agency, is injured. I suspect that these would be very, very rare cases. It is not unreasonable then for the Federal Government to provide benefits.

Mr. GONZALEZ. But notwithstanding the disclaimer of the bill from the standpoint of the merit system category of the employee, it would seem to me that if a lawsuit were to result, the question as to whether or not this employee qualified within the full definition of Federal employment, whether or not, in the light of some of the experiences we have had with the CCC in the depression and WPA-related contractual jobs during the depression, this has fully been explored.

Mrs. GREEN of Oregon. This has been fully explored, and it is the intent of the bill to have the Federal Government provide the benefits, if he is assigned.

Mr. GONZALEZ. And it is the intent of the committee not really to open up the full panoply to Federal employment, its benefits and prerogatives.

Mrs. GREEN of Oregon. That is right. That is right.

The SPEAKER pro tempore (Mr. NATCHER). The Chair would like to state to the gentleman from Oregon that her unanimous-consent request will take care of the statement of the chairman of the committee, the gentleman from Kentucky (Mr. PERKINS). As the gentleman from Oregon knows, under the rule adopted 2 years ago, the Joint

Committee on Printing will not permit an individual request. But the gentleman is correct in her unanimous-consent request.

Mr. QUIE. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. I thank the gentleman for yielding.

Mr. Speaker, for the purpose of making legislative history on this measure, I would like to ask my colleague from Oregon (Mrs. GREEN) a question concerning the interpretation of section 208 of the bill before us.

As the gentleman from Oregon knows, this section states that it transfers to the Civil Service Commission all the functions, powers, and duties of the Secretaries of Agriculture, Health, Education, and Welfare, and Labor under certain listed statutes, insofar as they relate to the prescription of personnel standards on a merit basis where grant-in-aid programs are concerned.

Is my interpretation of this provision correct, that the language transfers to the Civil Service Commission under those listed statutes only the authority to prescribe and promulgate standards on a merit basis and not the basic departmental responsibilities for securing State compliance with the statute standards and determining whether the standard has been met?

Mrs. GREEN of Oregon. Yes. If my colleague will yield, and if my colleague from Oregon will note, on page 72 in subparagraph (4) it is the purpose, and the gentleman is correct in his interpretation of this language, to transfer to the Civil Service Commission only the powers, functions, and duties of the respective Secretaries that relate to the prescription or promulgation of such standards on a merit basis. The responsibilities of assuring and determining compliance with these standards is retained by each department.

Mr. DELLENBACK. Mr. Speaker, I thank my colleague, the gentleman from Oregon.

If the gentleman from Minnesota will yield for the purpose of the same inquiry, is my interpretation of that provision correct insofar as the gentleman from Minnesota knows it to be?

Mr. QUIE. I would say the gentleman's interpretation is correct as is the answer of the gentleman from Oregon. The responsibilities for assuring and determining compliance with these standards is retained by each department. It is the only way their programs could function properly.

However, on page 72, in subsection (b) the Civil Service Commission also has the responsibility to advise the Federal agencies and recommend and coordinate with them in the taking of any action by the Federal agency as the Commission considers will most effectively carry out the purpose of this title. So I would say to the gentleman from Oregon that if the Civil Service Commission finds that a State is not in compliance with the standards or determines itself that the standard has not been met, if such be the case, they have the responsibility to advise the Federal agency, but the Federal agency has

the responsibility, as indicated in his question, of assuring and determining that compliance.

Mr. DELLENBACK. I thank the gentleman from Minnesota.

Mrs. GREEN of Oregon. Mr. Speaker, I yield to the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Speaker, I would be interested in having an explanation of the effect of the provisions on page 71 transferring functions and powers and duties from the Secretary of Agriculture in connection with the Food Stamp Act to the new Commission. Would you give us some explanation of just what is done?

Mrs. GREEN of Oregon. If I could restate or reemphasize what I said a moment ago in answer to the question asked by my colleague, the gentleman from Oregon, this transfers only the powers and functions and duties of the Secretary of Agriculture in relation to the prescription of personnel standards on a merit basis. It does not transfer the compliance or any other powers or functions or duties he has under the Food Stamp Act.

Mr. POAGE. Mr. Speaker, I thank the gentlewoman from Oregon.

The SPEAKER pro tempore. The question is on the motion of the gentlewoman from Oregon that the House suspend the rules and pass the bill S. 11, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks, and to include extraneous matter on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 18306. An act to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office, and for other purposes.

MODIFYING AMMUNITION RECORD-KEEPING REQUIREMENTS

Mr. ULLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14233) to modify ammunition record-keeping requirements, as amended.

The Clerk read as follows:

H.R. 14233

A bill to modify ammunition recordkeeping requirements

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

America in Congress assembled, That section 4182(c) of the Internal Revenue Code of 1954 (relating to records) is amended by inserting ".22 caliber rimfire ammunition," after "rifles generally available in commerce,".

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

PARLIAMENTARY INQUIRY

Mr. BINGHAM. Mr. Speaker, a parliamentary inquiry. Is the gentleman from Wisconsin opposed to the bill, and does he qualify as a second?

The SPEAKER pro tempore. Is the gentleman from Wisconsin opposed to the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I am not.

The SPEAKER pro tempore. Is the gentleman from New York opposed to the bill?

Mr. BINGHAM. I am, Mr. Speaker, and I demand a second.

The SPEAKER pro tempore. The gentleman from New York qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Oregon for 20 minutes and the gentleman from New York for 20 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H.R. 14233 would exempt .22-caliber rimfire ammunition from the reporting requirements of the Gun Control Act of 1968. This bill is supported both by the Justice Department and by the Treasury Department.

I would call to the attention of Members that we are dealing here with an ammunition that is the largest volume ammunition sold; some 4.5 billion rounds of ammunition every year, and some 30 million individual sales of ammunition.

Members of the House will recall that a provision of the Gun Control Act made it unlawful for a sporting goods dealer or other licensee under the act to sell ammunition without making a record showing the name, age, and residence of the purchaser. Another provision of the act requires all licensees to maintain such records of sale or other disposition of ammunition as may be provided by regulations. The Treasury Department's regulations require a licensee who sells ammunition to record, first: The date of the transaction; second, the name of the manufacturer, the caliber, gage, or type of component, and the quantity of ammunition transferred; third, the name and address and date of birth of the purchaser; and, fourth, the method used by the licensee to establish the identity of the purchaser.

Mr. Speaker, when the Gun Control Act of 1968 was originally passed, it broadly included all manner of ammunition, sporting and nonsporting. Last year, in Public Law 91-128, however, the Congress wisely excepted and exempted certain sporting-type ammunition from these reporting requirements; namely, first, shotgun ammunition; second, am-

munition suitable for use only in rifles generally available in commerce; and third, component parts of such ammunition. This exemption for sporting-type ammunition was in recognition of the tremendous volume of sales of such ammunition sold to sportsmen for legitimate purposes such as hunting, target shooting, and other sporting activity. More significantly, Mr. Speaker, however, it was in recognition of the fact—documented by the experience of the responsible executive departments of Government—that records of voluminous sales of sporting-type ammunition were absolutely useless to law enforcement officials.

Today, we have before the House a bill, H.R. 14233, to provide a logical extension of the sporting-type exemption or exemption to .22-caliber rimfire ammunition. An exemption for this type of ammunition should have been included in the original Gun Control Act of 1968 and certainly in the exemption for sporting-type ammunition enacted last year. The .22-caliber rimfire ammunition is the most popular type sporting ammunition in the world. More of it is sold annually than any other kind.

Moreover, Mr. Speaker, the experience of the executive departments responsible for law enforcement confirms and substantiates the justification and actual need for exempting .22-caliber rimfire ammunition from the reporting requirements of present law. Both the Department of Justice and the Department of the Treasury favor this bill. The Committee on Ways and Means went into this matter very thoroughly, and our interrogation of the departmental representatives was very searching and in considerable depth. The representative of the Department of Justice affirmatively stated in response to our questioning that—

There is not a single known instance, as we have learned from our discussions with the Internal Revenue Service, with the firearms people there, not a single known instance where any of this record keeping has led to a successful investigation and prosecution of a crime.

The representative of the Department of the Treasury likewise stated that he knew of no instance where any of the recordkeeping provisions relating to sporting-type ammunition, including .22-caliber rimfire ammunition, had been helpful in law enforcement.

Moreover, Mr. Speaker, present law, which requires the burdensome registration of sales of billions of rounds of .22-caliber rimfire ammunition may have an actual deleterious effect on law enforcement. The Department of the Treasury's representative before the committee stated that because of the volume of transactions in this ammunition, the recordkeeping requirements have become so burdensome that they tend to detract from the enforcement of other provisions of the firearms laws.

In essence, then, Mr. Speaker, not only is the pending bill a logical application of the present exemption for sporting-type ammunition enacted last year, but its enactment would be a positive contribution to effective law enforcement. It is entirely consistent with

the objectives of the sporting-type ammunition exemption provided last year in that it will relieve the law enforcement agencies, sporting goods dealers and American sportsmen from unreasonable burdens relating to the purchase of sporting-type ammunition. At the same time, the bill continues protecting the public safety by retaining recordkeeping requirements with respect to the purchase of ammunition designed primarily for handguns, and it does not affect existing controls of interstate shipments and sales of ammunition of any type by a licensee to certain classes of people such as juveniles, drug addicts, felons, and others subject to the provisions of the Gun Control Act of 1968.

In closing, Mr. Speaker, let me reiterate that the enactment of this bill, by eliminating an exercise in futility of recordkeeping, would make a positive contribution to effective law enforcement.

Again, Mr. Speaker, let me emphasize the bill enjoys the full support of the Department of Justice and the Department of the Treasury. Not one voice was raised against the careful consideration given the measure by the Committee on Ways and Means. It is truly a law and order bill, Mr. Speaker, and I urge its approval by the House.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield at this point?

Mr. ULLMAN. The gentleman from New York has 20 minutes, and I shall be glad to respond to questions under his time.

Mr. Speaker, I reserve the balance of my time.

Mr. BINGHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the first point I want to make is what I had hoped to bring out earlier from the gentleman from Oregon (Mr. ULLMAN), when the gentleman would not yield, that no hearings were held on this bill, no public hearings. There is no hearing record available for our inspection and there is not the usual letter from any department on the subject of this bill.

The second point I want to make is that the only reporting requirements in the act—the only reporting requirements—are the name, address, and age of the purchaser. The other requirements are not—

Mr. ULLMAN. Mr. Speaker, would the gentleman yield for a question?

Mr. BINGHAM. I will not yield at this point. The gentleman would not yield to me.

Mr. Speaker, all of the reporting requirements that the gentleman earlier referred to are in the regulations issued by the Treasury. Now, those can be changed by the Treasury. They were issued by the Treasury, and they can be changed by the Treasury. The only requirements in the act, and I will repeat this, is that the purchaser of ammunition of this type give his name, address, and age. Now, that is certainly not burdensome.

Mr. Speaker, if this bill is passed it will be the first weakening of the great Gun Control Act of 1968 so far as handguns are concerned.

There was tremendous popular outcry in 1968 about the ease with which guns and ammunition could be sold in this country, following the tragic deaths of Robert F. Kennedy and Martin Luther King, Jr.

It was only as a result of that outcry that we finally got some modest legislation in this field. Then last year public interest began to wane and there was a weakening of the bill in relation to shotgun and other ammunition. It was carefully debated in the other body what the coverage of that exemption should be, whether it should go to .22-rimfire ammunition as well as shotgun ammunition. And the gentleman who led the fight against its inclusion was Senator EDWARD KENNEDY. This was appropriate because it was a .22-rimfire caliber bullet that killed Senator Robert F. Kennedy. I have checked that fact with the FBI, and that is a matter of record.

The committee report refers only to sporting ammunition, but we are talking here about ammunition to be used in pistols as well as rifles. In stores near here, you can buy—and we have checked this—various models of pistols that use .22-caliber rimfire ammunition. So this is a handgun ammunition proposal.

As I have said, there were no hearings on the bill. No one was given an opportunity to appear against it, and we do not know officially what the position of the department is. The Treasury Department may say they are against it, but the Treasury Department could reduce 90 percent of the reporting requirements by changing its own regulations.

We ought to have hearings on this legislation, Mr. Speaker. It is legislation that will have an enormous impact on the people of this country. They want strict gun-control legislation—at least they do in my district, I know. This is chipping away at the job we did in 1968.

Mr. Speaker, at this time I yield 5 minutes to the distinguished dean of the House and of our New York delegation, and the chairman of the Committee on the Judiciary (Mr. CELLER).

Mr. CELLER. Mr. Speaker, the Committee on the Judiciary spent months and months in session and to prepare the Gun Control Act for enactment, and now we see our work being destroyed gradually by these amendments.

This is the second time an amendment has been offered to weaken and to crumble the Gun Control Act which we passed 2 years ago.

What is the recordkeeping that the statute requires? It is very simple. There is nothing intricate about it. The statute requires the dealer to obtain the name, age, and residence of the purchaser. These can be verified from a draft card, or a drivers' license. Prudent commercial businessmen require nothing less to cash a personal check.

Now why should records be kept of ammunition purchases? Unless there are some controls over ammunition, there can be no control over firearms such as revolvers and pistols. Without ammunition the gun is about as useless as a scabbard without a sword.

There is no hardship, none whatsoever in asking these simple questions.

Now this amendment to the Gun Control Act comes forward to eliminate recordkeeping with reference to .22 caliber rimfire ammunition which is interchangeable for rifles and revolvers and handguns. It may be used sometimes for sporting purposes. But the ammunition is also used in handguns for no sporting or recreational purpose. It is used for crime and for personal assault.

What kind of a gun was it that killed Robert Kennedy? It was a revolver with a .22 caliber rimfire bullet—that is what killed Robert Kennedy. Many other murders have been committed with that kind of bullet. Yet, the bill (H.R. 14233) would do away with any recordkeeping requirements.

There are approximately 100 million guns in private hands in this country. How in the world are you going to be able to exercise any control over the use of those guns in the possession of all kinds of people unless you regulate the acquisition of ammunition.

The Gun Control Act of 1968 prohibits the sale of ammunition to mental incompetents, to know felons, to drug addicts and to other irresponsible persons. It prohibits the sale of rifle ammunition to persons under 18; and revolver ammunition to persons under 21.

But the amendment proposed by H.R. 14233 would eliminate recordkeeping requirements for .22 caliber ammunition and render these prohibitions unenforceable.

Recordkeeping deters those who cannot legally buy ammunition. It also requires those who sell ammunition to exercise a higher degree of care in ammunition transactions.

One way of reducing the potential danger from the 100 million privately owned firearms is to regulate ammunition transactions. Moreover, ammunition, transactions data will provide the Congress with information necessary to determine whether further legislation is in fact required.

As to the question of the value of ammunition recordkeeping for the purposes of law enforcement? Let me tell you some interesting facts.

The Gun Control Act has been effective only since December 16, 1968. The opinions expressed by the Treasury officials to the Committee on Ways and Means, as they have been exemplified by the gentleman from Oregon cannot—and I repeat—cannot be substantiated on the basis of such a limited experience. We are not even told the names of the gentlemen from the Treasury Department and we are not even told the names of the gentleman from the Department of Justice who made this kind of statement. There were no public hearings on this bill. A bill as important as this should have had hearings and I am not saying this in derogation of the very distinguished gentleman from Oregon when I say that.

A survey by a Senate Judiciary Subcommittee of ammunition recordkeeping in two nearby Maryland gun shops reveal that known felons and those with criminal arrest records have gone outside the District of Columbia, where they cannot legally buy ammunition in order to buy

bullets for their illegally possessed firearms.

A spot check made by the subcommittee staff for a period of October 1968 to October 1969, of two nearby Maryland stores revealed that approximately 21 percent of all District of Columbia purchasers had arrest records.

One of the purchasers had previously been convicted of murder—and another had previously been convicted of rape—and two for grand larceny, one for armed robbery, another for burglary, and two for housebreaking.

Their criminal records were easily revealed by an FBI check. That information subsequently was turned over to the District of Columbia Police Department, to enable it to enforce the District law against unlicensed firearms possession. Such is one illustration of the law enforcement value of ammunition record-keeping.

I hope, therefore, Members of the House that because of the facts that have just been related to you and because of the fact that we need to strengthen and not weaken the Gun Control Act of 1968 that you will vote this bill (H.R. 14233) down.

The SPEAKER. The Chair recognizes the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Speaker, I yield myself 6 minutes.

It has been said that we did not receive communications from the departments downtown. On the contrary, the fact is we have written communications from the Deputy Attorney General, signed by Mr. Kleindienst, and from the Department of the Treasury, signed by the Acting General Counsel, Mr. Englert, in support of the legislation that is before us. We have these written reports.

When we considered this at length in the committee and in detail, we had before the committee personal representatives of the Secretary of the Treasury and the Attorney General. At that time they brought their views to the committee.

I would also say in response to the distinguished chairman of the Judiciary Committee, who is a dear friend of mine, that the Ways and Means Committee actually had long-standing jurisdiction over this subject, and it was only a temporary lapse in that jurisdiction that enabled the Judiciary Committee to report out the gun control bill of 1968. I believe the chairman of the committee will substantiate that statement.

Remember, we are dealing with ammunition here. There are 30 million separate sales every year, 4½ billion rounds of ammunition. How in the world can the dealers maintain the records in the first place, and how can the Justice Department use that volume of information? The fact of the matter is that the testimony before the committee indicated clearly that not one instance of aiding in the solution of a crime has been recorded in this recordkeeping requirement.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. It has already been suggested here that really what this bill is

doing is straightening out some of the things that have been misdirected really by administrative order rather than to adhere closely to what was the congressional intent in the first place. I believe the bill seeks to clarify exactly what we had in mind, and as well add provisions outlined in your bill, and I am in support of your proposal.

Mr. ULLMAN. I thank the gentleman. One more point, and then I will yield to the gentleman from Kentucky. I stated before, and I will state again, because the statement has been made by the distinguished chairman of the Judiciary Committee that this might in some way interfere with the requirements relating to the sale of ammunition to felons, the mentally incompetent, drug addicts, and to juveniles, that this in no way amends or removes that provision of the law.

I yield to my colleague from Kentucky (Mr. WATTS).

Mr. WATTS. Mr. Speaker, I wish to commend the gentleman for bringing this bill to the floor. In our Committee on Ways and Means, we had testimony from the Justice Department, a representative of which appeared personally, and also they sent up a letter. The Treasury Department also appeared and sent up a letter. They said that there had not been a single case in which the recordkeeping requirement for .22 caliber rimfire cartridges had led to the conviction or had even gone in the direction of convicting anybody who had committed a criminal act; that, as a matter of fact, there was so much work to do in connection with the requirement, it actually impeded their efforts to carry out enforcement of the better parts of the Gun Control Act which this House passed.

In my opinion, it is ridiculous to put the hundreds of thousands of merchants and the millions of people who buy .22 cartridges to this unusual burden of having to register when registration does not accomplish a thing, according to the chief enforcement officers of the United States.

Reference has been made to anyone who would want to use a .22 cartridge to kill somebody. But I would venture to say only a relatively small percent of the felonies that are committed with guns in this country are committed with .22 cartridges, and if someone was intent on that all he would have to do is to get somebody to go in and register and give him his shells. It is ridiculous in my opinion that we can buy a shell 5 or 6 inches long and not have to register or answer questions, but if we buy one a half inch long we have all these questions to go through.

Mr. SMITH of New York. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from New York.

Mr. SMITH of New York. Mr. Speaker, would the gentleman tell me something. I have been bothered about the mention of the assassination of Senator Kennedy. Had the recordkeeping requirements of the present law been in effect at that time, would they have prevented in any way that assassination?

Mr. ULLMAN. I would say to the gentleman I do not know how they would have prevented in any way what hap-

pened, just as we were advised this recordkeeping has not led to the solution of or even in the direction of solving any one single crime.

Mr. SMITH of New York. I understand the gun used in that assassination was a duly registered gun under the laws of the State of California, but it was not used by the registered holder.

Mr. ULLMAN. That is my understanding, yes.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the bill.

Personally I hope we will soon succeed in repealing the entire gun control provision, because I think they have proved to be of no use in actual operation. The record proves the Federal gun control law is a failure, and the Congress should recognize the facts and repeal the entire measure.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Speaker, my concern is along the same line posed by the gentleman from New York (Mr. SMITH). I listened very carefully to the arguments made by the distinguished gentleman from New York (Mr. BINGHAM), and the gentleman from New York (Mr. CELLER). Both of them brought up the case of the assassination of Robert Kennedy, but we have not heard one thing about how a record of the sale of ammunition to Sirhan Sirhan would have prohibited the assassination of Robert Kennedy. I think the gentlemen from New York (Mr. CELLER and Mr. BINGHAM) should expound upon this point.

I commend the gentleman from Oregon for having brought this bill to the floor. It is a meritorious bill, and I urge all Members to vote for it.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I am one of those who has an open mind on this, and I am inclined to vote for the bill, but I notice in the report it says the Treasury Department has indicated it favors enactment of the bill. The Justice Department did come before the committee. Did the Justice Department favor the enactment or oppose the enactment of this bill?

Mr. ULLMAN. The Justice Department, if memory holds, favors enactment of the bill. Their official position was that of deferring to Treasury which has the responsibility, but in that deferral, it is my judgment and the judgment of the committee that the Department did favor the enactment of this legislation.

Mr. LONG of Maryland. Did any other law enforcement agencies, local or State agencies, favor this bill?

Mr. ULLMAN. We received not one word of protest from a single law enforcement agency in the United States.

Mr. LONG of Maryland. I thank the gentleman from Oregon.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Speaker, I thank the gentleman for yielding, and I commend him for introduction of the bill. I have a similar bill pending. I join with the gentleman in urging its passage.

I would say to the gentleman that I have had the experience of young men being home from the service on leave and wanting to do a little squirrel hunting, and being unable to do so, because they were under 21, which is the age requirement for buying ammunition. I think it is ridiculous.

Mr. ULLMAN. I thank the gentleman.

The SPEAKER pro tempore. The time of the gentleman from Oregon has again expired. The gentleman has consumed 16 minutes, and has 4 minutes remaining.

Mr. ULLMAN. Mr. Speaker, I yield myself 1 additional minute.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Washington.

Mr. FOLEY. I thank the gentleman for yielding.

As one of the sponsors of the legislation the gentleman offers, I wish to state that I enthusiastically support the bill and ask the Members to do so also.

Mr. HUNT. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from New Jersey.

Mr. HUNT. I thank the gentleman for yielding.

I wish to commend the gentleman for his frank discussion today. What we seek to do with this bill, as I understand it, is to exempt the .22 caliber rimfire ammunition from the ridiculous prostitution of the records they have inaugurated, whereby one signs his life away to get a 95-cent carton of cartridges.

Where I come from every boy as he is growing up has a .22 caliber rifle, and they are not used by criminals in acts of crime, except on rare occasions. Much talk has been heard today about the Bobby Kennedy shooting. The gun used by Sirhan Sirhan was registered, and as has been said it was not in the proper hands. As we have pointed out time and time again, that gun did use .22 shells but he could have used a .38 centerfire type shell, in another gun which is an altogether different type of ammunition. We are not voting on guns but rather to exempt .22 caliber cartridges. Let us be factual for once and pass this bill.

I thank the gentleman, and I am going to support the bill.

Mr. ULLMAN. I thank the gentleman from New Jersey.

Mr. BINGHAM. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Speaker, I hope we do not suspend the rules and pass this bill today.

I should like to comment on the remarks of the gentleman from Minnesota (Mr. NELSEN) who said that what we are doing with this bill is just acting

to straighten out some regulations which the Congress never intended in the first place.

That is not accurate. The recordkeeping may be more burdensome than the law would require. We ought to find that out, before we make any changes in the law. This bill would make a very drastic change in the law passed in 1968 by the Congress. For the first time, it would repeal registration requirements relating to ammunition usable in handguns.

At the time we first legislated Federal registration requirements, both the Department of Justice and the Department of Treasury urged, among other things, that we require the registration of ammunition to find out who is buying it, and where, and why. We have not at any time, before any committee, reviewed the effect of that law, to find out who is buying the ammunition and what they are doing with it.

Certainly before we go any further in repealing gun-control legislation we ought to find out exactly what has been done.

I recall very clearly the answers to the questions by the Justice Department, because I tried so hard to get a position from the Justice Department on this bill. The only answer I got was that they deferred to the Treasury Department, and the Treasury Department said the recordkeeping is "burdensome for us, and we think it ought to be repealed."

I would call the attention of Members to the fact that although obviously registration does not stop people from killing each other, at least in one very famous case in California, apparently the registration by one Angela Davis of the purchase of guns led to her extradition from New York to California. I have no idea whether she is innocent or guilty, but apparently the registration was useful in crime detection.

I would hope that we would not repeal any part of that act until we find out how the Justice Department is using it.

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Oregon.

Mr. ULLMAN. Was that not a case of the purchase of a gun, not ammunition?

Mr. CORMAN. That is right; but it had to do with registration.

I should like to have the Justice Department tell us when registration has been useful in detecting crime, before we repeal any more of this act.

I urge the Members to vote against the suspension of the rules.

The SPEAKER. The time of the gentleman from California has expired.

Mr. BINGHAM. Mr. Speaker, I yield the gentleman 1 additional minute, and ask the gentleman to yield to me.

Mr. CORMAN. I am glad to yield to the gentleman from New York.

Mr. BINGHAM. Is it not true, I will ask the gentleman from California, that the burdensome regulations which the gentleman from Oregon was complaining about earlier are those issued by the Treasury Department itself, and that

the act itself only requires name, age, and address; is that not correct?

Mr. CORMAN. That is correct.

The thing which concerns me is that I cannot see why that is a great burden. I would hope that we could have complete hearings on this matter before one of the legislative committees—hopefully, the one which passed the bill in the first place—to find out how the act has been working, and if it is not working what parts of it ought to be repealed or strengthened.

Possibly all of the registration ought to be repealed. Possibly all of the registration of ammunition ought to be repealed. I am not convinced of that. I was convinced of the fact that registration would be helpful in decreasing crime and detecting crime when we passed this act. We certainly ought not to undo it until we find out what the results have been.

Mr. BINGHAM. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. REES).

Mr. REES. Mr. Speaker, this is an issue about which I feel very strongly. I ask for a vote of "no" on the bill.

Mr. Speaker, I was with Robert Kennedy that tragic night when he was killed. He was killed by a .22 long rifle bullet. It went into his brain and killed him. I do not care how big a bullet is. It can be a .38 caliber or a .22 caliber, but it still kills. It is a bullet.

If we start exempting one type of bullet, then we have lost the purpose and intent of this act.

Mr. Speaker, I think it is time that this country face up to the necessity of maintaining registration and control firearms, bullets, and other ammunition. We should heed the advice of law enforcement agencies who are so concerned over the proliferation of private arsenals throughout our country.

Mr. Speaker, I ask for a "no" vote on this bill.

Mr. BINGHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Speaker, this is an "arrogant" bill to be bringing up at this time—a repealer of a substantial part of the registration laws dealing with guns and ammunition in the closing days of this session. I say this especially because the people of this country, particularly in the urban areas, are up tight about safety and crime in the streets. Do not mistake the fact that the provisions of this bill are anything except an attempt to repeal a substantial portion of the recordkeeping requirements dealing with ammunition for handguns. Handguns killed over 75 percent of the people who were killed with guns throughout the country. Handguns accounted, from 1960 to 1968, for 74 percent of the deaths of policemen in this country. In 1968, 2,500 people were killed with .22-caliber ammunition.

Mr. Speaker, people are not animals. As against the inconvenience of a little recordkeeping, 2,500 lives may be jeopardized. If only one of those lives is saved it is certainly worth the recordkeeping procedure. It was helpful in obtaining the conviction of Sirhan Sirhan

through the recordkeeping provisions of this act. Maybe it provided a little piece of the lead for the police department in apprehending known killers. Do we want to put that up against the inconvenience of the recordkeeping? If we want to do that, go ahead and vote for the bill.

Mr. Speaker, I have heard about the power of the gun lobby. I admit they are much more articulate than the victims of guns.

Mr. Speaker, I have not received a single letter from any of my dead constituents or from any dead policemen in Chicago or from the victims of crime opposing this bill. If we pass this bill, we will prove to the country that the gun lobby is more powerful than the citizen groups of the country. The conscience of the country cries out not to weaken this law, but to strengthen it; not to find additional ways to use the gun, but to act to save the lives of the people of this country.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. BINGHAM. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from New York.

Mr. CELLER. Proof positive of the effectiveness of ammunition recordkeeping is illustrated by the case of District of Columbia residents who could not legally purchase ammunition in the District of Columbia, because they could not legally possess a firearm in the District, who went into neighboring Maryland to acquire ammunition. Records of these transactions required to be kept by the Gun Control Act revealed their names and addresses. The value of such data to the police in the District of Columbia is apparent.

Mr. MIKVA. The gentleman is absolutely correct. If this is a law and order measure, then the plague is a health measure. I could not agree with the gentleman more.

The SPEAKER. The time of the gentleman has expired.

Mr. BINGHAM. Mr. Speaker, how much time do I have remaining?

The SPEAKER. The Chair will state that the gentleman has 2 minutes remaining.

Mr. BINGHAM. Mr. Speaker, I would like to read briefly from a publication of the Minuteman, dated December 1966, and it is the publication "On Target."

Suppose the reader has no gun at all and is planning to buy one gun only . . . What shall it be? Though it will surprise many people, my recommendation is a .22 caliber semi-automatic pistol . . . It's true that the .22 lacks the "shock" effect of a more powerful cartridge, but this is largely compensated for by the ease of putting a well-placed shot into heart or brain. When needed, a second well-aimed shot can be fired quicker from a .22 than from a more powerful weapon . . .

Mr. Speaker, what I cannot understand is the fact that the gentleman from Oregon (Mr. ULLMAN) stresses that the committee is not proposing to change the provisions in the bill which prohibit this

ammunition from being sold to certain people, but that it proposes to abolish the requirement that those people identify themselves when they buy the ammunition by giving their name, age, and address. And I further cannot understand why the distinguished Committee on Ways and Means did not have public hearings on this measure so as to give the organizations that want gun control, organizations like the committee headed by Col. John Glenn, an opportunity to come in here and oppose this legislation publicly.

The SPEAKER. The gentleman from Oregon has 3 minutes remaining.

GENERAL LEAVE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Speaker, I rise in strong support of H.R. 14233. This bill is identical in intent to H.R. 17920, which I cosponsored on June 4, 1970, and which was referred to the Committee on Ways and Means for subsequent action. I commend my distinguished colleague and comember of the Oregon delegation, Congressman AL ULLMAN, for his cosponsorship of this important legislation. I am pleased that the Committee on Ways and Means has seen fit to report this legislation to the floor and am hopeful that favorable action by the House today will insure that these recordkeeping requirements are eliminated from existing laws during this session of Congress.

As reported, the bill would eliminate the recordkeeping requirements for .22-caliber rimfire ammunition currently required under the Gun Control Act of 1968. Congress, by eliminating the recordkeeping requirement for shotgun and rifle ammunition in the form of an amendment to the interest equalization tax bill—Public Law 91-128—in November 1969, has recognized the fact that such requirements are not essential for the accomplishment of the purposes enunciated in the Gun Control Act of 1968. Such recordkeeping requirements was one of the reasons why I voted in opposition to the final version of the Gun Control Act of 1968. The rationale which Congress applied in the case of shotgun and rifle ammunition in 1969 applies now and should be followed today, in the case of .22-caliber rimfire ammunition, by favorable action on this bill.

Recordkeeping requirements for this caliber of ammunition is a wasteful and expensive burden for the seller and an irritating nuisance for the purchaser. It has not assisted our law enforcement authorities in the reduction of our crime rate of crimes involving weapons. The provisions require going through a complex and expensive recordkeeping process which contributes nothing to the main-

tenance and development of public safety. They should be eliminated, and I strongly urge the House to do so by passing this legislation.

Mr. Speaker, it is not sound to here deal with Minutemen, or to here deal with the tragic death of the late Senator Kennedy, or to deal with emotion here. For purposes of this debate we should draw a clean and clear distinction between recordkeeping so far as firearms are concerned and recordkeeping as far as ammunition is concerned. We are not here really dealing, as most speakers on the other side in their remarks have dealt with the question of whether any value has come from records kept in connection with guns. And as far as ammunition is concerned, we are not here dealing with all kinds of ammunition. We are dealing with .22-caliber rimfire ammunition, which is so widely used in such tremendous quantities that the recordkeeping required by statute has been absolutely worthless in controlling crime.

It is instead an expensive, time-consuming, wasteful nuisance. And that covers both the statutory requirements as well as the additional regulatory requirements.

This bill is a good bill, Mr. Speaker, and I would urge that the House today not be swayed by emotion or rhetoric, but that we pass this bill and take a badly needed and important forward step.

Mr. MIZELL. Mr. Speaker, I rise today to voice my support for H.R. 14233, which modifies the Gun Control Act of 1968 to exempt .22-caliber rimfire ammunition from the reporting requirements stipulated in that legislation.

I was very much interested to read in the committee report on this legislation that a spokesman for the Department of Justice has testified that—

There is not a single known instance, as we have learned from our discussions with IRS (the Internal Revenue Service), with the firearms people there, not a single known instance where any of this recordkeeping has led to a successful investigation and prosecution of a crime

That statement represents to me, and to thousands of people throughout the Nation, proof of the fact that the Gun Control Act of 1968 was largely a mistake, simply a case of the Congress passing ill-conceived legislation.

The time is overdue for repeal of that legislation, and this bill we act on today will serve as an important prelude to that repeal. But more importantly, it will serve to remove from the path of the American sportsman part of the jungle of redtape he must currently unravel before getting on with his own pursuit of pleasure and sport.

In this specific instance, it is especially urgent that we act on this legislation to exempt .22-caliber rimfire ammunition from the law. So great is the volume of demand for this type ammunition that the recordkeeping requirements now imposed on such sales detract from the effectiveness of sales personnel and the intent of the law itself.

I urge my colleagues to vote with me for passage of H.R. 14233.

Mr. CASEY. Mr. Speaker, I wish to rise in support of his bill, H.R. 14233, to exclude .22-caliber rimfire ammunition from the provisions of the 1968 Gun Control Act. I and other Members have a similar bill pending before this Congress. I certainly agree with the gentleman in the well that this recordkeeping and restrictions on .22-caliber rimfire ammunition serve no beneficial purpose whatsoever and are certainly no deterrent to crime in any respect.

Inclusion of this type of ammunition only brings about tremendous hardship on storeowners and sporting goods stores, to say nothing of voluminous storage of records for the Treasury Department.

I am very pleased that the Committee on Ways and Means has again assumed its proper jurisdiction of firearm and ammunition legislation, and I would hope that it would maintain its jurisdiction in the future.

I sincerely hope that the gentleman in the well, as well as other Members, will join me in urging the committee to report out and give us the opportunity to vote upon my proposal for mandatory sentences for criminal use of firearms. This indeed, is, in my opinion, the solution to fighting the criminal.

It has been apparent how ridiculous some provisions of the 1968 Arms Control Act have been. One example of just how ridiculous this act is was brought to my attention by one of my constituents who was home on leave while serving in the U.S. Army. I would like to read his letter to you at this time.

As a member of the United States Army, I am a resident of Harris County, and at the present time I am home on leave, in Houston, Texas.

The reason for my writing this letter is in protest of a current Federal law prohibiting the sale of arms and ammunition to anyone under twenty-one years of age.

Since I am home on leave I wanted to go to the Sam Houston National Forest to do some hunting, but unfortunately when I tried to buy a box of ammunition, I was refused since I am only twenty years old. I could have had someone else purchase them for me, who was twenty-one, but it is the principle that concerns me.

As a member of the Armed Forces of the United States, it is my duty to protect our constitutional rights, of which one is the right to bear arms, but I cannot legally purchase a weapon.

At the present time I am stationed at a Nike-Hercules missile battery, where I handle many weapons and rounds of ammunition every day, not only small arms, but also air defense missiles used in the defense of our country. I also pull Sergeant of the Guard, where I am responsible for the security of an entire missile firing battery. My duties extend even further, but I cannot discuss them due to their classified nature.

It aggravates me to think that the Federal government feels that I am responsible enough to defend our country, but at the same time, by this ridiculous law, it feels that I am not responsible enough to purchase one round of small arms ammunition.

I just feel that I ought to be able to enjoy the privileges which I may have to give my life to defend, for instance the right to bear arms.

I urge your consideration for an immediate change in present legislation concerning this issue.

Sincerely yours,

Sp4c. CHARLES M. BURTON.

Charles Burton is now dead, having died while in the service of his country. His statement, I think, reflects the thinking of the vast majority of the young men serving in our armed services who feel that although they are entrusted with all types of firearms while in the service, they are denied the right to purchase a firearm and ammunition for peaceful, law-abiding purposes while home on leave.

I urge my colleagues to vote for this bill.

Mr. BRAY. Mr. Speaker, the Gun Control Act of 1968 was a mistake. I opposed that legislation. We did prevent that law (1968) from being as bad as it was when originally introduced. This bill, H.R. 14233, does repeal the provision of the 1968 gun law relating to the records necessary in the sale of .22-caliber ammunition. I hope that this bill is passed by a large majority.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 14233, a bill to exempt .22-caliber rimfire ammunition from recordkeeping requirements of the Firearms Control Assistance Act which was passed in the 90th Congress and became Public Law 90-618.

Back on July 24, 1968, I voted against the final passage of H.R. 17735 which had the good-sounding title of "State Firearms Control Assistance Act." Actually, this was the longgun control bill, because the Congress had earlier in June of 1968 passed the omnibus crime control and safe streets bill. This latter was the bill that covered handguns and made illegal the possession of any handgun by a convicted felon, mentally incompetent and aliens illegally in this country as well as persons under 21 years of age. I supported this latter bill. I believed it was a good package to help control increasing crime in this country.

However, as I look back on the remarks I made in 1968, concerning the first mentioned bill on the longgun bill it is a source of pride to know that the prediction I made at that time has proven to be accurate. I said then that we should not be so interested in a law to control firearms as in the enactment of a law that serves as a deterrent to crime.

I supported then and now the kind of a provision which would set up mandatory sentences for those who use a firearm in the commission of a crime. This kind of a provision would be directed against the criminal. Such a law would strike at the cause of crime and violence. Some of the enactments we have passed, however, seem to be against guns rather than criminals.

Today, in the Washington Daily News, the Scripps-Howard paper, published here in the city of Washington, it was pointed out crime was up about 25 percent in the Virginia suburbs of Arlington and Alexandria. Montgomery and Prince Georges Counties in Maryland increased about 10 percent. Geographically the

Southern States reported crime was up 14 percent as compared to 10 percent in the North-Central States and 9 percent in the heavily populated Northeast and in the Western States. It was interesting to note that armed robbery offenses that comprise about two-thirds of all robbery crimes had increased nationwide about 18 percent, with figures available for only the last 9 months.

Now, bear in mind, Mr. Speaker, this is a situation that exists long after Public Law 96-18, which was H.R. 17735, or the longgun bill was signed into law and long after the Omnibus Crime Control and Safe Streets Act controlling handguns was signed into law. The missing ingredient would seem to be the absence of mandatory sentences for crimes committed with a firearm and perhaps the real heart of the problem is not in the presence of statutory authority to control the misuse of guns but a laxity in the enforcement of laws we already have.

Mr. Speaker, it is my opinion that the two measures that have already been enacted into law have served to mislead the public into believing they have legislation that will control crime. For those who continue to demand additional firearms control, I firmly believe in their hearts they are really asking for better control of crime and better law enforcement, rather than just more firearms legislation. And I submit once again that one of the most effective ways to accomplish this is by mandatory sentences in cases of crimes committed with the use of a firearm.

Now, Mr. Speaker, the only reason I mention the above is to try to emphasize all the recordkeeping we have enacted has not in fact resulted in a decrease of crime. It has only resulted in a great inconvenience to law-abiding citizens. Back in 1968, I voted for exemption of rimfire ammunition from recordkeeping. We managed to pass the so-called MacGregor amendment. I supported that amendment in teller count and then on a subsequent rollcall vote, but this was deleted in the Senate. Here we are again today with the opportunity to consider a measure recommended by our great Committee on Ways and Means which will exempt rimfire ammunition from the requirement of retailers carefully recording the date, name of manufacturer, type of ammunition, quantity purchased, name, address, and age of the buyer, and the mode of identification used in a transaction involving .22-caliber rimfire ammunition.

I have checked in a downtown Washington store and I find a box of this type of ammunition sells for 93 cents. The cost of recordkeeping on a sale of this amount could add up to more than the profit involved. It is a gross understatement that this is an onerous burden on dealers and many of them will cease to be dealers. Maybe that is what the proponents of the recordkeeping bill want to see happen.

Mr. Speaker, this amendment is not complex. It simply says a dealer does not have to keep records when he sells the most popular type of shooting ammuni-

tion there is for sale—.22-caliber rimfire. To make a long story short, both the Justice Department and the Treasury Department say this exemption or exception as to recordkeeping will not in any way weaken the bill as passed in the 90th Congress.

Last year, we wisely accepted and exempted certain types of sporting ammunition; to-wit, shotgun ammunition and the component parts of ammunition. We relieved at that time one unwarranted burden on sportsmen. Let us now remove another. Let us give back to the lads in our rural areas the privilege to once again shoot some coyotes, squirrels, and civet cats.

The clincher of all arguments in favor of the exemption as to recordkeeping of these small-caliber cartridges is the fact this exemption has the support of two departments downtown. Both Justice and Treasury says there is no single instance up to now in which the present recordkeeping has led to a successful investigation or prosecution of the gun-control law that was passed in the 90th Congress. Up to this point, recordkeeping has been self-defeating because well-meaning citizens have enjoyed a false sense of security in the belief their security has been enhanced by the law. Rising crime statistics prove the contrary is true. Now is the time to eliminate the ineffective, unproductive and foolishness of recordkeeping.

Mr. ULLMAN. Mr. Speaker, to close debate, I yield the balance of my time to the gentleman from Wisconsin (Mr. BYRNES).

Mr. BYRNES of Wisconsin. Mr. Speaker, I support H.R. 14233, a bill which adds .22-caliber rimfire bullets to the ammunition which is exempt from reporting requirements of the Gun Control Act of 1968.

The Congress in 1969 exempted shotgun ammunition, ammunition suitable for use in rifles which are generally available in commerce, and component parts of this ammunition from the recordkeeping requirements of the Gun Control Act of 1968. The primary aim of this exemption was, as the Members will recall, to relieve the Treasury Department—as well as hunters and firearms dealers—of the unusually heavy burden of keeping extensive records on transactions involving ammunition used by sportsmen. The 1969 exemption did not include .22-caliber rimfire ammunition, which remains subject to reporting requirements of the act.

The committee, in its consideration of this bill, was told that .22-caliber rimfire ammunition is the most popular of all sporting ammunition, and that the recordkeeping requirements impose substantial burdens on the Government and the public without offsetting advantages of law enforcement.

The Treasury and Justice Departments agreed that they know of no instance where the recordkeeping requirement relating to sporting ammunition—including .22-caliber rimfire—has been helpful to law enforcement. Additionally, the Treasury Department pointed out that because sales of .22-caliber rimfire

ammunition are so heavy, the recordkeeping is particularly burdensome, consuming time that would be more profitably employed in the enforcement of other sections of the firearms law. The Department of Justice, while in general deferring to the Treasury Department views, also told the committee that—

There is not a single known instance, as we have learned from our discussions with IRS, with the firearms people there, not a single known instance where any of this recordkeeping has led to a successful investigation and prosecution of a crime.

We must ask ourselves whether or not the recordkeeping burden imposed on purchasers, sellers, and the Government, relative to .22-rimfire ammunition, is of any value to our law enforcement efforts. Since the law enforcement agencies agree the recordkeeping requirements in the case of .22-caliber rimfire ammunition are valueless—indeed the Treasury Department suggested they may be counterproductive—we can no longer justify the burden that is imposed. I want to make it absolutely clear that this bill does not affect existing controls on sales to juveniles, drug addicts, felons, and others subject to the provisions of the Gun Control Act of 1968.

Mr. Speaker, this bill is consistent with action taken earlier by the Congress to exempt other sporting ammunition. It was approved unanimously by the committee, and I recommend it to the House for endorsement now.

The SPEAKER. The question is on the motion of the gentleman from Oregon (Mr. ULLMAN) that the House suspend the rules and pass the bill, H.R. 14233, as amended.

The question was taken.

Mr. BINGHAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 246, nays 59, not voting 128, as follows:

[Roll No. 435]

YEAS—246

Abernethy	Brown, Ohio	Dennis
Albert	Broyhill, N.C.	Derwinski
Alexander	Broyhill, Va.	Dickinson
Anderson,	Buchanan	Dingell
Calif.	Burleson, Tex.	Dorn
Anderson, III.	Bush	Downing
Anderson,	Byrnes, Wis.	Dulski
Tenn.	Carney	Duncan
Andrews, Ala.	Carter	Eckhardt
Annunzio	Casey	Edmondson
Arends	Cederberg	Edwards, Ala.
Baring	Chamberlain	Edwards, La.
Beall, Md.	Chappell	Erlenborn
Bennett	Clark	Esch
Betts	Cleveland	Eshleman
Bevill	Collier	Evans, Colo.
Blackburn	Collins, Tex.	Feighan
Blanton	Colmer	Findley
Blatnik	Conable	Fisher
Boggs	Conte	Flood
Boland	Culver	Flowers
Bow	Cunningham	Flynt
Bray	Daniel, Va.	Foley
Brinkley	Davis, Ga.	Ford, Gerald R.
Broomfield	Davis, Wis.	Ford.
Brotzman	de la Garza	William D.
Brown, Mich.	Dellenback	Foreman

Forsythe	Leggett	Rogers, Colo.
Fountain	Lennon	Rogers, Fla.
Frelinghuysen	Lloyd	Rooney, Pa.
Frey	Long, Md.	Roth
Friedel	McCloskey	Sandman
Fulton, Pa.	McClure	Schadeberg
Fuqua	McDade	Schmitz
Garmatz	McDonald,	Schneebeli
Gaydos	Mich.	Schwengel
Gettys	McEwen	Scott
Gialmo	McFall	Sebellus
Goldwater	Macdonald,	Shriver
Gonzalez	Mass.	Sisk
Goodling	MacGregor	Skubitz
Gray	Madden	Slack
Green, Oreg.	Mahon	Smith, Calif.
Griffin	Mailliard	Smith, Iowa
Gross	Mann	Smith, N.Y.
Grover	Marsh	Springer
Gubser	Mayne	Stafford
Hagan	Meeds	Staggers
Hamilton	Melcher	Stanton
Hammer-	Miller, Ohio	Steed
schmidt	Minshall	Steiger, Wis.
Hanley	Mizell	Stratton
Hanna	Mollohan	Stubblefield
Hansen, Idaho	Moorhead	Stuckey
Harsha	Morgan	Talcott
Harvey	Myers	Taylor
Hays	Natcher	Teague, Calif.
Heckler, Mass.	Nedzi	Teague, Tex.
Henderson	Nelsen	Thompson, Ga.
Hicks	Nichols	Thomson, Wis.
Hogan	Obey	Udall
Hosmer	O'Hara	Ullman
Hunt	Olsen	Van Deerlin
Hutchinson	Passman	Vander Jagt
Ichord	Patten	Vigorito
Jacobs	Pepper	Wampler
Jarman	Perkins	Ware
Johnson, Calif.	Pickle	Watson
Johnson, Pa.	Pirnie	Watts
Jonas	Poage	Whalen
Jones, Ala.	Poff	Whalley
Jones, N.C.	Preyer, N.C.	White
Jones, Tenn.	Price, Ill.	Whitehurst
Karth	Pryor, Ark.	Whitten
Kazen	Pucinski	Widnall
Kee	Purcell	Wiggins
Keith	Quie	Williams
King	Quillen	Wright
Kleppe	Railsback	Wyatt
Kluczynski	Randall	Wylie
Kuykendall	Reid, Ill.	Wyman
Kyl	Riegle	Yatron
Kyros	Roberts	Zablocki
Landgrebe	Robison	Zion

NAYS—59

Adams	Eilberg	Murphy, N.Y.
Addabbo	Fraser	Nix
Ashley	Gallagher	O'Neill, Mass.
Bell, Calif.	Green, Pa.	Philbin
Biaggi	Gude	Pike
Blester	Harrington	Podell
Bingham	Hathaway	Rees
Bolling	Hechler, W. Va.	Reid, N.Y.
Brademas	Helstoski	Rodino
Brasco	Holifield	Rooney, N.Y.
Burke, Mass.	Howard	Rosenthal
Burton, Calif.	Kastenmeier	Roybal
Byrne, Pa.	Koch	Ryan
Carey	Lowenstein	Scheuer
Celler	Matsunaga	Symington
Cohelan	Mikva	Thompson, N.J.
Conyers	Minish	Tiernan
Corman	Mink	Vanik
Daniels, N.J.	Morse	Yates
Donohue	Mosher	

NOT VOTING—128

Abbutt	Clausen,	Fascell
Adair	Don H.	Fish
Andrews,	Clawson, Del	Fulton, Tenn.
N. Dak.	Clay	Galifianakis
Ashbrook	Collins, Ill.	Gibbons
Aspinall	Corbett	Gilbert
Ayres	Coughlin	Griffiths
Barrett	Cowger	Haley
Belcher	Cramer	Hall
Berry	Crane	Halpern
Brock	Daddario	Hansen, Wash.
Brooks	Delaney	Hastings
Brown, Calif.	Denney	Hawkins
Burke, Fla.	Dent	Hébert
Burlison, Mo.	Devine	Horton
Burton, Utah	Diggs	Hull
Button	Dowdy	Hungate
Cabell	Dwyer	Landrum
Caffery	Edwards, Calif.	Langen
Camp	Evins, Tenn.	Latta
Chisholm	Fallon	Long, La.
Clancy	Farbstein	Lujan

Lukens	Patman	Sikes
McCarthy	Pelly	Snyder
McClary	Pettis	Steele
McCulloch	Pollock	Steiger, Ariz.
McKneally	Powell	Stephens
McMillan	Price, Tex.	Stokes
Martin	Rarick	Sullivan
Mathias	Reifel	Taft
May	Reuss	Tunney
Meskill	Rhodes	Waggonner
Michel	Rivers	Waldie
Miller, Calif.	Roe	Weicker
Mills	Rostenkowski	Wilson, Bob
Mize	Roudebush	Wilson,
Monagan	Rousselot	Charles H.
Montgomery	Ruppe	Winn
Morton	Ruth	Wold
Moss	St Germain	Wolf
Murphy, III.	Satterfield	Wydler
O'Konski	Saylor	Young
O'Neal, Ga.	Scherle	Zwack
Ottinger	Shipley	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Brooks for, with Mr. St Germain against.
 Mr. Fallon and Mr. Shipley for, with Mrs. Chisholm against.
 Mr. Waggonner and Mr. Devine for, with Mr. Barrett against.
 Mr. Montgomery and Mr. Long of Louisiana for, with Mr. Edwards of California against.
 Mr. Abbitt and Mr. Rivers for, with Mr. Hawkins against.
 Mr. Caffery and Mr. Fascell for, with Mr. Moss against.
 Mr. Fulton of Tennessee and Mr. Rarick for, with Mr. Roe against.
 Mr. Sikes and Mr. Stephens for, with Mr. Stokes against.
 Mr. Cabell and Mr. Dowdy for, with Mr. Waldie against.
 Mr. Patman and Mr. O'Neal of Georgia for, with Mr. Wolf against.
 Mr. Satterfield and Mr. Haley for, with Mr. Charles H. Wilson against.
 Mr. McMillan and Mr. Landrum for, with Mr. Delaney against.
 Mr. Evins of Tennessee and Mr. Camp for, with Mr. Brown of California against.
 Mr. Latta and Mr. Lujan for, with Mr. Clay against.
 Mr. Martin and Mr. Price of Texas for, with Mr. Diggs against.
 Mr. Saylor and Mr. Rhodes for, with Mr. Farbstain against.
 Mr. Dent and Mr. Wydler for, with Mr. McCarthy against.
 Mr. Andrews of North Dakota and Mr. Del Clawson for, with Mr. Ottinger against.
 Mr. Corbett and Mr. Pettis for, with Mr. Powell against.
 Mr. Zwack and Mr. Pollock for, with Mr. Gilbert against.
 Mr. Mills and Mr. Burton of Utah for, with Mr. Collins of Illinois against.
 Mr. Burke of Florida and Mr. Hastings for, with Mr. Tunney against.
 Mr. Snyder and Mr. Scherle for, with Mr. Miller of California against.
 Mr. Ruth and Mr. Steiger of Arizona for, with Mr. Murphy of Illinois against.

Until further notice:

Mr. Aspinall with Mr. Bob Wilson.
 Mrs. Sullivan with Mr. Fish.
 Mr. Hull with Mrs. Dwyer.
 Mr. Galifianakis with Mr. Michel.
 Mr. Gibbons with Mr. McCulloch.
 Mr. Rostenkowski with Mr. Mathias.
 Mrs. Griffiths with Mr. Horton.
 Mrs. Hansen of Washington with Mr. Belcher.
 Mr. Reuss with Mr. Adair.
 Mr. Young with Mr. Mize.
 Mr. Hungate with Mr. Rousselot.

Mr. Burlison of Missouri with Mr. Ruppe.
 Mr. Daddario with Mr. Brock.
 Mr. Monagan with Mr. Winn.
 Mr. Hall with Mr. Denney.
 Mr. Crane with Mr. Cramer.
 Mr. Clancy with Mr. Halpern.
 Mr. Berry with Mr. Ayres.
 Mr. Langen with McClory.
 Mr. O'Konski with Mr. Pelly.
 Mr. Taft with Mr. Wold.
 Mr. Weicker with Mr. Reifel.
 Mr. Coughlin with Mr. Cowger.
 Mr. Don H. Clausen with Mr. Button.
 Mr. Steele with Mr. Roudebush.
 Mr. Meskill with Mrs. May.
 Mr. Morton with Mr. Lukens.

Mr. WILLIAM D. FORD changed his vote from "nay" to "yea."

Mr. ECKHARDT changed his vote from "nay" to "yea."

Mr. BURTON of California changed his vote from "yea" to "nay."

Mr. HAGAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING SPEAKER TO DECLARE RECESS MONDAY, TUESDAY, AND WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it be in order during Monday, Tuesday, and Wednesday of this week for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SOUTH PACIFIC COMMISSION

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 1162) to amend Public Law 403, 80th Congress, of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "\$325,000" and insert "\$250,000".

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. GROSS. Mr. Speaker, reserving the right to object, did I hear that this is being increased from \$25,000 to \$250,000?

Mr. GALLAGHER. No; that is not correct. The executive request was \$325,000. The House approved the request for the full \$325,000. The Senate approved a cut in that, and they voted out the measure for \$250,000. So what we are doing is reducing the amount by \$125,000 from the amount contained in the House-approved bill.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1964

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4571) to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

The Clerk read as follows:

S. 4571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

SECTION 1. Section 204(b) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note), is amended by striking subsection (3) and inserting the following in lieu thereof:

"(3) 'Child', for the purposes of sections 221 and 232 of this Act, means an unmarried child, including (i) an adopted child, and (ii) a stepchild or recognized natural child who lived with the participant in a regular parent-child relationship, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support, or such unmarried child between eighteen and twenty-two years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution. A child whose twenty-second birthday occurs prior to July 1 or after August 31 of any calendar year, and while he is regularly pursuing such a course of study or training, shall be deemed for the purposes of this paragraph and section 221(e) of this Act to have attained the age of twenty-two on the first day of July following such birthday. A child who is a student shall not be deemed to have ceased to be a student during any interim between schools years if the interim does not exceed five months and if he shows to the satisfaction of the Director that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately following the interim. The term 'child', for purposes of section 241, shall include an adopted child and a natural child, but shall not include a stepchild."

Sec. 2. Section 221(e) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended to read as follows:

"(e) The commencing date of an annuity payable to a child under paragraph (c) or (d) of this section, or (c) or (d) of section 232, shall be deemed to be the day after the annuitant or participant dies, with payment beginning on that day or beginning or resuming on the first day of the month in which the child later becomes or again becomes a student as described in section 204 (b) (3), provided the lump-sum credit, if paid, is returned to the fund. Such annuity shall terminate on the last day of the month

before (1) the child's attaining age eighteen unless he is a student as described or incapable of self-support, (2) his becoming capable of self-support after attaining age eighteen unless he is then such a student, (3) his attaining age twenty-two if he is then such a student and not incapable of self-support, (4) his ceasing to be such a student after attaining age eighteen unless he is then incapable of self-support, (5) his marriage, or (6) his death, whichever first occurs."

Sec. 3. Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting the last two sentences of paragraph (f), and adding the following new paragraphs (i), (j), and (k):

"(i) Except as otherwise provided, the annuity of a participant shall commence on the day after separation from the service, or on the day after salary ceases and the participant meets the service and the age or disability requirements for title thereto. The annuity of a participant under section 234 shall commence on the day after the occurrence of the event on which payment thereof is based. An annuity otherwise payable from the fund allowed on or after date of enactment of this provision shall commence on the day after the occurrence of the event on which payment thereof is based.

"(j) An annuity payable from the fund on or after date of enactment of this provision shall terminate (1) in the case of a retired participant, on the day death or any other terminating event occurs, or (2) in the case of a survivor, on the last day of the month before death or any other terminating event occurs.

"(k) The annuity computed under this section is reduced by 10 per centum of a special contribution described by section 252(b) remaining unpaid for civilian service for which retirement deductions have not been made, unless the participant elects to eliminate the service involved for the purpose of annuity computation."

Sec. 4. Section 236 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting the words "nor a total of four hundred" and substituting the words "nor a total of eight hundred".

Sec. 5. Section 252 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting paragraph (c) (1); renumbering paragraphs (c) (2) and (c) (3) to read (c) (3) and (c) (4); and inserting the following new paragraphs (c) (1) and (c) (2):

"(c) (1) If an officer or employee under some other Government retirement system becomes a participant in the system by direct transfer, the Government's contributions (including interest accrued thereon computed at the rate of 3 per centum a year compounded annually) under such retirement system on behalf of the officer or employee shall be transferred to the fund and such officer or employee's total contributions and deposits (including interest accrued thereon), except voluntary contributions, shall be transferred to his credit in the fund effective as of the date such officer or employee becomes a participant in the system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the system.

"(c) (2) If a participant in the system becomes an employee under another Government retirement system by direct transfer to employment covered by such system, the Government's contributions (including interest accrued thereon computed at the rate of 3 per centum a year compounded annually) to the fund on his behalf shall be transferred to the fund of the other system and his total contributions and deposits, including interest accrued thereon, except vol-

untary contributions, shall be transferred to his credit in the fund of such other retirement system effective as of the date he becomes eligible to participate in such other retirement system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the fund on account of service rendered prior to his becoming eligible for participation in such other system."

Sec. 6. Section 252 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by adding the following new paragraph (g):

"(g) For the purpose of survivor annuity, special contributions authorized by paragraph (b) of this section may also be made by the survivor of a participant."

The SPEAKER. Is a second demanded?

Mr. BRAY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts (Mr. PHILBIN).

Mr. PHILBIN. Mr. Speaker, the bill makes certain changes in the CIA Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. These conforming amendments deal with definitions related to child survivors, commencement date of annuities, and a formula for crediting prior Federal service not covered by contributions.

It also makes two other changes. It provides for the transfer of employee contributions into and out of the CIA retirement fund and increases the ceiling on retirements. Essentially, the bill conforms the current CIA bill of 1964 with the U.S. Civil Service Act.

Mr. Speaker, S. 4571 is a bill to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes.

The bill makes certain changes in the CIA Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. These conforming amendments deal with definitions relating to child survivors, commencement date of annuities, and a formula for crediting prior Federal service not covered by contributions. It also makes two other changes. It provides for the transfer of employer contributions into and out of the CIA retirement fund and increases the ceiling on retirements.

As you know, the CIA Retirement Act was enacted to provide a comprehensive retirement and disability programs for a limited number of employees whose duties either were in support of agency activities abroad, hazardous to life or health, or so specialized as to be clearly distinguishable from normal Government employment. The CIA operates under two retirement systems; the regular civil service retirement system for the majority of its employees, and the one established under the CIA Retirement Act of 1964 for a very limited number of employees.

The Senate Armed Services Committee reported this bill on December 8, 1970, and it passed the Senate on De-

ember 10, 1970, without any controversy.

Section 1 does three things: First, it eliminates the requirement that a child be dependent upon a parent retiree in order to receive a survivor annuity. The present definition of a child requires that the child receive more than half his support from the participant to be eligible. This requirement could defeat a survivor annuity based on the service of a working mother. This support requirement was eliminated from the Civil Service Retirement Act by the 89th Congress—Public Law 89-504.

Second, it also raises from 21 to 22 the maximum age for receiving survivor annuity payments as a student and increases from 4 to 5 months as the maximum absence from school which may be permitted without terminating the survivor annuity. This will aid survivor children enrolled in trimester programs to secure employment and earn money without losing their annuity.

This same action was taken by the 89th Congress for student beneficiaries under the Civil Service Retirement Act (Public Law 89-407, 504).

Lastly, it permits a natural child to share in the distribution of any money in the CIA retirement and disability fund. The act today clearly permits a natural child to receive an annuity but it is not entirely clear with respect to lump-sum benefits. This would correct this deficiency.

A similar provision amending the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-407.

Section 2 provides for the commencement and termination date for a child survivor annuity and assures that the survivor annuity of a student may be resumed even though it had previously been terminated, as for example, because of military service. Today once an annuity has been terminated because of an absence between school terms in excess of the maximum absence authorized, the annuity cannot be resumed.

A similar amendment to the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-504.

Section 3 makes a technical change in the law which will authorize the commencement of an annuity as soon as the individual enters a nonpay status. Under existing law, an annuitant must wait until the beginning of the month following his date of separation.

It also incorporates specific provisions for termination of annuities to retirees and survivors.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 U.S.C. 8345.

Section 3 also makes a technical change in the law which will provide an option to credit prior civilian service for which no deductions have been made by reducing the resulting annuity by 10 per cent of the amount owed. This will conform the CIA retirement system to the civil service system in this respect—5 U.S.C. 8339(h).

Section 4 increases to 800 the retirement ceiling imposed on anticipated retirements through June 30, 1974. Under existing law, retirements during the

formative years of the system were limited to 400 for the first 5-year period ending June 30, 1974. In the absence of actuarial experience the establishment of a ceiling on retirements was necessarily somewhat arbitrary. The ceiling was established with the understanding of all concerned that it would be adjusted as necessary. Experience to date has indicated that the ceiling of 400 for the second 5-year period is insufficient. In the interest of orderly and equitable personnel management an increase in this ceiling is essential. The Agency is rapidly reaching the ceiling now established by law and without the increase would be unable to accommodate the numbers who will go on the retired list prior to June 1974.

Under existing law, an individual who transfers into the CIA retirement fund from some other Government retirement system can transfer his contributions from the other fund to the CIA fund, but there is no provision for transfer of the Government contribution to such fund.

Also, when an individual transfers from the CIA retirement fund to some other Government retirement fund, there is no provision for the transfer of either the Government's contribution or his own contribution to the non-CIA retirement fund. Section 5 would correct the inequities of this situation.

The Civil Service Commission is wholly in accord with this change.

Section 6 makes a technical change in the law granting to survivors the same right afforded participants to purchase retirement credit for prior civilian service.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 U.S.C. 8334.

Mr. Speaker, I know that this body would want to enact this legislation because it merely equalizes the benefits to this special group of employees to civil service employees. I urge the passage of the bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. Yes, the gentleman will be pleased to yield to the distinguished and able gentleman from Iowa.

Mr. GROSS. We all know, I am sure, that there are two retirement systems in the CIA. Would this expand on early retirement for that portion of CIA employees who are alleged to be or held to be in hazardous employment? Do we have here a repetition of the bill that was approved a few days ago to bring certain other employees under early retirement?

Mr. PHILBIN. No, we have some backlog in applications at the present time, and this bill would step up somewhat the opportunities for those who are eligible for application to make such applications, to bring them up to date. But it does not make any inordinate increases of opportunities for applications. As the gentleman knows, 25 percent of the present personnel of CIA is engaged in overseas and very hazardous occupations that require them to be away from the country for long periods of time. The overwhelming number of employees of CIA employed in this country or overseas are not in hazardous employment.

This bill does not make any increase in the number of people eligible for that retirement.

Mr. GROSS. This bill is not designed to expand upon the numbers in the CIA who are now covered by early retirement?

Mr. PHILBIN. Yes, there would be some increase. There are a few, and as they become eligible there would be some increase. The limit was about 400. I think at the present time it runs up to 600 or thereabout, and this bill would provide another 400 to take care of those as well as those who may become eligible in future years, through the next 5 years, for example.

Mr. GROSS. Then I ask the gentleman, What will that increase the unfunded liability of the Government employees' retirement fund?

Mr. PHILBIN. These people, before they can become eligible for retirement, must have 20 years of service and be at least 50 years of age, as the gentleman knows. I am sure the gentleman is well informed as to the types of persons who are recruited for this very dangerous type of work.

Mr. GROSS. Unfortunately, I am uninformed as to all the ramifications of what you are proposing here today, and I would like to have some estimate at least of the contribution to the unfunded liability of the retirement fund which is already billions of dollars in the red.

Mr. PHILBIN. It is estimated that this bill would create only a minimal in cost to the Government.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield to the distinguished and able gentleman from Virginia.

Mr. SCOTT. Mr. Speaker, I have listened to the exchange between the two gentlemen; yet I still do not understand whether there will be more people included in the early retirement. Will additional people be permitted to retire after 20 years of service, and at age 50?

Mr. PHILBIN. At the present time there are some who are already eligible for retirement. There are not enough numbers of authorizations to accommodate those people, and this bill will increase the number, so that group can be taken care of, and also it will take care of those who will become eligible in the next 5 years. There will be an increase in the bill to provide for those who are going to become eligible across the board, for the next 5 years, not only among those who will become eligible following overseas service, but also those who will become eligible after general or regular service.

Mr. SCOTT. Mr. Speaker, if the gentleman will yield further, I am not thinking of numbers, but ask if there is a change in the law under which different categories of people within the CIA would come under early retirement?

Mr. PHILBIN. No, sir; there is no change in the law in respect to a change in entitlement, only to the numbers who may retire.

Mr. SCOTT. I thank the gentleman.
Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield to the distinguished and able gentleman from Texas.

Mr. GONZALEZ. Mr. Speaker, I rise in connection with this bill to ask some questions only because a few years ago I attempted to get some information concerning the CIA and I was told there was not anybody on the congressional level who really knew either the extent of the moneys expended for this Agency or, for that matter, the number of employees.

It would seem to me that without trying to divulge unnecessary secret and vital information regarding the security of the Nation, we should know if this committee has any kind of oversight over this Agency and does the committee know how many employees the Agency has, and whether or not it duplicates any other intelligence services in or out of the Government? I ask this because some 4 or 5 years ago some information I received from one service was that there was needless duplication.

In connection with this legislation the question would be: If we do not have any idea as to how many employees this would affect, how do we know the ultimate impact on cost?

Mr. PHILBIN. We have information from the agency as to what the impact on cost would be.

I may say to the gentleman, the overall figures as to employees in the agency would be security figures. They would be classified for the most part. If the gentleman wants to get those figures, I can see no reason why he could not get them as a Member of Congress, although they are not generally known.

Mr. GONZALEZ. My understanding is that a few years ago even to the Members of Congress the extent or dimension would not be divulged, and that in fact even the highest levels of congressional leadership did not really know the full range and extent of the activities. If this is true, then there is a question as to whether the matter of security reaches that high, to even the congressional leadership not having full information on such a thing as the extent of the appropriations the Congress itself provides for this agency.

I am not trying to divulge information that should not be divulged, if it relates to the security or the safety of the Nation.

It seems to me, the difficult times in which we live, with the urgent necessity for an open society to create this type of agency for its own defense, at least on the congressional level we could have some assurance that some committee or some leadership in the Congress knows exactly what is going on in that agency.

Mr. PHILBIN. As the distinguished gentleman knows, this is merely a bill which deals with the retirement system the Congress has set up to provide retirement for those employed in the agency.

Insofar as oversight by congressional committees is concerned, there is that function exercised by the Committee on Armed Services of the House to a considerable extent. As the gentleman knows, the members of our committee would be bound by the same classifica-

tion regulation and the same security regulation which other people would be bound by generally, with respect to numbers and sometimes the detailed activities of what the agency is doing.

I can assure the gentleman that one of the subcommittees of the Committee on Armed Services of the House meets regularly with officials of the CIA and is given complete briefings and complete answers to any questions propounded. As I say, there are some classified areas, as the gentleman knows, and the gentleman from Massachusetts would not feel disposed to talk specifically about the classified aspects on the Record.

Mr. GONZALEZ. But the members of the Armed Services Committee—or at least, the Armed Services Committee, itself, is privy to the substantial goings on in that Agency?

Mr. PHILBIN. Yes, to a very large extent.

Mr. GONZALEZ. To a large extent?

Mr. PHILBIN. Yes; I would say that we cover, in our talks and in our conversations and conferences, virtually all the work that the agency is undertaking. We receive full reports from them. We cover a wide range, and I should say practically all the activities are made known to us in one way or another. But we are not privileged to make that information public.

Mr. GONZALEZ. No.

Mr. PHILBIN. We are not able to make it public in debates in the House.

Mr. GONZALEZ. I understand that. What I am getting at is the question: Is there any aspect of the activity of the CIA that the members of this Special Subcommittee of the Armed Services Committee wish to find out about in a proper way, and whether they have that freedom to do so?

Mr. PHILBIN. Yes; the committee would have freedom to do so.

Mr. GONZALEZ. The Agency is amenable to oversight by the committee?

Mr. PHILBIN. That is true; yes. If the gentleman has any questions he wishes the committee to propound the committee would be glad to do so.

Mr. GONZALEZ. I thank the gentleman.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I am pleased to yield to my distinguished and able colleague from Massachusetts (Mr. KEITH).

Mr. KEITH. I appreciate the gentleman yielding.

Mr. Speaker, I would like to pay tribute to my colleague from Massachusetts for his many years of devoted service to our Nation and to the Armed Services Committee.

Mr. Speaker, I was elected to the State senate in 1952 on an issue relating to pensions that we were providing for members of the legislative branch and for State employees. It became an issue of tremendous public interest because of the hodgepodge that we had in the State government in Massachusetts.

Mr. Speaker, I am afraid that we are developing a hodgepodge here in this piecemeal attack on pensions for Fed-

eral employees. We are establishing precedents for future actions that we do not really appreciate their magnitude and their influences on our operations and on our economy.

I would hope that some committee of this House, preferably, I suppose, the Committee on Post Office and Civil Service, would make an indepth study of just where we are going and what the long-range benefits are, because to retire someone at the age of 50 and allow them to go to work elsewhere in other Government employment, or to actually take him out of the work force and have him retire at the age of 50 in is in my opinion very inflationary.

Mr. Speaker, I think this is a precedent-setting trend and one to which I would object that we enter into so late in the session. I would hope that a bill of this sort would lay over between the branches of the Congress or that the executive would take it up next year after more methodical study.

I thank the gentleman for yielding.

Mr. PHILBIN. I thank the gentleman for his remarks.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield such time as he may consume to the distinguished gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Speaker, S. 4571 is a bill to amend the Central Intelligence Agency Retirement Act of 1964 for certain employees, as amended, and for other purposes.

The bill makes certain changes in the CIA Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. These conforming amendments deal with definitions relating to child survivors, commencement date of annuities, and a formula for crediting prior Federal service not covered by contributions. It also makes two other changes. It provides for the transfer of employer contributions into and out of the CIA retirement fund and increases the ceiling on retirements.

As you know, the CIA Retirement Act was enacted to provide a comprehensive retirement and disability program for a limited number of employees whose duties either were in support of agency activities aboard, hazardous to life or health, or so specialized as to be clearly distinguishable from normal Government employment. The CIA operates under two retirement systems; the regular civil service retirement system for the majority of its employees, and the one established under the CIA Retirement Act of 1964 for a very limited number of employees.

The Senate Armed Services Committee reported this bill on December 8, 1970, and it passed the Senate on December 10, 1970, without any controversy.

Section 1 does three things: First, it eliminates the requirement that a child be dependent upon a parent retiree in order to receive a survivor annuity. The present definition of a child requires that the child receive more than half his support from the participants to be eligible.

This requirements could defeat a survivor annuity based on the service of a working mother. This support requirement was eliminated from the Civil Retirement Act by the 89th Congress—Public Law 89-504.

Second, it also raises from 21 to 22 the maximum age for receiving survivor annuity payments as a student and increases from 4 to 5 months as the maximum absence from school which may be permitted without terminating the survivor annuity. This will aid survivor children enrolled in trimester programs to secure employment and earn money without losing their annuity.

This same action was taken by the 89th Congress for student beneficiaries under the Civil Service Retirement Act—Public Law 89-407, 504.

Last, it permits a natural child to share in the distribution of any money in the CIA retirement and disability fund. The act today clearly permits a natural child to receive an annuity but it is not entirely clear with respect to lump-sum benefits. This would correct this deficiency.

A similar provision amending the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-407.

Section 2 provides for the commencement and termination date for a child survivor annuity and assures that the survivor annuity of a student may be resumed even though it had previously been terminated, as for example, because of military service. Today, once an annuity has been terminated because of an absence between school terms in excess of the maximum absence authorized, the annuity cannot be resumed.

A similar amendment to the Civil Service Retirement Act was approved by the 89th Congress—Public Law 89-504.

Section 3 makes a technical change in the law which will authorize the commencement of an annuity as soon as the individual enters a nonpay status. Under existing law, an annuitant must wait until the beginning of the month following his date of separation.

It also incorporates specific provisions for the termination of annuities to retirees and survivors.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 United States Code 8345.

Section 3 also makes a technical change in the law which will provide an option to credit prior civilian service for which no deductions have been made by reducing the resulting annuity by 10 percent of the amount owed. This will conform with the CIA retirement system to the civil service system in this respect—5 United States Code 8339 (h).

Section 4 increases to 800 the retirement ceiling imposed on anticipated retirements through June 30, 1974. Under existing law, retirements during the formative years of the system were limited to 400 for the first 5-year period ending June 30, 1974. In the absence of actuarial experience the establishment of a ceiling on retirements was necessarily somewhat arbitrary. The ceiling was

established with the understanding of all concerned that it would be adjusted as necessary. Experience to date has indicated that the ceiling of 400 for the second 5-year period is insufficient. In the interest of orderly and equitable personnel management an increase in this ceiling is essential. The Agency is rapidly reaching the ceiling now established by law and without the increase would be unable to accommodate the numbers who will go on the retired list prior to June 1974.

Under existing law, an individual who transfers into the CIA retirement fund from some other Government retirement system can transfer his contributions from the other fund to the CIA fund, but there is no provision for transfer of the Government contribution to such fund.

Also, when an individual transfers from the CIA retirement fund to some other Government retirement fund, there is no provision for the transfer of either the Government's contribution or his own contribution to the non-CIA retirement fund. Section 5 would correct the inequities of this situation.

The Civil Service Commission is wholly in accord with this change.

Section 6 makes a technical change in the law granting to survivors the same right afforded participants to purchase retirement credit for prior civilian service.

This will conform the CIA retirement system to the civil service retirement system in this respect—5 United States Code 8334.

Mr. Speaker, I know that this body would want to enact this legislation because it merely equalizes the benefits to this special group of employees to civil service employees.

Mr. Speaker, if I may take the time of the House for a few minutes, I want to call attention to the fact that I feel this is probably the last piece of legislation from the Committee on Armed Services that the gentleman from Massachusetts will bring before the House. Therefore, I pause to pay tribute to him as a member of our Armed Services Committee on which he has so diligently served over many, many years. He has been the ranking member of our committee, attending to his duties objectively, motivated at all times by doing those things he felt were in the best interests of our country and its national defense posture.

Mr. Speaker, the other day, with most all of us on the committee being present, each one of us put on tape in the presence of the gentleman from Massachusetts (Mr. PHILBIN) our thoughts and expressions of esteem and love for the gentleman. I thought it was a wonderful occasion and something which I know PHIL will remember all his life. I might reiterate the collective thoughts of the members of the committee at that time and what is now being said by his colleagues, that here indeed is an outstanding gentleman, a man of courage and conviction, one everyone of us are proud to call our friend. Indeed, we are sorry he is leaving the Armed Services Committee, and this House of Representatives. We will miss this great legis-

lator in the years to come. All our good wishes go with PHIL as he returns to private life.

Mr. McCORMACK. Mr. Speaker, will the distinguished gentleman from Massachusetts yield?

Mr. PHILBIN. I am happy to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I am very glad to join in the remarks made by my distinguished friend from Illinois (Mr. ARENDS) in relation to our dear and valued friend and colleague, PHIL PHILBIN.

I first came to know PHIL PHILBIN when I came to Washington as a new Member of the House of Representatives. He was then associated very closely with one of the great Americans of our time, a former Lieutenant Governor of Massachusetts, a former Governor of Massachusetts and then a U.S. Senator, the late Honorable David R. Walsh.

Throughout the years that we have been associated together there has developed between us a strong feeling of friendship and respect. During PHIL PHILBIN's term of service in this body he was not only forward-looking in the consideration of legislation relating to the people of our country on a domestic or internal level, but in this trying period of the world's history he has been a bulwark of strength in connection with the national defense of our country and of a firm foreign policy.

The people of America are indebted to him for his outstanding service, his clear vision, his ability to penetrate into the future and see history in the making, which is very difficult for any of us to do, and for the contributions he has made to America so that our country will always be on its guard, ever vigilant, and in the possession of a strong and powerful national defense that is so vitally important for the unforeseeable period that I can look into.

So, Mr. Speaker, we all pay our tributes to this great legislator and this great American, and this good man. In the years that lie ahead for him I know that I speak the sentiments of all my colleagues when I say that we wish him every happiness and success, not in an inactive life in retirement, but in a very active life we all know he will participate in.

So to you, PHIL, my dear friend, enjoying the friendship and respect of all your colleagues, I extend—speaking for myself and our colleagues—our very best wishes and all the gratitude for the way you have served our country in this body, and our very best wishes for countless years to come.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, to attempt to add to the eulogies which our great Speaker and the distinguished Republican whip, who have served so closely with PHIL PHILBIN, have paid to him, would be comparable to gilding the lily, but I cannot let this opportunity pass without telling the House how much we respect and love this great American. The Speaker has called him a bulwark of

strength, and that he is. He is a bulwark of compassionate and judicious strength. He is a wise and distinguished scholar and artist. He is a man of noble character, decent, kind and humble, a great legislator whom we will all miss.

You may be leaving this Chamber as a Member, PHIL, but you will never be free of the friendships that you have made here.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I want to thank the gentleman from Illinois for yielding, and certainly thank him for bringing to the attention of the membership of the House the fact that this is the last bill, probably, that our friend and colleague, the gentleman from Massachusetts (Mr. PHILBIN), will be handling for final passage.

Mr. Speaker, it has been my pleasure and privilege to serve on the committee with, and on the subcommittee chaired by the distinguished gentleman from Massachusetts. Unfortunately, a conflict in committee assignments kept me from attending the recent meeting of the House Committee on Armed Services where tributes were paid to my friend and colleague, the gentleman from Massachusetts, and I certainly do not want to let this opportunity go by without seconding all of the accolades that have been handed to—and very deservedly so—the gentleman from Massachusetts.

He has been my friend. He has gone out of his way to be of help to me when I was new on the committee and since. It will be a sad day for me to see PHIL PHILBIN leave us. He is 100 percent American, and a great friend of mine.

Thank you very much.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. PEPPER. Mr. Speaker, I thank the distinguished gentleman for affording me this opportunity to join with the distinguished Speaker of the House and my colleagues in expressing our heartfelt tribute to PHIL PHILBIN. When PHIL PHILBIN leaves this House, there will be many a red eye and many a heavy heart, because no man in this House is more beloved than is he. No man has more devotedly served his country than he. No man has been more dedicated to the performance of his duty and to the service of his fellow man and in lightening the burden to be borne by his fellow citizens than he.

Mr. Speaker, this is a man truly worthy to be called a statesman and truly worthy to be known as a devoted and dedicated servant of the people.

Mr. Speaker, in my part of the country one of the highest accolades you can extend to one whom you would honor is to say that he is a gentleman and a scholar—and this dear man deserves every accolade which can be extended to him. He is a great American and he to me will always be a cherished friend.

PHIL, may God bless you and be with you for many, many more years to come.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman. Mr. FULTON of Pennsylvania. Mr. Speaker, it is a real pleasure to say that we who are personal friends of PHIL PHILBIN think he is one of the best loved Members of the House, also one of the hardest working Members, with excellent judgment based on broad experience in reaching his position as one of the top ranking members of the important House Armed Services Committee.

As a matter of fact, PHIL PHILBIN is one of the friendliest Members we have ever had in the House, with his constant cheerfulness and comprehensive knowledge of House procedures. Congressman PHIL PHILBIN has always been helpful to me ever since I have been a Member of the Congress. He gladly helps, regardless which side of the House aisle, or what party, liberal or conservative that Members belong to.

The CONGRESSIONAL RECORD should show, Mr. Speaker, that after the Speaker's fine eulogy, the whole House unanimously rose in high tribute to Congressman PHIL PHILBIN of Massachusetts. Unanimous rising tribute is a rare gift of the House, especially when participated in by all Members, the Speaker, and the leadership of both parties.

To Congressman PHIL PHILBIN of Massachusetts we all join in friendship with you in saying, Godspeed to you, PHIL, and best wishes for a long and happy life. You fully deserve every honor accorded by the Members of the U.S. House of Representatives to you today.

Mr. BELL of California. Mr. Speaker, there is no Member of this House that is more beloved than PHIL PHILBIN. The outstanding leadership that he has provided on the Armed Services Committee, is well known and well deserved.

His consistently good judgment that he has shown in all his committee work as well as general work on the floor has been long admired.

I wish the gentleman from Massachusetts, PHIL PHILBIN, Godspeed and continued success in all of his endeavors wherever they may be and whatever they involve.

Our friend will be sorely missed by his colleagues in the House of Representatives.

Mr. BOLAND. Mr. Speaker, I join my colleagues in paying tribute to PHILIP J. PHILBIN. Elected to the Congress nearly three decades ago, PHIL has earned the respect and friendship of virtually every Member he has worked with over the years. As a ranking member of the Armed Services Committee, second in seniority only to Chairman L. MENDEL RIVERS, he has played a major role in assuring this country's military preparedness. And, equally significantly, he has always sought a fair and evenhanded balance between the demands of the military and those of its critics. I will risk sounding a little corny by calling PHIL a patriot, for that is precisely what he is—in the very best sense of the term. He has quietly and earnestly worked for his country over the past 30 years.

PHIL's service to his constituents in Massachusetts' Third Congressional District—the men and women who elected him to 14 successive terms in the Con-

gress—has been nothing short of remarkable. No letter ever went unanswered. No plea for help was ever ignored. No constituent seeking advice was ever turned away. He and his able administrative assistant, Clifford O. Gaucher, established what is tantamount to a model congressional office in constituent service.

I value highly my personal friendship with Congressman PHILBIN, and I wish him the very best in the future.

Mr. ROONEY of New York. Mr. Speaker, I should like to join with my colleagues, the Speaker, the majority leader, and the distinguished gentleman from Illinois (Mr. ARENDS) as they salute the distinguished gentleman from Massachusetts, Hon. PHILIP J. PHILBIN, an old friend. I have had the good fortune to know PHIL ever since the day I came to the House of Representatives and have always had nothing but the highest regard for him both as a Member of this body and as a man. I am sure my colleagues on both sides of the aisle join me in the belief that he is one of the outstanding Members of the House and that he will be sorely missed. PHIL has devoted his entire public life to serving the people of his State and in particular those in Massachusetts' Third Congressional District. He has served them faithfully and well and I wish him happiness and contentment in the coming years.

Mr. DONOHUE. Mr. Speaker, it is a privilege to join with the Members of the the House here this afternoon in this spontaneous tribute to the exemplary personal character and the extraordinary legislative service of Congressman PHILIP J. PHILBIN, of Massachusetts, to our National Government, his constituents, and his fellow Americans throughout the country.

Few, if any, men have served in this national legislature more effectively and unselfishly than PHIL PHILBIN. Few, if any, have been less heralded for their immense contribution to the progressive security, health, educational advancement and economic development of our people over the last 28 years. Learned in our laws, diligent in his committee and Chamber legislative assignments, persuasive in his appeals for legislative support of those measures that attracted his deepest belief, tolerant and understandable of opposing views, every ready to accept the impact of authoritative fact and testimony, steeped in the use of experience for wholesome accomplishment, and dedicated to the proposition that a progressive legislative beginning is better than an acrimonious deadlock, PHIL PHILBIN has contributed mightily to the legislative solution of all the national crises that have occurred over the past quarter of a century. Throughout this period, he has enjoyed the confidence and esteem of every American President, many heads of other governments throughout the world, and of all the speakers and leaders in the U.S. Congress. Through his achievements, he has left an indelible mark of effective participation upon the most progressive pages of modern American legislative history. As an outstanding legislator, he has earned

the respect and admiration of every Member who has ever been his colleague in this National House of Representatives.

But his more universal admiration and affection, by untold thousands of his constituents, and fellow citizens in the Commonwealth of Massachusetts and throughout the country, has been earned because he is one of the finest human beings ever born into this world's tribulations and joys, adversities and triumphs. He is possessed of the highest character and integrity and, among the so-called ordinary people, he is beloved for his compassionate understanding, congenial manner, warmhearted generosity, quiet encouragement and a genuine interest in and devotion to the happiness and the progress of every person and every family that ever came within the bounds of his public responsibility and private acquaintance.

The rather paradoxical truth is that lasting memories here probably do not come so much from any substantial legislative record that is established but rather by the conduct, the manner, the disposition, the personality, the spirit, the human niceties, if you will, that each one projects here.

On this score, apart from other things, I daresay the human attributes and virtues of PHIL PHILBIN will never be excelled in this body.

Our reflection upon the unusual aspect of legislative life emphasizes, I think, that the greatest service that any individual, in any activity, can render to his contemporaries and those who come after is to provide an example of a character that is unquestioned, a dedication that is unsurpassed, a courage that is inexhaustible, a patriotism that remains undaunted throughout the most violent storms, a compassion that is boundless, and a friendship that is unstinting in resolution and loyalty.

Beyond all other accomplishments this is the real endowment that PHIL PHILBIN has given to us here and to those who are yet to come.

The legacy he leaves here is comprised of the simple strengths upon which the stability, survival, and progression of our communities and our commonwealths and our country depend.

PHIL PHILBIN's inspiring personal example of the patriotic use and application of these eternal strengths will constitute a memory that will be a private, personal encouragement to each of us, forever, and the integrity of his conduct will remain as a wholesome blessing upon this House, for all time.

PHIL PHILBIN has the deepest understanding and commitment of any man I have ever known that, as the Bible indicates, peace among nations, within communities and in our hearts will never be attained until the great majority of us evidence "good will" toward our friends, our neighbors, and our fellow human beings everywhere. Personal good will is the true richness of his own life and with it he has enriched the life of everyone privileged to know him.

In this coming Congress all of us will sorely miss our beloved friend and colleague, PHIL PHILBIN, and I hope he will

see fit to frequently visit with us over the next 2 years.

From the bottom of our hearts, meanwhile PHIL, we all join in wishing you continued good health and good fortune for many, many more years of success in your private endeavors and in the continuing service of your fellow man that I know you will never abandon.

GENERAL LEAVE TO EXTEND

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to our colleague, the gentleman from Massachusetts (Mr. PHILBIN).

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PHILBIN. Mr. Speaker, I would like to thank those of my esteemed and beloved colleagues, who have made such touching and moving comments about my humble service, and who have expressed such gracious observations concerning the humble labors I have performed during the time I have been honored to be a Member of this great House.

Mr. Speaker, there is really no way I can adequately express my sincere and deep gratitude to you and the Members of the House, because regardless of political considerations, and regardless of differences from time to time on legislative questions, all the Members on both sides of the aisle are very dear to me, and always will be very dear to me, because of the invariable encouragement, assistance, and the warm, inspiring friendship they have always shown me, which has so greatly lightened the burdens of my work and official duties.

I am somewhat limited, my dear friends, particularly at this time when important legislation is pending in the House, which is in my charge, in mobilizing and conveying to you, my profound feelings of appreciation and gratitude to all of you.

To our beloved, great Speaker, and to all of you here in this historic body, I want you all to know that I will always gratefully remember the many kindnesses you have shown me during my long service here with you.

And I shall always treasure, immeasurably, the kind words you have spoken here today.

These tributes of esteem and affection will remain with me as long as I live. They are far more than I deserve, but I want to express my deep gratitude to all of you for your very generous, stimulating words, your warm affectionate friendship, your loyalty and kindness to me, and the lofty inspiration you have always given me during my service in this great body. You may be sure they will always remain with me, and that my heart, deeply-felt gratitude and best wishes will always be with you. God love you.

Mr. Speaker, I ask for a vote on the bill.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts that the House suspend the rules and pass the bill S. 4571.

The question was taken; and (two-thirds having noted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title:

S. Con. Res. 87. Concurrent resolution providing for an adjournment of the two Houses of Congress.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 4106. An act to amend the Public Health Service Act in order to provide for the establishment of a National Health Service Corps.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 1146, EXPANSION OF UNITED NATIONS HEADQUARTERS IN THE UNITED STATES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1308 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1308

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1146) authorizing a grant to defray a portion of the cost of expanding the United Nations headquarters in the United States. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Califor-

nia (Mr. SMITH), pending which I yield myself such time as I shall consume.

Mr. Speaker, House Resolution 1308 provides an open rule with 1 hour of general debate for consideration of House Joint Resolution 1146 to expand the United Nations headquarters in the United States.

The purpose of the joint resolution is to authorize an appropriation of not to exceed \$20 million for a grant to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in the city of New York.

The present headquarters for the U.N. was completed 20 years ago during which time the membership has increased from 59 to 126 member states and the number of secretariat employees in New York has increased from 2,900 to approximately 4,900.

In 1968, the Secretary General was authorized to prepare detailed plans and specifications for a major expansion of the headquarters, taking into consideration anticipated needs for the next 20 years.

Proposals—at an estimated cost of \$80 million—were submitted and approved by the General Assembly last year, subject to two conditions: First, that payments for the construction from the regular U.N. budget should not exceed \$25 million; and, second, that satisfactory assurances be received that the balance of the funds would be available before construction contracts are awarded. In accord with arrangements worked out by the Secretary General, the \$5 million balance would come from three sources: a \$20 million grant from the U.S. Government, a \$20 million contribution from the city of New York, \$15 million from the U.N. development program and U.N. Children's Fund, which would move from rented space to the new U.N. office building.

Mr. Speaker, I urge the adoption of House Resolution 1308 in order that House Joint Resolution 1146 may be considered.

Mr. Speaker, I yield 5 minutes to the able gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL of Massachusetts. Mr. Speaker, I rise on the rule even though I am not carrying it for the committee because of the fact that I have been an avid supporter of the United Nations through the years.

We have before us a joint resolution, No. 1146, which would authorize up to \$20 million to defray a portion of the cost of expanding the United Nations Headquarters in the United States. The Senate has already passed identical legislation.

Just what is the context of this grant of \$20 million and what are the other elements of financing this new Secretariat office building? The United Nations has been bursting at the seams for several years, Mr. Speaker. As early as 1964, the Secretary General reported that the Secretariat Building was overcrowded in some areas and since 1965 outside office space has been rented by the U.N. Development Program, the U.N.

Children's Fund, and several other U.N. units at costs whose burden has recently become acute. Therefore, some 4 years ago, at the request of the Secretary General, a study was made at no cost to the United States or to the United Nations of the feasibility of constructing an additional office building to the south of the present headquarters buildings, a building in keeping with the dignity and hope which the present structures have come to represent. Then in 1968, the General Assembly provided \$250,000 for an architectural and engineering study. On the basis of this study the Secretary General presented cost estimates to the General Assembly last autumn involving a cash outlay of \$80 million. The Assembly decided for its part to appropriate \$25 million from the United Nations budget subject to the assurances of the Secretary General that the remainder of the \$80 million was firmly committed. The U.S. share of this \$25 million would be slightly less than \$8 million at the present U.N. assessment rate. As for the customary special host government contribution, the President has requested a special grant of \$20 million in the fiscal year 1971 budget. As a practical matter, this uniquely U.S. contribution must be available if the building is to be built, and I urge my colleagues in the House to join me and authorize it promptly.

As for the balance of the financial package, the city of New York has agreed to match the Federal contribution after it has been actually appropriated and the United Nations Development Program and the U.N. Children's Fund, who now rent space outside the headquarters, are expected to contribute \$15 million in the nature of "commuted rent" which they would otherwise be required to pay for space in New York over a period of years. About \$6 million of this \$15 million would come from the usual U.S. contributions to these bodies but this \$6 million can hardly be termed an additional U.S. contribution because it would otherwise go for rent. In addition, contributions are to be sought from private sources which if obtained could be used to reduce the outlays mentioned above or to cover any unpredictable increases in construction costs which have risen at such alarming rates in recent years.

Now, in the context of the other sources of income for the cash outlay of \$80 million, plus the availability of land valued at \$12 million from the city of New York, the U.S. special grant appears equitable and appropriate. It is, of course, traditional for the host government to make a very substantial special contribution to the building programs of international organizations being hosted. One of the reasons for this practice is the economic advantage that derives from being the permanent host to any large international organization—an advantage which the U.S. Congress explicitly recognized in 1948 when it noted that the permanent establishment of the U.N. Headquarters in the United States would result "directly and indirectly in substantial economic benefits to the United States from the expenditures of the Organization and its member nations."

U.S. SUPPORT FOR THE UNITED NATIONS

In 1970, the United States participated in the commemoration of one of the most hopeful events of the 20th century; the founding of the United Nations in 1945. During the anniversary year, we and other member nations carefully appraised the contributions, defects and potentials of the international organization. President Nixon named a Commission for the Observance of the 25th Anniversary of the United Nations and asked it to assess the U.N.'s effectiveness and to recommend measures which the United States might initiate to strengthen and improve it.

The Commission, headed by former Ambassador Henry Cabot Lodge, and including eight Members of Congress and 42 other prominent citizens, submitted an interim report to the President on September 14, 1970. The Commission reported that, in spite of major shortcomings, the work of the United Nations and its specialized agencies in furthering international cooperation has been remarkably good. It observed that U.S. contributions to the United Nations have been well invested and have advanced the world's long-term development. The Commission expressed confidence "that a strong and operative United Nations system is not only in the American interest, but would guarantee tranquility, freedom and justice for all peoples of the world."

IMPRESSIVE ACHIEVEMENTS

Following World War II, there were high expectations that the United Nations would be the chief instrument to preserve peace and promote the well-being of the nations of the world. Despite its inability to accomplish fully its many objectives, the United Nations can claim some impressive achievements:

It has helped to defuse political crises and has kept open the prospects of negotiated settlement of threatening disputes. Among these were Cyprus, Kashmir, and the Congo.

It has reduced the dangers of explosive confrontation, and insulated conflicts in smaller countries from the dangers of greater power involvement.

It has contributed to the improvement of health, education, agricultural production, and economic advancement of the developing nations of the world. Approximately 80 percent of its total resources are devoted to economic and social activities and development assistance.

It has helped all nations, advanced and developing, to realize the promise and to avoid the perils of the new technology. The many specialized U.N. agencies—WHO, ICAO, IAEA, and so forth—share this credit.

It has painstakingly promoted the gradual development of international law and general respect for human rights. A number of national constitutions adopted since 1948 have drawn upon the General Assembly's Universal Declaration of Human Rights.

It has directed international attention to the problems of effective disarmament, and has served as a forum in which disarmament agreements can be

evaluated and modified, if necessary, to obtain the widest possible support. An encouraging example is the Nuclear Nonproliferation Treaty.

It has evolved into a major diplomatic center for contact and consultation among members. This is probably its most important achievement.

BUT MAJOR WEAKNESSES

The President's Commission attributes the major weaknesses of the United Nations to its failure to maintain peace and security and to its procedural and structural defects. The Commission was fearful that should these defects not be remedied, the United Nations would become increasingly incapable of dealing with the grave problems facing the world in the 1970's. Clearly, the responsibility for these failures rests with the member states. The United Nations can do only as much as its member governments allow it to do, and it has often been abused as a propaganda forum. Member governments have repeatedly and irresponsibly used the United Nations as a public platform to promote their own narrow positions.

For the United Nations to become truly effective, all states must show moderation, flexibility, and a will to compromise in attempting to arrive at fruitful solutions.

NEED FOR MORE EFFECTIVE PEACEKEEPING

When armed conflict erupts, the United Nations has a broad responsibility to stop the fighting. Its ability to maintain international peace, however, depends in large part on unanimity among the five permanent members of the Security Council. The power of the veto, designed to protect the permanent members from actions which may be contrary to their vital interests, has been abused by the Soviet Union. The Soviets have wanted to see all major decisions concerning peacekeeping, including operational decisions after the mission is launched, kept under the immediate control of the Security Council. This would subject operational decisions to the veto and, in our view, is hardly an effective or reliable basis for such operations.

We think the Secretary General can, and should, be instructed to manage a peacekeeping mission in consultation with the major powers and those countries supplying troops or facilities. He should have some latitude to deal with the parties to a dispute and to manage a peacekeeping operation once the Security Council has authorized it and has defined its mandate.

NEED FOR BETTER WAYS TO SETTLE DISPUTES

In addition, better "preventive diplomacy" with investigatory and factfinding procedures is badly needed. We welcome proposals that ad hoc committees of the Council, including the parties to a dispute, be created to help settle particular controversies. We favor reactivating the Panel of Inquiry and Conciliation, and will soon nominate qualified individuals for the factfinding register of experts who will be available to the Secretary General, member states, or other U.N. organs.

We have suggested measures to strengthen and revive the functions of the International Court of Justice. In the future we will examine every treaty we negotiate with a view to accepting, wherever appropriate, the Court's jurisdiction over any dispute arising under the treaty. We will actively consider submitting disputes with other countries to the Court. We have suggested ways in which the Court's advisory jurisdiction might be expanded.

NEED FOR FISCAL AND PROCEDURAL CHANGES

Many of the United Nations difficulties stem from the obsolescence of its structure and procedures. Disparity between voting power and financial responsibility, excessive proliferation and overlapping of agencies and committees, frequent delays of meetings, and repetitious debate are all chronic liabilities.

As the largest contributor to the United Nations—\$317 million in 1970—the United States is particularly concerned about U.N. finances. We want to make sure that adequate value is received for our investments in the United Nations and its specialized agencies. The problem of very small states which need U.N. services and benefits but cannot meet the U.N. minimum assessments, must be resolved.

It is imperative that member states insure the effective organization and management of the U.N. system so that it is responsive to the directives of its governing organs and to the priority needs of the world. This requires better administrative and budgetary coordination and better use of the resources available to the United Nations. For example, governing organ programs originally established to promote the social and economic advancement of the founding states—mostly developed nations—have been modified extensively to reflect the urgent needs of the many developing countries admitted to the United Nations after 1945. At present there is a great need for better coordination, direction, and control of these organizations.

CHALLENGES BEFORE THE UNITED NATIONS

The United Nations must continue to attack the problems confronting the world in the 1970's by improving the quality of life, by strengthening international law, and by assuring basic human rights to each person in the world, including prisoners of war. The welfare of all nations can be greatly enhanced by continued cooperation in the United Nations to restore and keep peace, to narrow the gap between the have and have-not nations, and to reclaim and preserve the natural environment. Of immediate concern is the need to strengthen international law for the protection of individuals from violence erupting from unchecked narcotics trafficking, air piracy, and kidnappings.

PRESIDENT NIXON PLEDGES U.S. SUPPORT

In addressing the 25th anniversary session of the United Nations General Assembly, President Nixon expressed our hopes for the future of the United Nations:

As the United Nations begins its next quarter century, it does so richer in experi-

ence, sobered in its understanding of what it can do and what it cannot, what should be expected and what should not.

In the spirit of this 25th anniversary, the United States will go the extra mile in doing our part toward making the United Nations succeed. We look forward to working together—working together with all nations represented here in going beyond the mere containment of crisis to building a structure of peace that promotes justice as well as assuring stability, that will last because all have a stake in its lasting.

Let us resolve together that the second quarter century of the United Nations shall offer the world what its people yearn for, and what they deserve: a world without any war, a full generation of peace.

Mr. Speaker, I urge the House to authorize the U.S. special contribution of \$20 million so that it can be fitted into the whole array of contributions from all sources. I wholeheartedly endorse and will vote for House Joint Resolution 1146.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again in the interests of saving time, I will not reiterate what was said by the distinguished gentleman from Florida (Mr. PEPPER) in explaining the rule. I would simply add my further comments.

On this proposed construction, as I understand, it is estimated to cost about \$80 million, and it will be adjacent to the present building. It has been agreed to by the General Assembly with the understanding that the funds of the regular U.N. budget earmarked for the project would not exceed \$25 million. The remaining \$55 million will come from the following sources: \$20 million from a grant from the United States, a matching grant of \$20 million from New York City, \$15 million from the U.N. Development Fund, and the United Nation's Children's Fund, both of which will move out of present rental space into a new building.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman yield at that point?

Mr. SMITH of California. I yield to the gentleman from New York.

Mr. ROONEY of New York. Mr. Speaker, I should like to point out to the House that no one up to now has explained that this is not going to cost the Federal taxpayer \$20 million. The Federal taxpayer pays over 31 percent of the \$25 million contribution from the regular budget of the U.N. and the Federal taxpayer pays about 40 percent of the U.N. development program and UNICEF, so the amount we would be authorizing here would be \$34 million, not \$20 million. I doubt they will ever get a nickel from the city of New York. The Appropriations Committees have turned this down in toto on both sides of the Capitol.

Mr. SMITH of California. Mr. Speaker, I appreciate what the gentleman from New York said. I intend to get to that.

I believe it will probably cost around \$35 million. It is my understanding that amendments may be offered by the gentlemen from New York (Mr. ROSENTHAL and Mr. WOLFF), who have submitted separate views. I believe they feel that the city of New York should not be re-

quired to make this cash contribution. That is the way I read the report. They will certainly be able to speak for themselves.

The gentleman from Minnesota (Mr. FRASER) filed additional views in support of the views of the gentlemen from New York (Mr. ROSENTHAL and Mr. WOLFF).

Minority views have been filed by the gentleman from Iowa (Mr. GROSS), the gentleman from Illinois (Mr. DERWINSKI), and the gentleman from Florida (Mr. BURKE). They oppose the resolution, pointing out that the actual share of the U.S. Government probably will be around \$35 million, when all aspects are figured in. They feel that other nations should contribute more.

Mr. Speaker, without arguing either for or against the United Nations I should like to make a comment or two on this particular measure because, in all honesty, Mr. Speaker, I am unable to see why we should be considering this matter here today.

At the time it was originally brought up the supplemental appropriation bill had not been considered. The supplemental appropriation bill now has been passed by both bodies and I believe is on its way to conference. Neither the House nor the other body, in the supplemental appropriations bill, provided any money for this United Nations project, which means simply that even if we pass the bill and if the other body passes it still they cannot get any money until we come back next year.

Further than that, the United Nations has now recessed.

I understand that an agreement of some type has been reached. At least, according to the testimony an agreement has been reached among various countries on this particular proposal, with the hope that it could be further advanced, and thus the somewhat remote possibility of moving the United Nations headquarters to some other country would thereby be obviated.

In any event, the United Nations has now adjourned and they cannot act on the agreement. But perhaps if we passed this measure it would be some indication to somebody that we are fighting on doing this in the future.

So far as I am concerned, I do not see why we should be giving this to our constituents as a Christmas present of some \$20 or \$35 million more out of their pockets at the present time when we have not as yet even been able to finally pass the social security legislation. In my opinion they are more entitled to that than any other piece of legislation presently pending.

We have seemed to increase the salaries for everybody else, including our own, but when it comes to the people who are on social security, some of them who cannot even keep their houses' roofs patched or their ad valorem taxes paid, because of the small amount of money they receive, they are not taken care of.

So far as I am concerned, without arguing about whether the United Nations is or has been beneficial or not, I do feel we are acting more or less in a fruitless manner of frustration to pass this bill now. The United Nations will

not go into session again until April of next year, and we will have to wait for another supplemental appropriation bill to come in next year before any money can be appropriated.

I do not believe this is quite the kind of Christmas present I want to give my constituents.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman yield?

Mr. SMITH of California. I yield to the gentleman from New York.

Mr. ROONEY of New York. I wish to say I am in agreement with the distinguished gentleman from California. This requested appropriation has been turned down in the supplemental appropriation bill not only by the House but also by the other body.

I was always a supporter of the United Nations Development Fund, and I was a vigorous supporter of UNICEF, the so-called Children's Fund. But it looks now as though the U.S. Congress gave them too much money in the current year. They must presently have too much money, because they want to take away \$5 million from UNICEF and \$10 million from the Development Fund for the purpose of this construction project at a time when Mr. U Thant is spending all of his time trying to get a pay raise for everybody up at the United Nations, including himself. He was a \$6,000 or \$7,000 a year employee of the Burmese Government. He now gets over \$100,000 a year, practically a third of it paid by the American taxpayers.

I think we should wait on this project until we get another Dag Hammarskjöld or Triggvie Lie.

I thank the distinguished gentleman from California for yielding to me.

Mr. SMITH of California. I thank the gentleman from New York for his remarks.

Mr. ROSENTHAL. Mr. Speaker, will the gentleman from California yield?

Mr. SMITH of California. I am glad to yield to the gentleman from New York.

Mr. ROSENTHAL. Is it the gentleman's view, as is mine, that it would have been wiser for the Rules Committee to defer this legislation until next year?

Mr. SMITH of California. If I recall correctly, I think we made an effort to do that but it did not work. However, it would have been satisfactory to me.

Mr. ROSENTHAL. It would seem from the comments of the gentleman from New York (Mr. ROONEY) and your own, in view of the fact that the Appropriations Committee has denied a supplemental appropriation for this matter, that we are sort of engaged in an empty gesture and that we would have a full opportunity next year to hear this and inquire further into the matter. I am concerned with the relationship between the city of New York's contribution and the Federal contribution.

Mr. SMITH of California. I agree with the gentleman from New York, but the Rules Committee had a bit of heat put on it to report out a rule on the consumer bill. We took some criticism on that, so we

thought the Members should decide on this one.

Mr. ROSENTHAL. Was that the gentleman's opinion with respect to the other bill, also?

Mr. SMITH of California. I was referring to both of them.

Mr. ROSENTHAL. This is the last piece of legislation that the House is going to consider on which the Committee on Rules has granted a rule?

Mr. SMITH of California. We have two more legislative matters on which rules have been granted. We have the Penn Central Railroad bill and the Speaker's bill.

Mr. ROSENTHAL. Does the gentleman feel that there is any special urgency with respect to this bill?

The gentleman has already expressed his opinion but does the gentleman feel that there is any special urgency with reference to this bill, that it must be taken up in the latter part of the session, 2 or 3 days prior to the expiration of this Congress?

Mr. SMITH of California. I attempted to express my position on this matter. I think it is an exercise in futility. I shall vote against the rule and am perfectly willing to let you people in New York work it out. Next year we might be able to work it out in such manner that we would not have to proceed in this fashion.

Mr. ROSENTHAL. I thank the gentleman for his very cogent observation.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Ohio.

Mr. BOW. I agree with the distinguished gentleman from New York (Mr. ROONEY). This matter was heard before our subcommittee. During the course of the interrogation of the witnesses, I asked them whether this \$80 million was a firm figure. They told me it was not, that this was a figure arrived at some time ago. They could not tell us that this can be done for \$80 million. So when you are talking about the \$34 million that our Government is going to have to pay—only \$34 million—it was admitted by almost everyone that it is going to run considerably more than that.

So, it seems to me it would be well not to pass this bill today, but to take it up later on after we get some firm figures.

There are no real estimates here from the architects on the construction of this building. It seems to me we would be quite premature in taking this action. There is no money in the supplemental bill for this. We did not put any money in it and the other body agreed with our action. The United Nations and the General Assembly are out of session.

There is no reason for this. Let us wait and see what it is going to cost the taxpayers of this country to build this new building.

Mr. Speaker, I would hope we would defeat the rule.

Mr. ROONEY of New York. Mr. Speaker, would the distinguished gentleman from California yield further?

Mr. SMITH of California. I yield further to the gentleman from New York.

Mr. ROONEY of New York. I should like to point out that with all the criticism which was received by the Congress of the United States and the House of Representatives in particular over the cost of the Rayburn House Office Building, the cost of it was \$32 or \$34 a square foot. This building, under their proposal would cost \$63.13 a square foot.

Mr. SMITH of California. I thank the gentleman from New York for his contribution.

Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER. The gentleman from California has 19 minutes remaining.

Mr. SMITH of California. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, it is getting so that every time you look up in Washington you find someone else with his hand out.

Not long ago came the multimillionaire owner of the Washington Senators baseball team, begging for a free ride in his use of the defunct District of Columbia stadium, the \$20,000,000 white elephant which the House District Committee wants to unload on the unsuspecting public by turning it over to the Interior Department.

Now, today, we have the international moochers society, otherwise known as the United Nations, waiting with bated breath for the same unsuspecting public to roll over and play dead but only after coughing up at least \$66 million for a new building complex in "Disneyland East."

Do not let anyone tell you that the \$20 million grant provided by this resolution is all the money involved. It is not even a third of the total American taxpayers will wind up paying for these luxurious additions to the U.N.

In addition to the \$20 million, another \$25 million will come out of the regular United Nations budget. But you must remember that the United States puts up about a third of the U.N. budget, which means that about \$8 million of this \$25 million is from the taxpayers at large.

So, up to this point, our citizens would be putting up \$28 million. In addition, however, the United Nations Development Program will put up \$10 million and the United Nations Children's Fund would put up another \$5 million. It just so happens that about \$6 million of this \$15 million comes from the faithful U.S. taxpayers. Up to this point, then, their contribution is \$34 million.

But the international sheepshearers are just getting started. Up in Fun City, the irrepressible mayor, who is all things to all people, politically and otherwise, has made a truly magnificent gesture. He will kick in \$20 million in cash to the U.N. for the new addition, and never mind the fact that he recently fired 500 municipal employees because New York City is head over heels in debt.

That makes the American contribution \$54 million so far.

To that amount must be added the \$12 million in real estate the city has promised to give the U.N., an act which will, of course, take it off the tax rolls.

This gives us, Mr. Speaker, a grand total of \$66 million to be contributed, one way or another, by the citizens of this country toward this \$80 million building. The Federal Government is to supply \$34 million and the residents of New York City will divvy up another \$32 million.

Of course, both the city and the Federal Government will have to borrow this money before they can give it away to the United Nations.

The apologists for this horrendous boondoggle claim the expansion is urgently needed in order to keep the United Nations from moving away to other lands.

While I find that a most satisfying prospect, I want to point out that this expansion would provide more than just building space. It would provide perhaps the most luxurious space on this planet.

By the testimony of its own promoters, this project is going to cost \$63.13 per square foot, not counting the architect's fees.

Some of you may recall the public furor that went up over the cost of the Rayburn House Office Building right here on Capitol Hill. That Babylonian palace is not exactly anyone's idea of being dirt cheap but, not counting the architect's fees, it cost \$30.12 per square foot, less than half the cost of what is here proposed.

Now, let me deal for a moment with the alleged lack of rooms for these international cookie pushers.

If the members of this flimflaming society are cramped for space, it just might be due to the proliferation of the clubs they have formed, each with its own quarters.

Let me read you a partial listing of the clubs these overworked international bureaucrats have provided for their entertainment and relaxation between cocktail parties:

There is the amateur radio club, the art club, the badminton club, ballet club and the ballroom dancing club.

Followed by the bonsai club, the bowling club, the bridge club, camera club, chess club, cine club, cricket club, and the Esperanto club.

There is the Folk Dance Club, Golf Club, Gourmet Club, Gun Club, Gym Club, the Jazz Society and the Judo Club.

Then there's the Music Club, Physical Fitness Club, Press Club, Riding Club, Self-Defense Club, Ski Club, Soccer Club, Soft Ball Club, Study and Travel Club, the Table Tennis Club, and Tai Chi Club and the Tennis Club.

This legislation, Mr. Speaker, adds insult to injury.

The already humpbacked American taxpayers are being asked to put up \$66 million of the estimated \$80 million cost of this project in a year when this Government has already knuckled under to a \$14.7 million dues increase to the U.N. and its related agencies and at a time when the multitude of deadbeat members of this organization owe more than \$200

million in the form of unpaid dues and assessments. And that is to say nothing of the millions the U.N. owes us on the loans and credits we have extended.

If the United Nations wants a fancy addition to the Tower of Babel it now occupies, let U Thant collect the back dues that would more than pay for it. Until that is done, let us not heap yet another burden upon the working men and women of this country who have already given far more than their fair share.

Recently former Secretary of State Dean Acheson described the United Nations as "the silliest organization in the world." He said:

We should treat it with intelligent neglect.

On this Christmas Eve, the House of Representatives can give the citizens of the entire country a much appreciated present by defeating this resolution and handing them a saving certificate of at least \$66,000,000.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. ANDREWS of Alabama. Mr. Speaker, I commend the gentleman on one of the finest speeches I have ever heard in this Chamber.

Mr. GROSS. I thank my colleague.

Mr. ANDREWS of Alabama. I really mean that. The gentleman is on the Committee on Foreign Affairs and I think he is an expert on that subject.

Mr. GROSS. There is some doubt about that.

Mr. ANDREWS of Alabama. Can the gentleman tell me why—why in the 10 years we have been engaged in the worst war in the history of this country—the United Nations has not done anything about it?

Mr. GROSS. The gentleman is right in that the United Nations has done nothing.

Mr. ANDREWS of Alabama. Could the gentleman tell me why?

Mr. GROSS. I could not begin to tell you why in the time I have left, but one reason why is that the United Nations is spineless and utterly impotent.

Mr. ANDREWS of Alabama. Is it not true that we have had wars going on almost every year since the U.N. has been in existence?

Mr. GROSS. The gentleman is exactly right.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. ROONEY of New York. Would it be possible that in the United Nations people are so engaged in these activities connected with these clubs referred to by the gentleman that they do not have time for peacekeeping?

Mr. GROSS. I tried to make that plain when I mentioned those clubs.

Mr. ANDREWS of Alabama. Are you sure there is room in New York for all these clubs?

Mr. GROSS. The gentleman is asking me a question that I cannot answer.

A magazine article a few years ago described the activities of the "ladies of the corridors" at the U.N. Perhaps they

now need more corridors for more "ladies of the corridors."

Mr. ANDREWS of Alabama. Mr. Speaker, I would like to say that in my opinion the best friends of the United Nations ought to vote against this rule because with this kind of conduct going on, they will destroy themselves.

Mr. GROSS. I thank the gentleman and I agree with him.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MORGAN. Mr. Speaker, I listened to the speech of the gentleman very attentively, and as the gentleman knows, under the traditional system that we have followed in appointing delegates from the Congress to the General Assembly of the United Nations, in the even years the delegates appointed are U.S. Senators and in the odd years the delegates are Members of the House.

I would like to inform the House that next year the time will have arrived when the gentleman from Iowa will be next in line for appointment as a delegate to the U.N. After listening to the gentleman name all the clubs operating at the U.N., I concluded that he has evidently done some research concerning what goes on there, and he will be ready to make use of some of those exclusive clubs. I want to congratulate the gentleman for looking into the club situation.

When I had an opportunity back in 1956 to be appointed as a delegate which I could not accept I might have found it difficult to stay away if I had known about these clubs. I want to congratulate the gentleman and assure him that come next year I will be glad to propose his name as the House Delegate to the U.N.

Mr. GROSS. Let me say to the gentleman, that would be something of a red letter day if and when I should go to the United Nations in the official status of a Delegate. I will be glad to entertain the distinguished chairman's invitation for the appointment, but the answer may be something on the order of the candidate who said, "If nominated, I won't accept. If elected, I won't serve." But let us get to that later this year, and kill this bill here and now.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, perhaps the time has come for fun and games. However, I would like to say as a member of the Foreign Affairs Committee that this is a sincere and serious request. In my opinion, it is one that certainly should be approved by the House before we adjourn this year. Time is very much a question in this connection, because the need at the United Nations for additional facilities is very real.

There are now 127 members there as compared to 59 when the present United Nations buildings were completed about 20 years ago. A need for more space has been recognized for about 10 years, and the proposal for financing this additional facility has been developed as a package. In my opinion, the Federal contribu-

tion is relatively small. The host country in almost all these cases pays a substantial part of the expense of construction of facilities.

I noticed in the newspaper a couple of days ago that the Government of Austria will pay 65 percent and the city of Vienna, 35 percent, for United Nations facilities in Austria to house the International Atomic Energy Agency and the U.N. Industrial Development Organization. This is an example of the contributions which the Government of that particular country is willing to make.

If we have any faith in the United Nations, if we recognize that it is of value to this country for important management functions to continue in the United States, we should be for this legislation.

It has been said that the move is premature, and also that it comes too late. It has been said that next year will be time enough, that nothing will be done in the way of appropriations now, so we need not act.

I would simply say in reply that authorization now by both the House and the Senate will hold the agreement together. Of course, nothing can be done in a firm way unless there is an appropriation. As a member of the Foreign Affairs Committee, I regret the fact that we were not able to get a rule before the middle of December on this bill, even though we requested a rule in September.

It was for that reason, I understand, that the Appropriations Committee took no action on the request for funds.

I recognize that there is some hostility in the Appropriations Committee because this involves the expenditure of some money. Let me say that it is inevitable, if we are to continue to support the U.N. at all, that there will be a necessity for the United States to continue to expend money. This additional \$14 million, above the \$20 million requested in this bill, is being expended now by the United States. What we are doing now is to pay in the form of substantial rents for certain activities which will be housed in the new facility. So this is serious business.

It is my hope that we will approve the rule and that we will, after debate, approve what I consider a modest contribution.

There, of course, always are going to be foes of the United Nations, no matter what it has done or what it has not done. They are opposed to it in any form, but I would hope that does not represent the opinion of a majority of us. Furthermore, there is an element in New York which feels the city of New York should not be making any contribution, and who advocate that the Federal contribution should be twice as much as is asked in this bill. I would suggest it is not the responsibility of the Congress of the United States to look behind what the city of New York has already volunteered as a contribution. Their willingness to help means it is a bargain for us. It is not expensive.

As far as the cost of building is concerned, I recognize this is expensive, but the fact that it is expensive to build in the Borough of Manhattan or in the greater city of New York. These expenses

have been examined closely and they bear comparison with present costs of building in New York.

We are not going to save any money by postponing action; indeed we surely are going to be asked to pay more. The alternative would be a decentralization which will be against our national interest.

Therefore, I urge that we approve the rule, and then approve the bill which the rule will make in order.

Mr. BUSH. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Texas.

Mr. BUSH. Mr. Speaker, I strongly support the gentleman's position. I hope the rule will be voted on and will pass.

I have some remarks which I wish to place in the RECORD after the rule is accepted.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman from Texas, I wish him well in the new duties which he will soon be taking on at the United Nations.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Illinois.

Mr. FINDLEY. Does the gentleman think it surprising that the Appropriations Committee did not fund this project in advance of authorization?

Mr. FRELINGHUYSEN. Nothing would surprise me about the Appropriations Committee. They have a valid excuse to say, since the authorization has not been approved, we are not in a position to approve appropriations. That is what they did.

Mr. SMITH of California. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, the distinguished gentleman from New Jersey said they requested a rule in September. That is not quite correct. The report is dated September 29. We did not receive it in the Rules Committee until October 5. Subsequent thereto, we had a recess for election. We got to this as quickly as we possibly could. From my standpoint, there has not been any delay on it in the Rules Committee.

Mr. FINDLEY. Mr. Speaker, I am sure the United Nations has been a bitter disappointment to most people—perhaps to every Member of this body. It has been to me. It has not nearly measured up to my expectations. Yet, how many of us would really choose to see the United Nations go out of business? I doubt if very many of us would really come to that decision.

If we are to stay in business as members of the United Nations, then certainly it makes sense for us to provide proper quarters. If this bill is rejected, it does not mean the U.N. is going to cease to operate as it is presently and to expand its personnel as inevitability every organization will. It simply means that the space required by much of the personnel will be rented space, so we cer-

tainly will not be having all the money provided in this bill if we reject it.

I would also add this comment, that the President of the United States has recently seen fit to name a distinguished Member of this body as our Ambassador to the United Nations, and by that choice I feel he gave it a new prominence in the scheme of things. He expects great things from the United Nations. Otherwise he would not have chosen this distinguished man to be our Ambassador.

It ill behooves us as Members of this same body from whom this new Ambassador is chosen to turn our backs on what I consider to be a reasonable request to fund the expansion of an organization that, even though it has not measured up as we would all have hoped, has, nevertheless, served as a worthwhile meeting place for the nations of the world. And even though there are some members in arrears, does this justify the world's leading member of the United Nation frivolously to turn its back upon what is a reasonable request for the expansion of facilities?

Mr. PEPPER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. ROONEY).

Mr. ROONEY of New York. I thank the distinguished gentleman from Florida.

Mr. Speaker, I believe the House should be acquainted with House Report No. 91-1688, which accompanied H.R. 19928, the supplemental appropriation bill. This report reads as follows insofar as this project is concerned:

The request of \$20,000,000 for a contribution by the United States to the United Nations for improvements and additions to its headquarters complex in New York City has not been approved. At the present time, there is no legislative authority for such a contribution.

The justification submitted by the Department of State contained the following: "If the Congress approves a U.S. grant of \$20,000,000 towards the proposed Headquarters construction, the Mayor of New York has stated that the City will match the Federal Contribution." In view of the recent announcement by the Mayor of New York City that 500 of that city's lowest echelon employees will be laid off for budgetary reasons, for the first time since the Depression, the statement concerning the matching of funds by New York City seems a bit incongruous, to say the least.

Under the terms of the proposal submitted, the United States taxpayers would be called upon to actually pay an additional \$14,000,000 in regular assessments and contributions for this construction over and above this \$20,000,000 request.

Mr. Speaker, I ask unanimous consent that I may insert at this point in the RECORD the testimony given by the State Department before the Subcommittee on Appropriations with regard to this \$20 million requested special contribution to the United Nations.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The testimony reads as follows:

SPECIAL CONTRIBUTION TO THE UNITED NATIONS

Witnesses: Samuel de Palma, Assistant Secretary for International Organization Affairs;

Oscar H. Nielson, Executive Director; Louis Frechling, Director, Office of International Administration; Richard Hennes, Deputy Director, Office of International Administration; Sidney S. Cummins, Budget Officer.

Mr. ROONEY. The next item, gentlemen, is entitled, "Special Contribution to the United Nations." It is to be found at the same page of House Document No. 91-382. It is a request in the amount of—is this \$200,000 or \$20 million?

Mr. DE PALMA. \$20 million, sir.

Mr. ROONEY. It is entitled "Special contribution to the United Nations. For carrying out the provisions of the act authorizing the President to make a special contribution to the United Nations, \$20 million, to remain available until expended: *Provided*, That this appropriation shall be available only upon the enactment into law of Senate Joint Resolution 173, 91st Congress, or similar legislation."

It is alleged that this proposed supplemental appropriation would provide for a one-time contribution by the United States to the United Nations for necessary improvements and additions to its headquarters complex in New York City which are estimated to cost \$80 million in total. The remaining funds will be provided by the city of New York and various United Nations bodies, including the United Nations regular assessment budget.

JUSTIFICATIONS

We shall at this point insert in the record pages 12 through 16 of the justifications book.

(Pages referred to follow:)

DEPARTMENT OF STATE—FISCAL YEAR 1971

H. Doc. 91-382.

Request: \$20,000,000, to be available until expended.

Appropriation: Special Contribution to the United Nations.

Appropriation to date: None.

PURPOSE AND NEED FOR SUPPLEMENTAL FUNDS

The amount requested, \$20,000,000, is to make a special contribution to the United Nation toward the cost of expanding and improving its headquarters.

EXPLANATION OF LANGUAGE CHANGE

The proposed language for this new appropriation would provide for a one-time contribution by the United States to the United Nations for necessary improvements and additions to its headquarters complex in New York City.

DEPARTMENT OF STATE SPECIAL CONTRIBUTION TO THE UNITED NATIONS PROGRAM AND FINANCING

(In thousands of dollars)

	1971 presently available	1971 revised estimate	1971 proposed supplemental
Program by activities:			
10 Voluntary contribution to the United Nations (obligations) (object class 41.0)		20,000	20,000
Financing:			
40 Budget authority (appropriation)		20,000	20,000
Relation of obligations to outlays:			
71 Obligations incurred, net		20,000	20,000
74 Obligated balance, end of year		-20,000	-20,000
90 Outlays			

JUSTIFICATION OF ESTIMATE

SPECIAL CONTRIBUTION TO THE UNITED STATES
The amount requested, \$20,000,000, is for a special contribution to the United Nations to defray a portion of the cost of expand-

ing and improving its Headquarters in New York City.

REASON FOR SUPPLEMENTAL REQUEST

The physical facilities at United Nations (UN) Headquarters are not adequate for the requirements of an organization which has more than doubled in membership since its original plan was constructed almost twenty years ago and has substantially expanded the scope of its activities. There is a serious shortage of office space and it has been necessary to scatter in rental locations various staff components which should be functioning as integral units in adjacent accommodations. Moreover, space for document storage, reproduction of documents, and language training is inadequate, as are the organization's facilities for supporting the work of UN staff and personnel of delegations at official meetings and conferences.

The rental of office space outside the original Headquarters site is both expensive and inefficient. Rental charges add over \$1 million to the 1970 UN regular budget and this figure is expected to reach \$2 million by 1973. Additionally, rental expenditures by the UN Development Program and the UN Children's Fund will amount to approximately \$900,000 in 1970 and are likely to be appreciably higher in subsequent years. Such outside rental of office space cannot be expected to continue indefinitely without creating compelling pressures to move substantial portions of the UN staff abroad. This action would have an adverse effect on the U.S. balance of payments.

Both the United States and the United Nations would benefit from the expansion of the UN Headquarters in New York. The United Nations would benefit by being able to keep related activities together and thereby provide unified and efficient direction to them. Similarly, the United States would be better able to supply the constructive leadership required for an effective United Nations. American citizens, who are needed for many tasks of the United Nations and for contributing to that Organization's efficiency can be more readily recruited for service in this country than for duty abroad. The gain in the U.S. balance of payments attributed to expenditures by those UN personnel who will be accommodated in the proposed new Headquarters building in New York, instead of overseas, is conservatively estimated at \$12 million annually.

Last fall the UN General Assembly examined the results of a detailed architectural and engineering survey of the proposed additions and major alterations to the existing headquarters premises. After extensive debate, the Assembly authorized the new construction, provided that satisfactory financial arrangements could be worked out.

COMPUTATION OF ESTIMATE

The cost of implementation of the construction plans is estimated at \$80 million (exclusive of the value of the land—\$12 million—made available by New York City). The General Assembly has approved the appropriation from UN funds of up to \$25 million for the project, of which the U.S. share at the present rate would be \$7,892,500. If the Congress approves a U.S. grant of \$20 million toward the proposed Headquarters construction, the Mayor of New York has stated that the City will match the Federal contribution. In addition, the UN Development Program and the UN Children's Fund, which would be accommodated in the new building, have agreed to make contributions totalling \$15 million calculated on the basis of the rentals which these organizations would have paid over a period of years, if they had remained in rental premises. The United States contributes to UNDP and UNICEF about 40% of the total voluntary contributions of all governments; therefore, about \$6 million of the expected \$15 million would be derived from funds contributed by the U.S. Government.

Thus, of the estimated \$80 million cost of the expansion, \$34 million would come from funds contributed by the Federal Government.

Early Congressional appropriation of the requested \$20 million is essential to the timely creation of a viable financial package. If the total financing plan could be ready for early review and approval by the UN's Advisory Committee on Administrative and Budgetary Questions, actual construction could begin in November 1970. If construction is started on this schedule, present cost estimates would remain realistic. While appropriation of United States Government funds is needed as soon as possible, no actual expenditure of U.S. Government funds would occur before fiscal year 1972.

STATUTORY AUTHORIZATION

Public Law 91- , approved , 1970.

TESTIMONY

Mr. ROONEY. These justification pages to which I just referred, 12 through 16, are rather sparse, are they not?

Mr. DE PALMA. Perhaps I can elaborate on them a bit.

Mr. ROONEY. I asked you a question.

Mr. DE PALMA. I am not aware of what information—

Mr. ROONEY. This does not impress you?

Mr. DE PALMA. What information do you feel is missing? I will be glad to try to supply it.

Mr. ROONEY. What information is on page 12? The fact you are asking for \$20 million under House Document 91-382 is about it, is it not?

Mr. DE PALMA. Yes.

Mr. ROONEY. Let us turn to page 13. That is one sentence, is it not?

Mr. DE PALMA. Yes, sir.

Mr. ROONEY. By the way, I read in the paper the other day Mr. Lindsay, the mayor of the city of New York, is for the first time since the depression laying off 500 provisional workers because of his budget crisis.

Are you representing to us that Mayor Lindsay is going to contribute \$20 million of the city's funds—for what, some more cocktail parties up at the United Nations?

Mr. DE PALMA. It is for needed office space, Mr. Chairman, in order to accommodate U.N. staff, through the next 10 years roughly.

Mr. ROONEY. Is there any authority in law for this requested appropriation?

The answer is "No", is that not right?

Mr. DE PALMA. I do not know of any, sir.

Mr. ROONEY. Now we get to page 14. There is not very much information there, either, is there? Do you agree?

Mr. DE PALMA. No, there is not.

Mr. ROONEY. Then we get to pages 15 and 16 and we find that some scenario writer has been at work. There is not much information there, either, is there?

Mr. DE PALMA. Sir, I thought this did give the essential information as to why the building is needed.

ANALYSIS OF ESTIMATE

Mr. ROONEY. How did you arrive at the amount of \$20 million, a nice fat sum like that?

Mr. DE PALMA. I would be glad to try to describe the situation.

The sum that is required for the building is \$80 million, based on actual architect's specifications. That requires putting together a financial package which would be constituted as follows:

Twenty-five millions dollars from the regular budget of the United Nations assessed to all the members on the basis of the current scale of contributions.

TOTAL CONTRIBUTION OF THE UNITED STATES

Mr. ROONEY. We would pay how much of that?

Mr. DE PALMA. 31.52 percent at the mo-

ment. It would come to \$8 million roughly—not quite but almost \$8 million.

Mr. ROONEY. So we are at this point really talking not of \$20 million but \$28 million.

Mr. Bow. \$34 million.

Mr. ROONEY. Up to this point.

Mr. DE PALMA. Up to this point \$28 million, that is correct.

Mr. ROONEY. Go ahead, please.

Mr. DE PALMA. Then there would be a \$20 million contribution from the U.S. Government if our request is approved.

CONTRIBUTION FROM CITY OF NEW YORK

There would be a \$20 million contribution from the city of New York. This is without taking into account the land which New York City would make available without charge.

Then finally there would be a—

Mr. ROONEY. That is without taking that into consideration?

Mr. DE PALMA. That is right.

Mr. ROONEY. That would be a cash gift of Mayor Lindsay, would it not?

OTHER CONTRIBUTIONS

Mr. DE PALMA. Yes. Then in order to complete this package there would be contributions of \$10 million from the U.N. development program and \$5 million from the United Nations children's fund. These contributions represent commuted rent, the rent they would be paying over the course of the next 10 years.

Mr. ROONEY. These represent how much of the U.S. taxpayers' money?

Mr. DE PALMA. We would be contributing, through our normal contributions to these organizations, about \$6 million of these sums. It brings our total actual contribution to about \$34 million.

In the case of these contributions from these U.N. agencies, we would of course be contributing to them one way or another because they are now paying rent in outside quarters and we are paying our share of that.

SITUATION IN NEW YORK CITY

Mr. ROONEY. Has it come to your attention that Mayor Lindsay is now laying off 500 provisional workers, lower echelon people, something unprecedented since the depression days?

Mr. DE PALMA. I had not heard that.

Mr. ROONEY. You do not read the press?

Mr. DE PALMA. I had not seen that item. I think that Mayor Lindsay and the city of New York, of course, also have taken into account the benefits from having the organization in the city and they are considerable.

Mr. ROONEY. And the headaches are considerable?

Mr. DE PALMA. The headaches are indeed considerable.

Mr. ROONEY. And the expenses practically insurmountable. Is that not so?

Mr. DE PALMA. Very heavy, police protection, and so on.

Mr. ROONEY. The police department of the city of New York I am sure would be just as well satisfied to take it out tomorrow. They are sick and tired of diplomatic license plates.

And you never read that the State Department is doing very much to alleviate this situation, do you?

PLANS FOR EXTENSION AND FOR NEW CONSTRUCTION

What sort of a building would this be for \$80 million?

Mr. DE PALMA. Sir, it is a series of building projects. It involves some refurbishing and extension of present facilities and some new construction.

If I may briefly outline what is involved, the plan calls for the construction of an eight-story building immediately to the south of the present U.N., on land which is to be made available by the city, and the ex-

tension of the new building eastward over the drive and park area.

Construction of a covered connecting bridge over 42d Street from the Conference Building, which is being extended, to the new building.

It involves the extension of the present Conference Building both to the north and the south.

It involves the replacement of the present recreation area—

Mr. ROONEY. What are you reading from, Mr. De Palma?

Mr. DE PALMA. I have a summary which I prepared of some of the overall information.

Mr. ROONEY. Is this classified?

Mr. DE PALMA. Not at all, sir.

Mr. ROONEY. May we look at it? It might be we can read it faster than you can recite it.

Mr. DE PALMA. I was reading this page from the information I have, sir.

Mr. ROONEY. Who prepared this, U Thant?

Mr. DE PALMA. We prepared this summary on the basis of the overall specifications that are before the United Nations, those that the General Assembly acted on.

NUMBER OF PERSONS TO BE HOUSED AT THE U.N.

Mr. ROONEY. How many people do you have—and I mean by that everybody—at the U.N. now?

Mr. DE PALMA. The current total requiring office space in 1970 is 4,238 in the U.N. itself?

For UNDP it is 436. For UNICEF it is 235.

Mr. ROONEY. What is UNDP?

Mr. DE PALMA. U.N. Development Program.

Mr. ROONEY. What is the total of people you have there now?

Mr. DE PALMA. The total in the headquarters district now who need to have office space is 4,909; including those employees who do not require office space (for example, general services), the total is 5,071.

Mr. ROONEY. Does this include the heads of the delegations?

Mr. DE PALMA. No, sir.

Mr. ROONEY. When we include everybody that is entitled to use the cocktail lounge up there and the restaurant how many do we have?

Mr. DE PALMA. I don't have that figure. We can get it for you.

Mr. ROONEY. Approximately what would it be?

Mr. DE PALMA. I don't know what 127 missions would total.

Mr. ROONEY. Two thousand more?

Mr. DE PALMA. I doubt it would be any more than that. There is no space being provided for them, as you know, in this new construction. This is strictly office space to house secretariat personnel.

ACTIVITIES OF U THANT

Mr. ROONEY. There has been a birdie flying around with the news that this fellow I mentioned a while ago, who is eternally trying to get his name and picture in the papers, Mr. U Thant, is working hard in trying to promote a pay raise for everybody up there. Is that true?

Mr. DE PALMA. Yes.

Mr. ROONEY. It is true?

Mr. DE PALMA. Yes.

Mr. ROONEY. When Mr. U Thant was made the Director General he was a civil servant in Burma, wasn't he—for Burma?

Mr. DE PALMA. Yes.

Mr. ROONEY. He made about what, \$6,000 to \$7,000 a year, including all allowances?

Mr. DE PALMA. I don't recall the exact figure but it was around that.

Mr. ROONEY. What is he getting now?

Mr. DE PALMA. Counting allowances and all that it comes to something like \$100,000.

INTERNATIONAL LABOR ORGANIZATION

Mr. ROONEY. This is fantastic. I never could understand this. I am suspicious of these

U.N. organizations. I am particularly suspicious of what goes on with that Englishman Jenks. Did anybody in the Department ever tell Jenks that there will be no further money for ILO while he is the Director General, and surely at least for a couple years?

Mr. DE PALMA. We have not made that statement to him, no, but we have not given him any reason to expect that he will get any money at any particular time, either.

Mr. ROONEY. You have not?

Mr. DE PALMA. We have not.

VALIDITY OF CERTAIN PRESS REPORTS

Mr. ROONEY. That is very interesting because I am looking at an article from Heaven forbid, "All the News That Fits, The New York Times," by Thomas J. Hamilton out of Geneva, November 17, in which it is stated that ILO is told Nixon will ask restoration of fund cut:

"The Nixon Administration has informed the International Labor Organization that it will ask Congress "at an appropriate time" to restore the \$3.7 million that Congress has voted to withhold as a protest against the appointment of a Byelo-Russian to the Agency's high command. The pledge on the contribution to the annual budget was given last week by Edward B. Persons, U.S. Representative on the Finance Committee of the ILO Board of Governors."

Who is Mr. Edward B. Persons? I don't find him in the Congressional Directory. Who is he?

Mr. DE PALMA. Mr. Persons is in my bureau.

Mr. ROONEY. He works for you, does he?

Mr. DE PALMA. Yes, sir.

Mr. ROONEY. Well, that is very interesting. Who prepared the mess of porridge that he obviously handed to the New York Times? Was that prepared in your shop?

MISINTERPRETATION OF FACTS BY PRESS

Mr. DE PALMA. Mr. Chairman, what is attributed to him certainly was not prepared in my shop and I was surprised, as you were, when I read that story. I took the occasion to check into it yesterday on the phone and otherwise. I would like to explain my understanding of what was said in Geneva.

Mr. ROONEY. You mean the New York Times would report something that is not so?

Mr. DE PALMA. It would not be the first time, Mr. Chairman. This is a difficult situation—

Mr. ROONEY. You know of two instances?

Mr. DE PALMA. I know of several. I am sure you could find more.

Mr. ROONEY. Go ahead, if you will.

Mr. DE PALMA. Please, if I may.

Mr. ROONEY. I could not find this fellow, but he is a GS-15 working for you. We finally did find that out.

Mr. DE PALMA. I think before we attribute things to him it is important to know what actually seems to have happened. Contrary to the way in which this press story is reported, our delegation did not state, "That the \$3.7 million would be included in a supplemental appropriation bill to be submitted to the incoming Congress after it convenes in January."

Even the story itself makes clear that the delegation refused to predict when the funds would be restored, and made no prediction about any future contributions to the ILO.

What in fact happened was that in response to a lengthy debate on this matter, at the governing board of the ILO, in the course of which a number of charges and questions were addressed to the U.S. delegation, the delegation spokesman recalled that the Department had stated in its letter to Senator McClellan that it viewed the U.S. contribution to the ILO as an international legal obligation.

But then in trying to answer further questions and charges our spokesman pointed out—

ATTITUDE OF U.S.S.R.

Mr. ROONEY. This kind of thing leaves me utterly cold. Has the Soviet Union ever done this in its connections with various international organizations at the United Nations?

Mr. DE PALMA. They have at the U.N. itself.

Mr. ROONEY. And continuously over the years, haven't they?

Mr. DE PALMA. Yes.

Mr. ROONEY. What is wrong about our doing it?

Mr. DE PALMA. Nothing, if you want to put it on an equivalent basis.

Mr. ROONEY. That is bad, is it?

Mr. DE PALMA. Well, sir, we did get a court opinion that the Soviet action was not warranted and not legal. We were not able to enforce it so they got away with it.

Mr. ROONEY. Why can't we get away with it? What is wrong with our getting away with it?

Mr. DE PALMA. We could if we chose to.

Mr. ROONEY. Is not the taxpayer entitled to this kind of break?

Mr. DE PALMA. We could if we wanted to, but—

Mr. ROONEY. This is shocking at a time when Lindsay is laying off 500 workers in the lowest economic rung of the ladder of municipal government, people who have no civil service rights, and at this same time Lindsay would give away \$20 million of the taxpayers' money—and I am one of his taxpayers. This is shocking to me.

Go ahead now, please.

INTERNATIONAL LABOR ORGANIZATION—
ACTIVITIES OF U.S. DELEGATION

Mr. DE PALMA. If I may, please. I have only a little more and it will put this in proper perspective.

In trying to answer further questions and charges, our spokesman pointed out that the Congress, at the time we sent this letter, nevertheless had not taken favorable action, and that it would be helpful from the point of view of those who want to see this payment made, if the U.S. Government were put in a position to assure the Congress that something is being done to correct the very serious problems which have arisen in the ILO regarding its tripartite status.

In explanation of the procedure that we would have to follow with our Congress in seeking any funds, he pointed out that a request for a supplemental appropriation could be submitted after the new Congress has assembled in January.

He went on to say that there is no guarantee that the Congress would be persuaded to make the payment—

Mr. ROONEY. Who went on to say?

Mr. DE PALMA. The delegation spokesman.

Mr. ROONEY. Mr. Persons?

Mr. DE PALMA. Yes.

Mr. ROONEY. Who sent him the memorandum? Did you?

Mr. DE PALMA. No, sir.

Mr. ROONEY. Where did he get the memorandum?

Mr. DE PALMA. He was answering points raised in the debate. He was involved—

Mr. ROONEY. He had to have a memorandum. Usually at these international meetings you are chock full of waffle papers.

Mr. DE PALMA. If I may explain what he said I would be very glad to also—

Mr. ROONEY. I am now trying to ferret out why he said it.

Mr. DE PALMA. I say he said it because—

Mr. ROONEY. Who caused him to say it?

Mr. DE PALMA. He was being asked what would be involved and what are the procedures. He did not have to say anything.

If I may go off the record. He was trying to explain our procedures.

Mr. ROONEY. Who got him into this? That is what I am trying to figure out.

(Discussion held off the record.)

Mr. ROONEY. Why did you not report this to this committee? We would have helped you in these struggles. We would have stopped the money long before now.

Mr. DE PALMA. These questions have gone on for years in the ILO and there have been periodic attempts to get at them. This was not the first time that this sort of thing happened. I think this is the culmination of many past episodes.

Well, if I may, sir, our man went on to say that there is no guarantee that the Congress would be persuaded to make the payment and that, even if it were, it was not likely that any money would be made available before the next meeting of the ILO governing board. Again he was answering specific questions.

INACCURATE AND MISLEADING PRESS REPORTS

The thing I want to point out is that the use of the terms "pledge" and "commitment" in this story are inaccurate and misleading. No such words were used.

I do regret that the statement left the impression that we do not intend to request such an appropriation and that the contribution might be available in the relatively near future. This was not an authorized statement. There was nothing in our instructions that authorized it.

WITHHELD FUNDS FOR ILO

Mr. ROONEY. I hope you are a sufficient realist to know that you should forget about it for a few years.

Mr. DE PALMA. I am a sufficient realist to know we are not authorized to speak in these terms and our delegation was not.

We have made no decision regarding submission of a supplemental for the contribution which has been withheld. What we are concentrating on at this time is working out a strategy to correct the problems which have arisen in the ILO, and this is what we are spending our time on back here.

Mr. ROONEY. And with all that has been going on now since Mr. Meany came here and testified, together with the former president of the U.S. Chamber of Commerce and the Deputy Under Secretary of Labor—with all of that, this fellow Jenks, who like U Thant is another one of those birds, professional U.N. fireballs, he had the nerve to have this fellow Astapenko take his oath of office 3 days ago, didn't he?

Mr. DE PALMA. Yes.

Mr. ROONEY. Is it possible that some of the people, like Mr. Persons, can be misguiding this poor unfortunate gentleman?

Mr. DE PALMA. No, sir; I don't believe so. He knows what our feelings are. They have been made very clear to him.

Mr. ROONEY. Mr. Bow?

SPECIAL CONTRIBUTION FOR U.N. BUILDING

Mr. Bow. Back to the U.N. Building, reading the last paragraph on page 16.

Mr. DE PALMA. Yes, sir.

Mr. Bow. "Early Congressional appropriation of the requested \$20 million is essential to the timely creation of a viable financial package. If the total financing plan could be ready for early review and approval by the U.N.'s Advisory Committee on Administrative and Budgetary Questions, actual construction could begin in November 1970."

You do not mean that, do you? This must have been made out a long time ago.

Mr. DE PALMA. This obviously was printed some time ago, yes.

CURRENT VALIDITY OF COST ESTIMATE

Mr. Bow. It states if construction started on this schedule—and that is to start construction in November of 1970—the present cost estimates would remain realistic.

Mr. DE PALMA. Yes.

Mr. Bow. It is very apparent that you are not going to be on schedule to begin con-

struction in 1970. Therefore do we not find ourselves in the position of where we probably do not have a realistic cost estimate and you will probably be back for more money?

Mr. DE PALMA. Sir, at the moment, and this is the reason for the urgency on this question, the cost estimate still looks realistic.

In presenting this plan the Secretary General had hard figures as of the time the package and the architect's plan was put together.

Mr. Bow. When was that?

Mr. DE PALMA. Toward the end of 1969. It was November of 1969.

Mr. Bow. So this figure of \$20 million is a hard figure in 1969?

Mr. DE PALMA. The total figure which came out of the architect's estimate in November of 1969 was \$73.4 million.

The Secretary General, knowing what is happening to construction costs, had put the package in terms of \$80 million. If this could be consummated now it is felt that this is still a realistic figure. It obviously will not hold up for long.

Mr. Bow. Who were the architects in this?

Mr. DE PALMA. The original architects of the U.N. buildings, Harrison & Abramovitz.

Mr. Bow. They put together this figure of \$73.4 million in 1969?

Mr. DE PALMA. November, yes.

Mr. Bow. Then it was Mr. U Thant who increased it?

Mr. DE PALMA. He assumed that by the time this could be put through the General Assembly, and so on, construction costs being what they are, he would have to add something.

Mr. Bow. We still are not sure that you can do it. Is it worth \$80 million?

Mr. DE PALMA. The feeling is everything could be authorized. Now it is still a realistic figure. It would not be if there is a delay.

ARCHITECTS FEE

Mr. Bow. How much have these architects been paid for this plan?

Mr. DE PALMA. Two hundred fifty thousand dollars.

Mr. Bow. They have already gotten \$250,000?

Mr. DE PALMA. Yes, sir.

U.S. CONSTRUCTION

Mr. Bow. Of that, how much is the U.S. contribution?

Mr. DE PALMA. 31.57 percent.

Mr. Bow. This is not authorized by law?

Mr. DE PALMA. No, sir.

Mr. Bow. The actual contribution, if you take what New York is pledging and we would pledge, we would be putting up about \$66 million, wouldn't we?

Mr. DE PALMA. Thirty-four plus 20 from New York plus the land. We have no value on the land. It could well be that.

Mr. Bow. You have the value here of \$12 million?

Mr. DE PALMA. I had forgotten that figure. Mr. Bow. Twenty million, twelve million and thirty-four million dollars means that we are paying about \$66 million.

Mr. DE PALMA. Yes, sir.

Mr. Bow. Is the construction of this building for all the various nations?

Mr. DE PALMA. There is, of course, a practice that has grown up and is more or less consistently observed by host nations in facilitating headquarters construction in this way. We have some figures we would be glad to submit on what other countries have done in similar situations with respect to international headquarters.

U.N. ADVISORY COMMITTEE REVIEW

Mr. Bow. It says U.N. Advisory Committee on Administrative and Budgetary Questions would review it after we appropriated this. What review are they going to make, find out whether we ought to contribute more?

Mr. DE PALMA. No, sir. It is simply a question of being able to formally authorize going ahead with the project. Until now, this

has all been hypothetical, the question was whether we could make our contribution?

Mr. Bow. That is all.

Mr. ROONEY. Mr. Andrews?

CURRENT RENTAL PAYMENTS

Mr. ANDREWS. Let's go through the arithmetic of this for just a minute. In your explanation you pointed out that the rent now paid on these spaces is about \$2 million?

Mr. DE PALMA. No, sir; about \$2 million including UNDP and UNICEF. \$1 million is for the U.N. Secretariat.

Mr. ANDREWS. At this time, and what are you anticipating it is going to go to by 1973?

Mr. DE PALMA. \$2,000,000 for the U.N. itself, plus another \$1,200,000 for UNDP and UNICEF, by 1973.

Mr. ANDREWS. Let's use the million-dollar figure as of right now and add it to \$2 million and anticipate in 1973, as you say, it will be \$3 million.

Mr. DE PALMA. All right.

Mr. ANDREWS. About 40 percent of that, less than 40 percent, really about 31 percent of that is U.S. obligations to pay the rent?

Mr. DE PALMA. Yes, sir.

Mr. ANDREWS. At that rate, even if you go over \$3 million, you are talking about less than \$1 million per year paid for rent by the United States at the new higher figures?

Mr. DE PALMA. Yes, sir.

CONTINUED RENTAL PAYMENTS VERSUS CONSTRUCTION COSTS

Mr. ANDREWS. You are talking about a building cost, as Mr. Bow brought out, of \$66 million to the taxpayers of the United States. If you take the \$1,000,000 as against the \$66 million investment, you are getting 1.5, no more than 1.5 percent return on your investment. Whenever the State Department comes up—when Bill Macomber comes up here and talks about State Department building funds, they are talking about rental payments wherein if we build the building we are going to get an equivalent of 20 to 25 percent return on our investment at that point. Is this not about true?

Mr. DE PALMA. I cannot vouch for that.

Mr. ANDREWS. You follow my arithmetic so far?

Mr. DE PALMA. I understand that.

Mr. ANDREWS. We will be getting less than 1.5 percent return on the investment. The question that concerns me: Why not leave these offices of the U.N. in the rental property they now occupy owned by individuals of New York City, that pay rent toward the city of New York?

If indeed the city of New York is in a recession, why should we vacate all of these buildings, take away all these rental payments from tax-paying properties, and stick them into this new edifice to get a 1.5 percent return for our Government, which incidentally now pays 7 percent for this money?

EFFICIENCY IN OPERATION

Mr. DE PALMA. Part of the answer certainly is the question of efficiency in operation. These offices are not put together the way they ought to be. They would like to operate as cohesive units. If you start spreading them around town you get some lowered efficiency.

Mr. ANDREWS. Aren't they all pretty well clustered around the UN now?

Mr. DE PALMA. I honestly don't know. They are in the vicinity and there is no great distance involved. It is a question of separation of offices.

Mr. ANDREWS. In summation then, if we put this money on the line now, with the present cost of money to the Federal Government, aren't we in essence then going to pay three times as much, or four times as much for this as we are now paying rent?

Mr. DE PALMA. Yes, sir.

Mr. ANDREWS. I don't think the package will fly. It just does not make economic sense.

POSSIBLE MOVE AWAY FROM NEW YORK CITY

Mr. DE PALMA. The real question is whether we have an interest, as we think that we do, in trying to keep this whole headquarters complex together in New York. Unless this construction is provided, the prospect is not that more and more rental space will be used in New York City. I am quite confident in saying that the prospect is for a move of additional U.N. facilities out of the United States to Europe and elsewhere.

Mr. ANDREWS. That would make it less efficient?

Mr. DE PALMA. This would make it less efficient. It would make—

Mr. ANDREWS. They have to build buildings there and they are getting a bargain in this rental space.

Mr. DE PALMA. It would make U.N. operations more costly, to which we would contribute more, and it would deny us the favorable balance of payments effects. We estimate that just from the people that would be housed in this new construction, it would be a return in terms of balance-of-payments gain of something like \$12 million a year.

Mr. ANDREWS. I think that you are raising a bunch of bogymen that don't alter the mathematics of the situation.

INCREASED COST IF U.N. IS FURTHER FRAGMENTED

Mr. DE PALMA. I am not quibbling with your mathematics; I am talking about the overall considerations, about our influence in the organization, what the organization will cost to run if it is further fragmented, and so on.

Mr. ANDREWS. You are talking about the fact that we want to move toward efficiency and threatening the committee, in a sense, that they will move toward more efficiency if they don't go along with this. That does not make sense.

Mr. DE PALMA. I am not interested in making any threat. I am interested in making a simple statement which reflects a considered judgment about what would happen if the U.N. headquarters is further fragmented. You understand that only some 40 percent of U.N. personnel is in New York now. There is already 60 percent abroad. Some 80 percent of the total employees of all of the U.N. family of agencies is abroad. If they further fragment the U.N. headquarters it will be a less efficient, more costly operation, one in which we can exercise less influence. Generally speaking, it is not what any planner would be doing if he were running an organization. It is that side of the coin that I was speaking to.

Mr. ANDREWS. I just don't think that they have to be in all one building as long as they are in approximate locations where they can conduct their operations fairly efficiently, until and unless it makes more economic sense to build this type of building.

I would suspect also that in this package of \$80 million done by this architectural firm, there is a lot of flashy excesses that are not really needed. This is probably why the figures don't wash. If they go back to the drawing boards they could perhaps get some pretty decent office space for a whale of a lot less money.

CONSULTATION WITH FOREIGN BUILDINGS OPERATION

Mr. DE PALMA. I am not expert in construction, but we have had this looked at very closely by our own FBO people and they come to the conclusion that this is reasonable, consistent with the existing construction, not flossy, not excessive as compared with our own construction for Federal buildings.

Mr. ANDREWS. Then the U.N. is getting a great bargain from the office building owners in New York City. I would like to yield to Mr. Bow.

COST ESTIMATE PER SQUARE FOOT

Mr. Bow. What is your estimate of the cost per square foot of this building?

Mr. DE PALMA. \$63.13 per square foot. This does not include the architect's fees which are already described.

Mr. ANDREWS. This figure certainly validates the mathematics, doesn't it? It would be one of the most expensive buildings for the space provided in the world.

That is all, Mr. Chairman.

Mr. Bow. Thank you.

Mr. ROONEY. Mr. Slack?

ARCHITECT'S FEE

Mr. SLACK. I have a question with regard to the \$250,000 that I understand has heretofore been paid to the architect. Is that correct?

Mr. DE PALMA. Yes, sir.

Mr. SLACK. What is the total fee?

Mr. DE PALMA. May I ask Mr. Hennes to read these figures. He just found them.

Mr. HENNES. I think, first of all, we should understand that the new building does not cover the whole \$80 million. About \$14 million is for changes to existing buildings; for example, the conference building is going to be extended. The cost estimates for that \$13,259,332 in alterations provides for architect's fees and services for proposed alteration and addition of \$485,000.

On the new construction phase totaling \$59,389,668, the architect's fees and services will be \$1,462,000. This is a New York firm.

Mr. SLACK. On the renovation which was about \$13 million, his fee will be some \$485,000?

Mr. DE PALMA. That is correct.

Mr. SLACK. On the new construction of \$59,389,000, it would be \$1.46 million?

Mr. DE PALMA. That is correct.

Mr. SLACK. What are you obligated to pay him, if you do not go further with this project?

Mr. DE PALMA. I don't know that there is any obligation to pay further. I don't know of any.

Mr. SLACK. Has he already prepared working plans and detailed construction specifications for you?

Mr. DE PALMA. Our understanding is that he has not.

Mr. SLACK. If he has not done this, you don't have any real basis for the actual cost of this, do you?

Mr. DE PALMA. As I say—

Mr. SLACK. You don't know what the specifications are, you don't have detailed working plans, therefore there is no way of telling what the cost would be?

Mr. DE PALMA. I don't know how detailed they are, but the estimate that we have now has been looked at from various quarters. It seems to have held up fairly well. I have not heard it questioned from that point of view.

Mr. SLACK. Thank you, Mr. Chairman.

Mr. ROONEY. I have a further question or two.

COST PER SQUARE FOOT

Mr. DE PALMA, what do you think of this business of \$63 a square foot cost? What do you want us to think about that?

Mr. DE PALMA. Mr. Chairman, I cannot judge whether \$63 a square foot is a sensible figure or not.

Mr. ROONEY. You don't know?

Mr. DE PALMA. I am not in a position to. I don't know anything about construction costs. I do know that there is apparently no other way to provide—

Mr. ROONEY. Did you hear the noise made over the Rayburn House Office Building?

Mr. DE PALMA. Yes, sir; I certainly did.

Mr. ROONEY. Do you know how the cost of Rayburn House Office Building compared with this \$63 a square foot?

Mr. DE PALMA. No, sir; I don't.

Mr. ROONEY. I would think about \$34 as

compared with \$63. And you still persist in presenting this to the committee, do you?

Mr. DE PALMA. Sir, we think this is important.

Mr. ROONEY. So do we. Thank you very much.

Mr. PEPPER. Mr. Speaker, I yield 1 minute to the able gentleman from New York (Mr. ROSENTHAL).

Mr. ROSENTHAL. Mr. Speaker, I am opposed both to the rule and to the House joint resolution. If the rule passes I shall be, hopefully, permitted time in general debate to explain my opposition to the joint resolution, and several amendments I shall offer.

The simple fact is, that if this rule is turned down, which I hope it shall be, then a new arrangement will be made among the U.S. Government, the city of New York, and the United Nations. They will have a month or two or three, next year to renegotiate. It may well be during those negotiations the city of New York will not be required to put up the \$20 million promised, and the Federal Government may be able either to reduce or to change its commitment.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman yield?

Mr. ROSENTHAL. I am happy to yield to my colleague.

Mr. ROONEY of New York. Is not what the gentleman is discussing a matter for the City Council of the City of New York?

Mr. ROSENTHAL. The city council has its responsibilities and we as Representatives have our responsibilities.

Mr. PEPPER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New Jersey (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, it was not my intention to speak on the rule. But a great deal has been said and perhaps the rule may be in jeopardy.

I should like at the outset to state that while the gentleman from Iowa (Mr. Gross), my distinguished friend and colleague on the Committee on Foreign Affairs, is very entertaining, the fact is that for those 30 social groups listed in the U.N. phone book, there are only three places at the U.N. where they can meet. One is in a room in the attic, without any windows; another is near a telephone next to food-vending machines; and the third one is the first floor lobby.

Not one of these clubs has permanent physical facilities within the United Nations—and I think we should put it within its proper perspective—not one nickel of the U.S. contribution goes into any of these so-called "fun and games" clubs of the United Nations.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. Yes; I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman will find in the directory of the United Nations telephones for all of these clubs and many of them have their own particular quarters. Is the gentleman saying that they are in rented quarters?

Mr. GALLAGHER. They are listed in the telephone book, their numbers are

listed. But they do not have physical facilities in the U.N. buildings.

There are no official installations for these clubs; nor were there any funds spent in the previous U.N. budget or provided for in this budget for their purposes.

Now, Mr. Speaker, to get to the more serious part of this matter, I might say I do not believe the whole issue of the future of the United Nations should hinge on the outcome of a feud within the city of New York. The objections to the resolution which originated in New York will not do away with the contribution of the United States. They would double the contribution of the United States so that the city of New York would not pay the \$20 million that it is presently committed to contribute.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. The gentleman might want to tell the House that the city of New York gets an income amounting to \$200 million to \$230 million a year.

How would you like to have a defense installation in your city bringing in an income of \$230 million through rental paid to landlords and to the operators of restaurants, hotels, retail stores and other business in the city of New York taken away from your city in this fashion?

The city council in New York on two occasions has said that they would make this contribution of \$20 million, because they know how much this U.N. installation in New York means to the citizens of New York.

Mr. ROSENTHAL. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. Yes, I yield to the gentleman from New York.

Mr. ROSENTHAL. Does the gentleman know that at least one-half of those people that are recipients of that payroll live in New Jersey and two-thirds of them live in Connecticut?

Mr. MORGAN. I do not know about that, but most of the restaurants getting the money are located in New York City.

Mr. ROSENTHAL. How much is New Jersey putting up for one-half of the people living there?

Mr. GALLAGHER. New Jersey has made an offer to have the proposed U.S. expansion located there. Vienna and Geneva are also interested in these facilities.

Mr. ROSENTHAL. Mr. Speaker, will the gentleman yield further?

Mr. GALLAGHER. The gentleman from New York has had his time.

Mr. Speaker, I might say this; that the funds over and above the \$20 million that is being asked for today are presently being spent on rent—and will continue to be spent regardless of where these facilities will be located.

Now it has been pointed out here today that the Appropriations Committee in its wisdom and liberality did not see fit to appropriate the \$20 million by including it in the Fiscal 1971 Supplemental Appropriation Bill. The very fact of the matter is that the money was not authorized and therefore could not be

appropriated. If and when it is authorized, then in its wisdom and liberality the Appropriations Committee can work its will, as the Senate already has, I might say. The Senate has passed this bill.

Before we vote on the rule, let us consider really what we are doing. We are in the 25th year of the United Nations. The U.N. has made some mistakes. There is no question about that. But it is also an expression of mankind's hope for peace. It has gone 6 years beyond the life of the League of Nations. I do not believe that this House can say that we should do away with the United Nations.

You might say, why the urgency? The urgency is that the United States is committed to this proposition. If the U.S. commitment is not approved during this session of Congress, the financing agreement may come apart. When the United Nations goes back in session and finds that the U.S. contribution has not been approved, then we can come to see the entire agreement fall apart.

Sure, the New York City Council can get into another fight, they can take on Mayor Lindsay, and I suppose they can have a lot of fun up there in New York, but what about the United Nations?

If the position advanced here earlier should carry, what it means is that the United Nations is going to fragmentize. The development fund and the children's fund will move either to Vienna or to Geneva, or they will continue to pay rent in New York City at the cost of \$2 million a year. We are spending this money now, and what we are trying to do is to put this operation on a sound fiscal basis.

Now, the city of New York has agreed to it and the United Nations has agreed to it. The Soviet Union would like to see the United Nations move out of New York. This has been their position all the time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I will yield in 1 minute.

And I might say that if the financing agreement comes apart and is unraveled, that the United Nations will begin to fragmentize, and we will see those units move out of the United States.

Now, if that is what we want, fine, let us go ahead and vote on the issue, but I do not believe that we should do this on a rule. I believe that the House should work its will only after it has an opportunity to listen to all the arguments.

Now, this is the central issue of the whole thing. I might say that the decision to be reached will not be made by the House alone. President Nixon is pledged to this project. He said, in his own words, "It is my decision to ask Congress for funds to assist the expansion of the U.N.'s New York Headquarters." President Nixon has asked for this. His administration is committed to this.

I think that anyone who is seeking peace and thinks there is still hope for peace in the world, should give the U.N. the opportunity to see whether it can help achieve that goal.

Now, I want to add one more thing. No funds will be requested of the House

before fiscal 1972. What is required now is the authorization in order to trigger the mechanism that will put the financing package together and get the project started. That is all we are asked to do here today, to provide the authorization so that the agreement can go forward.

Now if my distinguished colleague wants to go up to the U.N. and check whether or not this is a valid request, and report back here to the Congress, then we can come back here, and the Committee on Appropriations can do its usual good job, and can either vote for it or against it, and the House will again have an opportunity to work its will.

Now I will yield to the gentleman from Iowa.

Mr. GROSS. If I had any spare time I would be glad to go up and check it, but I do not happen to have any spare time.

Mr. GALLAGHER. We can go up tomorrow, you and I, or the next weekend, or on Christmas Day, to see whether or not this is valid.

Mr. GROSS. Now would that not be a lovely waste of time—to spend Christmas Day in that polyglot organization.

Mr. GALLAGHER. Let me tell the gentleman that I want to spend Christmas with my family, but if it were a question of deciding whether or not the United Nations should fold up, I would spend Christmas up there with you, and we can bring our staff and go over this entire thing.

The gentleman knows that I have asked our subcommittee to go up there before, to go up to see what this is all about. The subcommittee could not go and so we brought everybody down here. We had the General Accounting Office check to see whether the request was valid, and we consulted other experts. Only then did we approve it.

Now if we play around with it and try to assume the commitment of the city of New York, then we will either have to double our contribution or see the position of those who are anti-United Nations prevail. The third possibility is that we will continue to pay exorbitant rentals in the city of New York, which is what we are doing right now.

I think that what we must do is recognize that the United States committed itself to the U.N. when there were only 59 members 20 years ago.

There are now 127 members and they need the space if the United Nations is going to continue. I, for one, want to support President Nixon in voting for this authorization.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, the gentleman spoke of what he described as the gut issue a little while ago. The real gut issue is simply this—why should the American people—and all of them—New York and the rest of the country—put up \$66 million for this building while the other 126 governments in the world that are members of the United Nations put up only \$14 million?

Mr. GALLAGHER. I will tell the gentleman why—because I think it is in our

interest to see the United Nations continue because the security and the national interest of the United States demand it and it is better to pursue peace than to go to war with all the expenditures that that entails. We just acted on a supplemental appropriation of \$500 million necessitated largely by the fighting in Cambodia and Vietnam. In comparison this is a small request and I think we should vote for it.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. BOW. The distinguished chairman of the committee has said how much money goes into the city of New York—some \$200 and some-odd million.

Mr. GALLAGHER. An estimated \$230 million is spent in and around New York because of the presence of the U.N. in that city.

Mr. BOW. How much of that is a contribution of the taxpayers of the entire United States?

Mr. GALLAGHER. About \$128 million.

Mr. BOW. That is from everybody in the United States.

Mr. GALLAGHER. That is correct. Those on U.S. contributions to the U.N., the U.N. development program and to the U.N. Children's Fund.

Mr. BOW. And some of those contributions are even larger than the amount the gentleman referred to?

Mr. GALLAGHER. They add up to about one-half of what the U.N. spends in the United States annually.

Mr. BOW. Mr. Speaker, will the gentleman yield so that I may ask one further question?

Mr. GALLAGHER. I yield to the gentleman.

Mr. BOW. Does the gentleman agree with me that we do not have a firm price as yet as to the cost of this building which is now estimated at \$67 a square foot and we do not know at this time whether it is going to cost \$80 million or whether it is going to be \$110 million?

Mr. GALLAGHER. That can happen in any construction, as the gentleman knows. But I may say this. The original cost was estimated at \$73 million by the same architectural firm that designed the building in the first place. Then a cushion of about \$7 million was provided for inflation and unforeseen contingencies.

If the actual cost should go over \$80 million, the U.N. will be looking for voluntary contributions from various foundations and other private sources.

Mr. BOW. It looks to me like we could be looking to all of them for the \$80 million instead of—

Mr. GALLAGHER. No, what we can do is put a ceiling on it. Would the gentleman care to put a ceiling of \$20 million, and if we approve that, to stick to that?

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, let me say first, I believe we should approve the rule. I think this overall measure ought to have the light of day shed upon it by debate on the merits of the

bill. We should not preclude that opportunity by voting down the rule.

Second, I also believe we should approve the legislation and for two good reasons. First, as I have listened to the debate, the United States obviously will not get a better deal than we have at the present time.

Mr. GALLAGHER. The gentleman is absolutely right.

Mr. GERALD R. FORD. We will either lose whatever contribution has been offered by the city of New York—which means a higher bill for the taxpayers of the United States on the one hand or else we will continue to rent sufficient real estate to carry on the U.N. operations. We all know that that is a far more expensive operation than building our own facility with the various nations including the United States and the city of New York making its contribution.

Last, let me say as disappointed as I sometimes am with the United Nations, and I think this is a reaction many of us have from time to time, I do believe it is important to keep the United Nations alive so that it can hopefully do a better job in the future.

If we at this point, by any action today, destroy the opportunity of the U.N. to move ahead and expand, the United Nations will suffer a serious blow. The United Nations is a hope for peace and we should not back out at this crucial hour when the U.N. can perform a useful function. To defeat the rule on the bill, undoubtedly, the U.N. will be fragmented and New York and the United States will lose the benefits of this Organization.

Mr. Speaker, for these reasons I think we should approve the rule and support the legislation.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the distinguished majority leader.

Mr. ALBERT. I desire to associate myself with the remarks of the distinguished minority leader. I do not believe many Members of the House would like to see the United Nations either fragmented or dissolved. In this perilous and uncertain world it is the one fragile, unifying force, the only large-scale, multinational body of its kind. I think that to defeat this rule summarily, to dispose of this proposal without even going into the merits of the matter in general debate would be a sad mistake on the part of the Members of this House. I, like others, do not always approve of everything the United Nations has done; sometimes I have thought it could have performed better.

But it has endured and continues to offer hope and opportunities for communication and progress in understanding among nations. We were the moving force in originating it. I hope that the rule is adopted.

Mr. GALLAGHER. I believe that the majority leader and the minority leader have made the case, and I urge adoption of the rule.

Mr. PEPPER. Mr. Speaker, during the debate the question was asked about the Rules Committee not having reported this resolution out until very recently.

The committee was hasty about considering the matter. But it was announced one day at a Rules Committee meeting by a very able member of the committee, the gentleman from Illinois (Mr. ANDERSON), that the Secretary of State had personally called him and told him how important the administration considered this measure, and asked that it be considered by the Rules Committee. Largely out of deference to the administration's request, and because many of us believed in it as a meritorious matter, the Rules Committee did bring this measure to the House with the recommendation that it be adopted.

Mr. Speaker, the President and the Secretary of State have recommended this measure as important to our effort to find peace in the world; it has been approved by the other body; it is strongly supported by our able Committee on Foreign Affairs.

Now our distinguished majority leader and distinguished minority leader have spoken out strongly in favor of the rule and the United Nations extension resolution which it would make in order. I would hope, therefore, that the House would adopt this rule and allow the House to consider the resolution to make the United Nations a more effective institution in keeping peace in the world.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on the resolution.

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. ROSENTHAL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 189, nays 107, not voting 137, as follows:

[Roll No. 436]

YEAS—189

Adams	Clark	Gonzalez
Albert	Cohelan	Gray
Anderson	Conable	Green, Oreg.
Anderson, Calif.	Conte	Green, Pa.
Anderson, Ill.	Corman	Grover
Annunzio	Culver	Gubser
Arends	Daniels, N.J.	Gude
Beall, Md.	Davis, Ga.	Hamilton
Belcher	Davis, Wis.	Hammer-
Bell, Calif.	Dennis	schmidt
Bennett	Dickinson	Hanna
Bingham	Dingell	Hansen, Idaho
Blatnik	Donohue	Hansen, Wash.
Boggs	Downing	Harvey
Boland	Dulski	Hathaway
Bolling	Edmondson	Hawkins
Brademas	Eilberg	Hays
Brasco	Erlenborn	Hechler, W. Va.
Broomfield	Esch	Heckler, Mass.
Brotzman	Evans, Colo.	Hicks
Brown, Mich.	Findley	Hogan
Buchanan	Flood	Holifield
Burke, Mass.	Foley	Hosmer
Burton, Calif.	Ford, Gerald R.	Howard
Bush	Forsythe	Jacobs
Byrne, Pa.	Fraser	Jarman
Byrnes, Wis.	Frelinghuysen	Johnson, Calif.
Carney	Friedel	Karth
Carter	Fulton, Pa.	Kastenmeier
Casey	Gallagher	Kazen
Cederberg	Garmatz	Kee
Chamberlain	Gialmo	Keith

Kleppe
Kluczynski
Kyl
Kyros
Lloyd
Long, Md.
Lowenstein
McCloskey
McFall
Macdonald, Mass.
MacGregor
Madden
Mahon
Malliard
Mann
Marsh
Matsunaga
Mayne
Meeds
Melcher
Mikva
Minish
Mink
Mollohan
Moorhead
Morgan
Morse
Mosher
Murphy, N.Y.
Nedzi
Nelsen

Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Patten
Pepper
Perkins
Philbin
Pickle
Pirnie
Pollock
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Quite
Railsback
Rees
Reid, N.Y.
Reuss
Riegle
Robison
Rodino
Rogers, Colo.
Rooney, Pa.
Roth
Roybal
Sandman
Schneebeli
Schwengel
Sebelius

NAYS—107

Abernethy
Addabbo
Alexander
Andrews, Ala.
Betts
Bevill
Blaggi
Blester
Blackburn
Blanton
Bow
Bray
Brinkley
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson, Tex.
Cabell
Carey
Cleveland
Collier
Collins, Tex.
Colmer
Conyers
Coughlin
Daniel, Va.
de la Garza
Dellenback
Derwinski
Dorn
Duncan
Eckhardt
Edwards, Ala.
Eshleman
Feighan
Fisher

Flowers
Flynt
Foreman
Fountain
Fuqua
Gaydos
Gettys
Goldwater
Goodling
Griffin
Gross
Hagan
Harrington
Harsha
Helstoski
Henderson
Hunt
Hutchinson
Ichord
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
King
Koch
Kuykendall
Landgrebe
Lennon
McClure
McDade
McEwen
McMillan
Miller, Ohio
Mizell
Myers

Shriver
Sisk
Skubitz
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steiger, Wis.
Stratton
Symington
Taft
Talcott
Thompson, N.J.
Tiernen
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Wampler
Whalen
Whalley
Whitehurst
Wiggins
Williams
Wilson, Bob
Wright
Yates
Zablocki

Natcher
Nichols
Passman
Pike
Poage
Podell
Purcell
Quillen
Randall
Reid, Ill.
Roberts
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Ryan
Scheuer
Schmitz
Scott
Slack
Smith, Calif.
Steed
Stubblefield
Stuckey
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Watson
Watts
White
Whitten
Wylie
Wyman
Yatron
Zion

NOT VOTING—137

Abbutt
Adair
Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Ashley
Aspinall
Ayres
Baring
Barrett
Berry
Brock
Brooks
Brown, Calif.
Burke, Fla.
Burlison, Mo.
Burton, Utah
Button
Caffery
Camp
Celler
Chappell
Chisholm
Clancy
Clausen, Don H.
Clayson, Del
Clay
Collins, Ill.
Corbett
Cowger

Cramer
Crane
Cunningham
Daddario
Delaney
Denney
Dent
Devine
Diggs
Dowdy
Dwyer
Edwards, Calif.
Edwards, La.
Evins, Tenn.
Fallon
Farbstein
Fascell
Fish
Ford, William D.
Frey
Fulton, Tenn.
Gallifanakis
Gibbons
Gilbert
Griffiths
Haley
Hall
Halpern
Hanley
Hastings
Hébert
Horton

Pelly
Pettis
Poff
Powell
Price, Tex.
Rarick
Reifel
Rhodes
Rivers
Roe
Rostenkowski
Roudebush
Rousselot
Ruppe
Ruth

St Germain
Satterfield
Saylor
Schadeberg
Scherle
Shipley
Sikes
Snyder
Steele
Steiger, Ariz.
Stephens
Stokes
Sullivan
Teague, Tex.
Tunney

Waggonner
Waldie
Ware
Weicker
Widnall
Wilson, Charles H.
Winn
Wold
Wolf
Wyatt
Wylder
Young
Zwach

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Fascell for, with Mr. Waggonner against.

Mr. Fulton of Tennessee for, with Mr. Hébert against.

Mr. Brooks for, with Mr. Rarick against.

Mr. Dent for, with Mr. Long of Louisiana against.

Mr. Rivers for, with Mr. Edwards of Louisiana against.

Mr. Shipley for, with Mr. O'Neal of Georgia against.

Mr. St Germain for, with Mr. Haley against.

Mr. Rostenkowski for, with Mr. Farbstein against.

Mr. Anderson of Tennessee for, with Mr. Dowdy against.

Mr. Barrett for, with Mrs. Chisholm against.

Mr. Evins of Tennessee for, with Mr. Celler against.

Mr. Aspinall for, with Mr. Caffery against.

Mr. Monagan for, with Mr. Ottinger against.

Mr. Patman for, with Mr. Powell against.

Mr. Fallon for, with Mr. Wolf against.

Mr. Horton for, with Mr. Gilbert against.

Mr. Rhodes for, with Mr. Montgomery against.

Mrs. Dwyer for, with Mr. Stephens against.

Mr. Miller of California for, with Mr. Devine against.

Mr. Corbett for, with Mr. Martin against.

Mr. Widnall for, with Mr. Latta against.

Mr. Andrews of North Dakota for, with Mr. Rousselot against.

Mr. McClory for, with Mr. Ashbrook against.

Mr. Steele for, with Mr. Camp against.

Mr. Wylder for, with Mr. Scherle against.

Mr. Ashley for, with Mr. Snyder against.

Mr. Pelly for, with Mr. Del Clawson against.

Until further notice:

Mr. Delaney with Mr. Adair.

Mr. Edwards of California with Mr. Hall.

Mr. Sikes with Mr. Michel.

Mr. Stokes with Mr. Halpern.

Mr. Hanley with Mr. Minshall.

Mr. Murphy of Illinois with Mr. Ayres.

Mr. Moss with Mr. Morton.

Mr. Young with Mr. McDonald of Michigan.

Mr. Teague of Texas with Mr. Hastings.

Mrs. Sullivan with Mr. O'Konski.

Mr. Hull with Mr. Pettis.

Mr. Hungate with Mr. Berry.

Mr. Abbutt with Mr. Poff.

Mr. Baring with Mr. Frey.

Mr. Gallifanakis with Mr. Crane.

Mr. Gibbons with Mr. Prance.

Mrs. Griffiths with Mr. Price of Texas.

Mr. Satterfield with Mr. Cramer.

Mr. Roe with Mr. Langen.

Mr. McCarty with Mr. Burton of Utah.

Mr. Mills with Mr. Lujan.

Mr. Landrum with Mr. Fish.

Mr. Leggett with Mr. Burke of Florida.

Mr. Charles H. Wilson with Mr. Cowger.

Mr. Burlison of Missouri with Mr. Lukens.

Mr. Daddario with Mr. Brock.

Mr. William D. Ford with Mr. McCulloch.

Mr. Tunney with Mr. Denney.

Mr. Diggs with Mr. Meskill.

Mr. Waldie with Mr. Don Clausen.

Mr. Chappell with Mrs. May.
 Mr. Clay with Mr. Mize.
 Mr. Collins of Illinois with Mr. Button.
 Mr. Brown of California with Mr. Mathias.
 Mr. Reifel with Mr. McKneally.
 Mr. Roubush with Mr. Cunningham.
 Mr. Ruppe with Mr. Ware.
 Mr. Saylor with Mr. Winn.
 Mr. Ruth with Mr. Zwach.
 Mr. Schadeberg with Mr. Steiger of Arizona.
 Mr. Weicker with Mr. Wyatt.

Mr. WHITE and Mr. BROYHILL of Virginia changed their votes from "yea" to "nay."

Mr. LOWENSTEIN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 1181, POTATO AND OTHER COMMODITY PROMOTION PROGRAMS

Mr. SISK submitted the following conference report and statement on the bill (S. 1181) to provide for potato and tomato programs:

POTATO AND OTHER COMMODITY PROMOTION PROGRAMS

CONFERENCE REPORT (H. REPT. NO. 91-1790)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendments of the House to the bill (S. 1181) to provide for potato and tomato programs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—ADVERTISING PROJECTS: MILK

SEC. 101. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended, by adding at the end of subsection 8c(5) the following new subparagraph (I):

"(I) Establishing or providing for the establishment of research and development projects, and advertising (excluding brand advertising), sales promotion, educational, and other programs, designed to improve or promote the domestic marketing and consumption of milk and its products, to be financed by producers in a manner and at a rate specified in the order, on all producer milk under the order. Producer contributions under this subparagraph may be deducted from funds due producers in computing total pool value or otherwise computing total funds due producers and such deductions shall be in addition to the adjustments authorized by subparagraph (B) of subsection 8c(5). Provision may be made in the order to exempt, or allow suitable adjustments or credits in connection with, milk on which a mandatory checkoff for advertising or marketing research is required under the authority of any State law. Such funds shall be paid to an agency organized by milk producers and producers' cooperative associations in such form and with such methods of operation as shall be specified in the order. Such agency may expend such funds for any of the purposes authorized by this subparagraph and may designate, employ, and allocate funds to persons and organizations engaged in such programs

which meet the standards and qualifications specified in the order. All funds collected under this subparagraph shall be separately accounted for and shall be used only for the purposes for which they were collected. Programs authorized by this subparagraph may be either local or national in scope, or both, as provided in the order, but shall not be international. Order provisions under this subparagraph shall not become effective in any marketing order unless such provisions are approved by producers separately from other order provisions, in the same manner provided for the approval of marketing orders, and may be terminated separately whenever the Secretary makes a determination with respect to such provisions as is provided for the termination of an order in subsection 8c(16) (B). Disapproval or termination of such order provisions shall not be considered disapproval of the order or of other terms of the order. Notwithstanding any other provision of this Act, as amended, any producer against whose marketings any assessment is withheld or collected under the authority of this subparagraph, and who is not in favor of supporting the research and promotion programs, as provided for herein, shall have the right to demand and receive a refund of such assessment pursuant to the terms and conditions specified in the order."

TITLE II—TOMATO ADVERTISING PROJECTS

SEC. 201. Section 8c(6) (I) of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or apples" in the first proviso, and inserting in lieu thereof "apples, or tomatoes".

TITLE III—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 302. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of \$561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out of any effective and continuous coordinated program of research, development, advertising, and promotion designed to strengthen potatoes' competitive position, and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

DEFINITIONS

SEC. 303. As used in this title:

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the forty-eight contiguous States of the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or in the rules and regulations issued thereunder.

(e) The term "producer" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive positions and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

AUTHORITY TO ISSUE A PLAN

SEC. 304. To effectuate the declared policy of this title, the Secretary shall, subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the forty-eight contiguous States of the United States.

NOTICE AND HEARINGS

SEC. 305. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons, including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

FINDING AND ISSUANCE OF A PLAN

SEC. 306. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

REGULATIONS

SEC. 307. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this title and the powers vested in him by this title.

REQUIRED TERMS IN PLANS

SEC. 308. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disbursements in the administration of the plan, including probable costs of research, development, advertising, and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board, as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a) (4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: *Provided*, That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and (f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for appropriate

accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

PERMISSIVE TERMS IN PLANS

SEC. 309. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the advertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however*, That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further*, That such promotional activities shall comply with the provisions of section 308(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising, and promotion in years when the production and assessment income may be reduced: *Provided*, That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

ASSESSMENTS

SEC. 310. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, any such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize differences in marketing practices or producers utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for payment of assessments under subsection (a) of this sec-

tion shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by any person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than \$1,000 or imprisonment for not more than one year, or both, and shall be removed from office.

PETITION AND REVIEW

SEC. 311. (a) Any person subject to a plan may file a written petition with the Secretary, stating that such plan or any provision of such plan or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided*, That a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 312(a) of this title.

ENFORCEMENT

SEC. 312. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary un-

der this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than \$100 nor more than \$1,000 for each such offense.

INVESTIGATION AND POWER TO SUBPENA

SEC. 313. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpoena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpoena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

REQUIREMENT OF REFERENDUM

SEC. 314. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Secretary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The

ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 310(c) above.

SUSPENSION OR TERMINATION OF PLANS

SEC. 315. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title, terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 percentum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

AMENDMENT PROCEDURE

SEC. 316. The provisions of this title applicable to plans shall be applicable to amendments to plans.

SEPARABILITY

SEC. 317. If any provision of this title or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

SEC. 318. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: *Provided*, That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

EFFECTIVE DATE

SEC. 319. This title shall take effect upon enactment.

TITLE IV—RESTRICTIONS ON IMPORTED COMMODITIES

SEC. 401. Section 8e of the Agricultural Adjustment Act of 1933, as amended, as amended, and as amended by the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, is amended by inserting in the first sentence thereof between "tomatoes" and "avocados," the following: "raisins, olives (other than Spanish-style green olives), prunes".

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "An Act to provide authority for promotion programs for milk, tomatoes, and potatoes, and to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended, to provide for the extension of restrictions on imported commodities imposed by such section to imported raisins, olives, and prunes."

And the Senate agree to the same.

W. R. POAGE,
THOMAS S. FOLEY,
JOSEPH P. VIGORITO,
B. F. SISK,
CHARLES M. TEAGUE,
WILLIAM C. WAMPLER,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill, S. 1181, to provide authority for promotion programs for milk, tomatoes and potatoes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House passed S. 1181 with an amendment incorporating the language of H.R. 18884. Thereafter the Senate struck the House amendment to S. 1181 and inserted in lieu thereof the language of S. 4560. The Senate amendment to the House amendment, while dealing with the same subject matter, differed in two material respects: (1) The Senate language restricted the authority to amend marketing orders for the purpose of authorizing research and promotion checkoff programs to tomatoes; the House version would have authorized research and promotion amendments to all marketing orders. (2) Additionally, the Senate-passed bill deleted the restriction against the importation of olives (except Spanish-style green olives), raisins, and prunes unless they are able to comply with standards applicable to domestically produced commodities on the basis of grade, size, quality and maturity.

The amendment herewith reported embodies the agreement of the conferees on the various points of difference in the House bill and the Senate amendment.

The conference substitute follows the structure of the House bill as to the order and arrangement of titles.

Following is a discussion of the substitute amendment as agreed to by the conferees:

TITLE I—ADVERTISING PROJECTS MILK

This title of the conference substitute is identical to the version passed by both the House and Senate.

TITLE II—TOMATO ADVERTISING PROJECTS

The conference substitute is identical to the language approved by the Senate. The House-passed bill would have authorized amendments to marketing orders for all commodities (other than milk) for the establishment of research and development projects, and advertising (excluding brand advertising), sales promotion, educational and other programs designed to promote domestic marketings and consumptions. The conferees agreed to extend this authority only to tomato marketing orders.

TITLE III—POTATO RESEARCH AND PROMOTION

The language of this title is identical to that which passed both the House and the Senate.

TITLE IV—RESTRICTIONS ON IMPORTED COMMODITIES

The language of this title is identical to that which was contained in the House-passed bill. The Senate bill was silent on this subject. Briefly stated this title would provide that if domestic orders adopt stand-

ards controlling grade, size, quality and maturity with respect to the marketing of olives (other than Spanish-style green olives), raisins, and prunes, then imported commodities must also comply with these same standards.

In view of the addition of Title IV, described above, the title of the bill has, of necessity, been amended.

W. R. POAGE,
THOMAS S. FOLEY,
JOSEPH P. VIGORITO,
B. F. SISK,
CHARLES M. TEAGUE,
WILLIAM C. WAMPLER,

Managers on the Part of the House.

APPOINTMENT OF CONFEREES ON H.R. 18306, U.S. PARTICIPATION IN CERTAIN INTERNATIONAL FINAN- CIAL INSTITUTIONS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 18306) to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the exchange stabilization fund by the General Accounting Office, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin? The Chair hears none, and appoints the following conferees: MESSRS. BARRETT, REUSS, ASHLEY, MOORHEAD, WIDNALL, STANTON, and BROWN of Michigan.

EXPANSION OF UNITED NATIONS HEADQUARTERS IN THE UNITED STATES

Mr. GALLAGHER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the Joint Resolution (H.J. Res. 1146) authorizing a grant to defray a portion of the cost of expanding the United Nations Headquarters in the United States.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1146), with Mr. PHILBIN in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New Jersey (Mr. GALLAGHER) will be recognized for 30 minutes and the gentleman from New Jersey (Mr. FRELINGHUYSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am not sure whether

we should take so much time. We had a rather wild and wooly debate on the rule, and the issues that normally would be discussed during this time have been discussed heretofore.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Illinois.

Mr. FINDLEY. It seems to me a question which may be on the minds of many Members of this body—and perhaps the distinguished chairman of the subcommittee would direct his remarks to that question—is the following: Is this really the best bargain we can reasonably expect to get in respect to the enlargement of the U.N. facilities in the foreseeable future? It seems to me that is a fundamental question. Perhaps the gentleman would consent to consider that question.

Mr. GALLAGHER. I appreciate the suggestion of the gentleman. That perhaps is the central issue of this bill, whether or not the United States can, in effect, at some later date, if we postpone action on this bill, get a better bargain?

We can get out for less money if we make a determination that the United Nations should fragmentize. But that, in my view, is no bargain.

There are several alternatives. One is that we do nothing here today. That would mean the United Nations and its related agencies, which now pay rent throughout the city of New York, would continue to do that. But in September, when the General Assembly meets again, notice will have been served by our inaction and the agreement to which the United Nations and the city of New York and the United States are partners, would in effect become null and void.

We would then be faced with the alternative of fragmentizing the United Nations, of going to Vienna or Geneva with the U.N. Development Program and the Children's Fund, or of continuing to pay rents which are not very economic at all.

Or, if the thinking of the gentleman from the city of New York should prevail, the United States could pay double the amount that we are asking for here today.

That really is the issue which is contained in today's debate.

Now, Mr. Chairman, I would like to address myself to the provisions of the resolution before us.

This resolution would authorize an appropriation of not to exceed \$20 million for a grant contribution to the United Nations to defray a part of the cost of improving and expanding the United Nations headquarters in the city of New York.

This contribution would be made at the discretion of the Secretary of State on such terms and conditions as he may determine, and would not be considered a contribution for purposes of any existing law which limits U.S. contributions to the U.N.

The need for the enactment of this authorization is urgent. For a number of years the United Nations has been considering the feasibility of expanding its

headquarters in New York City. The reason for this is that the United Nations has been successful—perhaps not to the extent most of us would like to see it succeed, but it has been successful to the extent of surviving and outliving its present building.

The existing U.N. headquarters was completed nearly 20 years ago. It was designed to serve a maximum membership of 70 members. At that time, Members will recall, the membership of the United Nations was but 59. It was not considered that the growth would come to what it is at the present day, 127 members, or nearly twice what it was 20 years ago.

As a result, the United Nations has had to crowd some functions and to rent commercial space for some of its activities. The annual rental fee for that space amounts to nearly \$2 million.

This is the point which is overlooked by some members of the Appropriations Committee who say that our contribution will be greater than the \$20 million we are asking.

Actually, it will be greater, but we are already making a special contribution for rent payments. This contribution will, in effect, be eliminated when the new facilities are constructed.

It should also be borne in mind that over the years, many U.N. programs and related undertakings have been dispersed over several continents to the point that today less than 20 percent of the United Nations employees work in New York.

Any further decentralization of United Nations activities, particularly those which relate to policymaking and systems control, which is the issue here, would be most inadvisable.

The Comptroller General of the United States in his reports to the Congress and expert witnesses who appeared in our hearings and testified before the subcommittee, pointed out that excessive decentralization makes for inefficient management and waste of precious resources and waste of money.

The proposed U.N. headquarters expansion project was prepared by the same architectural firm which designed the original building. The architectural plans call for the construction of an eight-story office building adjacent to the present U.N. complex and for major modifications of the existing Secretariat and conference buildings.

When completed, the expanded headquarters will provide office space for an additional 2,500 employees and greatly improve the utility of the existing buildings. This will, in effect, allow more people in the vicinity of New York to be employed in various functions such as the security and the janitorial services, the catering services, the restaurant services, and so forth. This will give additional employment to the people of the city of New York.

According to the estimates approved by the U.N. General Assembly, the project will cost approximately \$80 million.

Pursuant to a series of agreements worked out in the past 3 years, the cost of the project will be shared as follows:

Twenty-five million dollars will come

from the regular budget of the United Nations;

Twenty million dollars in the form of a grant from the U.S. Government;

A matching contribution of \$20 million from the city of New York; and

Fifteen million dollars from the U.N. development program and the U.N. Children's Fund—both of which organizations presently have to rent office space and would move into the new building after it is completed.

The total U.S. Government contribution to this project will include the following:

The \$20 million voluntary contribution proposed to be authorized in House Joint Resolution 1146;

About \$5 million from U.S. contributions to UNDP and UNICEF. The U.S. contributes slightly less than 40 percent of the budgets of those two organizations; and

About \$8 million from U.S. contributions to the regular budget of the United Nations. The U.S. share of that budget is 31.57 percent.

The total of those three amounts is about \$33 million.

In addition, of course, the city of New York will contribute \$20 million plus the value of the land on which the new building will stand.

It should be noted, however, that the city of New York is the primary financial beneficiary of the United Nations' presence in the United States.

It is expected, for example, that most if not all of the \$80 million required to finance the expansion of the U.N. Headquarters will be spent in or around New York City.

Over and above this, the city of New York benefits from the month-to-month and year-to-year expenditures of the United Nations and of the various national delegations which stay in that city.

In calendar 1968, for example, it is estimated that the U.N.-related expenditures in New York City—including the expenditures of the various national delegations, the press and nongovernmental organizations—amounted to \$230 million.

House Joint Resolution 1146 was approved by the Committee on Foreign Affairs by a vote of 19 to 9, with one member voting present.

There is an urgent need for prompt enactment of this legislation. If it does not go through this Congress, the entire financing "package"—which depends in large part on the action of the Congress with respect to this resolution—may unravel.

Now, the issue that was debated during the consideration of the rule was whether or not New York City should make a contribution and, if not, whether the United States would be required to double its contribution.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I am glad to yield to my distinguished colleague.

Mr. ROSENTHAL. That issue was not fully debated and those Members who are interested—

Mr. GALLAGHER. Well, I am not saying that it was fully debated. I am sure

the gentleman is going to debate it further when he offers his amendments, but that was one of the issues that was debated during the consideration of the rule.

Mr. ROSENTHAL. That was one of the issues that was discussed but not debated.

Mr. GALLAGHER. Well, debated or discussed, I will await the gentleman's definition. It was discussed by some and debated by others.

Mr. ROSENTHAL. The difference is 9 minutes—1 minute is a discussion and 10 minutes is a debate.

Mr. GALLAGHER. The gentleman feels that if I yield him 10 minutes, the issue will be properly debated?

Mr. ROSENTHAL. It will be fully aired.

Mr. GALLAGHER. The issue which was discussed or debated was whether or not the United States should double its contribution and the city of New York refrain from paying anything. I am certain that before the evening is over, the House will have an opportunity to work its will on that proposition.

Now there is one more thing I would like to add: The money which is requested in this resolution will not have to be made available until fiscal 1972.

So next year, the Committee on Appropriations will have an opportunity to once again go over these figures and to work its will. If it decides not to recommend the appropriation, then we will have to determine what the proper course shall be.

I urge that this House pass this authorization so that the commitment of the United States and the past administration and the present administration can be met, so that we can see some future for the hopes that all of us wish for and pray for, so that they can continue to be advanced within the structure of the United Nations.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, I take this moment to point out that this is a bipartisan matter in all respects.

We heard during the debate on the rule the very strong endorsement of not only the rule but of the bill by the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD) and we heard a similar endorsement by the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT).

The activities which led to this bill presently being on the floor of the House were begun under the administration of President Johnson. President Nixon has made a direct request that this bill be approved.

It is reasonable also to say that this is the best bargain we can expect to face in the foreseeable future. If the New York offer of \$20 million is passed up—who knows when it might be repeated—who would expect it to be at a higher level in the future?

I think we also ought to keep in context, if we can, the size of this item

compared with the other foreign policy investments by the Congress.

It is about one twenty-fifth of the money that was in the military assistance bill just recently approved after a very brief debate.

It is about 1 percent the amount authorized and funded annually for foreign aid.

It is about 1 percent of the amount annually funded for food for peace.

It is just a trifle part of 1 percent of the amount spent for the defense department.

All of these activities have but one objective and that is to influence foreign policy events. I think by comparison this is indeed a modest sum.

Mr. Chairman, I hope the bill will be approved.

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Chairman, we have before us for consideration, House Joint Resolution 1146 which would authorize a grant of up to \$20 million for the expansion of the physical plant of the United Nations in New York. I commend this resolution as being in the interests of both the United Nations and the United States.

During this 25th anniversary year of the U.N. I believe we must both recognize and sustain the vital role of the United Nations. In this connection, it is imperative that the United States continue to exert a leading influence on the U.N. if the latter is to retain its importance. In his foreign policy message the President highlighted both his faith in the U.N. and his belief in the necessity of our continued leadership within it. He said:

My speech at the General Assembly underlines this country's continuing support for the organization. My decision to ask Congress for funds to assist the expansion of the U.N.'s New York Headquarters . . . [is an] . . . example of this support.

Without this support, however, it is possible that various functions of the U.N. may move abroad. Should this occur our beneficent influence would diminish. For example, 25 percent of the U.N. staff in New York are U.S. citizens, whereas the average U.S. participation in U.N. agencies abroad is only about 8 percent. The favorable influence that these professional officers have upon the functioning of the U.N. is considerable.

When the United States was chosen as the site for the permanent headquarters of the U.N. in response to the invitation of the Congress, it was a fitting recognition of our profound commitment to the principles of international peace, justice, and progress contained in the United Nations Charter. Failure to approve this grant might be interpreted as an indication that our desire to maintain world leadership for peace has waned. I urge, therefore, that we do our part as host to the United Nations by passing this resolution. The Senate has already passed identical legislation. I believe we also should do so in furtherance of the

best interests of both the United Nations and the United States.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. BUSH).

Mr. BUSH. Mr. Chairman, having been nominated as the U.S. Representative to the United Nations I find myself in somewhat a peculiar position in regard to House Joint Resolution 1146, a bill authorizing a grant to defray a portion of the United Nations Headquarters in the United States. My nomination has not yet been sent to the Senate. Thus, I recognize that I should not involve myself in a lot of policy statements in Congress on the United Nations.

However, this issue is of critical importance. It is one upon which I have been thoroughly briefed. So, I feel compelled to comment on it.

During the almost 20 exciting and eventful years that the present United Nations Headquarters has been in existence the membership of that body has expanded from 59 to 126. I do not think any Member of this body will deny the need for the proposed expansion. We all recognize that the efficiency and effectiveness of the United Nations are unfavorably affected by space shortages and that its operating costs are increased by rental payments. The only question is the amount of the U.S. contribution.

Under the proposal before us today the \$80 million construction project would be funded by \$25 million from the U.N. budget—U.S. contribution \$7,880,000—\$20 million from the U.S. Government, \$20 million from the city of New York, and \$15 million from the United Nations Development Program and the United Nations Children's Fund.

In view of the rising construction costs in this country, it is critically important that we move ahead now. In addition, a very complex deal has been worked out to pay for the proposal—one in which the city of New York will share the costs of the expansion equally with the U.S. Government.

The United States will unquestionably benefit tremendously from supporting the proposed expansion now in New York rather than permitting it to take place abroad. For example, salaries of U.N. employees who would occupy the proposed new building would result in more than \$12 million annually being added to the U.S. balance of payments.

I do not want to see pressures from countries, which would like to see the U.N. move part or all of its operation, grow as a result of our failure to move ahead on this reasonable proposal.

I believe it is critical that the expansion proposal be approved today. I do not claim to be the great expert on all the inner workings of the United Nations; but, I do pledge that once I have been confirmed as the U.S. Representative to the United Nations the money will be spent as efficiently as possible and in the manner designated by the Congress.

Mr. FRELINGHUYSEN. Mr. Chairman, I believe there is no need to dwell on the basic issues here. There has been ample discussion of the basic issue, in

the debate on the rule. That debate indicated clearly what the issue is and that is whether it is a reasonable proposition for the Federal Government to pay \$20 million to build additional facilities for the United Nations in New York.

As was indicated during the debate, I think it is a good bargain. I would oppose the proposition that the Federal Government should pay twice that amount and that New York City should pay nothing.

It seems to me that New York City has made a voluntary offer and it should be held to that offer. It should be held to that offer by the House action on this bill, which passed the other body last July.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. ROSENTHAL. Mr. Chairman, should New York City be held to that offer or agreement regardless of whether the financial circumstances have changed in the 3 years since the agreement was made?

Mr. FRELINGHUYSEN. I feel very strongly that the city of New York should be held to the agreement. I do not think it is a concern of the Federal Government to decide whether New York is in a good financial position or not.

It seems to me that the benefits are very substantial. Million of dollars are involved, primarily for New York.

There is one point I would like to mention that has not been stressed so far in the debate. That is the fact that it is in our national interest, both to improve the management and the organization of the United Nations by improving its facilities and centralizing its operations, operations which are now scattered through a great many rented properties in New York City.

In my opinion, it is also a decided advantage for the United States to keep insofar as possible the management of functions of the United Nations in the United States.

If we refuse to participate by putting up some of the money to build new structures, we can anticipate that the pressure of immediate needs will still cause problems for the United Nations, problems which may well lead to a decision to move some of these activities out of the United States. This would result in an immediate drain on the balance of payments. It is estimated that the employees of the United Nations that would be utilizing the new building in New York City would expend about \$12 million annually.

In brief, the funds for construction would be spent in New York, the \$80 million, all this would be spent in this country. However, if the employees should be transferred out of the United States, this would result in a substantial contribution to a balance of payments deficit.

It seems to me we have an obligation under these circumstances to carry through, belatedly I admit, on a proposal which is reasonable. We should not be embroiled in debate on this the question whether or not the United Nations

has been sufficiently effective to justify our confidence. One of the reasons it has not been more effective is the fact that we have not had a sufficient centralization of function and responsibility. We can provide improvement in that direction with a new facility.

I might say also, that with the facilities in the United States there would be a greater likelihood that U.S. employees will be hired by the United Nations than if those activities are carried on outside this country. Roughly 25 percent of the U.N. employees working in the United States are U.S. citizens, whereas overseas the percentage drops to about 8 percent.

I think the case speaks for itself. I, myself, regret that the Foreign Affairs Committee was not more prompt in submitting its request to the Rules Committee. I regret that it was not possible for the Rules Committee to grant a rule so as to bring about this debate before now. I do not think that fact should influence our judgment in any way, and I hope the action taken is favorable. I hope no amendments to the committee bill are accepted.

Mr. GALLAGHER. Mr. Chairman, I yield 8 minutes to the gentleman from New York (Mr. ROSENTHAL).

Mr. KOCH. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

A quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 437]

Abbitt	Dellenback	McCloskey
Adair	Denney	McCulloch
Addabbo	Dent	McDade
Alexander	Devine	McDonald,
Andrews, Ala.	Diggs	Mich.
Andrews,	Dowdy	McKneally
N. Dak.	Dulski	MacGregor
Ashbrook	Dwyer	Martin
Aspinall	Edwards, Calif.	Mathias
Ayres	Edwards, La.	May
Baring	Evins, Tenn.	Meskill
Barrett	Fallon	Michel
Berry	Farbstein	Miller, Calif.
Blester	Fascell	Mills
Blanton	Feighan	Mink
Boggs	Fish	Minshall
Brasco	Fisher	Mize
Brock	Ford,	Monagan
Brooks	William D.	Montgomery
Brown, Calif.	Foreman	Morton
Brown, Mich.	Friedel	Moss
Broyhill, Va.	Fulton, Tenn.	Murphy, Ill.
Burke, Fla.	Gallfanakis	Nichols
Burlison, Mo.	Gibbons	O'Hara
Burton, Utah	Gilbert	O'Konski
Button	Griffiths	Ottinger
Byrne, Pa.	Haley	Patman
Caffery	Hall	Pelly
Camp	Halpern	Pettis
Carey	Hanley	Poff
Celler	Hansen, Wash.	Pollock
Chamberlain	Hébert	Powell
Chisholm	Heckler, Mass.	Price, Tex.
Clancy	Horton	Qule
Clark	Hull	Rarick
Clausen,	Hungate	Reifel
Don H.	Jarman	Reuss
Clawson, Del.	Karth	Rhodes
Clay	King	Rivers
Collins, Ill.	Landrum	Roe
Corbett	Langen	Rogers, Colo.
Cowger	Latta	Rooney, Pa.
Cramer	Leggett	Rostenkowski
Crane	Long, La.	Rudenbush
Culver	Lujan	Roussetot
Cunningham	Lukens	Ruppe
Daddario	McCarthy	Ruth
Delaney	McClory	St Germain

Saylor	Stephens	Wiggins
Schadeberg	Stokes	Wilson,
Scherle	Sullivan	Charles H.
Scheuer	Teague, Tex.	Winn
Shipley	Tiernan	Wold
Sikes	Tunney	Wolff
Snyder	Vander Jagt	Wyatt
Springer	Waggoner	Wydler
Stanton	Waldie	Young
Steed	Weicker	Zwach
Steele	Whitten	
Steiger, Ariz.	Widnall	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PHILBIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution House Joint Resolution 1146, and finding itself without a quorum, he had directed the roll to be called, when 260 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from New York (Mr. ROSENTHAL) had been recognized for 8 minutes.

The Chair recognizes the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, I oppose this House Joint Resolution, because I am opposed to the arrangements under which it is brought to the floor of the House. What it does is say to the Congress that the United Nations, the Department of State, and the city of New York have made a deal. They have reached an agreement, and what we are telling the Congress to do is to affirm that agreement.

I find that agreement outrageous, unfair to the United States, and unfair to the city of New York. When we are thinking of how we shall vote on this resolution, there are two essential ingredients or considerations we should think of. First, of course, is the authorization of \$20 million. That is an important matter, but to me that is less important than the nature of the arrangement.

The second is, if we vote in the affirmative on this resolution, we are affirming the following deal. The deal is that the U.S. Government will pay \$20 million of an \$80 million construction compact, the city of New York will pay \$20 million in cash plus giving the United Nations \$12.1 million in land, and the United Nations Organizations will make other contributions to make up the amount of the arrangement.

Let us begin with what seems to me the most notorious part of this thing. We were told at the hearing by Ambassador Yost and Secretary Palmar that it is in the interests of the United States to keep the U.N. in New York and in the United States and that it is in the national interest to pass this resolution.

I am willing to accept that theory with the following reservation. I think it might be useful in the cause of world peace if we did not have this attitude of commitment to monuments. Some here are determined to build the largest office complex in the world on the East River in New York City. I believe it would be in the interest of world peace if we did decentralize the United Nations.

The proponents of this resolution have said the one thing they fear is that if we do not provide this space for another 2500 employees, the U.N. will either continue renting space in New York at a very high rental rate, or they will decentralize and go to other parts of the world. It seems to me that the interest of world peace might well be served if there were United Nations offices and United Nations buildings and United Nations installations in other cities around the world. We are very proud to have the United Nations in New York City, but if one wants to look at the big picture of why the United Nations came into existence—in the hope that world peace would prevail throughout the world—one ought to understand that support for this edifice complex is not a contribution to world peace.

We ought to have other nations have a desire to have a building and to see people from other lands and to participate in the operations of a world organization.

So I am opposed to this type of approach in which it implied that the U.N. will move if you do not go through with this deal.

The other reason why I am opposed to this resolution is because the city of New York was bludgeoned into agreeing to put up \$20 million. Think of that for a moment. If the U.S. Government puts up \$20 million, and the city of New York puts up \$20 million plus \$12 million in land—

Mr. ROONEY of New York. Mr. Speaker, will the gentleman yield for a correction? They want the United States to put up \$34 million, not \$20 million.

Mr. ROSENTHAL. The United Nations has installations in other cities in the world. No other city in the world has been required to match their nations contribution.

It seems incredible to me that a municipality which has no foreign policy of its own, a municipality which is in dire financial straits, can be obliged under this resolution to match the Federal grant.

Let me read just a few clippings from recent newspaper articles about the serious and dire straits in which the city of New York finds itself.

The headline from a very recent edition of the New York Times is, "City Makes Cuts in Public Housing."

The housing commissioner, Mr. Walsh, says, "Rehabilitation fund for slum-area loans is low."

"Mayor Lindsay and 25 aides take \$1,000 cuts."

"City acts to cut spending for 'frills and excesses'."

"Report finds city low on finances."

"Mayor and Governor seek U.S. funds to avert crises."

I will ask also to put in the RECORD at the appropriate time a letter from the controller of the city of New York urging President Nixon to seek legislation to pay to the city of New York the \$7.3 million a year in costs for police protection in the city of New York, and a letter from the mayor urging the same kind of relief.

My colleague from New Jersey (Mr.

FRELINGHUYSEN) has suggested indeed it is true the mayor of New York agreed to this arrangement and that, having once agreed, the city is bound to support that agreement. That is an argument that has, I would suggest, some degree of persuasion, but the fact of the matter is that that agreement was made 3 years ago. That agreement was made before 500 lower echelon employees of the city of New York were fired a few weeks ago, or laid off, or retired because the city is on the verge of bankruptcy.

How could anyone with a sense of responsibility to the city-State-Federal relationship suggest that any city ought to match the Federal responsibility in dealing with an international organization?

Many of my friends on this side of the aisle have said, "What do we care about New York City? If New York made that agreement they are bound to live with it."

Let me give a comparable example. Let us assume the Federal Government were going to put up a massive Federal office installation in Chicago or San Francisco or Los Angeles and it would cost \$50 million to \$100 million and it would provide thousands of jobs for that community. Have we ever in the history of this country asked a municipality to make a cash contribution for that construction? It might be that a city would be generous, as New York has been, in saying, "We will give you the land for nothing," but never in the history of the U.S. Congress have we affirmed or ratified an arrangement where a municipality was required to put up money to help build a Federal building.

I will concede, as the gentleman from New Jersey (Mr. GALLAGHER) suggested, that a great deal of money comes into the city of New York by way of payroll and other expenditures, but that really begs the question.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GALLAGHER. Mr. Chairman, I yield the gentleman 2 additional minutes.

The CHAIRMAN. The gentleman from New York is recognized for 2 additional minutes.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. Yes, I yield to the gentleman from New Jersey?

Mr. GALLAGHER. I would like to point out to the gentleman that every city in the United States and every State in the United States participates with the Federal Government in various projects in which the Federal Government is involved in those States and municipalities.

I would like to point out that the city of Vienna, the Canton of Geneva, in the country of Switzerland, have offered the United Nations the kind of propositions that New York offered also.

If these two U.N. agencies move to Geneva or Vienna, it will represent a loss to New York City of approximately 600 U.N. employees who now spend their money in that city.

Furthermore, New York does receive some \$230 million which is spent in New

York City and surroundings each year because of the presence of the United Nations there. That is why Vienna and Geneva want this deal.

Mr. ROSENTHAL. The fact of the matter is that more than 50 percent of the employees of the U.N. live outside the city of New York. The fact of the matter is that the city is in a serious financial plight. It cannot afford this \$20 million any more than it can afford to spend \$20 million in sending astronauts into space. Additionally, the city of New York has no foreign policy responsibilities.

We can not affirm an arrangement whereby a municipality assumes a Federal responsibility.

Mr. GALLAGHER. Because the city of New York is a major gainer because of the presence of these facilities in the city. That is why.

Mr. ROSENTHAL. I, for one, do not believe the threat of removal of these facilities to Vienna or Geneva, as I suggested earlier.

Mr. GALLAGHER. If the gentleman does not believe the threat of removal is real, then why should the U.N. continue to pay rents to landlords at high prices?

Mr. ROSENTHAL. That is a very good question.

I include several articles and editorials which have bearing in this important issue:

CITY MAKES CUTS IN PUBLIC HOUSING—GOLAR SAYS A LACK OF FUNDS FORCES SERVICE REDUCTION

Simeon Golar, chairman of the City Housing Authority, disclosed yesterday that services and maintenance at public housing projects were being sharply curtailed because of a lack of money.

In an interview on WOR-TV's "New York Report," which was taped last week and aired yesterday, Mr. Golar said that the level of staffing at the projects "has probably been inadequate."

He added that in line with the "diminishing productivity of labor generally," the authority "has incurred slippage in the quality of maintenance."

Mr. Golar cited the maintenance of elevators as one area in which he had been forced to order cutbacks. He said that he had found that elevator mechanics working for the authority were earning as much as \$25,000 a year, including overtime pay. As a result, he ordered that except for rare emergencies, repairs on elevators be made during regular working hours.

DOING TOO LITTLE

The lack of funds, he said, has also hit hard at the authority's social services.

"We're taking in huge numbers of families with terrible social problems, on the assumption, the terrible error, that it's sufficient to respond to the housing needs of people," he said.

"We're doing too little of that, by the way, and then we don't begin to respond to other needs, once they're in public housing."

Mr. Golar estimated that the authority's deficit would come to almost \$20-million by the end of the year and that its federally, state and locally aided programs were all "running in the red."

"I would assume that by the end of next year, in the federally assisted program, for instance, we will have virtually depleted our reserves and really won't be able to cover our next payroll at some point in time," he added.

SITES ARE AVAILABLE

Mr. Golar said there were nearly half a million people seeking accommodations in public housing, nearly as many as now live in such projects. Fiscal shortages, he said, threaten planned new construction.

In the past the problem had been to find suitable sites for public housing, he said. They are now available, Mr. Golar explained but the money is not.

At present, the authority chairman said, there are 6,000 units of public housing under construction, but he added, "We'll come to a grinding halt pretty soon unless we get new Federal appropriations for both low-income housing and for middle-income housing."

WALSH SAYS REHABILITATION FUND FOR SLUM-AREA LOANS IS LOW

The city's municipal loan program, which is used to help to rehabilitate apartments in depressed areas, is "virtually exhausted," after operating at a record pace during 1970.

Albert A. Walsh, Housing and Development Administrator, said yesterday that \$35 million had been committed in low-interest loans to owners this year, bringing the total long-term lending under the eight-year-old program to something over \$81 million.

The authorization, of \$85 million thus leaves only a reserve for contingencies and increased costs, Mr. Walsh said. New funds, he said in an interview, would require a new authorization from Mayor Lindsay to be raised by borrowing within the special housing and urban renewal debt limit, and must be balanced against other housing program needs.

COULD USE \$50-MILLION

Mr. Walsh said he hoped for some new financing shortly. He estimated that the program had about \$11-million to \$12-million in pending applications for which "letters of feasibility" had been issued, indicating that they might warrant loans when additional funds were available.

As much as \$50-million could be used, if available, for the rest of the city's fiscal year, which will end next June 30, he said.

The municipal loan program operates within the superagency's Department of Development, and has been continued even while its activities have been under the scrutiny of the city's Department of Investigation under Commissioner Robert K. Ruskin.

The investigation had been requested by Mr. Walsh two weeks after he assumed his present post last Jan. 8.

DEPUTY IS TO LEAVE

The inquiry led last September to his suspending the program's civil service director, Louis A. Reiter, for refusing to complete a financial questionnaire for Mr. Ruskin's office. Mr. Reiter has since been dismissed after a departmental hearing, Mr. Walsh said.

William Clarke, Deputy Commissioner of Development for rehabilitation financing, who has headed the Municipal Loan Program since October, 1967, resigned on Nov. 5, effective Jan. 1.

Mr. Walsh said Mr. Clarke was "resigning to go into his own business," and had not been asked to resign. Mr. Clarke has said he started the investigation into alleged irregularities, but has called the program "the best of its kind in the country."

REORGANIZATION GOING ON

The program provides a loan to a landlord to rehabilitate and improve low-income apartments in economically depressed areas at the same interest rate that the city pays for borrowing the money, plus an administrative fee. Commitments so far have covered about 350 buildings with 6,300 apartments.

Mr. Walsh said that an internal reorganization of the program had been going on, and that within the next week or two new regulations would be published "tightening up administratively and procedurally to avoid or control any possible abuses which may have given rise to the Ruskin investigations."

With a "very tight" situation on available funds under the special housing debt limit—perhaps \$700-million for all purposes—Mr. Walsh said the city would seek state legislation to set up a New York City housing finance agency. Mayor Lindsay has envisioned such an agency to raise funds for middle-income housing.

The state's Constitution permits excluding a municipal loan program's housing-rehabilitation project from the special housing-debt limit if it is "totally self-sustaining." Mr. Walsh said, but not if it falls short by ever \$1. By contrast, he said, another provision of the Constitution allows "proportionate exclusion" for nonhousing projects from the general municipal debt limit.

LAI-D-OFF CITY EMPLOYEES FACE A BLEAK EXISTENCE

(By Emanuel Perlmutter)

"What can I say to my children?" asked Mrs. Elaine Wilson, a sad-eyed mother of five, who was one of the provisional employees laid off by the city yesterday for economy reasons. Many of them will have to go back on welfare.

Mrs. Wilson, who lives at 82 De Sales Place, Brooklyn, had been receiving relief for 10 years before she got a job last March as a record room clerk for the Department of Social Services.

"I've been telling my youngsters to study hard so that they can get jobs when they grow up and won't have to live on charity," she said. "What will they think now, when I want to work and the city throws me back on welfare?"

Mrs. Wilson had been earning \$105 a week as a city employee and receiving \$82 a week in supplementary welfare payments. When she was a full welfare case she received \$107 a week. So the city will save only part of the salary she had been getting and, in addition, will lose a worker considered productive by her superiors.

MANY FACE HARDSHIP

The 42-year-old woman, who is separated from her husband, discussed her plight along with other discharged provisionals as they sat in offices of the State, County and Municipal Employees Union at 365 Broadway.

Walter McCarthy, 43, of 2942 West 31st Street, Coney Island, looked bewildered. The father of six, including a 19-year-old youth serving with the Army in South Vietnam, he had been working as a Social Services messenger for the last six months. Before that, he had been a boilermaker's helper who could never get more than a few months work a year and had required supplementary welfare assistance.

"My wife doesn't know yet, we don't have a phone," he said. A slim man in a tan lumber packet, he ran his hand through his sandy hair. "I felt useful. Now I'll have to go altogether on welfare."

Mr. McCarthy had been earning \$108 a week as messenger and the Social Services Department had been paying his \$107 monthly rent as a welfare supplement.

Lawrence Becker, 45, 2255 Bedford Avenue, Brooklyn, another Social Services messenger, sat with his discharge notice in hand. It was signed by Commissioner Jack R. Goldberg and read in part as follows:

"Dear Staff Member:

"As you may know, the City of New York is confronted with a severe imbalance be-

tween revenues and expenses. Drastic measures are necessary to close this budgetary gap. This includes termination of the employment of many provisional employees.

"I regret to inform you that you are among those to be terminated, effective the close of business on Dec. 4, 1970. If you have any annual leave or overtime leave credit, you should arrange to utilize the credits before that date."

RETIREMENT PROBLEM

Mr. Becker, who had been living with his wife entirely on his messenger's salary, said he would have to seek welfare assistance if he could not find another job.

Joseph De Malra, of 28 Bay 22d Street, Brooklyn, an assistant architect for the Department of Real Estate, who had been working as a provisional city employe for 14 years, faces a different problem.

"I'm 61 years old," he said. "I don't think I can get another job at my age. I had hoped to retire at 65, with a pension based on 18 years of service."

Mr. De Malra shook his head. "I'm not lazy," he said. "I like to work. I canceled my vacation in August because my boss said we were shorthanded."

Some of those laid off yesterday have passed Civil Service examinations for their jobs and may be rehired when permanent positions are available. But others face an existence on public welfare.

OFFICIAL'S DISMISSAL ASKED IN "WELFARE HOTEL" DISPUTE

(By Murray Schumach)

The New York Urban Coalition called on Mayor Lindsay yesterday to dismiss Housing and Development Administrator Albert A. Walsh, saying that Mr. Walsh had, in effect, rejected its plan to rehabilitate abandoned slum buildings for welfare families that are now housed at high rents in hotels.

After an argumentative session, which was attended by Mr. Walsh and by Deputy Mayor Richard R. Aurelio, the head of the New York Urban Coalition, Eugene S. Callender, said in an interview:

"Walsh should be removed. He has shown a lack of good faith after we had a signed agreement with the city on a program that would have saved the city \$3.4 million in the first year alone. I question the seriousness of the city administration, and particularly of the H.D.A. bureaucracy, about making available decent, sanitary and safe housing for the poor people of his city."

A spokesman for Mr. Lindsay said last night that "the Mayor has every confidence in Mr. Walsh." Mr. Aurelio said later that he would report to the Mayor on the meeting.

The Deputy Mayor said that while the agreement on which the Urban Coalition proposal was based raised serious financial and legal problems, an effort would be made to save the idea. He indicated the solution might rest in legislation that the Mayor will press upon the State Legislature.

The Urban Coalition, as a result of its agreement with the city last April 3, spent \$300,000 in acquiring four abandoned buildings in a rundown section of the Bronx and in architects and building fees. The purpose was to renovate the buildings into 65 attractive, furnished apartments for welfare families and a day-care center for the community.

The rents to be paid by the city would have varied, depending on the amortization procedure desired by the city. According to Mr. Callender they are called an "emergency," more than \$600 a month for four-bedroom apartments, which he said would still be cheaper than hotel rentals.

Mr. Callender and his chief aides explained that the rent could be cut by more than 50 per cent if the usual 30-year amortization

was allowed, instead of the 10-year period requested by the city.

HOUSING QUALITY AT ISSUE

According to Mr. Callender, Mr. Walsh objected that, the city would never be able to get the families out of such desirable apartments—that these apartments were intended only for transient welfare families until the city could find them permanent housing.

"So what?," Mr. Callender said he had retorted.

He then offered to build permanent housing for welfare families out of abandoned slums at rents less than the city now pays, he said. The usual maximum on these permanent rentals is about \$160 a month, though in a few cases, involving families with children, the rent has gone to \$250.

There is no ceiling on welfare rentals in hotels, since they are called "emergency." But some families have lived there for two years and more, and the average duration is four and a half months.

Mr. Callender, who was a deputy administrator in the Housing and Development Administration under Mr. Walsh's predecessor, Jason R. Nathan, said:

"The H.D.A. bureaucracy seems more concerned with finding excuses not to build housing than in developing or accepting programs that produce more comfortable circumstances for the poor at a time when human beings are moving into vacant, serviceless buildings as squatters rather than live in these hotel rooms."

The angry exchanges at City Hall came two days after The Times had printed an article reporting the squalor in which welfare families live in hotels and rents reaching up to \$1,200 a month. Then yesterday Mayor Lindsay announced reforms to end the "intolerable conditions" in these hotels, to impose strict safety standards on them and to reduce sharply, if not end, the practice of putting welfare families in hotels.

Mr. Callender said that Mr. Walsh's position indicated a "lack of concern for the disinherited blacks and Puerto Ricans who make up the bulk of the people suffering under his program." He added:

"This might be an explanation of the fact that since Walsh became Administrator, the number of blacks and Puerto Ricans in the H.D.A. has decidedly declined."

FOUNDATION HELP OBTAINED

Tracing the genesis of the plan to rehabilitate slums for welfare families, Mr. Callender said it went back to early in this year.

After the agreement was signed with the city on April 3, he said the New York Urban Coalition acquired four buildings on Washington Avenue at 167th Street, the \$300,000 spent for the purchase, architects fees and other costs, according to Mr. Callender, was obtained mainly from the Ford Foundation.

Subsequently, said Mr. Callender, the Urban Coalition received assurances from lending institutions that they would be willing to finance the construction of the project, if the city would abide by the agreement.

According to Mr. Callender, all the members of the Board of Estimate had been privately informed of the proposal and had expressed approval.

Mr. Callender pointed out that since the furnished apartments planned in these buildings would all have had complete kitchen facilities, there would be no need for the city to pay special allocations for restaurant meals. At present welfare families in hotel rooms without cooking facilities receive special allotments to eat in restaurants, sometimes exceeding \$300 a month.

LINDSAY, 25 AIDES TAKE \$1,000 CUTS—OFFICIALS ACT AFTER MAYOR'S OFFICE ANNOUNCES LAYOFFS OF 25 CITY PROFESSIONALS

(By Edward Ranzal)

Mayor Lindsay and 25 of his top officials agreed yesterday to take \$1,000-a-year pay cuts as part of the city's response to its current budget crisis.

Late yesterday afternoon, the Mayor's 22-member supercabinet, made up of administrators and commissioners whose salaries range from \$35,000 to \$42,500 a year, informed the Mayor of their decision for a voluntary pay cut.

Shortly thereafter, the Mayor, the two Deputy Mayors and the Mayor's press secretary joined in the pay-cut move. The two Deputy Mayors, Richard R. Aurelio and Dr. Timothy W. Costello, earn \$45,000 a year each. Thomas Morgan, the press secretary, gets \$41,000.

The Mayor's salary is set at \$50,000 a year. In December, 1969, he vetoed a bill that would have raised his salary to \$85,000. During his first four years in office, the Mayor turned back to the city \$5,000 of his \$50,000 salary.

Only an hour earlier further ways were announced to offset an anticipated \$300-million deficit in the current \$7.7-billion expense budget.

The Mayor's office announced that at least 25 appointed professional city employes would be laid off in addition to the provisional city employes whose dismissal the Mayor directed last week.

The pay-cut idea for those in the top echelon was brought up at a noon City Hall news conference. Time and again the Mayor stressed how "painful" it was for him to use "microscopic and scalpel-like care" in job reductions.

Asked if he had considered voluntary pay cuts for his top aides, the Mayor answered:

"I think that is a matter the Cabinet would want to consider on its own motion and that is up to them. Several have suggested it. They might want to consider it. That's a suggestion I will be glad to listen to."

The Mayor refused at that time to say how many of his top aides had volunteered to take pay cuts, nor would he name them.

LA GUARDIA AIDES TOOK CUTS

During the Depression, officials in the administration of Mayor Fiorello H. La Guardia took voluntary pay cuts before the Mayor resorted to mass layoffs of municipal employes to cope with his budget problem.

In addition to the latest layoffs, Mayor Lindsay's office announced a series of immediate expense budget reductions in three executive agencies and the Mayor's office. This "programmatic scalpel" is expected to save \$500,000 annually. It is part of the \$5-million in agency reductions ordered last week by the Mayor to reduce the city's operating deficit.

The 25 professionals to be laid off were said to be in the \$12,000 to \$18,000-a-year categories. Appointed to their positions, these employes are not protected by Civil Service.

The professionals are in addition to 500 provisional city employes ordered laid off last week by the Mayor. A provisional employe becomes regularly employed when he passes a Civil Service test and is formally appointed to the position. The dropping of the 500 provisionals is expected to save \$2-million a year.

One person who was "terribly unimpressed" by the voluntary pay cuts was Victor Gotbaum, the executive director of District Council 37, which represents 120,000 city employes. Mr. Gotbaum, said the city's economies would not be effected "on the banks" of the lowpaid workers, and he suggested that layoffs might start with the Mayor's own patronage list.

Mr. Gotbaum met with the Mayor for an hour yesterday then later reported to his executive council that the city would attempt to transfer some of the laid-off employees into the New York City Off-Track Betting Corporation. He said, too, that the Mayor assured him that the union would be brought in on any future discussions of employe layoffs.

APPOINTS CORRECTION AIDES

As more pink slips were sent out yesterday to provisional employees, the Mayor announced at his news conference the appointment of two officials to the Department of Correction and the promotion of two officials in the department.

The Mayor said he had made these appointments to strengthen the department, which was rocked recently by riots in four city prisons. When the Mayor directed a selective job freeze on Oct. 7, he exempted both the Sanitation and Correction Departments.

The two posts filled by the Mayor have been vacant for about a year. Benjamin J. Malcolm, an assistant director in the Office of Labor Relations, was named first deputy commissioner. Jack Birnbaum, an executive with the Office of Economic Opportunity, was appointed assistant commissioner for administration and planning. Their combined salaries total \$60,440.

Alfred J. Mutell was promoted from deputy warden to chief of operations, and Francis R. Buono was promoted from warden of the Men's Correctional Center at Rikers Island to the newly created post of supervising warden of Rikers Island.

Meanwhile, Personnel Director Harry I. Bronstein and Human Resources Administrator Jule Sugarman said that a central referral office had been opened at the Personnel Department, 220 Church Street, to help get private jobs for city employes who were laid off.

In the new belt-tightening steps taken yesterday, Deputy Mayor Aurelio said that the Mayor's office would close three field offices of the Office of Neighborhood Government and merge several other offices.

The Office of Neighborhood Government includes the Urban Action Task Force, the neighborhood city halls, the Neighborhood Conservation Bureau, Operation Better Block and the Neighborhood Action Program.

Adjacent facilities of the Office of Neighborhood Government will assume responsibilities for those closed.

The following are members of the Mayor's 22-member supercabinet:

Constantine Sidamon-Eristoff, Transportation Administrator.

Richard Lewisohn, Finance Administrator.
Mrs. Eleanor Holmes Norton, chairman, Human Rights Commission.

Gordon Chase, Health Services Administrator.

Milton Misticus, Municipal Services Administrator.

Jerome Kretchmer, Environmental Protection Administrator.

Donald Elliott, chairman, City Planning Commission.

Joseph Williams, Administrator, Model City.

Jule Sugarman, Administrator, Human Resources Administration.

Ken Patton, Administrator, Economic Development Administration.

Robert Lowery, Fire Commissioner.

George F. McGrath, Commissioner of Correction.

Albert A. Walsh, Administrator, Housing and Development Administration.

J. Lee Rankin, Corporation Counsel.

Robert Ruskin, Commissioner of Investigation.

Bess Myerson Grant, Commissioner of Consumer Affairs.

Herbert L. Haber, Director of Labor Relations.

Edward K. Hamilton, Budget Director.

August Heckscher, Recreation and Cultural Affairs Administrator.

Simeon Golar, chairman, City Housing Authority.

Harry I. Bronstein, director, Department of Personnel.

Patrick Murphy, Police Commissioner.

CITY ACTS TO CUT SPENDING FOR "FRILLS AND EXCESSES"

(By Maurice Carroll)

A new step in the city's austerity campaign—pressure on agency heads to "expose some frills and some excesses"—was pledged yesterday by Deputy Mayor Richard R. Aurelio.

The administration made public a memorandum to Mayor Lindsay's super-cabinet requiring that reports on possible savings be made to a new productivity panel consisting of Mr. Aurelio, Deputy Mayor Timothy W. Costello and Budget Director Edward K. Hamilton.

Then Mr. Aurelio, sitting in his office next door to the Mayor's, explained that an agency-by-agency review of programs that could be curbed during "this period of austerity" had already started.

Steps that have already been scrutinized, he said, included the following:

A study showing that it would be cheaper to stop the "graveyard" shift on the Staten Island ferry and to carry that handful of passengers by taxicab over the Verrazano bridge during the early morning hours.

A review of newsletters published by one unnamed city agency. "They serve a purpose but it is a question whether we really need them now," he said.

Yesterday's was the fourth movement in what many persons familiar with the city's finances agree is an orchestrated economic lament. It began early in the week with Mayor Lindsay's announcement that, because of an anticipated deficit of some \$300-million in the \$7.7-billion city budget for the current fiscal year, 500 provisional employees were to be dismissed.

Then the city's Budget Director warned of possible new taxes to be imposed this year.

Then the Mayor gave a speech suggesting that New York was one sufferer in a country-wide epidemic in which municipal governments are being squeezed by the national economic turndown.

The memorandum from Mr. Aurelio to the super-cabinet requires a "productivity review to be completed by Dec. 18" by each agency head. It also requires submission of a preliminary outline of possible money-saving steps by Dec. 4.

"The Mayor specifically asked us to finish this by the first of the year," said Mr. Aurelio, who was sitting in his shirtsleeves, behind his wide papercovered desk at City Hall.

"We're going to press them," he said of the agency heads. "We're looking for possible consolidation of services, for overlapping, for frills, for some built-in bureaucratic procedures that have been kind of historic but that no one has ever taken a long look at to see if time and technology have made obsolete."

Mr. Aurelio said he did not know how much money the review might be able to save toward the goal of eliminating the anticipated \$300-million deficit.

It was likely, Mr. Aurelio said, that there would be more layoffs.

The initial 500 who will get pink slips later this week are among 18,000 provisional employees, those without Civil Service status or union protection, among the 370,000 on the municipal payrolls.

Mr. Aurelio talked also about one of the two major elements that would determine the actual size of the deficit that might con-

front the city when its fiscal year ended June 30—the negotiations now under way with major municipal unions.

Labor contracts covering policemen, firemen, sanitation men and many clerical workers expire Dec. 31.

The other imponderable in the budget picture is the financial impact of decisions on state aid to be made in the next session of the Legislature.

Many political and fiscal experts are agreed that the current austerity campaign combines both a real concern over an unanticipated economic squeeze and a considerable amount of propaganda. The propaganda is designed to persuade Albany to be kinder than usual in coming up with money and to lower expectations of labor's rank and file so that they will be more likely to accept whatever settlements their leaders come back with.

The economic downturn that is cutting income tax receipts below estimates and swelling welfare rolls above estimates has been aggravated, Mr. Aurelio noted, by three areas in which the financial package that Mayor Lindsay brought back from Albany this year had failed to meet forecasts.

He said that the city's share of lottery receipts was lower than the \$25-million that had been anticipated, that the off-track betting program that was budgeted to bring in \$50-million would be lucky if it broke even this year, and that the state had not moved yet on an agreement to collect the city's income taxes, an administrative shift that had been calculated to save the city some \$10-million.

REPORT FINDS CITY LOW ON FINANCES—SEES NEED FOR EQUIVALENT OF MAJOR NEW TAX A YEAR

Even if the city government undertakes no new programs, it will have to raise the equivalent of a major new tax every year in the foreseeable future, according to a book that went into circulation yesterday.

The book, "Agenda for a City: Issues Confronting New York," says built-in increases in the normal cost of running the city will require that much new revenue every year.

The 718-page volume, containing chapters and commentary by 33 leaders in public administration and government, was commissioned by the Institute of Public Administration under a grant from the Ford Foundation.

The book, edited by Dr. Lyle C. Fitch, president of the institute, and Annmarie Walsh, senior staff member, was ordered in the spring of 1969 in the expectation that there might be a change of administration in the city on Jan. 1, 1970.

With the re-election of Mayor Lindsay, this change did not occur but the Lindsay administration drew on the findings earlier this year in putting together its budget.

CITY PRESSURES CITED

In writing how the city, in effect, has to come up with a new tax a year or its equivalent, Dr. Richard Netzer, dean of the Graduate School of Public Administration of New York University, told of forces and pressures that feed the insistent demand for new revenues.

Some are expenses mandated by the Legislature, such as pension improvements. Others are automatic raises in wage contracts already negotiated or forthcoming. Welfare costs stimulate other increases.

"In nearly every year during the nineteen-sixties, the nominal budgetary balance required by law," Dr. Netzer wrote, "has necessitated one or a combination of changes in statutory provisions, such as increases in the rates of existing city taxes, the adoption of new city taxes, revisions in state aid formulas, or simply temporary borrowing and raids on reserves."

"Each such action involves the expendi-

ture of political bargaining power and, in the case of city tax increases, the using up of another slice of limited tax-paying capacity, thus making the resolution of the following year's budgetary problem that much harder."

NO REWARDS SET UP

Dr. Fitch and almost a score of the authors of the book discussed it yesterday at a news conference at the institute, 55 West 44th Street, and stressed there were a number of common threads that ran through the studies.

One was that there was not a step-up in productivity in virtually any area of city government, matching the extent of pay increase being given, either by law or by negotiated contract.

It was emphasized that "the system" was to blame for this, rather than the workers or the unions.

Another was that many of the problems confronting the city also afflict other large cities and, as Dr. Fitch, a former City Administrator put it, New York City's government "is certainly no worse, and is probably somewhat better, than the governments of other large cities."

Among the proposals set forth in the volume is one by David B. Bertz, senior partner in McKinsey & Co., management consultants, and Adam Walinsky, Democratic candidate for Attorney General in this year's election, calling for a new reorganization of city departments.

They proposed that, rather than keeping the number of superagencies at 10, which was set by Mayor Lindsay in a first-term reduction of agencies reporting to him, that the number be slashed to four, each headed by a deputy mayor.

Another of their proposals, intended to effect decentralization of services, would set up community organization, possibly conforming to present City Council districts, to handle planning, policy-making, and even administration. . . .

MAYOR AND GOVERNOR SEEK U.S. FUNDS TO AVERT CRISES—LINDSAY CITES "CRUNCH"

(By Martin Tolchin)

Mayor Lindsay called yesterday upon the Federal Government to provide "emergency relief" to ease the budget crisis that he said afflicted many of the nation's largest cities.

As the Mayor described the affliction, it looked like an epidemic, although he did not use that word. He characterized as "vital" a "minimum agenda" that included massive Federal revenue sharing and reconsideration of federally imposed wage and price controls.

"Not since the Depression have the goals of states and localities been so readily summed up in one word: Survival," Mr. Lindsay told a luncheon meeting of the Committees for Economic Development at the Waldorf-Astoria Hotel.

"Trapped between rising expenditures and shortfaling revenues, governments from coast to coast face the unique possibility of bankruptcy," the Mayor said. "Not a bankruptcy of credit, but of capacity."

Mr. Lindsay recited a litany of woes endured by other major cities whose troubles, he said, had far surpassed New York's. Mr. Lindsay directed the layoff of 500 provisional civil servants last Tuesday and cut \$15-million from city programs, stopped merit increases, tightened productivity controls and threatened new taxes to help close a projected \$200-million to \$300-million budget gap.

"Yet, with all our difficulties, New York City has had relatively less trouble than most," the Mayor said.

He warned, however, that "this is not the end" and added: "I frankly do not know the extent to which the quality of urban life will be damaged by these necessary measures."

The Mayor said that other major cities that had been caught in a budget squeeze included the following:

Detroit, which has laid off "hundreds of public employees pending the passage of a new utilities tax."

Cleveland, where Mayor Carl Stokes laid off 3,200 of the city's 13,000 employees, closed the police academy, dismissed the current class of cadets, and stopped tearing down condemned buildings because "it lacks the money even to destroy, let alone to build."

Washington, where Mayor Walter Washington has laid off 1,000 employees, stopped financing 1.5 million textbooks, and eliminated 2,400 slots in the prekindergarten program.

Newark, where Mayor Kenneth S. Gibson has announced that the public schools simply may not reopen after the Christmas holidays.

Pittsburgh, where Mayor Peter Flaherty has warned of the possible closing of City Hall for two weeks at the end of the year to save \$2-million. The alternative is to persuade city employees to take one payless day a week, for ten weeks.

"The crunch has come for millions of Americans in the private sector," Mr. Lindsay said. "This fall, it has come in the public sector."

The Mayor said that, in the past, the cities could increase their services each year because of increased revenues from "sustained economic growth, imaginative new tax policies and outside help."

This situation prevailed until 1970, Mr. Lindsay said.

"In 1970, survival is the issue because there is no real growth in the economy—there are few new taxes to levy—and Federal and state aid is levelling off as economic conditions take their terrible toll on all governments," he asserted.

"And survival is also the issue, because inflation has transformed rising costs into runaway costs, while unemployment swells welfare rolls."

Mr. Lindsay said that budget cutting was "severely limited by law."

"Welfare, debt service and pension benefits—three items the city legally cannot control—and municipal salaries account for 82 per cent of our expense budget," the Mayor said. "As in business, when the crunch comes, the only immediate way to save money is to fire people."

Although Mr. Lindsay disclaimed any control over pensions, the Lindsay administration has been generous in negotiating pensions with municipal unions. For example, policemen now retire on half pay after 20 years, instead of 25 years, as a result of a contract negotiated by the Lindsay administration.

The total amount of city pensions has increased since from \$342-million to \$518-million. This has been attributed partly to salary increase on which pensions are based and partly to increases in pension rights and the rate paid by the city.

"If we cannot move forward in the cities, we will move backward in America," Mr. Lindsay said. "If we fail now the costs will far outweigh today's financial deficits. They will be measured in despair, in hatred, in bitterness and in strife."

MAYOR AND GOVERNOR SEEK U.S. FUNDS TO AVERT CRISES—STATE LOOKS TO CONGRESS

(By William E. Farrell)

ALBANY, NOVEMBER 19—Governor Rockefeller, in a grim assessment of the state's fiscal condition, said today that the members of the Democratic-controlled New York Congressional delegation were "the only ones who have the capacity to take the kind of action on a scale that will save New York City and New York State from destruction."

In a brief interview aboard his plane as he headed here from New York to meet with

the State Board of Regents, Mr. Rockefeller used the strongest language he has so far to describe what he sees as a compelling need for large doses of Federal funds to carry on state services.

"I can't tell you how serious I think the situation is," Mr. Rockefeller said, frequently punctuating his comments with finger jabs. "We're talking about the survival of a viable state and city structure and that's going to depend on effective action now in Congress."

That, he said, was the gist of the message he will deliver to the New York Congressional delegation, the largest in Congress—41 Representatives and two Senators—when he meets with its members in Washington on Monday evening. At present the House of Representatives has 26 Democrats and 15 Republicans. Next year the breakdown will be 24 Democrats and 17 Republicans.

Originally the meeting was scheduled to be held on Monday morning at the St. Regis Hotel in New York City. However, it was changed to 6 P.M. at the Madison Hotel in Washington because the "lame duck" session of Congress is expected to be voting on legislation that day.

Over the last few years, Mr. Rockefeller has repeatedly cautioned that the state, if it were to continue to attract and retain business and industry necessary for a healthy economy, was nearing the limits of its taxing powers.

"I was trying to warn people about what was coming," he said. "Now it's here. The crisis is here."

Since his election to a fourth term, the Governor has intensified his demands that the Federal Government funnel back to the state more of the money it takes from it in taxes.

And the demands are expected to increase still more as Mr. Rockefeller and his staff, faced with a very strong possibility of having to increase state taxes, formulate a legislative program and a state budget that must be submitted to the Legislature in late January and early February.

The present state budget is about \$7.2-billion. Sources here report that the budget for the 1971-72 fiscal year, beginning April 1, will be about \$8-billion.

GETS \$2.5-BILLION BACK

Only yesterday, after a two-hour meeting with President Nixon, the Governor told Washington newsmen that New York needed an increase of \$500-million to \$1-billion in Federal aid just "to hold the line at present levels of activity."

The state, he said, presently sends \$23.5-billion in taxes to Washington while receiving only \$2.5-billion in return.

It is considered unlikely that Congress, faced with Federal budget imbalances this year, will do much to aid hard-pressed statehouses.

Asked about this today, Mr. Rockefeller said:

"I can't accept what you're saying.

"Those Congressmen are our representatives and they're where the money is. If they haven't got the money, they've got to get the money. There isn't any other chance. New York State can't produce the money without destroying New York City or the state.

"I'm not going to be presumptuous and tell Congress how to do it," the Governor said.

Then with a tinge of bitterness he added:

"They are voting on these big pork barrel deals for states in the South and the West, dredging operations and so forth—well, we've got a survival problem here. We're right up against the wall."

The Governor's grim mood apparently carried over to his meeting with the Regents, who are requesting \$2.7-billion for state education—an increase of \$323-million over present financing.

After the two-hour meeting at the State Capitol, Chancellor Joseph W. McGovern told

newsmen that the Regents had received "no encouragement" about proposed increases in education spending.

The Governor "was trying to tell us that the state dollar is going to be very much in short supply," Mr. McGovern said.

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, N.Y., September 19, 1970.

HON. RICHARD M. NIXON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Between October 12 and 24 of this year, the United Nations will celebrate its 25th Anniversary. New York City is proud to serve as host city to the United Nations, and we look forward to this important national and international event.

The anniversary celebration will bring to New York City numerous heads of State from across the world. This poses a serious problem of security for the City and for the federal government.

After detailed analysis, the New York City Police Department has advised me that it expects to commit more than 3,500 police man-days to security for this event, at a cost to the City government of almost \$4 million. Should any special situations arise, these costs will, of course, be exceeded.

Providing adequate security for this major national event should be a responsibility of our national government. I know that the Congress has approved your request for \$1.6 million for federal expenditures for security at the anniversary. Even with these additional funds, federal officials have advised our police that only several hundred federal agents will be assigned. Since the federal government does not have sufficient personnel to provide all necessary manpower, I believe that the federal government should compensate the City for the cost of safeguarding this event. I therefore urge you to either submit an additional request to the Congress to compensate the City government or to provide these monies from Executive contingency funds.

The federal government has increasingly recognized its obligation to local governments in such instances. The new Executive Protective Service, established by Congress earlier this year, is a step in the right direction but the present manpower level cannot handle this significant event. The Justice Department has granted \$100,000 of federal crime control funds to the San Clemente, California Police Department because of the problems created by the location of the Western White House.

New York City hosts close to 200 embassies and consulates at a cost to the City of \$1 million a year for police protection without any federal reimbursement. In 1960, in addition to these ongoing costs, the City spent some \$3 million for security at the 15th Anniversary of the United Nations. The federal government failed to reimburse those expenses.

We are prepared this year to take every necessary step to safeguard this important event. But we think it only fair that the taxpayers of our City not be forced to single-handedly bear the expense of this national and international event.

We would be pleased to provide additional information that you may require.

Sincerely,

JOHN V. LINDSAY, Mayor.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., September 23, 1970.
MR. ABRAHAM D. BEAME,
Comptroller, The City of New York Municipal
Building, New York, N.Y.

DEAR MR. BEAME: This is in further reply to your letter of July 23 to the President in which you request that the City of New York be reimbursed for the costs of police protection and the loss of real estate taxes result-

ing from the presence of the United Nations and official representatives of foreign governments.

Based on long-standing reciprocal arrangements among sovereign nations, it is the policy of the United States Government that official representatives of foreign governments in United States municipalities be provided police protection and be exempt from real estate taxes. The Federal government does not reimburse municipalities for these benefits accorded foreign governments. It is generally understood that municipalities gain major advantage from the presence of official foreign representatives.

New York City in particular benefits from its hostship of the United Nations headquarters and official foreign representatives. As often observed, the presence of the United Nations has made New York City the "capital of the world." This prestige has not remained altogether intangible.

Over the years, a substantial amount of money has flowed into the economy of New York City as a direct result of the presence of the United Nations. Approximately 5,000 persons are employed in New York City by the various United Nations bodies, with an annual payroll in excess of \$60 million. Additional major sums are spent in the City by these bodies for rent, supplies, utilities, transportation, etc. Added to the direct expenditures of the United Nations bodies and its staff members are those of the foreign missions to the United Nations and the over 5,000 employees and dependents associated with them. Furthermore, over 100 conferences, many lasting for extended periods of time, are held at the United Nations headquarters each year, drawing additional representatives from all over the world.

Financial gain to the City also results from the expenditures of those attracted to the United Nations on a non-official basis. For example, the presence of journalists covering United Nations and related activities, many on permanent assignment, is a source of profit for the City. Over 150 non-governmental organizations maintain permanent representatives in the City, and send many more on a temporary basis, for business with United Nations bodies. Furthermore, over the past five years, in excess of one million tourists have visited the United Nations headquarters annually, indicating that it is a major attraction drawing tourists to New York City.

Moreover, property values in the vicinity of the United Nations headquarters district have risen significantly due to the presence of the United Nations. This has produced increased revenue for the City, although it would be impossible to calculate the amount with precision.

These facts indicate that the economic benefits—and indirectly the tax revenues—resulting from the presence of the United Nations and official representatives of foreign governments in New York are substantial. A study published by the Brookings Institution has concluded that, while it is difficult to make completely accurate calculations, the City probably breaks even in terms of receipts and expenditures.

Over the years, New York City has recognized the benefits arising from its hostship of the United Nations. Indeed, the City urgently sought the United Nations headquarters and the considerable economic and prestigious benefits that were expected to flow from it. The City's continued interest in assuring the accrual of these benefits is demonstrated by its plans to make available the land and a \$20 million contribution toward an expansion of the present headquarters facilities.

Not directly related to the United Nations presence, an additional important element of official foreign representation in the City is the consular corps, the largest in any American municipality. This provides busi-

nessmen and the general public of the City with ready access to their valuable services, enhancing considerably New York's role as the major trading and transportation center of the United States.

In view of the points cited above, I find no basis for including in the 1972 Federal budget a request for a reimbursement to the City of New York as proposed in your letter.

Sincerely,

JASPER W. WEINBERGER,
Acting Director.

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
October 29, 1970.

MR. BENJAMIN S. ROSENTHAL,
Eighth District, New York,
Cannon, Building,
Washington, D.C.

DEAR MR. ROSENTHAL: I appreciate your sending me a draft of the bill you have prepared to seek reimbursement for expenses related to the Twenty-Fifth General Assembly Session of the United Nations. I agree that an effort should be made in this area and would be most pleased to support the introduction of your bill in January.

In addition, considering the current budget crisis facing the City, your amendment relating to the United Nations expansion bill would be most helpful to the City.

Again, whatever we can do to assist you on this endeavor, please let us know.

Sincerely,

JOHN V. LINDSAY, Mayor.

CITY OF NEW YORK,
OFFICE OF THE COMPTROLLER,
New York, N.Y., September 25, 1970.
MR. CASPER W. WEINBERGER,
Acting Director, Office of Management and
Budget, Executive Office of the President,
Washington, D.C.

DEAR MR. WEINBERGER: The Federal Government's refusal to reimburse New York City for U.N.-related expenses is unfair to nearly eight million taxpayers.

When, on behalf of the City, I asked the President in July for such reimbursement, I noted that New York City residents were being forced to pay \$7.3 million a year for extraordinary police expenditures and losses in real estate taxes.

The \$7.3 million is, in all justice, a national obligation.

The Federal Government claims, through your September 23rd letter to me, that the presence of the U.N. benefits the City economically. This claim misses the point.

If we were to accept that reasoning, the City would have to stop taxing all of the other tourist attractions, on grounds that they bring millions of Americans and foreigners every year into the City, and thus, benefit the City economically.

I'm sure you will agree that it would be far-fetched to suggest that Rockefeller Center, the Empire State Building, our entertainment centers, etc., should be given special treatment because they happen to be tourist attractions.

Again, using the same reasoning, are you not in effect saying that the cost of services to embassies in the District of Columbia should be borne only by the residents of Washington, D.C.?

So far as tourism is concerned, I am sure that most people visit the U.N. as an incidental side trip when they come to New York. For most people, the U.N. is not their main reason for visiting New York.

I cannot agree with your observation that the presence of the U.N. has made New York City the "capital of the world." New York City was the "capital of the world" long before the League of Nations was in Geneva and much longer before the U.N. was at Lake Success. In fact, the U.N. settled here in the New York City precisely because it *was* (and still is) the capital of the world.

Nevertheless, the real host to the U.N. is not the City of New York, but the Federal Government. Therefore, the Federal Government should assume the responsibility of protecting foreign dignitaries and reimbursing the City for real estate tax losses.

We want the U.N. here; it belongs here in the capital of the world. The City spent many millions of dollars of public funds preparing the U.N. site, and we are committing additional millions towards its expansion. This we consider an adequate contribution. Anything beyond this is unjust.

I ask you to reconsider this matter.

Very truly yours,

ABRAHAM D. BEAME,
Comptroller.

Mr. FASCELL. Mr. Chairman, I rise in support of House Joint Resolution 1146.

At the start, I would like to commend my distinguished colleague from New Jersey and subcommittee chairman (Mr. GALLAGHER) for the outstanding work which he has done during the past year in directing our subcommittee's study of the United Nations, in bringing out an excellent report on the 25th anniversary of that organization, and in managing the legislation presently before us.

As a former chairman of the Subcommittee on International Organizations and Movements, and former U.S. delegate to the United Nations, I can fully appreciate the reasons which move him to urge early approval of this measure.

I would like to join with him in making that recommendation to the House. For I believe that the need for expanding the headquarters of the United Nations in New York City—which project cannot really move ahead without U.S. participation and support—is most urgent.

It is urgent because the U.N. long ago outlived its present facilities and unless that situation is remedied, developments are likely to occur which may prove expensive both to the Organization and to the United States as one of its most prominent and active members.

When originally designed in the late forties, the present Secretariat office building was meant to accommodate a staff to service a membership of up to 70 nations. As of this year U.N. membership totals 127 countries. In just 20 years the staff servicing U.N. Headquarters has grown from 2,900 persons—in 1950—to about 4,900 today. Since 1965, outside office space has been rented to accommodate the overflow. Rental fees now run to \$2 million annually and are rising. The original architects of the building have prepared a plan, which the U.N. General Assembly has approved, to expand present facilities at a cost of \$80 million. But work cannot begin unless this body approves the grant requested by the President in his budget for fiscal year 1971.

There are compelling reasons for doing so. The only alternative to expansion is dispersion to other countries. Two major U.N. units have already relocated to Europe. It has been argued—and correctly—that a world organization should be globally distributed. But dispersal becomes counterproductive at the point where the vital central functions of planning, coordination, and control are

eroded by the distances involved. Excessive dispersal results in higher costs to maintain a scattered organization operating at a lower level of efficiency. The United States, as a major contributor, would in effect be paying more and buying less. And the higher costs to us would, within a few years, exceed the amount we are now being asked to approve.

The balance-of-payments effect must also be considered. Right now a large part of the U.S. contribution is returned directly to the U.S. economy through local U.N. procurement and personal consumption expenditures of U.N. personnel. These purchases would become dollar outflows if the organization were allowed to disperse further. Furthermore, as the host country, we exert an extra measure of beneficent influence on the U.N. whose members live among us and have daily contact with Americans at every level. By and large this influence has aided us in our diplomatic endeavors.

In closing let me note that the Government of Austria is paying the entire cost of the accommodations for those U.N. bodies located in Vienna. Host governments traditionally contribute substantial portions of the costs of the accommodations of international organizations within their borders. We are only being asked to furnish a part of the cost of expansion. The city of New York has generously pledged a matching contribution of \$20 million over and above the land needed for the expansion which has been made available by the city at no cost. The remaining \$40 million will come out of the regular U.N. budget and from donations of U.N. agencies. Although the United States will pay between 30 and 40 percent of the contributions from these sources, it would pay no less if the \$80 million expansion took place elsewhere. Finally, I urge my colleagues to support this measure both as a tribute to the 25 years of progress for mankind already achieved by the United Nations and as an indication of our continuing interest in the Organization. The Senate has already approved of this legislation; we can do no less.

Mr. SCHERLE. Mr. Speaker, perhaps taking advantage of the seasonal spirit of giving, Congress is being asked to spend \$35 million to expand and improve the United Nations building in New York City. Uncle Sam will be dunned for \$20 million in direct payments for the capital improvement of the modern-day "Tower of Babel," and an additional \$15 million will come from this country's "contribution" to the U.N.

As an inducement to finance the world's largest and most expensive wind tunnel, Congress has been assured that the city of New York will kick in \$20 million. Of course, there is no iron-clad guarantee that New York will be able to raise that amount in cold cash. Under the red-ink knight of the Hudson, Mayor John V. Lindsay, the city will have a \$500 million deficit this year. For the next fiscal year, knowledgeable experts are already predicting a \$1.2 billion deficit. It is ludicrous to expect Fun City to scrape up \$20 million for the U.N. project. One does not have to look farther than Washington, D.C., to guess who will make up the difference.

If the House approves this proposal, the taxpayers should be prepared to play Santa in one way or another for the lions share of the \$80 million tab. As a result, many worthwhile domestic programs will be curtailed because adequate funds to finance them will not be available.

I am opposed to this bill.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and nine Members are present, a quorum.

The Chair recognizes the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I have no further requests for time.

Mr. GALLAGHER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.J. Res. 1146

Whereas the Congress authorized the United States to join with other governments in the founding of the United Nations;

Whereas the Congress unanimously, in H. Con. Res. 75 (Seventy-ninth Congress), invited the United Nations to establish its headquarters in the United States, which invitation was accepted by the United Nations;

Whereas the United States has continued to serve as host to the United Nations;

Whereas the membership of the United Nations has increased substantially and the organization has outgrown its existing facilities;

Whereas the General Assembly of the United Nations in December 1969 authorized the construction, subject to suitable financing arrangements, of an additional headquarters building south of and adjacent to the present headquarters site on land to be made available without charge by the city of New York;

Whereas the total financial burden of expanding its headquarters in New York would severely strain the resources of the United Nations;

Whereas a special contribution by the United States as the host government would constitute a positive act of reaffirmation of the faith of the American people in the future of the United Nations: Be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Secretary of State out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$20,000,000, to remain available until expended, for a grant to be made at the discretion of the Secretary of State, to the United Nations to defray a portion of the cost of expansion and improvement of its headquarters in the city of New York on such terms and conditions as the Secretary of State may determine. Such grant shall not be considered a contribution to the United Nations for purpose of any other applicable law limiting contributions.

AMENDMENT OFFERED BY MR. ROSENTHAL IN THE NATURE OF A SUBSTITUTE

Mr. ROSENTHAL. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. ROSENTHAL: Strike out all after resolving clause and insert in lieu thereof the following:

"That there is hereby authorized to be appropriated to the Secretary of State out of

any money in the Treasury not otherwise appropriated a sum not to exceed \$40,000,000 to remain available until expended, for an interest-free loan to be made at the discretion of the Secretary of State to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in the City of New York on such terms and conditions as the Secretary of State may determine. Such loan shall not be considered a contribution to the United Nations for purpose of any other applicable law limiting contributions."

Mr. ROSENTHAL. Mr. Chairman, this amendment is self-explanatory, and I think will help solve a difficult situation. What it would do would loan, not grant, but loan, to the U.N., interest free, \$40 million.

This takes the city of New York off of the hook for what I consider an outrageous gunshot deal, and permits us to get repayment of the principal of the loan.

Now, this would work out just fine because when the United Nations came into being the United States loaned the United Nations for original construction \$65 million. The U.N. has just this year repaid \$40 million of that \$65 million that is outstanding. So what we can do is loan them the \$40 million, interest free, and this releases the responsibility and obligation of the city of New York, and permits those who vote for it, to vote for the loan, rather than a grant.

One thing that I forgot to say during my original presentation is that not only will the city of New York need to arrange to pay \$20 million now, but when the U.N. building was built in the first place the city of New York spent over \$20 million in highway access roads, sewer connections, and such things as that. And while there has been, as the gentleman from New Jersey (Mr. GALLAGHER) has suggested, a net financial gain, circumstances have changed so drastically in the city that there simply is not money to meet the payroll.

The time has come for the U.S. Congress, this House, this body, to say "Look, we recognize the plight of the cities. The Federal Government does have resources that the cities do not have, and simply because the circumstances have changed in the past 3 years we should not hold the feet of the city to the fire."

This amendment, if it is adopted, I think is a very reasonable approach. It saves the city of New York the problem of appropriating \$20 million, and permits the Federal Government not to appropriate or grant \$20 million, but, rather to loan the money. The intentions of the U.N. have been proven in this area, because they have just, as I have said, repaid a loan of \$40 million.

Mr. Chairman, I urge adoption of the amendment.

Mr. KOCH. Mr. Chairman, I move to strike the last word, and I rise in support of Mr. ROSENTHAL's position and of his amendment.

Mr. Chairman, this is a difficult vote for many people, because there is a strange alliance on the floor today. There are a number of Members who do not support the United Nations who will vote against the bill, and then there are those of us who support the U.N. who are also going to vote against the bill. I happen to be the Member who represents the

very area in which the U.N. is physically located. I have always supported the U.N.; I support it now and I want it to remain in New York City. I am certain that, no matter how this bill is voted, up or down, the U.N. is going to stay in the city of New York. I would like to explain why I, a supporter of the U.N. am here speaking against this bill, and why other Members of the New York City delegation feel the same way.

We are going to vote against this bill because the city of New York simply does not have the \$20 million which would be its share under the arrangement provided for in this legislation. If New York City is required to pay this \$20 million, vital municipal services will be reduced. One of the gentlemen supporting the bill said he really does not care about the financial plight of the city of New York and that it is not the concern of this House. But, that is simply not true. It is your problem as well as that of those who represent that city. When the city of New York finds itself so strapped for moneys that it has to fire 500 people because the city cannot pay their wages, when the city of New York finds it cannot provide municipal services, including such essentials as libraries and when it cannot pay increases to firefighters and policemen because it simply does not have the funds, then it is your problem too because the city of New York happens to be one of the great cities of this country. It is your city just as much as it is mine.

What we are saying is that if you vote down this bill there will be another bill early next year, and it will provide the moneys required without bleeding New York City. We already have heard on the floor today that the Committee on Appropriations is not going to provide the money this year even if the bill is passed today.

The city of New York is doing its fair share in this expansion. It is giving \$12 million to the United Nations by way of a land contribution. It already provides special police protection for visiting U.N. dignitaries and for the consulates that costs about \$2 million a year. The city of New York makes a contribution when real estate is taken off the tax rolls, and real estate taxes are lost to the city of New York to the extent of at least \$5 million a year. It simply is not our obligation to pay for a United Nations building. This is the obligation of the Federal Government—and I would like to repeat that I say this as one who supports the United Nations.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I yield to the distinguished chairman of the committee, the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I cannot understand why the Members of the Congress from New York are so excited about this bill. This has been before the New York City Council twice. They approved it. The mayor approved it. The board of estimate approved it twice. Now the board of estimate really should know something about the financial condition of the city. We hear all about this financial condition of New York City from the Members of Congress from the city of New York even though their city

council, the mayor, and the board of estimate have approved this \$20 million contribution on two occasions.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I yield to my colleague, the gentleman from New York.

Mr. CAREY. Mr. Chairman, I respectfully wish to disagree with our distinguished colleague, the chairman of the committee.

It is true that these various bodies voted in approval of the contract which was given to them on the shotgun basis—that they either took this contract or they did not get a new building.

We want to support the United Nations, but we must be practical. It is not the same board of estimate today and it is not the same city council, and certainly it is not the same fiscal situation today.

The same body that you mentioned, the city council is notifying the librarian to close down libraries. The Brooklyn Museum will not open next year because they have no money to finance their day-to-day activities.

We are in extremely bad shape in New York City and we could not write this contract today.

If New York City were the Federal Government and we operated in the same way, we would be subject in those bodies to a point of order because the board of estimate and the city council would be authorizing and appropriating funds that do not exist in New York City.

It would have to come to the Congress and woefully say—We cannot live up to this agreement because we do not have the money.

That is the situation. Keep in mind my colleagues, if you will, that we do not get impacted area funds for the children of the United Nations representatives. We do not get any Federal payment in kind for any of the day-to-day activities of the U.N. We foot the bill for all of this.

When it comes down to building a structure—a structure across the New York skyline where people all over the world and all over the United States and our colleagues in this Chamber will come one day and say—We built that building—I do not think it is fair when we will have built that building by taxing the 1 million people who are on welfare and the 7 million New Yorkers who are already being taxed right to the very top of their heads. They do not have this last pound of flesh in New York City to meet an international obligation. This is not the way to fund this building and this is no way to treat New York City.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

The fact of the matter is that, despite what my distinguished colleague from New York has said, the city of New York does not want to withdraw from this agreement. They have affirmed and ratified the agreement. They have put some of the money into this budget. They like what the U.N. brings to New York City. A great number of jobs would be lost if the U.N. facilities were closed down there.

New York benefits probably to the tune of \$230 million each year. The city of New York recognizes this. As I said be-

fore, Vienna and Geneva wanted these U.N. facilities. So New York became competitive, knowing what the tremendous possibilities would be.

The gentleman from New York has referred to the internal situation in the city of New York. The city undoubtedly has problems. But we have to go on the fact that the city of New York has pledged to the United Nations that it would participate in the expansion project to the extent of \$20 million. We have to presume they knew what they were doing.

What would happen if we should adopt the amendment? It would simply mean that the U.S. contribution would have to double. The U.S. Congress is not going to welcome that. If this agreement falls, then next year the executive branch will be back here asking the Congress of the United States to double its contribution. I doubt very much whether we would do that.

As I said at the outset, the fact is that despite what we have heard about New York, the city of New York, the duly elected officials of that city want to participate in this agreement, and well they should, with all the benefits that come to the city.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. CAREY. My colleague, I hope, would also recognize the congressional delegation from New York as being duly representative of the people of New York.

Mr. GALLAGHER. Yes; they do at this level, and I understand why they are participating in this debate today.

Mr. CAREY. My colleague, as a great student and philosopher, also recognizes that circumstances change, and when circumstances are gripping, as they are now in financial areas, then the Congress should be a little more generous to the largest taxpaying body we have in the United States.

Mr. GALLAGHER. And the largest recipient of tax revenues.

Mr. CAREY. Right. Let me merely state that when the Penn Central got into trouble, and the good commuters from New York, Pennsylvania, Connecticut, and Delaware sent for help from Congress, we did not tell the Penn Central, "You can sink or swim," but we worked out a plan with them.

Mr. GALLAGHER. I say to the gentleman that this is not a New York problem that we are discussing here. The city of New York wanted to participate in financing the expansion of the U.N. headquarters. What we are discussing here today is whether or not the Congress of the United States wants to contribute \$20 million to that project—not \$40 million.

You gentlemen from New York are doing an outstanding job, but we must remember that the elected officials of the city of New York, the duly elected officials who are entrusted with the responsibility for managing the affairs of the city, have said that they want this.

The issue here today is simply whether or not the Congress is going to authorize

\$20 million, not the \$40 million that the Members from New York want.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding. I did not intend to get into this debate, because I have great respect for some of my colleagues from New York City who disagree with me. But I feel constrained to say at this point, when reference is made to a delegation position, that I disagree on this matter. I am opposed to the amendment, and I am opposed to the amendment because I feel very deeply that if this amendment were to prevail, the bill would be defeated. I am very much in favor of the bill. I disagree with my colleagues from New York who are opposed to the bill, because I think at the very best if this bill is defeated we will have a long delay in obtaining a desperately needed improvement for the United Nations, and at worst, I am very much afraid that with the kind of opposition that is growing in this House to the United Nations itself, we may never get this improvement. And then the U.N. might leave New York and that would be a tragedy. I thank the gentleman for yielding.

Mr. GALLAGHER. I thank the gentleman for his wise statement.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. ROSENTHAL. Naturally I have great respect for my colleague from New York (Mr. BINGHAM) who was at one time Ambassador to the United Nations, and I am sure he has emotional ties to that international organization.

I would also like to ask the gentleman from New Jersey whether any New York City official appeared before the committee to testify as to present position of the city of New York.

Mr. GALLAGHER. No; those arrangements were worked out between the city of New York and the United Nations. We can only take the work of the people who participated. We did have everybody up here saying what the New York position was. We double checked with New York. As far as I know, that is still their position.

I compliment the gentleman for what he is attempting to do, but the issue here today is whether or not the Congress wants to authorize \$20 million for a U.S. Government contribution to the expansion of U.N. Headquarters. That is all.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I do not think we really need to belabor the point. The gentleman from New York (Mr. KOCH), has said this was a difficult vote for many people here today. I would suggest it is about as easy a vote as we could ever expect to cast. If we are friends of the United Nations, or if we are foes of the United Nations, it seems to me we should oppose this proposal.

If we are friends of the United Nations, it jeopardizes the package which

has been put together. A \$40 million interest-free loan from the U.S. Government is quite different from the grant which is proposed in the package. If we are foes of the United Nations, why should we provide additional money? I would suppose I do not have to suggest arguments to opponents of the U.N. with respect to an amendment which increases the Federal contribution.

I represent a district which is neighboring the great city of New York. I have sympathy for their financial condition, but all I can say is that the mayor of the city of New York, so far as I know, is presently strongly in favor of this proposition. My guess is that the city of New York has enough commonsense to know that basically the United Nations as it is presently constituted represents a good thing for the city. This additional proposed facility insures the continuing presence of a substantial number of individuals employed by the United Nations—with all that means to the city.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I thank the distinguished gentleman from New Jersey for yielding.

Mr. Chairman, I would point out that I have checked recently with the mayor of New York, John Lindsay. He feels that the bill in its present form is one that should be supported.

If he were on the floor here tonight, I believe he would oppose this amendment.

It is further the case that the board of estimate has approved this, and while New York City has some financial difficulties, I do not think this whole question should be tied to the future of the U.N. I say the future of the U.N. in all seriousness, because although some Members here may not be aware of it, there have been efforts from time to time to move the United Nations from New York. There has been very real concern expressed from time to time over whether the U.N. should stay in the United States.

As a practical matter, the Secretary of State, Mr. Rogers, asked the Congress to act on this question last February. This is another instance of the Congress and the United States being somewhat slow to act in a matter that is vital to the future of the U.N.

I would say to those here tonight who are disposed to support the amendment here before us—which I oppose—I am sure the gentlemen are sincere in trying to get a better allocation for New York City, but what, in fact, they are doing is risking the future of the U.N. in the United States. If there is a delay on this action beyond what we have had, there is a danger that the United Nations at some point could leave these United States.

I think on its merits and on the basis of the position of the mayor and the position of the U.S. Government, we should defeat this amendment and support the bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from New York for his eloquent comments.

I should like to say that so far as I know, no one is holding the feet of New York City to the fire. Reference has been made to shotguns and pressure in reaching this arrangement. I do not know who has that kind of power over the city government. Surely it is not being suggested that the Federal Government is responsible for some kind of pressure on the city to provide funds it is not willing to provide?

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I would ask the gentleman from New Jersey (Mr. FRELINGHUYSEN), Is not this as a practical matter really academic, because if the bill goes through, we will still have the mayor of New York coming down here to the Congress and asking us to provide revenue for his city to meet its obligations, whether these includes an additional \$20 million for U.N. expansion? In other words, either way the funds will be sought from the Federal Government. So whether this amendment passes or is rejected is a strictly academic question.

Mr. FRELINGHUYSEN. The mayor of New York is an able mayor, and I am sure he will articulate the city's needs if he wants help from the Federal Government. I do not think we should attempt to put ourselves in the position of the mayor, and try to foretell his actions or try to challenge what they have decided.

In other words, I think we should proceed forthwith to defeat this amendment and approve the bill.

Mr. CAREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just want to say I do see one glimmer of hope and one ray of sunshine and the predicament of the people of the city of New York. In attempting to undertake from local tax sources the responsibility of an obligation by the city of New York to underwrite an obligation of the United Nations. We would set a regrettable precedent.

That is the question before us: Shall the taxpayers of the city of New York only through the support of local revenues and the availability of local revenues underwrite an international obligation of the United States of America?

It is an extremely bad precedent, Mr. Chairman.

As to the ray of hope I mentioned I just say perhaps the way we can shift some of that burden off the greatly burdened New Yorkers is that I detect now in the sponsorship of my colleague from New Jersey, who is from the adjoining district in New Jersey close alongside of New York, and my colleague from Westchester County, again outside the city of New York but in commuting distance, and my colleague from Bayonne, also across the river but also in commuting distance, some new degree of generosity. Since more than half of those who work at the United Nations live outside of the city of New York, and work in the city, perhaps we can help to finance some of the obligation of the city by raising the

commuter tax for those who now come into New York from these suburbs. If my generous suburban colleagues will sponsor that, I will go along with them.

Mr. LOWENSTEIN. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I should like to address a question to either of my distinguished colleagues who have spoken for this amendment.

I am deeply sympathetic to the plight of the city of New York. I am curious about whether passing this amendment would not subject the United Nations to an enormous additional financial burden at a time when it is already beleaguered by great financial problems. Thus a squabble between the U.S. Government and the city of New York about to who should pay what share of these costs would end up further weakening the United Nations.

We agree that maintaining the United Nations, for all its infirmities, is a necessity at this juncture of history, and if we change grants to loans, would we not be putting a great additional financial burden on the U.N. at precisely the wrong moment?

Mr. ROSENTHAL. Mr. Chairman, if the gentleman will yield, this would be an interest-free loan, with terms and conditions to be fixed by the Secretary of State. If he wanted to make it 50 years, 40 years or 30 years, that would be perfectly within his prerogative.

Under those conditions it would not be an unconscionable burden. It is an unconscionable burden on the city of New York to match the Federal expenditure in the foreign affairs field, in cash, in addition to putting \$12 million in real estate into this thing.

The question is, simply put: Should a burdened municipality finance a foreign affairs responsibility of the National Government? That is the simple question.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. ROSENTHAL).

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROSENTHAL

Mr. ROSENTHAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: Page 2, line 11, immediately before the period insert the following: "; except that no such term or condition shall require a cash contribution by any municipality as a condition precedent to the making of the grant authorized by this joint resolution".

Mr. ROSENTHAL. Mr. Chairman, this amendment would add the following condition: The Federal Government would still make the \$20 million contribution, but any municipality—and particularly the city of New York—would be precluded from making any cash contribution.

At that point the Federal Government would have two options. It would either increase its contribution and come back for additional legislation, or the United Nations would raise the money and ad-

just the arrangement so that they could get the \$20 million elsewhere.

I regret, Mr. Chairman and my distinguished colleagues, that this seems to be developing into a city of New York versus the rest of you discussion here this evening.

I would suggest—and this may sound burdensome, that what happens to Houston and San Francisco and Chicago and Miami and Dallas concerns me.

I have voted on the Foreign Affairs Committee for Interama in Miami, for the exhibit that my distinguished friend from Texas (Mr. GONZALEZ) helped sponsor in San Antonio, and as a national Representative I am concerned with the legislation affecting every municipality and every State in this Nation.

Having said that, it is obvious that many of my colleagues' principal responsibility is to their constituents. But I urge you to think about this question of going along, automatically, with the deal made by the State Department 3½ years ago. It is the responsibility of all of us, collectively and jointly, to assess the financial well-being of any city or municipality. And, I tell you that no city in the world has made a cash contribution of this enormity toward any international organization.

Now, if you are willing for the first time to say that a municipality can make a cash contribution to an international organization in the light of an enormous financial crisis, then so be it. Then, you have made the decision.

What I urge upon you is to measure your sense of responsibility. I think it is very interesting that all of those who represent districts surrounding New York, located in New Jersey, Westchester, and places like that, are enthusiastically for this legislation and against the amendment. I say this, that we are a national legislative body. New York City deserves no more special consideration than any other community in the country, but it deserves no less either. It deserves equal treatment. How we can face any of our constitutional responsibility by suggesting a municipality in this Nation will match a Federal responsibility in cash for a foreign affairs responsibility is beyond my ability to understand.

Mr. FRELINGHUYSEN. Mr. Chairman, if the gentleman will yield, I would like to clarify the significance of this amendment.

I wonder if the gentleman would answer this question: Is it his intention to preclude any municipality from making a cash contribution to the United Nations?

Mr. ROSENTHAL. That is right.

Mr. FRELINGHUYSEN. But this language does not preclude making a cash contribution. It says that it is forbidden to make a cash contribution as a condition precedent to the making of a grant authorized by this bill.

Mr. ROSENTHAL. That is absolutely correct. The gentleman is recognized as a strict constructionist, and we have great appreciation of that. What this amendment does is say to the Federal Government that the U.S. House of Rep-

representatives suggests a new arrangement be made and the granting of the \$20 million Federal contribution should not be conditioned upon the arrangement for the city to make a \$20 million contribution.

Mr. FRELINGHUYSEN. But the gentleman's language does not lead one to any such conclusion. It simply says that the city cannot be required as a condition precedent to make a cash contribution in order to get the Federal money.

Mr. ROSENTHAL. That is right.

Mr. FRELINGHUYSEN. But it is making a voluntary contribution. Could it still do so, under the gentleman's language?

Mr. ROSENTHAL. It would open up a new role of negotiations between the city officials, the Department of State and the United Nations in which I would hope this thing could be more equitably adjusted.

Mr. FRELINGHUYSEN. On what basis does the gentleman feel the city would come to any new understanding as to negotiations?

Mr. ROSENTHAL. Because the city has fired 500 people and the mayor of the city of New York can then go to the Secretary of State and say that there is now this prohibition on the part of the House and can we not renegotiate the deal? In other words, I did not make this as strong as I would like to have made it because I hope the House will favorably consider this amendment.

Mr. GALLAGHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. There are just two points which I would like to make:

First of all, the Congress certainly should not attempt to dictate what a city can or cannot do with respect to its budget.

Second, on pages 5 and 6 of the report, we have listed a number of cities that have made various contributions, in cash, land, and rent-free space, to various U.N. agencies. So it is not a novel thing, an unusual thing, for a city to contribute to the U.N. or one of its agencies.

Lastly, regarding what my friend said about my being close to New York City, I might say that the Statue of Liberty is in my district, but the city of New York collects the revenues on it.

Mr. LOWENSTEIN. Mr. Chairman, if the gentleman will yield, I would like to ask about something that troubles me precisely because I share the concern of those who support this amendment. I agree that this financial arrangement is not a fair one. Now suppose we help to defeat it because it places an unfair burden on New York City, and then those who oppose it for other reasons are able to prevent a more equitable measure from getting through Congress. That, you will agree, is a very real possibility. What happens then? At that point there would be no appropriation at all to finance the expansion of the U.N. My question is: Is it the judgment of those who favor this amendment and who, in fact, oppose the bill without this amendment—is it their view that the city of

New York, as represented by the mayor, the city council, and the board of estimate, would prefer to have no expansion rather than to have the proposed arrangements as the basis for financing the expansion? This may sound rather hypothetical, but it is in fact the heart of the matter. Would those who speak for the city want no expansion of that is the alternative to expansion as proposed? We had best face this matter frankly now. It will be too late to face it if we prevail on an amendment and then lose the bill.

Mr. ROSENTHAL. If the gentleman will yield, it is my view that the city of New York would prefer the expansion, but would prefer a more equitable arrangement. Maybe those who vote against this amendment do so because of their opinions, but they certainly should not vote against a city being short-changed for voluntarily having gotten into a wrong deal.

Mr. LOWENSTEIN. But if we were to defeat this bill, and then were unable to obtain additional Federal funding, would what we end up with be more desirable to the city of New York than the proposed arrangements? That is, would it be better to have than to split the cost of expansion as proposed?

That is what troubles me.

Mr. ROSENTHAL. I have no doubt there would be other arrangements that would be made.

Mr. GALLAGHER. I think it boils down to the fact that this is what we have to pay in order to do what we should do.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from New York (Mr. ROSENTHAL).

The amendment was rejected.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bow: On page 2, line 11, after the period, add the following sentence: "Provided, however, none of the funds herein authorized should be appropriated until all delinquent dues and assessments of member nations have been paid in full."

Mr. BOW. Mr. Chairman, there has been a lot of talk here about who can afford to pay for the U.N. building, and who cannot.

May I point out that the U.S. Government now owes \$385 billion, and we are paying some \$47 billion a year in interest. It seems to me that we have something to worry about.

But this amendment is a very simple one, and I shall not take much time to explain it.

There are \$200 million in delinquencies of member nations, in dues and assessments, of member nations of the United Nations—\$200 million.

Now, if that \$200 million of the other nations was paid up I do not believe they would be in here with their hat in hand asking this Nation, that now owes \$385 billion, to be contributing to the building of a new building. I think it is a very

simple thing to simply say to the other nations: "You pay up what you owe, and then we will appropriate the \$20 million that you are asking for."

What can be fairer than that? Why do we cry great crocodile tears here about the United Nations and their payments and their responsibilities, when other nations are willing to owe \$200 million?

It seems to me that this is a good place to adopt this amendment, then I do not care if you adopt the bill.

But until some arrangements are made for payments by the other nations into these funds, it seems to me quite unfair to ask the taxpayers of this country to pay. And the people of New York say how much good can be done with that \$40 million to help you in your situation and maybe to get some of your people back to work.

So, Mr. Chairman, I would hope that the committee would adopt this amendment. It is, very simply, to say to these people, "Pay your bills and we will help you."

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the distinguished gentleman has asked what would be fairer than his amendment.

What his amendment would really do is to allow Albania to decide the future of the United Nations by not paying its dues. It would be as simple as that.

While I have a moment, I would like to say that this dues question does not present the kind of picture that is usually portrayed.

It is true that there is a considerable amount of money owing. But that money is owed primarily as a result of U.N. peacekeeping operations that the United States requested and that the United States pushed through—operations in the Middle East and in the Congo.

The Soviet Union, Albania, France, and several of the satellite countries have refused to pay for those operations.

The real amount of money that is owing to the UN's regular budget is \$58 million. That money, or at best most of it, will be paid.

Mr. WATSON. I suggest that they are enjoying it so much over here that if the gentleman's amendment is adopted, they can pay up and we can move along and discharge the supposedly most important missions of the United Nations and that is to keep the peace.

Mr. GALLAGHER. The gentleman wishes to move out.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, the gentleman has used the term "peacekeeping," but he is not using it in the context that I think we normally think of in the United Nations.

This was moving in troops in force into the Congo.

In my opinion—for whatever it is worth—we were on the wrong side there. We insisted upon it. We got stuck with the bill. That is about what it amounted to. I think we made a mistake when we picked one of these leaders as against

another and we decided that he was the fellow we ought to support and run the other one out of town, you might say.

So this is really a U.S. State Department decision or somebody downtown. It was not really a United Nations decision. The people who did not want to go along with it—did not.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the amendment.

It seems to me if we should apply the reasoning of this amendment to the obligation of the United Nations, we obviously would bring the United Nations to its knees immediately.

What we are talking about are arrangements, as the gentleman from New Jersey has said, produced primarily for peacekeeping operations, to which some member nations have objected, and for which they have failed to pay. We have never had a resolution of that, and we certainly could not force a resolution of it by language like this. This would simply say that it is no longer in our interest to support the United Nations, and I hope we do not feel that way. The list of delinquent nations is on pages 17 through 19 of the hearings of the committee, and included on the list is the United States as being delinquent. It was delinquent only for a short period, but we are not without sin ourselves in some circumstances.

So I hope we realize that this would be a devastating amendment, because we surely are not going to obligate every nation to pay up, and one nation could force a crippling of our activities.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. Bow).

The question was taken; and on a division (demanded by Mr. Bow) there were—ayes 34, noes 61.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are a number of Members who were not here earlier this afternoon, and I think that before we vote on this resolution it ought to be made clear that it is to commit U.S. taxpayers to a \$34 million contribution for another United Nations building—\$20 million in this resolution plus the contributions that the United States makes on a percentage basis to other funds of the United Nations that are committed. Then the taxpayers of the city of New York, which is bankrupt, are committed to another \$32 million.

In other words, you are asked to vote to commit the taxpayers of the country, and the taxpayers of the city of New York to a \$66 million contribution for a new \$80 million U.N. building—a building that will cost, according to the present estimates, \$63.13 per square foot as compared to some \$30-and-some-cents a square foot for that Babylonian palace otherwise known as the Rayburn Building. That is twice the cost per square foot.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. The gentleman talks about the Babylonian palace. Does the gentleman not have an office in that building?

Mr. GROSS. I like to enjoy some of the good things in life. The gentleman made it possible for me, and I want to thank him.

This resolution is in the nature of a pig in the poke. It commits the taxpayers of this country to \$20 million plus the other contributions that we will make, but you will find not one word in the resolution committing the city of New York. That is a separate agreement with the United Nations. The city could welsh on their so-called agreement. Would troops be sent into New York to collect the money that was pledged or would Congress be duped into putting up New York's \$32 million?

As far as the mayor of New York is concerned, I knew the gentleman when he was a member of this House, and he was about as fast as anyone I have known in the expenditure of other people's money. I assume he is keeping up that reputation in New York City.

It is a shame that the amendment offered by the gentleman from Ohio (Mr. Bow) was not adopted a minute or two ago. At least it would have made some sense.

There has been much talk about peacekeeping, and expenditures for peacekeeping. In the Middle East the Israelis told the United Nations to get its so-called peacekeeping force out of the way, or they, the Israelis would run their tanks over them. The so-called emergency force pulled out and has not been back.

In the Congo, what has been the result of the U.N. peacekeeping operation? They have as brutal and bloodthirsty a dictator in the person of Mobutu as ever walked the soil of Africa. He has taken care of his political opposition by hauling them to the town square and hanging them in a public exhibition at high noon.

Peacekeeping? Where is the peace you glibly talk about? Yes, Mr. Chairman, let the officials of the United Nations get busy and collect the \$200 million its members owe. Then they can construct their \$80 million building and have \$120 million left over for fun, sport, and amusement as befits this misnamed and spineless organization.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. PHILBIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H.J. Res. 1146) authorizing a grant to defray a portion of the cost of expanding the United Nations Headquarters in the United States, pursuant to House Resolution 1308, he reported the joint resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution.

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit House Joint Resolution 1146 to the House Committee on Foreign Affairs with instructions that the resolution be reported forthwith with the following amendment: Page 2, line 11, after the period add the following sentence; "Provided, however, none of the funds herein authorized shall be appropriated until all delinquent dues and assessments of member nations have been paid in full."

Mr. GALLAGHER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered. The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 124, noes 168, not voting 141, as follows:

[Roll No. 438]

YEAS—124

Abernethy	Edwards, Ala.	Landgrebe
Alexander	Edwards, La.	Landrum
Belcher	Eshleman	Lennon
Bennett	Fisher	McClure
Betts	Flowers	McDade
Bevill	Flynt	McEwen
Blaggi	Foley	Mahon
Blackburn	Foreman	Miller, Ohio
Bow	Fountain	Mizell
Bray	Frey	Myers
Brinkley	Fuqua	Nichols
Brown, Mich.	Gettys	O'Neal, Ga.
Brown, Ohio	Goldwater	Poage
Broyhill, N.C.	Goodling	Pollock
Broyhill, Va.	Griffin	Purcell
Buchanan	Gross	Quillen
Burleson, Tex.	Grover	Randall
Cabell	Hagan	Reid, Ill.
Carter	Hammer-	Roberts
Casey	schmidt	Robison
Cederberg	Harsha	Rogers, Fla.
Chamberlain	Henderson	Rooney, N.Y.
Chappell	Hosmer	Roth
Cleveland	Hunt	Sandman
Collier	Hutchinson	Satterfield
Collins, Tex.	Ichord	Schmitz
Colmer	Jacobs	Schneebeli
Daniel, Va.	Johnson, Pa.	Scott
Davis, Ga.	Jonas	Sebelius
Davis, Wis.	Jones, Ala.	Shriver
de la Garza	Jones, N.C.	Skubitz
Derwinski	Jones, Tenn.	Slack
Dickinson	King	Smith, Calif.
Dorn	Kuykendall	Smith, Iowa
Downing	Kyl	Stagers
Duncan	Kyros	Steed

Stuckey
Talcott
Taylor
Thompson, Ga.
Vander Jagt
Wampler

Ware
Watson
Watts
Whalley
Whitehurst
Whitten

Williams
Wilson, Bob
Wylie
Wyman
Zion

Ruppe
Ruth
St Germain
Saylor
Schadeberg
Scherie
Scheuer
Shipley
Sikes
Snyder
Springer

Steele
Steiger, Ariz.
Stephens
Stubblefield
Sullivan
Symington
Teague, Tex.
Tunney
Udall
Waggonner
Waldie

Weicker
Wilson,
Charles H.
Winn
Wold
Wolf
Wyatt
Wydler
Young
Zwach

Mr. Leggett with Mr. Cowger.
Mr. Baring with Mr. McCulloch.
Mr. Daddario with Mr. MacGregor.
Mr. Meskill with Mr. O'Konski.
Mr. Pelly with Mr. Michel.
Mr. Mize with Mr. Pettis.
Mr. Minshall with Mr. Poff.
Mr. Price of Texas with Mr. Reifel.
Mr. Rhodes with Mr. Weicker.
Mr. Wynn with Mr. Roudebush.
Mr. Ruppe with Mr. Steele.
Mr. Ruth with Mr. Wold.
Mr. Schadeberg with Mr. Wydler.
Mr. Scherle with Mr. Steiger of Arizona.
Mr. Snyder with Mr. Wyatt.

NAYS—168

Adams
Addabbo
Albert
Anderson,
Calif.
Anderson, Ill.
Anderson,
Tenn.
Annunzio
Arends
Ashley
Beall, Md.
Bell, Calif.
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Brademas
Broomfield
Brotzman
Burke, Mass.
Burton, Calif.
Bush
Byrnes, Wis.
Carey
Carney
Clark
Cohelan
Conable
Conte
Corman
Coughlin
Culver
Daniels, N.J.
Dellenback
Dennis
Dingell
Donohue
Eckhardt
Edmondson
Eilberg
Erlenborn
Esch
Evans, Colo.
Findley
Fish
Flood
Ford, Gerald R.
Forsythe
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Galifianakis
Gallagher

NOT VOTING—141

Abbitt
Adair
Andrews, Ala.
Andrews,
N. Dak.
Ashbrook
Aspinall
Ayres
Baring
Barrett
Berry
Bolling
Brasco
Brock
Brooks
Brown, Calif.
Burke, Fla.
Burlison, Mo.
Burton, Utah
Button
Byrne, Pa.
Caffery
Camp
Celler
Chisholm
Clancy
Clausen,
Don H.
Clawson, Del.
Clay
Collins, Ill.
Conyers
Corbett
Cowger
Cramer
Crane
Cunningham
Daddario

Delaney
Denney
Dent
Devine
Diggs
Dowdy
Dulski
Dwyer
Edwards, Calif.
Evens, Tenn.
Fallon
Farbstein
Fascell
Feighan
Ford
William D.
Fulton, Tenn.
Gibbons
Gilbert
Griffiths
Haley
Hall
Halpern
Hanley
Hansen, Wash.
Hébert
Horton
Hull
Hungate
Langen
Latta
Leggett
Long, La.
Lujan
Lukens
McCarthy
McClory
McCulloch

So the motion to recommit was re-
jected.

The Clerk announced the following
pairs:

On this vote:

Mr. Waggonner for, with Mr. Fascell
against.
Mr. Hébert for, with Mr. Fulton of Ten-
nessee against.
Mr. Rarick for, with Mr. Brooks against.
Mr. Long of Louisiana for, with Mr. Dent
against.
Mr. Shipley for, with Mr. Aspinall against.
Mr. Stubblefield for, with Mr. Rostenkow-
ski against.
Mr. Caffery for, with Mr. Nedzi against.
Mr. Passman for, with Mr. Symington
against.
Mr. Andrews of Alabama for, with Mr. Bar-
rett against.
Mrs. Chisholm for, with Mr. St Germain
against.
Mr. Farbstein for, with Mr. Byrne of Penn-
sylvania against.
Mr. Gilbert for, with Mr. Dowdy against.
Mr. Montgomery for, with Mr. Evins of
Tennessee against.
Mr. Haley for, with Mr. Fallon against.
Mr. McMillan for, with Mr. Feighan against.
Mr. Stephens for, with Mr. Miller of Cali-
fornia against.
Mr. Devine for, with Mr. Monagan against.
Mr. Rousset for, with Mr. Rogers of Colo-
rado against.
Mr. Clancy for, with Mr. Wolf against.
Mr. Del Clawson for, with Mr. Tunney
against.
Mr. Martin for, with Mr. Brasco against.
Mr. Camp for, with Mr. Celler against.
Mr. Crane for, with Mr. William D. Ford
against.
Mr. Hall for, with Mr. Denney against.
Mr. Andrews of North Dakota for, with Mr.
McClory against.
Mr. Zwach for, with Mrs. Dwyer against.
Mr. Saylor for, with Mr. Morton against.
Mr. Burke of Florida for, with Mr. Berry
against.

Until further notice:

Mr. Abbitt with Mr. Adair.
Mrs. Sullivan with Mr. Ashbrook.
Mr. Burlison of Missouri with Mr. McDon-
ald of Michigan.
Mr. Delaney with Mr. Halpern.
Mr. Dulski with Mrs. May.
Mr. Moss with Mr. Ayres.
Mr. Edwards of California with Mr. Mc-
Kneally.
Mr. Roe with Mr. Mathias.
Mr. Rivers with Mr. Corbett.
Mr. Mills with Mr. Horton.
Mr. Murphy of Illinois with Mr. Conyers.
Mr. McCarthy with Mr. Clay.
Mr. Gibbons with Mrs. Griffiths.
Mr. Sikes with Mr. Cramer.
Mr. Scheuer with Mr. Diggs.
Mr. Ottinger with Mr. Collins of Illinois.
Mr. Brown of California with Mr. Brock.
Mr. Hungate with Mr. Don H. Clausen.
Mr. Charles H. Wilson with Mr. Cunning-
ham.
Mr. Teague of Texas with Mr. Burton of
Utah.
Mr. Udall with Mr. Langen.
Mr. Young with Mr. Latta.
Mrs. Hansen of Washington with Mr. But-
ton.
Mr. Hanley with Mr. Lujan.
Mr. Patman with Mr. Lukens.

Messrs. TIERNAN and YATRON
changed their votes from "yea" to "nay".
Messrs. JOHNSON of Pennsylvania
and BIAGGI changed their votes from
"nay" to "yea."

The result of the vote was announced
as above recorded.

The doors were opened.
The SPEAKER pro tempore. The
question is on the passage of the joint
resolution.

Mr. DERWINSKI, Mr. Speaker, on
that I demand the yeas and nays.

The yeas and nays were ordered.
The question was taken; and there
were—yeas 152, nays 135, not voting 146,
as follows:

[Roll No. 439]

YEAS—152

Adams	Giarmo	Olsen
Albert	Gonzalez	O'Neill, Mass.
Anderson,	Gray	Patten
Calif.	Green, Oreg.	Pepper
Anderson, Ill.	Green, Pa.	Perkins
Tenn.	Gude	Philbin
Annunzio	Hamilton	Pirnie
Arends	Hansen, Idaho	Podell
Ashley	Harrington	Pollock
Beall, Md.	Hastings	Preyer, N.C.
Bell, Calif.	Hathaway	Price, Ill.
Bingham	Hays	Pryor, Ark.
Blanton	Hechler, W. Va.	Pucinski
Blatnik	Helstoski	Qule
Boggs	Hicks	Rees
Boland	Hogan	Reid, N.Y.
Brademas	Hollifield	Reuss
Brown, Mich.	Hosmer	Riegle
Burke, Mass.	Howard	Robison
Burton, Calif.	Jarman	Rodino
Bush	Johnson, Calif.	Rooney, Pa.
Byrnes, Wis.	Karh	Roth
Carney	Kastenmeier	Roybal
Cederberg	Kazen	Sandman
Clark	Kee	Schwengel
Cohelan	Kleppe	Sisk
Conable	Kluczynski	Smith, N.Y.
Corman	Kyros	Stafford
Culver	Lloyd	Stagers
Daniels, N.J.	Long, Md.	Stanton
Dennis	Lowenstein	Steiger, Wis.
Dingell	McCloskey	Stratton
Donohue	McFall	Symington
Eckhardt	Madden	Taft
Edmondson	Mailliard	Thompson, N.J.
Edwards, La.	Mann	Tiernan
Eilberg	Marsh	Udall
Erlenborn	Matsunaga	Ullman
Esch	Mayne	Van Deerin
Findley	Meeds	Vanik
Fish	Melcher	Vigorito
Flood	Mikva	Ware
Ford, Gerald R.	Minish	Whalen
Forsythe	Mink	Widnall
Fraser	Morgan	Wiggins
Frelinghuysen	Morse	Williams
Friedel	Mosher	Wilson, Bob
Fulton, Pa.	Murphy, N.Y.	Wright
Galifianakis	Nelsen	Yates
Gallagher	Nix	Zablocki
Garmatz	O'Bye	
	O'Hara	

NAYS—135

Abernethy	Blester	Broyhill, N.C.
Addabbo	Blackburn	Broyhill, Va.
Alexander	Bow	Buchanan
Alexander	Bray	Burleson, Tex.
Bennett	Brinkley	Cabell
Bevill	Broomfield	Carey
Biaggi	Brotzman	Carter
	Brown, Ohio	Casey

Chamberlain
Chappell
Cleveland
Collier
Collins, Tex.
Colmer
Conte
Coughlin
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Derwinski
Dickinson
Dorn
Downing
Duncan
Edwards, Ala.
Eshleman
Evans, Colo.
Fisher
Flowers
Flynt
Foley
Foreman
Fountain
Frey
Fuqua
Gaydos
Gettys
Goldwater
Goodling
Griffin
Gross
Grover
Gubser
Hagan

NOT VOTING—146

Abbitt
Adair
Andrews, Ala.
Andrews,
N. Dak.
Ashbrook
Aspinall
Ayres
Baring
Barrett
Berry
Bolling
Brasco
Brock
Brooks
Brown, Calif.
Burke, Fla.
Burlison, Mo.
Burton, Utah
Button
Byrne, Pa.
Caffery
Camp
Celler
Chisholm
Clancy
Clausen,
Don H.
Clawson, Del.
Clay
Collins, Ill.
Conyers
Corbett
Cowger
Cramer
Crane
Cunningham
Daddario
Delaney
Denney
Dent
Devine
Diggs
Dowdy
Dulski
Dwyer
Edwards, Calif.
Evins, Tenn.
Fallon
Farbstein
Fascell

Hammer-
schmidt
Hanna
Harsha
Harvey
Heckler, Mass.
Henderson
Hunt
Hutchinson
Ichord
Jacobs
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
King
Koch
Kuykendall
Kyl
Landgrebe
Lennon
McClure
McDade
McEwen
Mahon
Miller, Ohio
Mizell
Mollohan
Myers
Natcher
Nichols
O'Neal, Ga.
Pickle
Pike
Poage
Purcell
Quillen

Feighan
Ford,
William D.
Fulton, Tenn.
Gibbons
Gilbert
Griffiths
Haley
Hall
Halpern
Hanley
Hansen, Wash.
Hawkins
Hébert
Horton
Hull
Hungate
Keith
Landrum
Langen
Latta
Leggett
Long, La.
Lujan
Lukens
McCarthy
McClory
McCulloch
McDonald,
Mich.
McKneally
McMillan
Macdonald,
Mass.
MacGregor
Martin
Mathias
May
Meskill
Michel
Miller, Calif.
Mills
Minshall
Mize
Monagan
Montgomery
Moorhead
Morton
Moss
Murphy, Ill.
Nedzi

Randall
Reid, Ill.
Roberts
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Ryan
Satterfield
Schmitz
Schneebeil
Scott
Sebellius
Shriver
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Steed
Stokes
Stuckey
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Vander Jagt
Wampler
Watson
Watts
Whalley
White
Whitehurst
Whitten
Wylie
Wyman
Yatron
Zion

O'Konski
Ottinger
Passman
Patman
Pelly
Pettis
Poff
Powell
Price, Tex.
Rallsback
Rarick
Reifel
Rhodes
Rivers
Roe
Rogers, Colo.
Rostenkowski
Roudebush
Rousselot
Ruppe
Ruth
St Germain
Saylor
Schadeberg
Scherle
Scheuer
Shipley
Sikes
Snyder
Springer
Steele
Steiger, Ariz.
Stephens
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Tunney
Waggonner
Waldie
Welcker
Wilson,
Charles H.
Winn
Wold
Wolf
Wyatt
Wylder
Young
Zwach

Mr. Aspinall for, with Mr. Shipley against.
Mr. Rostenkowski for, Mr. Stubblefield against.
Mr. Nedzi for, with Mr. Caffery against.
Mr. Barrett for, with Mr. Passman against.
Mr. St Germain for, with Mr. Andrews of Alabama against.
Mr. Byrne of Pennsylvania for, with Mrs. Chisholm against.
Mr. Dowdy for, with Mr. Montgomery against.
Mr. Evins of Tennessee for, with Mr. Brasco against.
Mr. Fallon for, with Mr. Stephens against.
Mr. Feighan for, with Mr. Devine against.
Mr. Miller of California for, with Mr. Rousselot against.
Mr. Monagan for, with Mr. Clancy against.
Mr. Rogers of Colorado for, with Mr. Del Clawson against.
Mr. Wolff for, with Mr. Martin against.
Mr. Tunney for, with Mr. Camp against.
Mr. Celler for, with Mr. Crane against.
Mr. William D. Ford for, with Mr. Hall against.
Mr. Denney for, with Mr. Andrews of North Dakota against.
Mr. McClory for, with Mr. Zwack against.
Mrs. Dwyer for, with Mr. Saylor against.
Mr. Morton for, with Mr. Burke of Florida against.
Mr. Berry for, with Mr. Latta against.
Mr. Daddario for, with Mr. Ashbrook against.
Mr. Hawkins for, with Mr. Scherle against.
Mr. Macdonald of Massachusetts for, with Mr. Ruth against.
Mr. Moorhead for, with Mr. Pettis against.
Mr. Rhodes for, with Mr. Wylder against.
Mr. Moss for, with Mr. Snyder against.
Mr. Brown of California for, with Mr. Horton against.
Mr. Edwards of California for, with Mr. Michel against.
Mr. Murphy of Illinois for, with Mr. Corbett against.

Until further notice:
Mr. Abbitt with Mr. Burton of Utah.
Mr. Baring with Mr. Cunningham.
Mr. Hull with Mr. Ayres.
Mr. Hungate with Mr. Keith.
Mrs. Sullivan with Mr. Adams.
Mr. Waldie with Mr. Halpern.
Mr. Charles H. Wilson with Mr. Brock.
Mr. Burlison of Missouri with Mr. Lujan.
Mr. Ottinger with Mr. Clay.
Mr. Diggs with Mr. Roe.
Mr. Gibbons with Mr. Button.
Mr. Dulski with Mr. Conyers.
Mr. Collins of Illinois with Mr. Gilbert.
Mrs. Griffiths with Mr. Lukens.
Mr. Haley with Mr. Don H. Clausen.
Mr. Sikes with Mr. McCulloch.
Mr. Rivers with Mr. MacGregor.
Mr. Hanley with Mr. Cramer.
Mrs. Hansen of Washington with Mr. McDonald of Michigan.
Mr. Patman with Mr. Meskill.
Mr. McMillan with Mr. Cowger.
Mr. Landrum with Mr. McKneally.
Mr. McCarthy with Mr. Minshall.
Mr. Delaney with Mr. Mathias.
Mr. Farbstein with Mr. Langen.
Mr. Scheuer with Mrs. May.
Mr. Mills with Mr. O'Konski.
Mr. Young with Mr. Mize.
Mr. Pelly with Mr. Wyatt.
Mr. Ruppe with Mr. Poff.
Mr. Price of Texas with Mr. Teague of California.
Mr. Rallsback with Mr. Winn.
Mr. Steele with Mr. Reifel.
Mr. Roudebush with Mr. Wold.
Mr. Schadeberg with Mr. Steiger of Arizona.
Mr. Teague of Texas with Mrs. Sullivan.

Mr. BUCHANAN changed his vote from "yea" to "nay."
The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 173) authorizing a grant to defray a portion of the cost of expanding the United Nations Headquarters in the United States, an identical Senate joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 173

Whereas the Congress authorized the United States to join with other governments in the founding of the United Nations; Whereas the Congress unanimously, in H. Con. Res. 75 (79th Congress), invited the United Nations to establish its headquarters in the United States, which invitation was accepted by the United Nations;

Whereas the United States has continued to serve as host to the United Nations;

Whereas the membership of the United Nations has increased substantially and the organization has outgrown its existing facilities;

Whereas the General Assembly of the United Nations in December 1969 authorized the construction, subject to suitable financing arrangements, of an additional headquarters building south of and adjacent to the present headquarters site on land to be made available without charge by the city of New York;

Whereas the total financial burden of expanding its headquarters in New York would severely strain the resources of the United Nations;

Whereas a special contribution by the United States as the host government would constitute a positive act of reaffirmation of faith of the American people in the future of the United Nations: Be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Secretary of State out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$20,000,000, to remain available until expended, for a grant to be made at the discretion of the Secretary of State, to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in the city of New York on such terms and conditions as the Secretary of State may determine. Such grant shall not be considered a contribution to the United Nations for purpose of any other applicable law limiting contributions.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 1146) was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, an-

So the joint resolution was passed. The Clerk announced the following pairs:

On this vote:

Mr. Fascell for, with Mr. Waggonner against.
Mr. Fulton of Tennessee for, with Mr. Hébert against.
Mr. Brooks for, with Mr. Rarick against.
Mr. Dent for, with Mr. Long of Louisiana against.

nounced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 19885) entitled "An act to provide additional revenue for the District of Columbia, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 18306) entitled "An act to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. GORE, Mr. AIKEN, and Mr. CASE to be the conferees on the part of the Senate.

CONFERENCE REPORT ON H.R. 1911, SUPPLEMENTAL FOREIGN ASSISTANCE AUTHORIZATION

Mr. MORGAN submitted the following conference report and statement on the bill (H.R. 1911) to amend the Foreign Assistance Act of 1961, and for other purposes:

CONFERENCE REPORT (H. REPT. 91-1791)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1911) to amend the Foreign Assistance Act of 1961, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Special Foreign Assistance Act of 1971".

SEC. 2. There are authorized to be appropriated to the President for the fiscal year 1971 not to exceed—

- (1) \$85,000,000 for additional military assistance and \$70,000,000 for special economic assistance for Cambodia;
- (2) \$100,000,000 for economic and military assistance programs to replace funds which were transferred by the President for use in Cambodia;
- (3) \$150,000,000 for additional military assistance for the Republic of Korea;
- (4) \$30,000,000 for additional military assistance for Jordan;
- (5) \$3,000,000 for additional military assistance for Indonesia and \$10,000,000 to replace funds transferred from other programs for use in Indonesia;
- (6) \$5,000,000 for additional military assistance for Lebanon;
- (7) \$65,000,000 for additional supporting assistance for Vietnam; and
- (8) \$17,000,000 for additional general military assistance to compensate for a shortage in anticipated recovery of funds from past year's programs.

SEC. 3. The President is authorized, until June 30, 1972, to transfer to the Republic of Korea such defense articles located in Korea and belonging to the Armed Forces of the United States on July 1, 1970, as he may determine, except that no funds heretofore or

hereafter appropriated under this Act or the Foreign Assistance Act of 1961 shall be available for reimbursement to any agency of the United States Government for any transfer made pursuant to this section.

SEC. 4. Except as otherwise provided in this Act, any assistance furnished out of funds appropriated under section 2 of this Act and any transfer made under section 3 of this Act shall be furnished or transferred, as the case may be, in accordance with all of the purposes and limitations applicable by statute to that type of assistance or transfer under the Foreign Assistance Act of 1961 (including the provisions of section 652 of such Act, as added by section 8 of this Act).

SEC. 5. Section 402 of the Foreign Assistance Act of 1961 (22 U.S.C. 2242) is amended by adding at the end thereof the following new sentence: "None of the funds authorized by this section shall be made available to the Government of Vietnam unless, beginning in January 1971, and quarterly thereafter, the President of the United States shall determine that the accommodation rate of exchange between said Government and the United States is fair to both countries."

SEC. 6. (a) Section 451(a) of the Foreign Assistance Act of 1961, relating to the contingency fund, is amended—

(1) by striking out "for the fiscal year 1971 not to exceed \$15,000,000" and inserting in lieu thereof "for the fiscal year 1971 not to exceed \$30,000,000"; and

(2) by striking out the period at the end thereof and inserting the following: "Provided, That, in addition to any other sums available for such purpose, \$15,000,000 of the amount authorized for the fiscal year 1971 may be used only for the purpose of relief, rehabilitation, and reconstruction assistance for the benefit of cyclone, tidal wave, and flood victims in East Pakistan."

(b) Excess foreign currencies held in Pakistan not allocated on the date of enactment of this section are authorized to be appropriated for a period of one year from such date of enactment to help Pakistan withstand the disaster which has occurred.

SEC. 7. (a) In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of the United States ground combat troops into Cambodia, or to provide United States advisers to or for Cambodian military forces in Cambodia.

(b) Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

SEC. 8. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 652. LIMITATION UPON ADDITIONAL ASSISTANCE TO CAMBODIA.—The President shall not exercise any special authority granted to him under sections 506(a), 610 (a), and 614(a) of this Act for the purpose of providing additional assistance to Cambodia, unless the President, at least thirty days prior to the date he intends to exercise any such authority on behalf of Cambodia (or ten days prior to such date if the President certifies in writing that an emergency exists requiring immediate assistance to Cambodia), notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended exercise, the section of this Act under which such authority is to be exercised, and the justification for, and the extent of, the exercise of such authority."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
E. ROSS ADAIR,
WILLIAM MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

JOHN SPARKMAN,
MIKE MANSFIELD,
FRANK CHURCH,
GEORGE D. AIKEN,
CLIFFORD P. CASE,
JOHN S. COOPER,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1911) to amend the Foreign Assistance Act of 1961, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendments struck out all of the House bill after the enacting clause and inserted a substitute text and provided a new title for the House bill.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the bill, with an amendment which is a substitute for both the text of the House bill and the Senate amendment to the text of the House bill, and also recede from its disagreement to the amendment to the title.

The differences between the House bill and the substitute agreed to in conference are noted below, except for clerical corrections, incidental changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

SHORT TITLE: (SENATE—SECTION 1)

The Senate amendment did not amend the Foreign Assistance Act of 1961 in the same manner as did the House bill. Section 1 of the Senate amendment provided that this legislation might be cited as the "Special Foreign Assistance Act of 1971."

The House receded.

AUTHORIZATION OF FUNDS (HOUSE—SECTIONS 1, 2, AND 4; SENATE—SECTIONS 2 AND 5(a))

The House bill amended the Foreign Assistance Act of 1961, as amended, by increasing the authorizations contained in that Act in the following respects: (1) supporting assistance from \$414.6 million to \$609.6 million (Section 1); (2) contingency fund from \$15 million to \$30 million (Section 2); and (3) military assistance from \$350 million to \$690 million (Section 4).

In lieu of amending the Foreign Assistance Act, the Senate amendment to H.R. 1911 was a line-item authorization for specific amounts for specific purposes. Both the amounts and the allocations for programs proposed by the Executive are identical in the House bill and the Senate amendment, except for a reduction of \$5.8 million for military assistance for Korea.

The Senate receded on the amount of military assistance for Korea and accepted the amount contained in the House bill. The managers on the part of the House accepted the line-item structure contained in the Senate amendment.

APPLICABILITY OF THE FOREIGN ASSISTANCE ACT OF 1961 (SENATE—SECTION 4)

The House bill amended the Foreign Assistance Act of 1961, as amended. The Senate amendment to the House bill is written as a

separate measure rather than as an amendment to that Act. Hence the provisions of the Foreign Assistance Act pertaining to the use of funds are not applicable under the terms of the Senate language unless specific reference is incorporated in the Senate version.

The managers on the part of the House were agreed that the provisions of the Foreign Assistance Act should apply to the administration of funds authorized to be appropriated by this bill and, therefore, accepted the Senate language.

RESTRICTIONS ON U.S. INVOLVEMENT IN CAMBODIA (SENATE—SECTION 6)

Section 6(a) of the Senate amendment, restricting United States involvement in Cambodia, would prohibit the use of any funds authorized or appropriated under this or any other Act from being used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States military advisors to or for Cambodian military forces in Cambodia.

The House bill did not contain a comparable provision.

The managers on the part of the House agreed to accept the Senate amendment. It is the understanding of the House conferees that the restrictions imposed as a result of this amendment would not prevent the use of United States troops in border sanctuary operations designed to protect the lives of American soldiers. It is also the understanding of the managers on the part of the House that United States military personnel can be provided to supervise the distribution and care of United States military supplies and equipment deliveries to Cambodia, and that the restriction on the use of United States military advisors does not preclude the training of Cambodian soldiers in South Vietnam.

Section 6(b) of the Senate amendment stated that military and economic assistance authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

The House bill had no comparable provision.

The House conferees accepted the Senate language which has substantially the same meaning as section 650 of the Foreign Assistance Act of 1961.

LIMITATION UPON ADDITIONAL ASSISTANCE TO CAMBODIA (SENATE—SECTION 7)

The Senate amendment added a new section 652 to the Foreign Assistance Act of 1961, as amended. The new section requires the President to notify the Speaker of the House of Representatives and the Chairman of the Senate Committee on Foreign Relations 30 days in advance (10 days in an emergency) that he intends to use the transfer authority granted to him under sections 506(a), 610(a) and 614(a) of the Foreign Assistance Act of 1961, as amended, in order to provide additional assistance to Cambodia.

The House bill did not contain a comparable provision.

The managers on the part of the House accepted this provision in the belief that it would not interfere with or impede the program of assistance to Cambodia for the following reasons:

Military and economic assistance has already been furnished to Cambodia consistent with that country's ability to absorb the inflow of equipment and goods.

Witnesses from the Executive Branch were satisfied that the funds requested for Cambodia are sufficient to enable that country to defend itself over the next six months.

The situation in Cambodia is such that any additional requirement for military or economic assistance for that country will be apparent far enough in advance to enable

the President to make additional assistance available to Cambodia and to notify the Congress in accordance with the provisions of this section.

There will be a new foreign assistance request submitted to the Congress next year. At that time, the Foreign Affairs Committee will examine the implications and effects of this amendment thoroughly and take whatever action it deems necessary to insure the continued success of the Vietnamization program.

AMENDMENT TO TITLE

The Senate amended the title of the House bill to reflect the action taken by the Senate. The House receded.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
E. ROSS ADAIR,
WILLIAM MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 18306, U.S. PARTICIPATION IN RESOURCES OF INTERNATIONAL FINANCIAL INSTITUTIONS

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight to file a conference report on the bill (H.R. 18306) to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the exchange stabilization fund by the General Accounting Office, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 91-1792)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18306) to authorize United States participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Chapter 1—INTERNATIONAL MONETARY FUND

Sec.

1. Amendment of Bretton Woods Agreements Act.
2. Amendment of Special Drawing Rights Act.

§ 1. Amendment of Bretton Woods Agreements Act

The Bretton Woods Agreements Act (22 U.S.C. 286-286k-2) is amended by adding at the end thereof the following new sections:

"Sec. 22. (a) The United States Governor of the Fund is authorized to consent to an increase of \$1,540,000,000 in the quota of the United States in the Fund.

"(b) In order to pay the increase in the United States quota in the Fund provided for in this section, there is hereby authorized to be appropriated \$1,540,000,000, to remain available until expended.

"Sec. 23. (a) The United States Governor of the Bank is authorized (1) to vote for an increase of \$3,000,000,000 in the authorized capital stock of the Bank, and (2) if such increase becomes effective, to subscribe on behalf of the United States to two thousand four hundred and sixty-one additional shares of the capital stock of the Bank.

"(b) In order to pay for the increase in the United States subscription to the Bank provided for in this section, there is hereby authorized to be appropriated \$246,100,000 to remain available until expended."

§ 2. Amendments of Special Drawing Rights Act

Section 6 of the Special Drawing Rights Act (22 U.S.C. 286q) is amended to read as follows:

"Sec. 6. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States vote to allocate in each basic period Special Drawing Rights under article XXIV, sections 2 and 3, of the Articles of Agreement of the Fund so that allocations to the United States in that period exceed an amount equal to the United States quota in the Fund as authorized under the Bretton Woods Agreements Act."

Chapter 2.—INTER-AMERICAN DEVELOPMENT BANK

Sec. 21. Amendment of Inter-American Development Bank Act.

§ 21. Amendment of Inter-American Development Bank Act

(a) The Inter-American Development Bank Act (22 U.S.C. 283-283n) is amended by adding at the end thereof the following new section:

"Sec. 18. (a) The United States Governor of the Bank is hereby authorized to vote in favor of the two resolutions proposed by the Governors at their annual meeting in April 1970 and now pending before the Board of Governors of the Bank, which provide for (1) an increase in the authorized capital stock to the Bank and additional subscriptions of members thereto and (2) an increase in the resources of the Fund for Special Operations and contributions thereto. Upon adoption of such resolutions the United States Governor is authorized to agree on behalf of the United States (1) to subscribe to eighty-two thousand three hundred and fifty-two shares of \$10,000 par value of the increase in the authorized capital stock of the Bank of which sixty-seven thousand-three hundred and fifty-two shall be callable shares and fifteen thousand shall be paid in and (2) to pay to the Fund for Special Operations an initial annual installment of \$100,000,000 and, upon further authorization by the Congress, two subsequent annual installments of \$450,000,000 each, in accordance with and subject to the terms and conditions of such resolutions.

"(b) There are hereby authorized to be appropriated, without fiscal year limitation, the amounts necessary for payment by the Secretary of the Treasury of (1) three annual installments of \$50,000,000 each for the United States subscription to paid-in capital stock of the Bank; (2) two installments of \$336,760,000 each for the United States subscription to the callable capital stock of the Bank; and (3) one installment of \$100,000,000 for the United States share of the increase in the resources of the Fund for Special Operations of the Bank."

"(b) The first sentence of section 3(b) of the Inter-American Development Bank Act (22 U.S.C. 283a(b)) is amended by inserting immediately before the period at the end thereof the following: "and an alternate Executive Director".

Chapter 3.—ANNUAL REPORT OF NATIONAL ADVISORY COUNCIL

§ 31. Annual report

The National Advisory Council on International Monetary and Financial Policies shall include in its annual report to the Congress (1) a statement with respect to each loan approved and outstanding, made by the International Bank for Reconstruction and Development, the International Development Association, the Inter-American Development Bank, and the Asian Development Bank, including an evaluation of new loans made by said organization and a progress report of the project covered by each loan, and a discussion of how each loan will benefit the people of the recipient country, and (2) a statement on steps taken jointly and individually by member countries of the Inter-American Development Bank to restrain their military expenditures, and to preserve and strengthen free and democratic institutions.

Chapter 4.—AUDIT OF EXCHANGE STABILIZATION FUND

Sec.

41. Annual report.

42. Audit by General Accounting Office.

§ 41. Annual report

The last sentence of section 10(a) of the Gold Reserve Act of 1934 (31 U.S.C. 822a(a)) is amended to read: "The Secretary of the Treasury shall annually make a report on the operations of the fund to the President and to the Congress."

§ 42. Audit by General Accounting Office

Section 10(b) of the Gold Reserve Act of 1934 (31 U.S.C. 822a(b)) is amended by inserting after the first sentence thereof the following: "Subject to the foregoing provisions the administrative expenses of the fund shall be audited by the General Accounting Office at such times and in such manner as the Comptroller General of the United States may by regulation prescribe for the purpose of ascertaining that administrative funds are properly accounted for and that fully adequate accounting procedures and systems for control of such funds have been established. Except for information determined by the Secretary to be of an internationally significant nature, there shall be furnished to the Comptroller General such information on the administrative expenses of the fund as is necessary to conduct the audit, and the Comptroller General or any of his representatives shall, for the purpose of securing this information, have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the United States Government (other than records, reports, files, or other papers or things containing or revealing information determined by the Secretary of the Treasury to be of an internationally significant nature)."

Chapter 5.—EMPLOYEE BENEFITS FOR UNITED STATES REPRESENTATIVES

§ 51. Employee benefits

Notwithstanding the provisions of any other law, the Executive Directors and Directors and their alternates, representing the United States in the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, shall, in the discretion of the Secretary of the Treasury, each be eligible on the basis of such service and the total compensation received therefor, for all employee benefits afforded employees in the civil service of the United States. The Treasury Department shall serve as the employing office for collecting, accounting for, and depositing in the Civil Service Retirement and Disability Fund, Employees Life Insurance Fund, and Employees Health Benefits Fund,

all retirement and health insurance benefits payments made by these employees, and shall make any necessary agency contributions from the fund established pursuant to section 10(a) of the Gold Reserve Act of 1934 (31 U.S.C. 822a(a)). This section shall be effective as of December 14, 1966.

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

H. S. REUSS,
THOMAS L. ASHLEY,
WM. MOORHEAD,
WM. A. BARRETT,
WILLIAM B. WIDNALL,
J. WILLIAM STANTON,

Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
ALBERT GORE,
G. D. AIKEN,
CLIFFORD P. CASE,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (H.R. 18306) to authorize United States participation increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in conference are noted below except for minor technical and clarifying changes made necessary by reason of the conference agreement.

ASIAN DEVELOPMENT BANK

Chapter I of the House-passed bill provided for the United States Governor to the Asian Development Bank to enter into an agreement with the Bank providing for a United States contribution of \$100 million to the bank in three annual installments of \$25 million, \$35 million, and \$40 million beginning in Fiscal Year 1970. The Senate-passed bill contained no authorizations for the Asian Development Bank. The conference substitute contains no provision authorizing any funds for the Asian Development Bank.

INTERNATIONAL MONETARY FUND AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The Senate-passed authorization for the United States Governor of the IMF and the IBRD was identical to the House-passed language.

INTER-AMERICAN DEVELOPMENT BANK

The House-passed bill authorized the United States Governor of the Bank to, among other things, vote in favor of resolutions providing for an increase in the authorized capital stock to the bank, and an increase in the resources of the Fund for Special Operations.

In addition the House-passed bill authorized the United States Governor to subscribe to \$823.5 million of the authorized capital stock of the Bank and to contribute the initial amount of \$100 million and two subsequent annual installments of \$450 million each to the Bank's Fund for Special Operations.

The Senate-passed bill, as it relates to the Fund for Special Operations, authorized the United States Governor to agree to pay the initial installment of \$100 million and make payment of the two subsequent installments of \$450 million subject to further authorization by the Congress. In addition the Senate bill authorized to be appropriated only the initial \$100 million installment.

The conference substitute contains the Senate provision.

The practice in previous authorizations for the IDB has been to authorize the United States Governor to commit the United States to pay the full amount of the proposed United States subscription to the resources of the Fund for Special Operations. This commitment is first authorized and then subject to individual appropriations for each installment of the contribution.

In this bill we have made payment of the second two installments subject to authorization of appropriations as well as to the appropriations themselves. The purpose of this procedure is to assure the House of Representatives and the Senate an opportunity to have a full review of the IDB operations after a year's experience with this replenishment of the resources of the Fund for Special Operations. It is not our intention to limit in any way the past procedure of allowing the United States Governor to commit the United States to the full amount of its proposed contribution by signifying our agreement to contribute to the FSO in accordance with the applicable IDB resolution.

AUDIT OF EXCHANGE STABILIZATION FUND

The House-passed bill provided for an audit of the Exchange Stabilization Fund by the General Accounting Office. The Senate-passed bill contained no provision. With minor change, the Senate accepted the House language on this provision.

The administrative expenses of the Fund cover the expenses of carrying out of stabilization operations and other related international economic activities of the Office of the Assistant Secretary for International Affairs of the Treasury, as well as legal and administrative support services. These expenses have been audited for many years and the reports of audit have been made available to the Congress annually. The accounts of the Fund are now administered by the Assistant Secretary of the Treasury for International Affairs, under the direction of the Secretary, and the conferees believe that this method of administration should continue. Nevertheless, they believe that as a matter of good administrative practice there should be an independent judgment that administrative funds are properly accounted for and that fully adequate accounting procedures and systems for control of such funds have been established. They also believe that the funds should continue to be used only for supporting Treasury exchange stabilization and related activities including support for our participation in international financial institutions.

ANNUAL REPORT OF NATIONAL ADVISORY COUNCIL

Both bills provided for an annual report from the National Advisory Council concerning loans made by the IBRD, IDA, IDB, and the ADB. With minor exception, the House language prevailed.

When such reports are submitted to the Congress, it is the position of the House conferees that on approved loans the report should indicate whether the United States representative voted for or against the loan.

EMPLOYEE BENEFITS FOR UNITED STATES REPRESENTATIVES

The House-passed bill provided discretionary authority to the Secretary of the Treasury to make certain adjustments in em-

ployee benefits for various United States representatives to the IMF, IBRD, IDB and the ADB.

The Senate-passed bill contained no such provision.

The conference substitute contains the House provision.

HENRY S. REUSS,
THOMAS L. ASHLEY,
WILLIAM S. MOORHEAD,
WILLIAM A. BARRETT,
WILLIAM B. WIDNALL,
J. WILLIAM STANTON,

Managers on the Part of the House.

PERSONAL ANNOUNCEMENT

Mr. COLLIER. Mr. Speaker, I had a leave of absence last week due to a death in my family. I ask unanimous consent to insert in the RECORD the statement of the manner in which I would have voted during my absence had I been present.

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

There was no objection.

The statement is as follows:

ROLLCALL, SUBJECT, AND COLLIER VOTE

- No. 389: Table motion to instruct Conferees to agree to SST ban "Yea."
- No. 390: Rule to consider Plant Protection Act, "Yea."
- No. 392: Amendment to H.J.Res. 1413, "Nay."
- No. 393: H.J.Res. 1413—Temporary Prohibition of strikes or lockouts—railroad dispute, "Yea."
- No. 394: Foreign Aid Assistant Act, "Nay."
- No. 397: Conference Report—H.J.Res. 1413, "Yea."
- No. 399: Res. on Rule for Consideration of Supplemental Appropriation, "Yea."
- No. 400: Supplemental Appropriation, "Yea."
- No. 401: Conference Report—Manpower Act, "Nay."
- No. 403: Resolution on Rule—Excise, Estate and Gift Tax, "Yea."
- No. 405: Smithsonian Institution Authorization, "Yea."

CALL OF THE HOUSE

Mr. THOMPSON of Georgia. I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 440]

- | | | |
|---------------|---------------|---------------|
| Abbt | Bolling | Cederberg |
| Abernethy | Brademas | Celler |
| Adair | Brasco | Chamberlain |
| Anderson, | Bray | Chappell |
| Tenn. | Brock | Chisholm |
| Andrews, Ala. | Brooks | Clancy |
| Andrews, | Broomfield | Clark |
| N. Dak. | Brown, Calif. | Clausen, |
| Annunzio | Brown, Mich. | Don H. |
| Ashbrook | Burke, Fla. | Clawson, Del |
| Aspinall | Burlison, Mo. | Clay |
| Ayres | Burton, Utah | Cohelan |
| Baring | Button | Collins, Ill. |
| Barrett | Byrne, Pa. | Conyers |
| Belcher | Byrnes, Wis. | Corbett |
| Berry | Caflery | Cowger |
| Bevill | Camp | Cramer |
| Bingham | Carey | Crane |
| Blackburn | Carney | Culver |
| Blatnik | Casey | Cunningham |

- | | | |
|-----------------|----------------|----------------|
| Daddario | McCarthy | Rousselot |
| Davis, Wis. | McClory | Ruppe |
| Delaney | McCulloch | Ruth |
| Denney | McDade | St Germain |
| Dent | McDonald, | Sandman |
| Devine | Mich. | Saylor |
| Diggs | McEwen | Schadeberg |
| Dowdy | McKneally | Scherle |
| Dulski | McMillan | Scheuer |
| Dwyer | MacGregor | Schneebell |
| Edwards, Ala. | Maillard | Shibley |
| Edwards, Calif. | Martin | Sikes |
| Eilberg | Mathias | Sisk |
| Erlenborn | May | Skubitz |
| Evans, Colo. | Meskill | Smith, Calif. |
| Evins, Tenn. | Michel | Snyder |
| Fallon | Mikva | Springer |
| Farbstein | Miller, Calif. | Stanton |
| Fascell | Mills | Steele |
| Feighan | Minshall | Steiger, Ariz. |
| Ford, | Mize | Stevens |
| William D. | Monagan | Stubblefield |
| Foreman | Montgomery | Sullivan |
| Frey | Moorhead | Symington |
| Garmatz | Morton | Taft |
| Gibbons | Mosher | Teague, Calif. |
| Gilbert | Moss | Teague, Tex. |
| Gray | Murphy, Ill. | Thompson, N.J. |
| Griffiths | Nedzi | Thomson, Wis. |
| Gubser | Nichols | Tiernan |
| Haley | O'Konski | Tunney |
| Hall | Olsen | Vander Jagt |
| Halpern | O'Neill, Mass. | Vigorito |
| Hanley | Ottinger | Waggoner |
| Hansen, Wash. | Passman | Walde |
| Harrington | Patman | Weicker |
| Harvey | Pelly | White |
| Hébert | Pettis | Widnall |
| Horton | Podell | Wilson, Bob |
| Hull | Poff | Wilson, |
| Hungate | Powell | Charles H. |
| Hutchinson | Purcell | Winn |
| Jarman | Quillen | Wold |
| Kleppe | Rallsback | Wolf |
| Kluczynski | Rarick | Wright |
| Kuykendall | Reifel | Wyatt |
| Landrum | Rhodes | Wydler |
| Langen | Rivers | Yates |
| Latta | Robison | Yatron |
| Leggett | Roe | Young |
| Lloyd | Rogers, Colo. | Zion |
| Long, La. | Rooney, N.Y. | Rostenkowski |
| Lujan | Rostenkowski | Zwach |
| Lukens | Roudebush | |

The SPEAKER. On this rollcall 218 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with. Mr. GROSS. Mr. Speaker, I object.

MOTION OFFERED BY MR. ALBERT

Mr. ALBERT. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. GROSS. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER. The Chair will state that motion is not in order at the present time.

The question is on the motion offered by the gentleman from Oklahoma (Mr. ALBERT).

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair has just announced that 218 Members are present.

So the motion was agreed to.

The SPEAKER. The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

EMERGENCY SCHOOL AID ACT OF 1970

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the

Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 19446), to assist school districts to meet special problems incident to desegregation in elementary and secondary schools and to provide financial assistance to improve education in racially impacted areas, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 62, noes 52.

Mr. THOMPSON of Georgia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 147, nays 84, not voting 202, as follows:

[Roll No. 441]

YEAS—147

- | | | |
|-----------------|-----------------|---------------|
| Adams | Gallagher | O'Hara |
| Addabbo | Gaydos | Olsen |
| Albert | Gialmo | Patten |
| Anderson, | Gonzalez | Pepper |
| Calif. | Gray | Perkins |
| Anderson, Ill. | Green, Pa. | Philbin |
| Arends | Gude | Pickles |
| Ashley | Hamilton | Plke |
| Beall, Md. | Hanna | Pirnie |
| Bell, Calif. | Hansen, Idaho | Podell |
| Biaggi | Hastings | Pollock |
| Blester | Hathaway | Preyer, N.C. |
| Bingham | Hawkins | Price, Ill. |
| Blatnik | Hays | Pryor, Ark. |
| Boggs | Hechler, W. Va. | Pucinski |
| Boland | Heckler, Mass. | Qule |
| Brotzman | Helstoski | Rees |
| Brown, Mich. | Hogan | Reid, N.Y. |
| Brown, Ohio | Hollifield | Reuss |
| Burke, Mass. | Howard | Riegler |
| Burton, Calif. | Jacobs | Rodino |
| Carey | Jarman | Rooney, N.Y. |
| Carney | Johnson, Calif. | Rooney, Pa. |
| Carter | Jones, Ala. | Rosenthal |
| Clark | Karth | Roybal |
| Conable | Kazen | Ryan |
| Conte | Kee | Schwengel |
| Corman | Keith | Sisk |
| Coughlin | Koch | Smith, Iowa |
| Culver | Kyros | Smith, N.Y. |
| Daniels, N.J. | Long, Md. | Staggers |
| de la Garza | Lowenstein | Steed |
| Dellenback | McCloskey | Steiger, Wis. |
| Donohue | McEwen | Stokes |
| Eckhardt | McFall | Stratton |
| Edmondson | Madden | Taft |
| Edwards, La. | Mann | Talcott |
| Erlenborn | Matsunaga | Tiernan |
| Esch | Mayne | Udall |
| Fish | Meeds | Ullman |
| Flood | Melcher | Van Deerlin |
| Foley | Minish | Vander Jagt |
| Ford, Gerald R. | Mink | Vank |
| Ford, | Mollohan | Watts |
| William D. | Moorhead | Whalen |
| Forsythe | Morgan | White |
| Fraser | Morse | Wiggins |
| Frey | Murphy, N.Y. | Yatron |
| Friedel | Natcher | Zablocki |
| Fulton, Pa. | Obey | |

NAYS—84

- | | | |
|----------------|---------------|---------------|
| Alexander | Casey | Downing |
| Bennett | Cleveland | Duncan |
| Betts | Collier | Eshleman |
| Blanton | Collins, Tex. | Flowers |
| Bow | Daniel, Va. | Flynt |
| Brinkley | Davis, Ga. | Fountain |
| Broyhill, Va. | Dennis | Frelinghuysen |
| Buchanan | Derwinski | Fuqua |
| Burleson, Tex. | Dickinson | Galifianakis |
| Bush | Dingell | Gettys |
| Cabell | Dorn | Goldwater |

Goodling	Roberts	Roth
Green, Oreg.	Kyl	Sandman
Griffin	Landgrebe	Satterfield
Gross	Lennon	Schmitz
Grover	McClure	Scott
Hagan	Macedonald,	Sebelius
Hammer-	Mass.	Stuckey
schmidt	Mahon	Taylor
Harsha	Marsh	Thompson, Ga.
Henderson	Miller, Ohio	Vigorito
Hosmer	Mizell	Wampler
Hunt	Myers	Ware
Ichord	O'Neal, Ga.	Whalley
Jonas	Poage	Whitehurst
Jones, N.C.	Price, Tex.	Williams
Jones, Tenn.	Randall	Wylie
King	Reid, Ill.	Wyman
	Rogers, Fla.	Zion

NOT VOTING—202

Abbitt	Fallon	O'Konski
Abernethy	Farbstein	O'Neill, Mass.
Adair	Fascell	Ottinger
Anderson,	Feighan	Passman
Tenn.	Findley	Patman
Andrews, Ala.	Fisher	Pelly
Andrews,	Foreman	Pettis
N. Dak.	Fulton, Tenn.	Poff
Annunzio	Garmatz	Powell
Ashbrook	Gibbons	Purell
Aspinall	Gilbert	Quillen
Ayres	Griffiths	Railsback
Baring	Gubser	Rarick
Barrett	Haley	Reifel
Belcher	Hall	Rhodes
Berry	Halpern	Rivers
Bevill	Hanley	Robison
Blackburn	Hansen, Wash.	Roe
Bolling	Harrington	Rogers, Colo.
Brademas	Harvey	Rostenkowski
Brasco	Hébert	Roudebush
Bray	Hicks	Russelot
Brock	Horton	Ruppe
Brooks	Hull	Ruth
Broomfield	Hungate	St Germain
Brown, Calif.	Hutchinson	Saylor
Broyhill, N.C.	Johnson, Pa.	Shadeberg
Burke, Fla.	Kastenmeier	Scherle
Burlison, Mo.	Kleppe	Scheuer
Burton, Utah	Kluczynski	Schneebell
Button	Kuykendall	Shibley
Byrne, Pa.	Landrum	Shriver
Byrnes, Wis.	Langen	Sikes
Caffery	Latta	Skubitz
Camp	Leggett	Slack
Cederberg	Lloyd	Smith, Calif.
Celler	Long, La.	Snyder
Chamberlain	Lujan	Springer
Chappell	Lukens	Stafford
Chisholm	McCarthy	Stanton
Clancy	McClary	Steele
Clausen,	McCulloch	Steiger, Ariz.
Don H.	McDade	Stephens
Clawson, Del.	McDonald,	Stubblefield
Clay	Mich.	Sullivan
Cohelan	McKneally	Symington
Collins, Ill.	McMillan	Teague, Calif.
Colmer	MacGregor	Teague, Tex.
Conyers	Mailliard	Thompson, N.J.
Corbett	Martin	Thomson, Wis.
Cowger	Mathias	Tunney
Cramer	May	Waggonner
Crane	Meskill	Waldie
Cunningham	Michel	Watson
Daddario	Mikva	Weicker
Davis, Wis.	Miller, Calif.	Whitten
Delaney	Mills	Whinnell
Denney	Minshall	Wilson, Bob
Dent	Mize	Wilson,
Devine	Monagan	Charles H.
Diggs	Montgomery	Winn
Dowdy	Morton	Wold
Dulski	Mosher	Wolff
Dwyer	Moss	Wright
Edwards, Ala.	Murphy, Ill.	Wyatt
Edwards, Calif.	Nedzi	Wylder
Ellberg	Nelsen	Yates
Evans, Colo.	Nichols	Young
Evins, Tenn.	Nix	Zwach

Mr. LANDGREBE and Mr. BOW changed their votes from "yea" to "nay."

Mr. HOWARD changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the further consideration of the bill H.R. 19446, with Mr. CORMAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before rising on Thursday, December 17, the Committee had agreed that the committee amendment in the nature of a substitute now in the bill be considered as having been read and open to amendment at any point. There was pending the amendment offered by the gentleman from New York (Mr. REID).

Without objection, the Clerk will again read the amendment offered by the gentleman from New York (Mr. REID).

The Clerk read as follows:

Amendment offered by Mr. REID of New York: Page 36, line 22, the following new material as section 11 and renumber subsequent sections accordingly:

"COMPLAINT PROCEDURE

"SEC. 11. (a) In the case of any policy, practice, procedure or other action by any recipient of funds under this Act in violation of this Act or of Title VI of the Civil Rights Act of 1964, any person aggrieved by such policy, practice, procedure or other action shall have the right to file with the Secretary a complaint alleging such violation.

"(b) Within 15 days of receiving such complaint, the Secretary shall determine, on the basis of investigation, whether probable cause exists to believe that such complaint is justified.

"(c) Upon determination that there is such probable cause, the Secretary shall suspend all assistance under this Act to such recipient for expenses incurred subsequent to the date of such determination.

"(d) Within 15 days of such determination the Secretary shall convene a formal hearing; within 15 days of the close of such hearings, the Secretary shall determine whether the complaint is justified. Upon determination that a complaint is justified, the Secretary shall terminate the eligibility of such applicant for assistance under this Act effective as of the date of suspension of assistance pursuant paragraph (b)."

PREFERENTIAL MOTION OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Bow moves that the Committee do now rise and report the bill H.R. 19446 back to the House with the recommendation that the enacting clause be stricken out.

Mr. BOW. Mr. Chairman, I shall not take 5 minutes. We all know what has been going on here for some time on this bill. We have opposition on both sides. It has been taken off the calendar and put back on again.

The hour is late. Many Members would like to find some time to leave these Chambers.

I would hope that the membership would support this motion. This would end this question until we come back in January or February, whenever it may be.

It seems to me, Mr. Chairman, this is the one answer, that we can vote for this motion and dispense with this question.

I yield back the remainder of my time.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the preferential motion.

Let me tell the membership of the Committee that if the preferential mo-

tion is voted down it is my intention to obtain unanimous consent or to move to cut off debate on the bill and all amendments thereto within 30 minutes.

The committee has given this measure extensive study and I think we should proceed to continue our deliberations on the measure to a proper conclusion.

I hope the motion is voted down.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio (Mr. Bow).

The question was taken; and on a division (demanded by Mr. PERKINS) there were—ayes 70, noes 86.

Mr. BOW. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Bow and Mr. PUCINSKI.

The Committee again divided, and the tellers reported that there were—ayes 82, noes 77.

So the preferential motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CORMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 19446) to assist school districts to meet special problems incident to desegregation in elementary and secondary schools and to provide financial assistance to improve education in racially impacted areas, and for other purposes, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is, Shall the enacting clause be stricken out?

Mr. PERKINS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 130, not voting 194, as follows:

[Roll No. 442]

YEAS—109

Alexander	Frelinghuysen	Myers
Arends	Fuqua	O'Neal, Ga.
Bennett	Gallfanakis	Pickle
Betts	Gettys	Poage
Bow	Gialmo	Price, Tex.
Brinkley	Goldwater	Pryor, Ark.
Brotzman	Goodling	Randall
Broyhill, N.C.	Griffin	Reid, Ill.
Broyhill, Va.	Gross	Roberts
Buchanan	Grover	Rogers, Fla.
Burleson, Tex.	Hagan	Roth
Bush	Hammer-	Sandman
Byrnes, Wis.	schmidt	Satterfield
Cabell	Harsha	Schmitz
Carter	Hastings	Schneebell
Casey	Henderson	Scott
Cleveland	Hogan	Sebelius
Collier	Hosmer	Slack
Collins, Tex.	Hunt	Stanton
Colmer	Ichord	Steed
Daniel, Va.	Jarman	Stuckey
Davis, Ga.	Johnson, Pa.	Talcott
Davis, Wis.	Jonas	Taylor
Dennis	Jones, N.C.	Thompson, Ga.
Derwinski	Jones, Tenn.	Vigorito
Dickinson	King	Wampler
Dingell	Kyl	Ware
Dorn	Landgrebe	Watson
Downing	Lennon	Watts
Duncan	McClure	Whalley
Edwards, La.	McEwen	Whitehurst
Eshleman	Mahon	Whitten
Fisher	Mann	Wiggins
Flowers	Marsh	Williams
Flynt	Mayne	Wylie
Forsythe	Miller, Ohio	Zion
Fountain	Mizell	

NAYS—130

Adams	Gallagher	Olsen
Addabbo	Gaydos	O'Neill, Mass.
Albert	Gonzalez	Patten
Anderson	Gray	Pepper
Anderson, Calif.	Green, Pa.	Perkins
Anderson, Ill.	Gude	Philbin
Ashley	Hamilton	Pike
Beall, Md.	Hansen, Idaho	Pirnie
Bell, Calif.	Hathaway	Podell
Blaggi	Hawkins	Pollock
Blester	Hays	Preyer, N.C.
Bingham	Hechler, W. Va.	Price, Ill.
Blatnik	Heckler, Mass.	Pucinski
Boggs	Helstoski	Quie
Boland	Holifield	Rallsback
Brown, Mich.	Howard	Rees
Brown, Ohio	Jacobs	Reid, N.Y.
Burke, Mass.	Johnson, Calif.	Reuss
Burton, Calif.	Jones, Ala.	Riegle
Carey	Karh	Rodino
Carney	Kazen	Rooney, Pa.
Clark	Kee	Rosenthal
Conable	Koch	Roybal
Conte	Kyros	Ryan
Conyers	Long, Md.	Schwengel
Corman	Lowenstein	Sisk
Coughlin	McCloskey	Smith, Iowa
Culver	McFall	Smith, N.Y.
Daniels, N.J.	Madden	Staggers
de la Garza	Mailliard	Stelger, Wis.
Dellenback	Matsunaga	Stokes
Donohue	Meeds	Stratton
Eckhardt	Melcher	Symington
Edmondson	Minish	Taft
Erlenborn	Mink	Tiernan
Esch	Molloy	Udall
Fish	Moorhead	Van Deerlin
Flood	Morgan	Vander Jagt
Foley	Morse	Vanik
Ford, Gerald R.	Murphy, N.Y.	Whalen
Ford,	Natcher	White
William D.	Nix	Widnall
Fraser	Obey	Yatron
Fulton, Pa.	O'Hara	Zablocki

NOT VOTING—194

Abbt	Dulski	Mass.
Abernethy	Dwyer	MacGregor
Adair	Edwards, Ala.	Martin
Anderson,	Edwards, Calif.	Mathias
Tenn.	Elberg	May
Andrews, Ala.	Evans, Colo.	Meskill
Andrews,	Evin, Tenn.	Michel
N. Dak.	Fallon	Mikva
Annunzio	Farbstein	Miller, Calif.
Ashbrook	Fascell	Mills
Aspinall	Feighan	Minshall
Ayres	Findley	Mize
Baring	Foreman	Monagan
Barrett	Frey	Montgomery
Belcher	Friedel	Morton
Berry	Fulton, Tenn.	Mosher
Bevill	Garmatz	Moss
Blackburn	Gibbons	Murphy, Ill.
Blanton	Gilbert	Nedzi
Bolling	Green, Oreg.	Nelsen
Brademas	Griffiths	Nichols
Brasco	Gubser	O'Konski
Bray	Haley	Ottinger
Brock	Hall	Passman
Brooks	Halpern	Patman
Broomfield	Hanley	Pelly
Brown, Calif.	Hanna	Pettis
Burke, Fla.	Hansen, Wash.	Poff
Burlison, Mo.	Harrington	Powell
Burton, Utah	Harvey	Furcell
Button	Hébert	Quillen
Byrne, Pa.	Hicks	Rarick
Caffery	Horton	Reifel
Camp	Hull	Rhodes
Cederberg	Hungate	Rivers
Celler	Hutchinson	Robison
Chamberlain	Kastenmeter	Roe
Chappell	Keith	Rogers, Colo.
Chisholm	Kleppe	Rooney, N.Y.
Clancy	Kluczynski	Rostenkowski
Clausen,	Kuykendall	Roudebush
Don H.	Landrum	Rousselot
Clawson, Del.	Langen	Ruppe
Clay	Latta	Ruth
Cohelan	Leggett	St Germain
Collins, Ill.	Lloyd	Saylor
Corbett	Long, La.	Schadeberg
Cowger	Lujan	Scherle
Cramer	Lukens	Scheuer
Crane	McCarthy	Shipley
Cunningham	McClory	Shriver
Daddario	McCulloch	Sikes
Delaney	McDade	Skubitz
Denney	McDonald,	Smith, Calif.
Dent	Mich.	Snyder
Devine	McKneally	Springer
Diggs	McMillan	Stafford
Dowdy	Macdonald,	Steele

Stelger, Ariz.
Stephens
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney

Ullman
Waggonner
Waldie
Weicker
Wilson, Bob
Wilson,
Charles H.
Winn
Wold

Wolff
Wright
Wyatt
Wylder
Wyman
Yates
Young
Zwach

So the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out was rejected.

Mr. COLMER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee arose, there was pending an amendment offered by the gentleman from New York (Mr. REID).

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close in 30 minutes.

Mr. WILLIAM D. FORD. Mr. Chairman, I have two amendments at the desk which I would like to offer before the unanimous consent is given.

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Michigan for that purpose?

Mr. PERKINS. Mr. Chairman, the gentleman from Michigan has already offered the amendments.

I ask unanimous consent that all debate on the bill and all amendments thereto close within 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Chairman, I move that all debate on the bill and all amendments thereto close at 10:55 p.m.

PARLIAMENTARY INQUIRIES

Mr. WILLIAM D. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WILLIAM D. FORD. Mr. Chairman, since the motion to close off debate has been offered, would it be in order for me to offer the amendments that are at the Clerk's desk after the motion has been ruled on?

The CHAIRMAN. The Chair will state that there is an amendment pending at this time.

Mr. WILLIAM D. FORD. Mr. Chairman, that is not my amendment.

The CHAIRMAN. The Chair will state to the gentleman from Michigan that as soon as the committee disposes of the motion offered by the gentleman from Kentucky (Mr. PERKINS), the question will recur on the amendment offered by the gentleman from New York (Mr. REID).

Mr. WILLIAM D. FORD. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman from Michigan will state his parliamentary inquiry.

Mr. WILLIAM D. FORD. Mr. Chairman, if we proceed on the amendment now pending at the Clerk's desk, under the motion offered by the gentleman

from Kentucky (Mr. PERKINS) to limit debate, and it is agreed to, and if all of the time is consumed by the debate on that amendment, will I have the opportunity to offer the amendments now lying on the Clerk's desk?

The CHAIRMAN. The Chair will state to the gentleman from Michigan that if the time expires, amendments may be offered, but they will not be debated.

Mr. WILLIAM D. FORD. I thank the Chairman.

The CHAIRMAN. The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. GROSS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PUCINSKI and Mr. GROSS.

The Committee divided, and the tellers reported that there were—ayes 90, noes 84.

So the motion was agreed to.

The CHAIRMAN. The Chair has noted the names of Members standing at the time the motion was made.

Each Member will be recognized for 1 minute.

The question is on the amendment offered by the gentleman from New York (Mr. REID).

The question was taken; and on a division (demanded by Mr. REID of New York) there were—ayes 22, noes 61.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WILLIAM D. FORD

Mr. WILLIAM D. FORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM D. FORD: On page 20 after line 10 insert the following:

"(b) notwithstanding subsections (a) and (b) of this section for the fiscal year ending June 30, 1972 and each subsequent fiscal year no funds are authorized to be appropriated to carry out the provisions of this Act for any fiscal year in which funds are not appropriated for any program authorized by the Elementary and Secondary Education Act of 1965 and Public Law 81-874 at least equal to the funds appropriated for such programs for the fiscal year immediately preceding. Funds appropriated for the purpose of carrying out the provisions of this Act shall be withheld in any fiscal year until the U.S. Office of Education allocates for expenditure and obligation in such fiscal year funds appropriated to carry out the provision of the Elementary and Secondary Education Act of 1965 and Public Law 81-874."

The CHAIRMAN. The gentleman from Michigan is recognized for 1 minute.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. DERWINSKI. I object.

The CHAIRMAN. Objection is heard. Mr. WILLIAM D. FORD. Mr. Chairman, this is really a simple amendment. The Members on the other side of the aisle in control of this bill really under-

stand it. The nature of the amendment would be to take the President at his word. During the entire time that our subcommittee was considering this bill and our full committee was considering the bill we had representations passed on to us that the President was at all times asking for new funds, and that the passage of this bill would in no way imperil the present existing programs, such as Impact Aid, title I of the Elementary and Secondary Education Act, and others, and all we do here is simply to say that if the new budget comes down and if the President asks for money and if we appropriate before the funds can be spent that are now being spent for education for purposes of this act, we must first get the school districts in this country the money provided last year.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, when this bill was before us, we took action in adopting an amendment which I offered which deleted from the committee-reported bill language which was offered by the gentlewoman from Hawaii (Mrs. MINK) which would have done much the same thing as this amendment. But let us understand what this amendment is all about. It establishes in my judgment a horrendous precedent by attempting to say we can hold hostage a particular kind of program for other educational programs. It not only holds this act in hostage, with respect to the appropriations process, but it also holds the Office of Education hostage and says if you spend any less money for all of ESEA and Impact Aid, you get no funds for this in any circumstance. I think it a bad precedent in any legislation and it ought not to be adopted and it ought to be struck down. I urge Members to do so.

Mr. KAZEN. Mr. Chairman, I rise in support of this amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. KAZEN. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, let me make the observation that throughout the hearings it was thoroughly understood that the funds authorized by this bill should be and would be additional money and that the funding of ongoing programs would not be disturbed. The effect of the amendment is to guarantee that ESEA and Impact Area funds will not be cut back to obtain the funds for this legislation.

In addition to the Ford amendment there is an amendment pending sponsored by the distinguished gentleman from Louisiana (Mr. WAGGONER) clarifying language in the bill which prohibits discriminatory ability testing or other practices which segregate children within schools. He would explain in the absence of the debate limitation that the amendment makes clear that only discriminatory ability testing is prohibited.

Mr. KAZEN. Mr. Chairman, this is exactly what this amendment will do. I rise in support of it. I want to make sure impacted aid and title I get their money

before we spend it on the business of this bill.

Mr. WHITE. Mr. Chairman, I yield to the distinguished gentleman from Michigan.

Mr. DERWINSKI. Mr. Chairman, I object.

The CHAIRMAN. Objection is not in order.

Mr. WILLIAM D. FORD. Mr. Chairman, I have a second amendment on which we will not have opportunity of debate. It just changes the number "80" to "90" and merely says in effect that instead of the Secretary of Health, Education, and Welfare having complete carte blanche to spend as he will without regulation at all, 20 percent of the funds authorized by this bill, he will have only 10 percent of the funds in balance. The other 10 percent of the funds I transfer will be allocated in exactly the way the proponents—and I guess I am one of them too—intended it should be distributed, to the State educational offices, and the State would decide where this money goes instead of HEW. That is all this amendment does.

Mr. QUIE. Mr. Chairman, I rise in opposition to both amendments offered by the gentleman from Michigan.

I would say that either one is for or against this legislation. I do not like it when Members use some hooker in order to prevent the legislation from going into operation and still be voting for it. That is what this amendment would do in the event the Appropriations Committee should decide next year that either ESEA should get less money than the present year or impacted aid should get less money. If the Appropriations Committee decides they should get less and convinces the House, then there could not be one cent that could be spent for this bill.

Also, if we reduce the percentage that goes to the Secretary, this would prohibit him from helping those school districts that are under a court order, and which would have the greatest need for some increase in money in order that they might integrate their schools. School districts all over the country are required by the courts to desegregate, and this would prevent them from getting assistance they will need to successfully carry out these orders. In the end, the losers are school children.

Mr. THOMPSON of Georgia. Mr. Chairman, I wonder if the gentleman who offered the amendment would respond to a few questions.

Mr. WILLIAM D. FORD. Certainly.

Mr. THOMPSON of Georgia. After listening to the gentleman from Minnesota, I wonder if he is correct in that if the Appropriations Committee convinces the House, and the House follows suit and does not appropriate as much money for the elementary and secondary education and/or impacted aid, no funds whatsoever could be spent under the provisions of the bill we are now debating?

Mr. WILLIAM D. FORD. Unless and until every school district receives the amount of money that it received last year, or more, as a result of the appropriating process and the action of the Secretary of Health, Education, and

Welfare, who I might remind the House is still holding funds from the appropriation we last passed, then no funds under this bill can be expended. It is exactly right. If this is new money, I am perfectly willing to support the President in his attempt to get new money.

The CHAIRMAN. If there are no other Members who have time who wish to be heard on this amendment, the question is on the amendment offered by the gentleman from Michigan (Mr. WILLIAM D. FORD).

The question was taken; and on a division (demanded by Mr. STEIGER of Wisconsin) there were—ayes 109, noes 31.

So the amendment was agreed to.

PREFERENTIAL MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Gross moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. GROSS. Mr. Chairman, I offer this motion, to strike the enacting clause and kill the bill. There is nothing complicated about it. This is bad legislation and its cost is \$1,500,000,000. I ask that the motion be adopted and the taxpayers saved one and a half billion dollars.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Iowa (Mr. GROSS).

Mr. HOSMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HOSMER and Mr. PUCINSKI.

The Committee divided, and the tellers reported that there were—ayes 66, noes 82.

So the preferential motion was rejected.

AMENDMENT OFFERED BY MR. WILLIAM D. FORD

Mr. WILLIAM D. FORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM D. FORD: Page 20 line 20 change "80" to "90". And on line 23 change "80" to "90".

The CHAIRMAN. Are there Members with time who wish to be heard on this amendment? If so, they will be recognized for one-half minute.

For what purpose does the gentleman from Illinois (Mr. DERWINSKI) rise?

Mr. DERWINSKI. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and twelve Members are present, a quorum.

Is there any Member who has time who wishes to be heard on this amendment?

PARLIAMENTARY INQUIRY

Mr. WILLIAM D. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WILLIAM D. FORD. Mr. Chairman, under what circumstances would it be proper to recognize the chairman of the committee, the gentleman from Kentucky (Mr. PERKINS) at this point

for the purpose of accepting the amendment?

The CHAIRMAN. The Chair will state that the gentleman from Kentucky (Mr. PERKINS) has time if he wishes to take it at this time. He has half a minute. All of the remaining Members on the list have only 2½ minutes remaining.

The Chair will recognize the gentleman from Kentucky if he wishes to proceed at this point.

Mr. PERKINS. Mr. Chairman, I have no objection to this amendment. It reduces the discretion of the Secretary from 20 percent down to 10 percent, and I think the Members will want to vote on this amendment, but I have another amendment that I would like to have read if the Clerk will read it at this time, because the gentleman from Louisiana (Mr. WAGGONER) had intended to offer the amendment the other day, and I am now offering it in his absence.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. WILLIAM D. FORD).

The question was taken; and on a division (demanded by Mr. DERWINSKI) there were—ayes 86, noes 54.

So the amendment was agreed to.

Mr. ASHBROOK. Mr. Chairman, in the minority views on this bill signed by me and three of my colleagues we expressed deep concern that the bill authorizes Federal funds for busing of students. We were particularly concerned that the language of the bill in paragraph 7 of section 6—on page 26 of the bill—gives the appearance at first glance of prohibiting transportation to overcome racial imbalance. It does no such thing. It simply states that the bill shall not be "construed to require the transportation of students in order to overcome racial imbalance." As we pointed out in our views, numerous other agencies may require such busing, for which funds appropriated under this bill would then be available. It would strike out the misleading language in paragraph 7 and insert an outright prohibition against using funds under this act for transportation designed to achieve racial balance. It is clear that even if it does not require busing in paragraph 7 of section 6, this bill will certainly encourage busing.

Mr. Chairman, after careful study I have concluded that if this bill is finally enacted we cannot in fairness eliminate all funds for transportation of students. I have two situations in mind where transportation is a reasonable item of expense. The first, obviously, is in voluntary programs of interracial school activities, cultural enrichment programs, and the like, which may well be involved in accomplishing the purposes of this act.

The other situation is in school districts which have been declared to be in violation of the Constitution in maintaining racial segregation by law and which are under court order to desegregate.

Apart from appealing to higher courts, there is not anything these school districts can do other than carry out the court order. Most of the districts so affected are in process of carrying out the order. This often requires additional expenditures for busing—although that is not always the case—and they may well need financial help for this as well as the other purposes set forth in section 6 of this bill.

What I want to avoid is the use of these funds for programs of involuntary busing to achieve mathematical racial balance. In my judgment that would be the beginning of the end of neighborhood schools in America, and I do not believe that the American people—including a sizable percentage of black people—want this to occur.

The Congress in every previous action has sustained this position. Most notably, it did so in the Civil Rights Act of 1964 which in section 401 expressly stated that:

Desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.

In section 407 of that act, relating to suits by the Attorney General to bring about compliance, there is the statement that:

Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

I for one believe that this still is sound policy and the will of the Congress. I doubt that the Congress is willing to authorize indirect support for that which it is unwilling to require directly—racial balancing of the schools.

There remains the question of the effect in those situations where a court has ordered desegregation of formerly de jure segregated schools, and has done so in such a manner as to require mathematical racial balancing.

Such cases are now pending before the United States Supreme Court on appeal. The Solicitor General of the United States, himself a distinguished constitutional lawyer, has argued that the orders in such a case go too far, that they exceed that which is required to satisfy the constitutional mandate. If the Supreme Court disagrees and in effect extends the limits of existing requirements for desegregation—or if at some future time it declares purely de facto segregation to be unconstitutional—then the Congress will confront a new situation which it must then consider. At this point in time desegregation does not mean mathematical racial balance, and my amendment would not prohibit funds to be used for transportation to carry out desegregation as defined in the Civil Rights Act and as interpreted by most Federal courts.

Congress can once again affirm its opposition to arbitrary racial balancing which destroys the very concept of neighborhood schools, while supporting the

orderly desegregation of schools to meet constitutional requirements.

Mr. HAWKINS. Mr. Chairman, H.R. 19446, the Emergency School Aid Act of 1970, authorizes the first substantial sums for the express purpose of eliminating school segregation or preventing it.

In holding the administration accountable for meaningful enforcement of title VI desegregation operations—as opposed to main reliance on court action—we must make all the necessary tools available including the money without which many willing school districts will be hopelessly frustrated in their efforts.

Obviously just voting money is not enough. The manner in which the first \$75 million was spent proves that. The six private civil rights organizations which charged that the money was often used for general school aid—not desegregation—were justified under the circumstances.

Personally, I respect the findings of these organizations and believe the pending proposal incorporates the kind of safeguards and assurances to correct the abuses which they found.

Further, I believe these private organizations can assist committees of Congress in monitoring the expenditures under the Emergency School Assistance program in accordance with the criteria written into this bill.

H.R. 19446 is a far different proposal than the emergency program under which the first \$75 million was expended and the greatest injury to education would be to do nothing on the assumption additional money may be used improperly.

First, the bill has been carefully drafted in order to prevent a slush fund which can be used to buy off recalcitrant, foot-dragging districts facing court order. Main emphasis is shifted to districts that in good faith seek to desegregate or to prevent the problem from developing.

Second, the allocation of money is not left entirely to the Secretary's—of Health, Education, and Welfare—discretion in the loose manner allowed without this more specific legislation. Instead of being confined to a few States which had dual school systems, the new proposal guarantees each of all our States a minimum amount based on the number of minority schoolchildren it has. Thus, a distinction between de facto and de jure district is eliminated.

And third, section 8 of the bill outlines 12 specific assurances that every application for assistance must contain. These, which were not specifically included in the earlier program include guarantees that the applicant has not disposed of property to private schools, has not reduced its own fiscal effort, is not using a freedom of choice plan to segregate, and is without practices and procedures of assignment, hiring, and testing to discriminate against minority groups.

The pending bill might have included even more assurances and safeguards if we had obtained the kind of testimony and specific recommendations from the civil rights organizations that afterwards made the report to the public but

failed to participate in the legislative hearings where their "input" was sought and could have been even more valuable.

In the heated debate that has developed over this bill, the specific purposes and impact of the expenditure of \$1.5 billion in our various school districts now suffering from neglect has been overlooked by some honest critics. It is much easier to be critical than to be correct, and to find fault than to legislate—is an admonition worth remembering?

Some of us here in Congress find it popular to engage in "devil-hunting." Others, the conservative opposition, resort to emotion in order to arouse fears. But neither recrimination nor empty rhetoric will provide the kind of education so badly needed and sought by millions of our schoolchildren, white and black alike.

Billions of dollars of Federal aid is already being spent under laws less specific and with fewer safeguards than in H.R. 19446. Many compensatory programs are perpetuating segregation on black children. Administratively title VI of our Civil Rights Act has not been used in the vigorous and decisive manner we intended. For the first time, H.R. 19446 would give us a specific program of desegregation with the financial aid needed to obtain results and with criteria to measure enforcement.

If some liberals have placed the passage of this bill in jeopardy, then with even greater truth it can be said that the sponsors who put over the Steiger "Rob-Peter-To-Pay-Paul" amendment which struck section 3(c) from the bill performed an even greater disservice to the cause of American education.

This provision of the bill, section 3(c), safeguards the entire concept: that if desegregation is to proceed in an orderly and effective manner additional money must be provided rather than merely shuffling around the current inadequate educational programs.

As Dr. Kenneth Clark has said:

The goals of integration and quality education must be sought together; they are interdependent, one is not possible without the other.

Thus, to rob the Elementary and Secondary Education Act of badly needed funds or to deprive school districts of "impacted funds" in order to initiate this new program results in continued underfunding, further discouragement to desegregation, and the creation of hostilities among the various groups seeking Federal aid. This safeguard—section 3(c) should be retained by all means.

Much also has been said of the so-called busing amendment. It is sheer hypocrisy to equate school transportation with desegregation and to deny to some school districts the use of busing even where the local people have found the practice acceptable.

The vast majority of American school children use some form of public transportation to get to school; 40 percent of them in school buses. White children have been bused past black schools for years in defiance of the neighborhood school concept.

Some of our finest school systems use busing to provide a higher quality of education than would otherwise be available. The city of Berkeley and Sacramento County in California are two such examples. Busing is merely one of the many purposes for which this emergency school money can be used and is perhaps the least important one, except in a few districts that have no alternative or have found it highly useful or acceptable.

In most instances those who oppose desegregation on the basis it means "forced busing" are also not willing to provide quality education for either black or white children in neighborhood schools, or elsewhere. Busing is their excuse for opposing Federal aid. They, as well as some liberals who insist on perfection before action, are content in sacrificing our children "on the altars of ideological and semantic rigidities" as long as their real concern can be hidden.

H.R. 19446 should with the additional changes I indicated be passed so that the House can in conjunction with the other body of Congress act to end segregation decisively and immediately.

Mr. DENNIS. Mr. Chairman, few things seem better established than the fact that a large majority of American voters are opposed to the busing of school children for the purpose of achieving a racial balance in the schools, or of curing a racial imbalance. This view and feeling has been repeatedly reflected in congressional legislation. In the 10th District of Indiana over 83 percent of the voters responding to my last questionnaire stated that they were in favor of a policy which provides and recognizes that in the case of genuine de facto segregation in the schools, that is, segregation existing only because of neighborhood living patterns, school authorities are not constitutionally required to take any positive steps to correct such a racial imbalance.

The measure now before us—which is a fundamental and far-reaching one—runs counter, in its spirit and effect, to both of these strongly held positions; and if it becomes law that fact will, I believe, become painfully obvious to a good many people who do not currently realize the probable reach and effect of this proposed legislation.

This bill does not, I will agree, mandate or compel an end to de facto segregation resulting from neighborhood living patterns; but it exercises a powerful influence in that direction by making available massive sums of Federal money to assist school corporations, which are willing to develop and submit plans for that purpose, to avoid or minimize such de facto segregation—and, as presented by the committee, it specifically recognizes and approves the bussing of school children as one acceptable method of carrying out such a program. This should be clear from a reading of section 5(a) (3) (D) on pages 22-24 of the printed bill.

With the adoption of the antibusing amendment presented by Mr. COLLINS of Texas we have an apparent direct conflict between these two provisions of the bill—so that the ultimate result, so far as

busing is concerned, is left in a state of confusion and doubt.

The bill is further complicated, and quite possibly made largely unworkable in practice, by the adoption of the amendment of Mr. WILLIAM D. FORD of Michigan, the general effect of which, stated briefly, is that no funds are to be appropriated or spent under this measure unless the Congress continues to appropriate and to spend moneys at least at current levels for elementary and secondary education under the act of 1965, and also for so-called impacted aid—which has become, in many of its aspects and applications, one of the most expensive and unjustifiable educational boondoggles in existence.

I recognize this bill as a serious-minded effort to reach a serious national problem. There are legitimate arguments which can be made in its favor. I would like to have the people of my district give it careful consideration and let me have their views on the measure. I am clearly not prepared to vote for this bill today.

This is an important measure and it is definitely not a bill which ought to be adopted in haste, on virtually the last day of the congressional session, and at a time when almost half of the districts which will be vitally affected by its provisions, if the measure becomes law, are not represented on the floor because of the absence of their Members. This fact, alone, would condemn affirmative action at this time. Incidentally, the vote today is probably an exercise in futility, as action by the Senate—at this stage of the game—seems highly improbable.

The issues presented here are important. They deserve careful, and prayerful, consideration. They are, as already noted, likely to be before us here again. It behooves us, and those we represent, to ponder on the matter meantime—in our heads, and in our hearts.

Mr. FASCELL. Mr. Chairman, the Emergency School Aid Act of 1970, which is before us today, offers urgently needed assistance to local school districts. Traditionally overburdened by ever-increasing operating and construction costs, many school systems are now facing the hydraheaded problems of immediate school desegregation while simultaneously experiencing a decline in public support.

Such a condition is, of course, economically untenable; but the most immediate danger is to the quality of education for all of our children.

In my own district, the costs of inservice programs in intercultural relations, special administrative and teaching personnel, and additional transportation and security services have literally added millions of dollars to the Dade County Board of Education budget.

In an effort to assist the Dade County school system and school systems like it which are sincerely attempting to comply with Federal law and court orders, I originally introduced H.R. 16693 on March 26 of this year. That legislation, similar to the bill we see before us today, provided financial assistance to beleaguered local education agencies attempting to obey court orders to de-

segregate or voluntarily integrating their school systems.

I was pleased when the administration proposed similar legislation on May 21, and I am happy that the House is now considering H.R. 19446, the Emergency School Aid Act of 1970.

Mr. Chairman, I am very proud of the Dade County school system, the sixth largest in the United States. The desegregation process in Dade County has been aided by the cooperation among teachers, administrators, parents, and students. Recently I was honored by being invited to join a South Miami group of concerned parents, business and professional leaders, and educators. These are citizens of all backgrounds, but they meet regularly to consider approaches to the desegregation process which will result in a more united community in the 1970's and beyond. It is that spirit of harmony which we are trying to foster with the aid of this bill by taking some of the substantial economic pressure off of the local systems.

We know that title VI of the Civil Rights Act of 1964 must be enforced. And the Supreme Court has recently restated the principle of *Brown* against Board of Education even more emphatically in *Alexander* against Holmes County, 1969. But in the attempt to equalize the educational opportunity for all Americans, we must not allow the quality of that education to be diminished.

The legislation we are considering today will provide the needed relief during the very difficult transition period. Much of the supposed opposition to mandated desegregation might well be defused if, by providing the funds under this act, the elimination of dual systems could be accomplished without sacrificing continued high levels of instruction and achievement.

Mr. Chairman, the Emergency School Aid Act of 1970 is the product of much debate, testimony, and careful consideration. But the title of the act itself indicates the urgency which educators and public leaders feel about its provisions. The moneys appropriated for fiscal 1971 and 1972 could make the difference for school systems sincerely attempting to comply with the law. I feel that the additional money spent to aid the desegregation process will be spent with the purpose of improving the education of every pupil involved.

I urge our colleagues to join in support of this truly critical legislation.

Mr. COLLINS. Mr. Chairman, tonight we are discussing a \$1.5 billion education bill that could evolve into the biggest step backward that America has ever taken in education. H.R. 19446 states that its purpose is to assist school districts to meet special problems of desegregation in elementary and secondary schools and to provide financial assistance to improve education in racially impacted areas.

This education bill concentrates on racial isolation. In simple language this means that if anyone lives in a neighborhood where the general ethnic background is identical that these children must be bused across town so that they

will no longer be able to go to school in their own neighborhood.

Advocates believe that with this new plan that they will be able to achieve the classic which involves the District of Columbia. Most of the students in Washington, D.C., are in racial isolation. Since this bill involves Federal funds, they would like to require these students in Washington to have transportation to Virginia and Maryland. From Virginia and Maryland they will bring other students back into the city of Washington so that they can have a racial balance.

Before we begin this Washington, D.C., plan I would like to point out several things. Although school busing has been going on for 10 years there is not one single example in the United States where it has achieved any progress in education. There is nothing in the way of factual proof on any school or any student transfers where quality of education has been improved by busing. There have been surveys made and none of them have shown any quality education achievement has occurred. After 10 years of busing with no examples of positive results the question is asked what has been accomplished?

When you bus children up to 13 miles away from their home you have developed obvious difficulties for not only the children but also the parents of all races and all financial levels. For a child in elementary school to be 10 miles away from home, it is impossible for him to get home if he got sick during the day. If a girl wants to stay after school to rehearse school plays or to take special music lessons she would not be able to do so. If a young boy in the third grade wanted to go out for the football team he would not be able to stay because he would have to catch that bus. If a youngster is needing special tutoring in weak subjects which would be furnished by the school after closing it would not be allowed, because he would have to get on his bus. Parents who would like to go to the PTA meetings find it very difficult when it is 10 miles across town. All the parents that want to participate in school events such as Halloween carnivals or May fetes or open house for teachers would be limited with this tremendous distance that confronts them.

But the big burden falls on the school-child. He would spend 45 minutes in the morning and 45 minutes in the afternoon crowded into a bus to be hauled like a herd of cattle across town. The annual cost of busing would be astronomical, when all school boards are short of funds.

To clarify this whole issue, we should be certain that the clause regarding busing remains in the House bill when it goes to the Senate and later comes back to conference. The Collins amendment is explicit in stating:

Funds appropriated under the authority of this act shall not be used to establish or maintain the transportation of students to achieve racial balance.

School authorities who are the ones who understand busing are opposed to it. A survey of school superintendents showed that 74 percent did not support

busing as a desegregation measure. Checking all members of school boards recorded them as 88 percent opposed to busing. It is interesting to see that 78 percent of the teachers oppose school busing and these are teachers from the entire country. With the people in the educational field who have the professional responsibility for administering the program, they believe busing is a backward step.

This is a problem that confronts every section of our country. The New York State Assembly last year voted 104 to 41 to ban busing of students to correct racial imbalance in schools. Take Boston, Chicago, Los Angeles, New York City or wherever you live.

We had a Gallup poll this year that showed what Americans think of busing, 88 percent are opposed to it. Let me quote some of these sections from this George Gallup national survey:

NATION BY 8 TO 1 OPPOSES BUSING

"We bought a house here so our children could be within walking distance of the high school. I'd blow my top if all of a sudden they had to be bused clear across town."

This comment, from a 40-year-old mother of three from Des Moines, reflects the views of many other parents interviewed in the latest Gallup survey on the issue of the busing of Negro and white children from one school district to another.

By the lopsided margin of 8 to 1, parents vote in opposition to busing, which has been proposed as a means of achieving racial balance in the nation's classrooms.

Opposition to busing arises not from racial animosity but from the belief that children should attend neighborhood schools and that busing would mean higher taxes. This is seen from a comparison of attitudes on busing with those on mixed schools.

Among white parents who express opposition to school busing, only one in four (24%) says he would object to sending his children to schools where half of the children are Negroes.

These findings were obtained in a survey conducted March 13-16 in which parents were interviewed in person in all regions of the nation.

Evidence of the keen interest in the issue is the fact that 94% of parents interviewed say they have heard or read about the busing of Negro and white children from one school district to another, a percentage which far exceeds that recorded for many other domestic issues.

All those who said they had heard or read about the issue were then asked this question:

In general, do you favor or oppose the busing of Negro and white school children from one school district to another?

BUSING?

Parents—nationwide:	Percent
Favor	11
Oppose	88
No opinion	3

When Negro parents are asked the same series of questions, the weight of sentiment is found to be against busing.

Southerners are most opposed to busing, but regional differences are not great.

Persons who describe themselves as "liberals" hold views that differ little from those who call themselves "conservatives."

A 51 year old Compton, Calif., housewife said, "I can't see people having to shell out a lot of money to bus kids around town. It's not a race issue with me—it just doesn't make sense."

A former educator gives another reason for opposing busing: "The time spent on a

bus is completely wasted. If the same amount of time were spent in school or at home reading, children could cover at least a fourth more ground a year."

America stands at the crossroads. Education is the most important asset for the youth of America. It is time that we concentrated on improving the quality of education. The big answer to progress is teachers. We should do everything within our power to improve their knowledge and enhance their motivation for students. The challenge rests with developing excellent teachers.

Mr. MIZELL. Mr. Chairman, I rise at this time to express an opinion on the passage of the Emergency School Assistance Act, H.R. 19466.

This opinion is not mine alone, but one shared by the vast majority of my constituents in the Fifth District of North Carolina.

First, there are a great many ill-advised features in this bill. In order to qualify for funds provided under this legislation, local school districts are now required to bow even lower before the presence of the Federal Government. Local control of local schools is now almost a thing of the past, and the people I am privileged to represent are in mourning over the loss of that local control.

The one redeeming feature of this bill is the fact that the House has again stated plainly and unequivocally, that it is opposed to the forced busing of schoolchildren for the sole purpose of achieving racial balance.

With the case against force busing now under consideration by the Supreme Court, I am happy to see this position firmly restated, because I am convinced that the position of this House accurately mirrors the sentiment of the overwhelming majority of this Nation's citizens.

Law is nothing more than a standard set by a society, an expression of moral commitment. Therefore, no law can be considered truly valid if it makes a mockery of the people's will and if it violates the public conscience.

I urge the distinguished Justices of the Supreme Court to take the overriding will of the people into consideration, and render their decision according to that will, and according to the strict construction of the U.S. Constitution.

Only in this way will the matter ever be effectively resolved.

Mr. RYAN. Mr. Chairman, H.R. 19446, the Emergency School Aid Act of 1970, authorizes \$500 million for fiscal year 1971 and \$1 billion for fiscal year 1972 to aid school districts that are required to desegregate, as well as school districts voluntarily trying to integrate. If administered properly, it can be a useful instrument. Actually, proper administration of this bill, should it be enacted into law, is the most troublesome issue before us. The Nixon administration, unfortunately, has demonstrated a lackluster, reluctant attitude towards school integration. Among its priorities—whatever they might be—civil rights clearly ranks very, very low.

The administration's posture vis-a-vis school integration is examined in a re-

port released today by six civil rights groups—the American Friends Service Committee, the Delta Ministry of the National Council of Churches, the Lawyers Committee for Civil Rights Under Law, the Lawyers' Constitutional Defense Committee, the NAACP Legal Defense and Educational Fund, and the Washington Research Project. The report, entitled "The Status of School Desegregation in the South, 1970," concludes that "overall, the process of desegregation is in imminent danger of failure if new and stronger policies are not devised" and carried out by the Federal Government.

The report of the six groups charges that the "Nixon administration has consistently underdefined the legal requirements of school desegregation," while overstating the progress made. While the administration claims that 90 percent of the 3.1 million black students in the South now attend desegregated school systems, "these figures," according to the report, "incorrectly imply that the job of desegregating southern schools is largely done."

According to "The Status of School Desegregation in the South, 1970," "the Government's figures about desegregated systems are misleading" because "they conceal the fact that in many such systems black and white children are still attending segregated schools." This is because widespread segregation exists in classrooms, buses, and extracurricular activities.

Thus, the administration really has not achieved school desegregation, and it is, in fact, pursuing a very unaggressive course. For example, the groups preparing the report urged that the Government publish and enforce a memorandum prohibiting particular discriminatory practices against black students. In fact, the Department of Health, Education, and Welfare prepared the detailed memorandum last summer, but it was never promulgated or released.

In voting for the Emergency School Aid Act of 1970, therefore, I do so cognizant that the Congress must exercise a stringent oversight function to assure that its provisions are not misused, because the administration's record is dismal. In fact, the very program authorized by this bill has already been abused. In August, \$75 million was appropriated for the progenitor of the program authorized by the bill before us today. By virtue of this appropriation, \$71.4 million has been distributed. And an evaluation released on November 24 by the same groups which published "The Status of School Desegregation in the South, 1970" reveals the misuse of those funds.

Let me briefly run down the list of defects which the November 24 report, entitled "The Emergency School Assistance Program: An Evaluation," detailed with regard to the administration of the emergency school assistance program, whose promise the report describes as having "been broken."

First, large numbers of grants have gone to districts "engaging in serious and widespread racial discrimination."

Second, funds were used to support projects which are racist in their conception, and "projects which will re-

segregate black students within integrated schools."

Third, a substantial portion of the desegregation funds were not used to deal with desegregation emergencies. Instead, they were spent "for purposes which can only be characterized as general aid to education."

Fourth, grants were made to school districts not operating under terminal desegregation plans, an initial condition of eligibility for the Emergency School Act program funds.

Fifth, Emergency School Act program moneys were dissipated in grants which in many cases were "too small to deal comprehensively and effectively with the problems of desegregation."

Sixth, the Emergency School Act program regulations authorized community groups to receive grants under the program so that they could lend their assistance to the desegregation process. In fact, not a single grant of this type was made.

Seventh, in many districts, biracial advisory committees were not constituted in accordance with the requirements of the regulations.

Eighth, only a "very small portion of" Emergency School Act program funds went to projects that emphasize student and community programs designed to improve race relations in desegregating districts.

The conclusion of "The Emergency School Assistance Program: An Evaluation," is not surprising, in light of this long list. But it is particularly cogent in discussing the role of the administration.

First, it amounts to a fraud upon Congress. The Secretary of HEW explicitly promised a Senate committee that title VI would be strictly enforced in the administration of this program. Secretary Finch's words are worth quoting again:

"We, under no circumstances, will fund districts out of compliance with Title VI—those who fire or demote anyone on the basis of race or with segregated classrooms or other basic things that you mentioned."

Second, making ESAP grants to districts engaged in these discriminatory practices amounts to HEW's acquiescence in fraud perpetrated by local school officials. The ESAP regulations were carefully drafted to require that each applicant guarantee that it would not engage in the practices prohibited by those regulations—among them racial discrimination in the hiring, firing, promotion, and demotion of staff; the racially imbalanced assignment of staff within the school system; the use of devices, including testing, which lead to racial isolation of children within the school; and aid to private schools which practice racial discrimination. These assurances have been breached by a clear majority of ESAP grant recipients.

Finally, while it is always deplorable for the Federal Government to subsidize public agencies engaged in racial discrimination, it is worse when funds designed to facilitate the process of school desegregation are granted to districts openly and flagrantly pursuing racist policies which insult and degrade black children.

If the past be prologue, then the immediate past is perhaps even more relevant prologue. And the administration of the progenitor of the program authorized by H.R. 19446 does not auger optimistically for the implementation of this program, should it be enacted into law.

It is essential that the administration not be allowed to default again on its legal and moral obligation to achieve school integration. I have watched the contortions of the administration with dismay—the firing of Leon Panetta, former head of the Civil Rights Division at the Department of Health, Education, and Welfare; the administration's urging delay, in the courts in the Mississippi schools case. These contortions make clear that the obligation resides with the Congress to exert all its pressure to insure enforcement of the law. The administration's default must not be allowed to retard the course of school desegregation.

The CHAIRMAN. All time has expired.

PARLIAMENTARY INQUIRY

Mr. PUCINSKI. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. PUCINSKI. Mr. Chairman, since all time has now expired, would it still be in order for the Clerk to read the amendment offered by the gentleman from Kentucky (Mr. PERKINS) in behalf of the gentleman from Louisiana (Mr. WAGGONNER), even though there is no debate on it?

The CHAIRMAN. The Chair will state that that is correct; there will be no debate on any further amendments offered, but any amendment that is offered will be read and voted on at this time.

Does the gentleman from Kentucky desire to offer an amendment?

AMENDMENT OFFERED BY MR. PERKINS

Mr. PERKINS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PERKINS: On page 33, line 11, before "isolation", insert the word "discriminatory".

The CHAIRMAN. The question on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. PERKINS) there were—ayes 102, noes 1.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS

Mr. COLLINS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLINS of Texas:

Page 26, beginning on line 17 strike out everything following the second comma through line 20 and insert in lieu thereof the following: "funds appropriated under the authority of this Act shall not be used to establish or maintain the transportation of students to achieve racial balance;"

Mr. BELL of California. Mr. Chairman, my colleague JIM COLLINS and I are in essential agreement on the question

of transportation of students even though I must oppose this amendment.

I agree with him that the Congress has clearly and frequently mandated—beginning with the 1964 Civil Rights Act—that racial balancing in the schools should not be required by Federal programs.

This bill again restates this national policy.

It is absolutely consistent with every past action of Congress on this question.

I personally believe that the elimination of racial and economic discrimination will ultimately be of great benefit to our Nation.

And I am sure that my colleague shares this conviction.

I also believe in the value of neighborhood schools.

I do not know any parents who want their children bused one-foot farther than necessary to get safely to the nearest school.

And in case after case in the South, where outside the large cities racially integrated neighborhoods are not unusual, true neighborhood schools are the most integrated schools you can have.

In such cases, desegregation causes less busing, not more, by eliminating the busing of children right past their nearest school to a more distant segregated school.

We accomplish nothing by going beyond what the Congress has done before and refusing to assist a local school board if their plan of desegregation is called racial balance.

If a local, elected board of education decides that it wants to attempt to balance its schools, and asks for help to do this, it presumably has the support of the community or its members would not last long.

But under this amendment we would tell this school board that we refuse to help in any way to carry out a plan they have voluntarily chosen.

We tell them they will have to choose some other plan that meets favor in Washington.

I oppose such Federal interference in local school affairs.

Another inequity which would result from the pending amendment involved those school districts which are under court order to desegregate.

An order forcing them to do it in a way which could be called racial balancing leaves them no choice.

They must do it that way.

But this amendment would deny such districts the resources necessary to obey the law.

What is the probable result?

Education of children in that district will suffer.

I do not think that the Congress really intends these results.

I think what we really want to do is reinforce existing national policy that Federal programs should not be used to require racial balancing in the schools.

H.R. 19446 does just that.

Let us stick with the bill.

I urge that this amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. COLLINS).

The question was taken; and on a division (demanded by Mr. COLLINS) there were—ayes 83, noes 65.

So the amendment was agreed to.

The CHAIRMAN. Are there further amendments to be offered? If not, the question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CORMAN, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (H.R. 19446) to assist school districts to meet special problems incident to desegregation in elementary and secondary schools and to provide financial assistance to improve education in racially impacted areas, and for other purposes, pursuant to House Resolution 1307, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

The SPEAKER. The question is on the passage of the bill.

MOTION TO RECOMMIT OFFERED BY MR. COLLINS OF TEXAS

Mr. COLLINS of Texas. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COLLINS of Texas. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. COLLINS of Texas moves to recommit the bill, H.R. 19446, to the Committee on Education and Labor.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. COLLINS of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 159, nays 77, not voting 197, as follows:

[Roll No. 443]

YEAS—159

Adams	Gaydos	O'Neill, Mass.
Addabbo	Goldwater	Patten
Albert	Gonzalez	Pepper
Alexander	Gray	Perkins
Anderson,	Green, Pa.	Philbin
Calif.	Grover	Pickle
Anderson, Ill.	Gude	Pike
Ashley	Hamilton	Pirnie
Beall, Md.	Hanna	Podell
Bell, Calif.	Hansen, Idaho	Pollock
Biaggi	Hathaway	Preyer, N.C.
Biester	Hawkins	Price, Ill.
Bingham	Hays	Pryor, Ark.
Blatnik	Rechler, W. Va.	Pucinski
Boggs	Heckler, Mass.	Quie
Boland	Helstoski	Railsback
Brotzman	Hogan	Rees
Brown, Ohio	Holifield	Reid, Ill.
Burke, Mass.	Fosmer	Reid, N.Y.
Burton, Calif.	Howard	Reus
Carey	Jacobs	Riegle
Carney	Johnson, Calif.	Rodino
Casey	Karth	Rooney, Pa.
Clark	Kazen	Rosenthal
Collier	Kee	Roth
Conable	Keith	Roybal
Conte	Koch	Ryan
Conyers	Kyros	Schwengel
Corman	Long, Md.	Sisk
Coughlin	Lowenstern	Slack
Culver	McCloskey	Smith, Iowa
Daniels, N.J.	McDade	Smith, N.Y.
de la Garza	McFall	Staggers
Dellenback	Macdonald,	Stanton
Derwinski	Mass.	Steed
Dingell	Madden	Steiger, Wis.
Donohue	Mailliard	Stokes
Dorn	Matsunaga	Stratton
Eckhardt	Mayne	Taft
Edmondson	Meeds	Talcott
Ellberg	Melcher	Tierman
Erlenborn	Miller, Ohio	Udall
Esch	Minish	Van Derlin
Eshleman	Mink	Vander Jagt
Fish	Mollohan	Vanik
Flood	Moorhead	Vigorito
Foley	Morgan	Ware
Ford, Gerald R.	Morse	Whalen
Ford,	Murphy, N.Y.	White
William D.	Natcher	Widnall
Forsythe	Nix	Wright
Fraser	Obey	Wylie
Frelinghuysen	O'Hara	Yatron
Fulton, Pa.	Olsen	Zablocki

NAYS—77

Bennett	Fountain	Mahon
Betts	Fuqua	Mann
Blanton	Galifianakis	Marsh
Bow	Gettys	Mizell
Brinkley	Goodling	Myers
Brown, Mich.	Gross	O'Neal, Ga.
Broyhill, N.C.	Hagan	Poage
Broyhill, Va.	Hammer-	Price, Tex.
Buchanan	schmidt	Randall
Burleson, Tex.	Harsha	Roberts
Byrnes, Wis.	Hastings	Rogers, Fla.
Cabell	Henderson	Satterfield
Carter	Hunt	Schmitz
Chappell	Ichord	Schneebell
Cleveland	Jarman	Scott
Collins, Tex.	Johnson, Pa.	Stubblefield
Colmer	Jonas	Stuckey
Daniel, Va.	Jones, Ala.	Taylor
Davis, Ga.	Jones, N.C.	Thompson, Ga.
Davis, Wis.	Jones, Tenn.	Wampler
Dennis	King	Watson
Dickinson	Kyl	Watts
Downing	Landgrebe	Whalley
Duncan	Lennon	Whitten
Fisher	McClure	Wiggins
Flowers	McEwen	Williams

NOT VOTING—197

Abbitt	Baring	Brown, Calif.
Abernethy	Barrett	Burke, Fla.
Adair	Belcher	Burison, Mo.
Anderson,	Berry	Burton, Utah
Tenn.	Bevill	Bush
Andrews, Ala.	Blackburn	Button
Andrews,	Bolling	Byrne, Pa.
N. Dak.	Brademas	Caffery
Annunzio	Brasco	Camp
Arends	Bray	Cederberg
Ashbrook	Brock	Celler
Aspinall	Brooks	Chamberlain
Ayres	Broomfield	Chisholm

Clancy	Hull	Rivers
Clausen,	Hungate	Robison
Don H.	Hutchinson	Roe
Clawson, Del	Kastenmeier	Rogers, Colo.
Clay	Kleppe	Rooney, N.Y.
Cohelan	Kluczynski	Rostenkowski
Collins, Ill.	Kuykendall	Roudebush
Corbett	Landrum	Rousselot
Cowger	Langen	Ruppe
Cramer	Latta	Ruth
Crane	Leggett	St Germain
Cunningham	Lloyd	Sandman
Daddario	Long, La.	Saylor
Delaney	Lujan	Schadeberg
Denney	Lukens	Scherle
Dent	McCarthy	Scheuer
Devine	McClary	Sebellius
Diggs	McCulloch	Shibley
Dowdy	McDonald,	Shriver
Dulski	Mich.	Sikes
Dwyer	McKneally	Skubitz
Edwards, Ala.	McMillan	Smith, Calif.
Edwards, Calif.	MacGregor	Snyder
Edwards, La.	Martin	Springer
Evans, Colo.	Mathias	Stafford
Evins, Tenn.	May	Steele
Fallon	Meskill	Steiger, Ariz.
Farbstein	Michel	Stephens
Fassell	Mikva	Sullivan
Feighan	Miller, Calif.	Symington
Findley	Mills	Teague, Calif.
Flynt	Minshall	Teague, Tex.
Foreman	Mize	Thompson, N.J.
Frey	Monagan	Thomson, Wis.
Friedel	Montgomery	Tunney
Fulton, Tenn.	Morton	Ullman
Gallagher	Mosher	Waggonner
Garmatz	Moss	Waldie
Gialmo	Murphy, Ill.	Weicker
Gibbons	Nedzi	Whitehurst
Gilbert	Nelsen	Wilson, Bob
Gordon, Oreg.	Nichols	Wilson,
Griffin	O'Konski	Charles H.
Griffiths	Ottinger	Winn
Gubser	Passman	Wold
Haley	Patman	Wolf
Hall	Pelly	Wyatt
Halpern	Pettis	Wydler
Hansen, Wash.	Poff	Wyman
Harrington	Powell	Yates
Harvey	Purcell	Young
Hébert	Quillen	Zion
Hicks	Rarick	Zwach
Horton	Reifel	
	Rhodes	

So the bill was passed.
The Clerk announced the following pairs:

On this vote:

Mr. Celler for, with Mr. Waggonner against.
Mrs. Sullivan for, with Mr. Hébert against.
Mr. Thompson of New Jersey for, with Mr. Abernethy, against.
Mr. Shipley for, with Mr. Montgomery against.
Mr. Rostenkowski for, with Mr. Abbitt against.
Mr. Rooney of New York for, with Mr. Bevill against.
Mr. Brasco for, with Mr. Caffery against.
Mr. Annunzio for, with Mr. Dowdy against.
Mr. Dent for, with Mr. Edwards of Louisiana against.
Mr. Edwards of California for, with Mr. Flynt against.
Mr. Garmatz for, with Mr. Griffin of Mississippi against.
Mr. Gialmo for, with Mr. Haley against.
Mrs. Green of Oregon for, with Mr. Hull against.
Mr. St Germain for, with Mr. Landrum against.
Mr. Wolff for, with Mr. Long of Louisiana against.
Mr. Nedzi for, with Mr. McMillan against.
Mr. Moss for, with Mr. Mills against.
Mr. Monagan for, with Mr. Nichols against.
Mr. Mikva for, with Mr. Passman against.
Mr. Miller of California for, with Mr. Rarick against.
Mr. Leggett for, with Mr. Rivers against.
Mr. Kluczynski for, with Mr. Sikes against.
Mr. Barrett for, with Mr. Stephens against.
Mr. Charles H. Wilson for, with Mr. Teague of Texas against.
Mrs. Chisholm for, with Mr. Baring against.

Mr. Horton for, with Mr. Devine against.
Mrs. Dwyer for, with Mr. Hall against.
Mr. Steele for, with Mr. Martin against.
Mr. Corbett for, with Mr. Rousselot against.
Mr. Halpern for, with Mr. Schadeberg against.
Mr. Rhodes for, with Mr. Scherle against.
Mr. Andrews of North Dakota for, with Mr. Blackburn against.
Mr. Robison for, with Mr. Ruth against.
Mr. Gallagher for, with Mr. Andrews of Alabama against.
Mr. Byrne of Pennsylvania for, with Mr. Snyder against.

Until further notice:

Mr. Roe with Mr. Arends.
Mr. Kastenmeier with Mr. Adair.
Mr. Anderson of Tennessee with Mr. Camp.
Mr. Aspinall with Mr. Edwards of Alabama.
Mr. Brademas with Mr. Ashbrook.
Mr. Brooks with Mr. Findley.
Mr. Brown of California with Mr. Denney.
Mr. Hungate with Mr. Crane.
Mr. Symington with Mr. Belcher.
Mr. Yates with Mr. Foreman.
Mr. Burlison of Missouri with Mr. Ayres.
Mr. Young with Mr. Gubser.
Mr. Murphy of Illinois with Mr. Cederberg.
Mr. Purcell with Mr. Burton of Utah.
Mrs. Griffiths with Mr. Frey.
Mr. Hanley with Mr. Cramer.
Mr. Harrington with Mr. Berry.
Mrs. Hansen of Washington with Mr. Cunningham.
Mr. Gibbons with Mr. Chamberlain.
Mr. Fulton of Tennessee with Mr. Burke of Florida.
Mr. Fascell with Mr. Harvey.
Mr. Evins of Tennessee with Mr. Bray.
Mr. Dulski with Mr. Del Clawson.
Mr. Evans of Colorado with Mr. Bush.
Mr. Patman with Mr. Clancy.
Mr. Hicks with Mr. Brock.
Mr. Ullman with Mr. Hutchinson.
Mr. Cohelan with Mr. Collins of Illinois.
Mr. Delaney with Mr. Don Clausen.
Mr. Farbstein with Mr. Clay.
Mr. Friedel with Mr. Diggs.
Mr. Fallon with Mr. Kleppe.
Mr. Rogers of Colorado with Mr. Kuykendall.
Mr. Gilbert with Mr. Broomfield.
Mr. Feighan with Mr. Cowger.
Mr. Daddario with Mr. Button.
Mr. Waldie with Mr. Teague of California.
Mr. Tunney with Mr. Lloyd.
Mr. McCarthy with Mr. Sebellius.
Mr. Ottinger with Mr. Langen.
Mr. Scheuer with Mr. Zwach.
Mr. Quillen with Mr. Latta.
Mr. Lujan with Mr. Shriver.
Mr. McCulloch with Mr. Reifel.
Mr. Thomson of Wisconsin with Mr. Poff.
Mr. Minshall with Mr. Nelson.
Mr. Weicker with Mr. MacGregor.
Mr. Pettis with Mr. Lukens.
Mr. McDonald of Michigan with Mr. Skubitz.
Mr. Ruppe with Mr. Steiger of Arizona.
Mr. Bob Wilson with Mr. Pelly.
Mr. Wydler with Mr. Michel.
Mr. Mosher with Mr. Zion.
Mr. McClary with Mrs. May.
Mr. Morton with Mr. O'Konski.
Mr. Mathias with Mr. McKneally.
Mr. Stafford with Mr. Winn.
Mr. Wyman with Mr. Smith of California.
Mr. Wyatt with Mr. Roudebush.
Mr. Sandman with Mr. Wold.
Mr. Saylor with Mr. Whitehurst.
Mr. Meskill with Mr. Mize.

Mr. ROTH changed his vote from "nay" to "yea."
The result of the vote was announced as above recorded.
The doors were opened.
A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BELL of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESOLUTION AND STATEMENT ON TOBACCO

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

Mr. DANIEL of Virginia. Mr. Speaker, we are today introducing the following resolution:

Be it resolved that:

It is the intent of Congress that no monetary grants, loans or other assistance rendered any foreign nation by any executive agency of the U.S. Government, or funds authorized and appropriated by the U.S. Congress, as part of our subscription to any international agency or bank, be used to produce such agricultural commodities that are like or competitive with agricultural commodities grown here under U.S. federal subsidy or in surplus in the United States.

Mr. Speaker, we are very perturbed at the action of the International Development Association, a subsidiary of the World Bank, in granting a \$9 million loan to the African country, Tanzania, for the express purpose of growing Flue-cured tobacco for export. On October 7 the Director of IDA announced that in a press release, number 70/47, that a loan had been authorized for that purpose so as to enhance Tanzania's intake of foreign exchange by encouraging 15,000 small landholders to grow Flue-cured tobacco solely for export.

We regard this action by IDA as particularly unfortunate at this time when we are holding 850,000,000 pounds of CCC stocks of surplus Flue-cured tobacco. Our own U.S. acreage and poundage allotments have been cut repeatedly and our farm families holding the 200,000 tobacco allotments will be seriously affected by this new competitive production overseas and destined for trade purposes.

As you know, a substantial percentage of our offset market is in Western Europe, particularly the Common Market. Europe produces only one-third of her tobacco requirements and we have to compete very strongly for the rest with producers from Spain, Turkey, Greece, Rhodesia, and other areas. As it is Tanzania profits from an Empire preference of 18.5 cents per pound in the British market. Should Britain join the Common Market, then, as an associate member, Tanzania will enjoy a duty-free entrance in a market of nearly 300 million people. Such action will simply mean that Tanzania will take away from us a very sizable portion of a market which we have striven very hard to maintain. Despite our highest quality product we will find it extremely difficult to compete with low-cost duty-free tobacco from Tanzania.

We feel that action by this Congress is imperative. We have protested to President Nixon and asked that his influence be used to rescind this IDA action. We

have also voiced strong dissatisfaction with the IDA Governors and asked that the authorization to Tanzania be reconsidered and put aside. We have asked IDA for an opinion as to the deleterious effect its loan will have on sales of Flue-cured tobacco by the United States. We have also asked Mr. Gilbert, the President's special representative for trade negotiation for a study on the possible effects of Tanzanian tobacco exports on our European tobacco sales. We are also communicating with Mr. Hannah, Director of our Agency for International Development—AID—as to grants and loans granted by AID to Tanzania that might assist in this project.

Mr. Speaker, it is still the avowed purpose of this country to help the 80 lesser developed countries—LDC's—achieve viable economic development. We are in favor of assisting international agencies and banks—in the case of IDA 40 percent of its latest replenishment funds derives from the United States—\$480 million out of a total of \$1.2 billion—by subscriptions to achieve greater economic growth. But we cannot reconcile the fact that on the one hand we reduce our acreage and poundage allotments for Flue-cured tobacco and pile up huge subsidized CCC surplus stocks and, on the other hand, give literally millions of dollars to international agencies that make loans to other countries to produce a commodity directly competitive with our own. Such action is against our own national interests.

We raise several questions in this regard.

First. In IDA actions our voting power is 25.47 percent. In all, the 22 developed nations control 62.83 percent of all IDA votes. The 80 developing nations—to whom all the loans are given—control only 37.17 percent of the votes. Surely the developed nations should not give loans that will be injurious to their own sales of a commodity for whose production the loan is given? We are not helping the LDC's by hurting ourselves. Surely our American governor on the IDA should not accede to a loan that will be detrimental to our interests? Granted that the IDA is an international agency—dependent for 31.46 percent of its total funds on us—we would not want to dominate or dictate its policies and actions, but in all fairness, neither should IDA's actions hurt the largest subscriber. We demand fair reciprocity.

Second. Has IDA really considered alternative production of agricultural commodities in Tanzania? Why produce only tobacco? Why not oilseeds? Why not feedgrains? Why not pasturage and silage for meat and milk production? Why not production of pulses to make her self-sufficient in food grains? We state our objection to the tobacco loan in this form because we are the only industrialized nation producing flue-cured tobacco that will suffer deleterious consequences if this loan is allowed to go through. Is IDA oblivious of our tobacco problems or do the governors grant loans regardless of possible consequences on others?

If despite our objection—and we are sure that we are supported by the congressional delegations from the flue-

cured tobacco States of Virginia, Georgia, North and South Carolina, and Florida—then we here should safeguard that our bilateral American aid never be misused and that some of our international aid on a multilateral basis not be used against us. Our resolution before this House will prevent a recurrence of such a type of loan being granted by IDA in the future.

Third. Under Public Law 480 we sell surplus farm products to many nations. Very large sums of foreign currencies accrue as a result. We lend much of this money back to the LDC's. But under the Cooley loans—granted for development—we do not allow agricultural and industrial commodities to be shipped back here to compete on our home market. Now we ask that no aid, United States or international as assisted by us, be used to produce commodities that compete with those subsidized or in surplus here—such as tobacco.

Further to our resolution we submit that the chairmen of the House Ways and Means Committee and the Senate Finance Committee should be apprised of this intention when legislation is authorized for foreign aid or the replenishment of funds for all international agencies. This proviso, prohibiting the use of American funds for grants or loans by foreign recipients to produce agricultural commodities under subsidy or in surplus here, should be written into all future authorizations. In fact, the chairmen of both House and Senate Appropriation Committees, should also insert this prohibition in all their foreign aid appropriations. We repeat that we feel that this matter is one of utmost importance, considering the fact that we are the largest total contributor of aid funds, as well as the one most liable to injury by competitive production in the 80 LDC's. This matter is also very relevant to the legislation now pending in the other House for additional funds for the International Development Bank, Inter-American Development Bank, International Finance Corporation, and other ancillary organizations such as the Overseas Private Investment Corporation—OPIC.

Mr. Speaker, we singled out this Tanzania loan because here it stated specifically just what the funds were to be used for—for producing Flue-cured tobacco for export. Actually an IDA loan—press release 70/41 of July 22, 1970—for \$4 million had been granted to Uganda for growing tobacco by small holders. Somehow the distinction of "for export" was obfuscated, hence specific objection was not entered by us. Now the IDA intent has been stated. What is more galling perhaps, is the fact that the loan was granted to a country that is trying to reap the utmost benefits from its association with our Western free world, while nationalizing Western investments, and making friendly overtures to the Sino-Soviet bloc. Nor has she shown herself particularly friendly to the Western industrialized world in her treatment of Zanzibar and by according Communist China special privileges.

I submit that the time has come for the President, our executive agencies, and the U.S. Congress to take steps to obviate

actions by this international agency—IDA—that are injurious to our own national interests. We are keeping this matter under strict day-to-day attention and will apprise this body of new reactions as they develop.

RENEWAL OF FOOD STAMP PROGRAM

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

Mr. POAGE. Mr. Speaker, some 30 years ago I supported the Milo Perkins food stamp program. It was abandoned because of fraud and abuse. Some 15 years ago the first legislation establishing our present food stamp program came from our Agriculture Committee. We sought to minimize abuse of the program. I supported it and have supported the program every time it has been renewed although each time it has been renewed it has been liberalized.

A year and a half ago the Agriculture Committee began hearings on food stamp legislation. Last August we reported a bill and asked for a rule. The rule was only granted early this month. We immediately sought to schedule the legislation, and last week passed the bill as reported by our committee without amendment.

Last Friday we took the measure to conference. There was agreement on a great many minor issues, but on two fundamental items there was complete disagreement.

The House bill which you passed provided for what the Department calls a nutritionally adequate diet. This would cost a little under \$2 billion per year. The House authorized open-end appropriations realizing that the real limitation must be the actual cost of the program. The other body insisted on a program involving expenditures in excess of a nutritionally adequate diet, which would cost approximately two to three times as much as the House bill. The House bill itself actually increases expenditures for next year some 400 percent from what they were last year. Your conferees felt that this was an adequate rate of increase, and that a nutritionally adequate diet was all that the taxpayers should be expected to contribute. I believe it was the Queen of France who suggested that the poor "eat cake." France was soon without a Queen and I fear we are likely to be without a food stamp program if we try to give too much.

The second point of disagreement, and possibly the most fundamental, was that your conferees insisted on an effective provision requiring able-bodied adult beneficiaries of the program to accept work when offered at no less than the minimum wage. At the same time your conferees protected these beneficiaries against any requirement that they work at a plant closed by a labor dispute. The conferees of the other body simply would not accept any effective work provision. We are hopeful that today they may be willing to review this question.

The House conferees have insisted that those who receive the benefit of the pro-

gram should be willing to work in return, but we have reiterated our willingness to discuss details and we are still willing to meet any time or place. I am happy to report that the chairman of the conference has within the last hour indicated a willingness to discuss the matter further. We appreciate his cooperation.

In the final analysis the whole matter boils down to this: Do we want to exchange our social, economic, and religious philosophy that "in the sweat of his brow shalt man eat bread" for the philosophy of the socialistic countries which proclaims that man should share the good things of the world, not in proportion to his contribution but in proportion to his needs. If any Member can show your conferees that the socialistic system has done and is doing more for the poor people of their countries than is our private property system, then I am sure that every member of the conference will be glad to accept the other body's proposal that we require nothing of the recipients of these food stamps. So long as human nature remains as it is we are convinced that when you give some people a better living for doing nothing than others earn from their hard work, there will be an ever-increasing number of eaters and a decreasing number of workers.

CHANGING OF THE GUARD IN POLAND

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, the events in Poland over the weekend have enormous significance not only to the United States, but also to the entire free world.

The ouster of the top Communist leader, Wladyslaw Gomulka, is in itself an event. Gomulka is one of the top hard-line Communists of Europe. He was the first to send Polish forces into Czechoslovakia when Soviet troops moved in to crush the recent revolution for freedom in that country. He has, of course, been one of the Kremlin's strongest supporters and has kept Poland under total Moscow domination.

While it is true that his successor, Edward Gierek, is a Communist, I think we ought not to lose track of the fact that the defeat of Mieczyslaw Moczar, the No. 2 man in this power struggle, is a set back for the Kremlin. Moczar had been slated by the Kremlin to replace Gomulka but obviously the Polish leadership refused to bend to the Kremlin and instead selected Gierek.

Edward Gierek is a pragmatist. He has been outspoken in trying to pull Poland away from complete Soviet domination. There is reason to believe he is going to seek greater ties with the Western democracies, and, indeed, we are now beginning to see some hope that Poland can be weaned away from total Soviet domination. It would be my hope the United States would enter into immediate discussions to see whether or not we can improve relations which have been deteriorating for some time under Gomulka.

I see in this great uprising in Poland a very significant factor. The people of Poland, as well as the people all across the Iron Curtain, are now standing up to oppose monolithic Soviet domination. I believe this bodes well for the forces of freedom. I think finally, after 25 years, we can begin to see some light at the end of the tunnel and hope that maybe finally these countries that are under Communist rule against their wishes, and which they have never accepted, this Communist rule which was imposed on them after World War II, are at last going to work their way to some semblance of freedom, so they can live as free nations.

THE INVESTIGATION REGARDING MR. JUSTICE WILLIAM O. DOUGLAS

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

Mr. DENNIS. Mr. Speaker, I am reliably advised, and it now seems to be apparent, that the full Committee on the Judiciary, of which I am a member, will hold no meeting to pass on the "final report" of the Special Subcommittee on House Resolution 920, the matter of the possible impeachment of Associate Justice William O. Douglas.

This rather unusual procedure seems to me to be as unfortunate as is the even more unusual procedure of the special subcommittee, acting through its majority, in arriving at a "final report," in a matter of this magnitude, without calling a single witness or taking a single word of testimony under oath.

As a member of the Committee on the Judiciary, and as a member of the bar, I feel impelled to protest against and to respectfully make of record my dissent from this course of conduct.

In so registering my objections to and my dissent from the procedure followed, I do not mean to suggest that I believe that Mr. Justice Douglas ought to be impeached. As the gentleman from Michigan (Mr. HUTCHINSON) says, in his minority views—with which, in general, I would associate myself—"the evidence is not all in," and certainly I would not vote to impeach any public official—and much less a Justice of the Supreme Court—except on convincing evidence of impeachable misconduct.

It might well be, as Mr. HUTCHINSON's minority views also suggest as a possibility, that, on thorough investigation, conduct, if any, on the part of Justice Douglas which could properly be called into question, would fall short of conduct justifying impeachment and would rather fall into a category which might appropriately be the basis for official censure. It might be that no official action of any kind would be called for. I take no present position on any of these matters, for I have not heard the evidence, nor had any opportunity to hear it; and I say only that there has been no adequate or sufficient investigation.

Every lawyer knows, I think, that an adequate investigation of an important matter, such as that we deal with here, demands and requires the examination and cross examination of witnesses un-

der oath, and a study of the voluminous subcommittee report—which does represent an impressive job of preliminary spadework—leads at once to a desire on the part of the reader to question certain individuals named therein and to ascertain the identity of, and to thereafter examine, certain others who are therein referred to.

It further seems clear to me that the full Committee on the Judiciary, which had considered the first report of the special subcommittee and which had thereafter authorized an additional 60 days in which the subcommittee could pursue its investigation, ought, in the normal course of events, to have a similar opportunity to consider, and thereafter to act upon, the "final report" of the subcommittee.

I regret that this obvious and appropriate procedure has not been employed, and I wish to respectfully but emphatically disassociate myself from the procedure which has, in fact, been followed.

THE VETO OF THE MANPOWER BILL

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

Mr. GAYDOS. Mr. Speaker, the President's veto of the manpower bill is a clear demonstration of the administration's insensitivity to our critical domestic problems and a total rejection of one of the most potent weapons ever designed to combat an ever-increasing rate of unemployment.

The President's veto is based primarily on his objection to the public services provision which he claims will result in the creation of deadend public service jobs. His opinion is not shared by the U.S. Conference of Mayors. I, as well as other Members of Congress, recently received a telegram from the U.S. Conference of Mayors, expressing their deep dismay and urging the Congress to override the Presidential veto.

As a member of the committee which fashioned this legislation, I share their disappointment and urge the membership of the House to vote to override the veto.

The text of the telegram follows:

To All Members of Congress, December 17, 1970:

The President's veto of the 1970 Employment and Manpower Act must, in the best interests of the cities of this Nation, be turned around. We urge an immediate congressional override on this critical issue.

The President has misinterpreted the intent of the legislation, and the result is that thousands of unemployed individuals in this country will continue to be hopelessly unemployed. This legislation creates employment in the cities, with adequate training provisions to create significant promotional opportunities for those employed. We continue to find it inconceivable that the President, himself, has killed his own first major domestic new federalism law to provide local capability to cope with disastrous local unemployment problems. This concept has received top priority with the U.S. Conference of Mayors since 1967, and has now received the widespread approval of public interest groups throughout the Nation. And, of

course, it has also received the approval of the Congress of the United States.

This program is not stop-gap and it is not dead-end. It is one of our last hopes to turn back the hopelessness of thousands of individuals. The mayors of this Nation see these individuals every day, live with them, talk with them, and desperately try to help them. The mayors must have the resources to provide that help. We must have the override of this veto. Now.

Mayor Joseph Alioto, San Francisco, Calif.; Mayor Thomas D'Alesandro, Baltimore, Md.; Mayor John Driggs, Phoenix, Ariz.; Mayor Roman Gribbs, Detroit, Mich.; Mayor John Lindsay, New York City, N.Y.; Mayor Sam Massell, Atlanta, Ga.; Mayor James Tate, Philadelphia, Pa.; Mayor Kevin H. White, Boston, Mass.; Mayor Frank W. Burke, Louisville, Ky.; Mayor Richard Daley, Chicago, Ill.; Mayor Peter Flaherty, Pittsburgh, Pa.; Mayor Harry G. Haskell, Wilmington, Del.; Mayor Henry Maier, Milwaukee, Wis.; Mayor Carl Stokes, Cleveland, Ohio; and Mayor Wesley Uhlman, Seattle, Wash. Legislative Committee of U.S. Conference of Mayors.

FORMER MEMBERS OF CONGRESS, A NEW ORGANIZATION

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to include the remarks of Walter Judd.)

Mr. GERALD R. FORD. Mr. Speaker, I am pleased to call to the attention of the House that President Nixon invited the members of a new organization, Former Members of Congress, to the worship service in the East Room of the White House on Sunday, September 13, 1970. Almost 100 former Members of the House and Senate attended with their wives or husbands. At the President's request, the service was conducted by our former colleagues, Brooks Hays, of Arkansas, and Walter Judd be entered into the RECORD

I believe the House will be interested in their remarks on that occasion and ask unanimous consent that those of Walter Judd be entered into the RECORD at this point.

I would also like to include the text of the brochure describing the history, purposes, and programs of former Members of Congress, which now has 325 members.

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ALBERT, to include in the RECORD the remarks of Brooks Hays delivered at the White House following the remarks of Mr. GERALD R. FORD.

(At the request of Mr. ALBERT the remarks of Brooks Hays, delivered at the White House, were ordered to be printed in the RECORD following the remarks of Mr. GERALD R. FORD.)

REMARKS BY HON. BROOKS HAYS

Mr. President, Mrs. Nixon, Distinguished Friends. First, I trust that the President will permit me to take just a moment to thank him for two things: One, for honoring Former Members in this fashion, to revive the Hays-Judd team, or I must say, the Judd-Hays team. We were known in Congress as the Continental Barnstormers and we went across the United States pleading for a sound foreign policy and the President will remember something of that experience.

We did it without diluting our party loyalties. It was strange for some of our colleagues that a Northern Congregationalist Republican would have such fellowship with a Southern Baptist Democrat. But there was, I thought, something of a common reservoir of good will from which we could draw something to enrich the nation's political life. I think there were times when Walter thought that I resembled the old gentleman down south who said, in his last illness, "If there is anything wrong with the Baptist Church and the Democratic Party, I would rather die without knowing it".

And I think, too, Mr. President, that I'm entitled to take another moment of Walter's time to thank you for sending us your check for \$50.00. You could have had membership for nothing, but it created quite a stir at the office and we almost didn't cash the check, which perhaps you would have been glad we didn't, but we wanted to frame it, partly to show, Mrs. Nixon, that it was a joint account. I don't want to tell any secrets here, but it was such a good example for the other former Members of Congress and we hope if they don't have joint accounts that they'll take notice of it.

And we feel, too, that this little story that I'm permitted to tell, I think, would be relevant. There was a Kentucky farmer that wanted to enter his favorite fast-running mule in the Kentucky Derby, and they told him he just couldn't do it. And as he sadly received the news, his nephew said, "Well, Uncle Henry, you know that the mule couldn't have won". "Yes, that's right", he said, "but he would have profited so by the association".

Now I have taken this moment to indulge in levity because having been privileged to be a colleague of the President, I was assured that it would be all right, and now, in all reverence, and if you will remain seated, I'm going to offer our prayer. It's a difficult assignment. I'd like to think that I'm praying for every one of you and if you'll bear with me then, I will offer this prayer for the President and for us.

Our Father, one of our principal purposes in this assembly is to renew the commitments to Thy law, made by our forefathers. We believe these commitments account for whatever divinity there is in our public life. This is our corporate prayer, but as individuals we cry out as Thy creatures with all the frailties of humankind for a new consciousness of Thee. May the restlessness of our souls which we know will not cease until we rest in Thee, meanwhile propel us willingly and devotedly into life's duties filled with confidence that this world is still in Thy hands. We pray for the President and for his family. None know better than we, his guests today, the weight of his burdens. These he cannot cast away. But we ask that they may be accompanied by an awareness of Thy presence and Thy help. More than for ourselves, we ask Thy protecting care for the country we love. We know Thou art the judge of all nations and the Father of all peoples. We would therefore ask for nothing that we would not share with others wherever they are, whatever their status. We pray that we may be instruments of Thy will in a distraught world which desperately needs Thy guidance and Thy peace. This we can do with firmness in the right as Thou hast given us to see the right. We cannot be blind to the unleashed forces that are contrary to Thy laws, the cruelties and the imperfections which we long to see vanish from this earth. But all of our hope would be in vain without Thee. We cannot understand it but we accept as truth the Bible's assurance that Thou wilt be at our side in every struggle, and will share our sufferings. This is our firm buttress against every peril. We pray it in Jesus' name and in His spirit. Amen.

Walter and I talked about an appropriate

passage for the Scripture reading and I agreed with his suggestion, in the light of the things that I know he's going to talk about in general. This is, I think, an appropriate passage, the First Psalm:

"Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night. And he shall be like a tree planted by the rivers of water that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper. The ungodly are not so: but are like the chaff which the wind driveth away. Therefore the ungodly shall not stand in the judgment, nor sinners in the congregation of the righteous. For the Lord knoweth the way of the righteous; but the way of the ungodly shall perish."

REMARKS BY DR. WALTER H. JUDD

Mr. President, Mrs. Nixon, friends, fellow Americans. First, I want to join Brooks in expressing for all of the former Members of Congress our appreciation of the honor you do us today in inviting us to join you and your family, and your official family, in this service of worship at the White House.

Over 200 former Members of Congress have joined this organization in the seven months since it was established, with the original suggestion coming from the gentleman from Arkansas, Mr. Hays. You will permit me to comment that this organization has a unique advantage over many in that it is certain to have a new group of persons eligible for membership every two years. It has a guaranteed clientele!

We hope that this association will enable those of us who have been in the Congress, the House or the Senate—with a few like yourself, Mr. President, graduates of both bodies—to continue the fellowship and close friendships developed in our years of working together on Capitol Hill. Perhaps it will also enable us to keep a little closer to affairs of state. We don't now have direct responsibilities for lawmaking, but there is no lessening of our concern for the well-being of this country. And especially in times as troubled as these.

No one will deny, I think, that we are living in a period characterized by as great a mixture of emotions as any in our nation's history. On one hand, never did anybody have so much to be grateful for, and I'm sure most Americans are deeply thankful for the goodness of living and the freedoms that are possible for us here. But at the same time, there's never been greater uneasiness, uncertainty, dismay, perplexity, approaching in many instances, anxiety. Everywhere there are conflicts.

Abroad, for the first time in history, there are conflicts on all continents at the same time.

And there are widespread conflicts here at home. We've been accustomed to assassinations, insurrections, riots, disorders in other countries, but have assumed that in the United States things would always be stable. And now we see deep questioning in our country, both of the values on which the nation was founded and grew great, and of our basic institutions, especially among our youth.

There is the criticism that we haven't lived up to the values we profess. And at the other extreme there is an assault upon the values themselves—the contention that they aren't essential or necessarily good, even if we do live up to them. They are said to be just ancient preachments that don't apply to our times.

Equally there's widespread questioning of our basic institutions.

First, of our political institutions. Questioning of all of them, including our own Alma Mater, the Congress, not to mention

the Judiciary, and even occasionally, some questions about one department or another of the Executive branch!

Questioning of our economic institutions, the means by which goods and services are produced and distributed—the marketplace.

Questioning of our educational institutions at all levels—the school.

Questioning of our social institutions, beginning with the most basic of all, the home.

And questioning of our religious institutions—the temple. Are the Judeo-Christian faith, heritage, body of ethics, on which this nation was established relevant to us, suitable or adequate for such times as these? Or is God dead? Or never was?

Surely it was never more urgent that we in America take our bearings afresh. Is there a moral order in the universe?

There's an astronomical order; nobody doubts that. Our astronauts wouldn't have moved one foot into space if they hadn't been absolutely sure there is an order out there. We don't know too much about it yet. Our job is to find out what it is, what its laws are and live with them instead of against them.

No one denies there is a physical order. It isn't said we ought to try to create a chemical order for our times or a biological order.

But is there or is there not an order in that realm which is most important of all: the relation of people to people—a moral order? An order like the others whose laws man can violate but which he cannot break, because they're in the nature of things.

Are there any fundamental principles or laws that are universal, that are always true in every age and in every place,—

That apply to all peoples, all races, all classes, all nations;

to the rich and to the poor;
to the employer and to the employee;
to the majority and to the minority?

If so, what are those principles or laws?

By what standards are we to judge proposals that come from this, that or the other source? By what yardsticks are we to measure progress or decay, good or bad?

How can we in America make a united nation again out of our deeply divided people?

How can we build a united world out of the divided peoples and nations on this dangerously contracted planet?

Perhaps we can get some guidance from the experience of those who have gone through troubled times in the past. I'd like to use as our example this morning the children of Israel.

When Moses led them out of Egypt where they had been 400 years in captivity, they had deep family ties, tribal ties, blood ties, and they had strong religious ties. But they hadn't developed political ties. They hadn't had opportunity to develop them: the Pharaohs had made all those decisions for them, and it takes time and experience to develop political consciousness, and skill in establishing the institutions and laws under which people can live together in harmony and peace.

How could Moses weld this collection of tribes and families into a political organism, able to hold its own and deal successfully with its own people and with its neighbors?

How make a nation out of a people?

You will recall that Moses, wrestling with this task, went up into a mountain alone where God gave him—or helped him work out—ten great fundamental principles or laws for Israel. Our forefathers believed in these and sought to apply them, live by them. My question this morning is, are they relevant for us today, our nation, our world, our times?

The longer I served in government, and especially after I had yielded, or seen some of my colleagues yield, to the temptation to try short cuts or expedients that violated these laws, the more convinced I became that there are none better for us. In fact—I will say it

more strongly—I doubt that there are any others on which, as a base, we can build a society, a nation, that will endure and prosper.

So first let me just run through them, reminding you of each with a sentence or two, and then try to see if they have relevance for us today. And always interpreting them here today from this standpoint only; nation-building.

The first, of course, is that God must be at the center of things. To put one's race at the center, ancestry, class, party, work, even one's own family, certainly one's self, divides. Not power or position or prestige, but GOD must be at the center, or things just won't go right. Not because God is self-seeking, but because He wants us not to make the fatal mistake of putting something else at the center. THOU SHALT HAVE NO OTHER GODS BEFORE ME.

The second is the same law, said negatively—the folly and the futility of putting one's main trust in things. Because things at the center will fall you. That which can be possessed can be lost, and then what do you have? THOU SHALT NOT MAKE UNTO THEE ANY GRAVEN IMAGE.

The third is the sacredness of the Divine-Human fellowship. One cannot have God at the center if that relationship is profaned or exploited or trifled with or used for selfish purposes. It alienates one from God. THOU SHALT NOT TAKE THE NAME OF THE LORD THY GOD IN VAIN.

The fourth is the claim of God on a portion of our time. This is the positive requirement. You can't develop a close relationship with the woman you love enough to ask to be your wife unless you give time, thought, and attention, to it—and to her. Do we imagine we can develop a close, intimate fellowship with God, so we can have Him at the center, can know His will and lay hold on His resources available for us, if we don't give time to it—and to Him? The Sabbath is a symbol of this claim of God on a portion of our time, our substance, our lives, ourselves. REMEMBER THE SABBATH DAY TO KEEP IT HOLY.

The fifth is the sacredness of the home, the family, which has been the pattern of organization of every good and stable society all down through the centuries. Jesus so often took these ancient precepts or laws and reaffirmed them, lifted them up, lived by them. On the cross, in almost the last hour of His life, He made provision for His mother. Seeing her and the beloved disciple, He said to her, "Behold thy Son". And to the disciple, "Behold thy Mother". No enduring Society has been or can be built in which the home is not a holy and sacred institution. HONOR THY FATHER AND THY MOTHER. Not just counsel—law.

The sixth is the sacredness of human life. It's really more than we ordinarily mean by that, I think, as I learned once when studying Chinese. Sometimes I read the Bible with my teacher because I thought I knew what it meant and all I had to do was to learn how to say it in Chinese. One day when we were reading the Commandments, my teacher, a courtly, Confucian gentleman, said somewhat diffidently, "I once heard one of your Christian preachers talk about this Commandment and he interpreted it as if it meant only, Thou shalt not kill the body. But it doesn't say that. It says, Thou shalt not kill". He added, "We Chinese think it's worse to kill or crush the human spirit than it is to kill the body. And your own leader said, 'Don't be afraid of those who can kill the body but cannot kill the spirit'."

Mrs. Judd and I just got back two weeks ago from the Soviet Union. The thing that most disturbs one there is the obvious crushing, subjugation, of the human spirit. It's the whole human person that's sacred; not just the body. Lawless, capricious destruc-

tion of human persons makes impossible the building of a good society. THOU SHALT NOT KILL—the body or the spirit.

The seventh is the sacredness of the sex relations in the bonds of matrimony. Of course, anything as intimate and personal as sex relations ought to be sacred under any circumstances, because promiscuity cheapens. But especially in matrimony must they be sacred because if they're not, then the home breaks, and the nation deteriorates. This is not a matter of arbitrary rules; it's a matter of moral law. I'll say it more strongly—of social necessity if the nation is to stand. THOU SHALT NOT COMMIT ADULTERY.

The next is the sacredness of property. First, of the other person's property—the obligation not to take what belongs to someone else. But that's not all. The sacredness of one's own property—the obligation to use it is a sacred trust in terms of the well-being of people—and of the community. THOU SHALT NOT STEAL—from man or from God.

The ninth also is a double one. First, the sacredness of reputation. All who have been in public life understand the cruelty of slander or innuendo. Shakespeare put it, "Who steals my purse steals trash; but he who filches from me my good name robs me of that which not enriches him and makes me poor indeed".

It means also the sacredness of the pledged word. Surely there's no hope of a decent world of order and justice and peace unless the pledged word of men and nations can be trusted. THOU SHALT NOT BEAR FALSE WITNESS.

And the tenth comes around full circle to the first again: the menace of an unsound heart. The menace to society and the menace to the one who has it. For at the center is covetousness, self, a cancer, instead of God. THOU SHALT NOT COVET.

Now here are the ten fundamental laws that God helped Moses work out for Israel. Increasingly I believe they are God's unchanging laws for us too—and for other peoples.

But it isn't enough to get laws, to enact them, or define them or interpret them; we must apply them. We have to live by them.

Moses, you recall, came down from the mountain exulting. His face shone. Now he had the answers to the problem of making a nation out of a people. And what did he find? While he'd been gone, some of the people had murmured, "We don't know what's happened to that Moses. We've got to have something concrete, tangible, to put our trust in; something we can see and touch". So they had made them a golden calf as their god. Oh, they didn't ask anybody else to do it for them. They chipped in their own rings and bracelets. They made their own contributions to provide themselves security. And they were dancing around the golden calf for joy.

And what did Moses do? Like most of us under strain, he broke, lost his temper, "cast the tables out of his hands and brake them beneath the mount". And he said, "Who is on the Lord's side? Let him come unto me". And the sons of Levi, one tribe, came over and they set to and slaughtered some 3,000 of their brethren, broke some of the very laws that were to be the foundation of the nation.

Then Moses had a bad night. In the morning, like a father yearning over a wayward child, he went out alone again, and he said, "Oh, this people have sinned a great sin and made them gods of gold". (Can you think of any other people of whom that might be said?) "Yet, if Thou wilt forgive their sins—but if not, then blot me, I pray Thee, out of Thy book which Thou has written". If my people have to go down, I don't ask to be spared. I go down with them. But if Thou wilt—give us another chance.

What did the Lord say? And now we come to the application to ourselves. He said to

Moses, "Hew thee two tables of stone like unto the first". That is, Moses, go right back where you got off the track and get on the track.

"And I will write upon the new tables the words that were on the first tables which thou brakest". The same words, the same eternal, unchanging laws of God—for them, for us, for the universe.

The same laws of character-building, of home-building, of community-building, of nation-building, of peace-building. God's eternal laws.

The same words as given to Moses 4,000 years ago. The same words as reaffirmed and amplified by Jesus 2,000 years ago. The same words, in substance, as in the Mayflower Compact and the Declaration of Independence and our Constitution. The same words, principles, laws. No man or nation is going to get around God.

And the Lord said to Moses, "Be ye ready in the morning". That is, Don't fool around about this, Moses, get at it.

"And come up in the morning unto Mt. Sinai". Come UP. Life never was coasting. It's always been climbing. That's not a curse, it's a blessing—UP.

"And present thyself there to Me in the top of the mountain". Not at the bottom of the mountain, that's not good enough. Not the middle of the mountain, that's not good enough. But in the top of the mountain—where we see most clearly and surely what is true and fundamental and everlasting.

"And present thyself there to me. . . ." Not just discussion and debate, but commitment, dedication.

"And no man shall come up with thee". Every nation as well as every man must have its reckoning with the Almighty.

And we read:

"And Moses hewed two tables of stone like unto the first, and he rose up early in the morning and went up into Mt. Sinai, as the Lord had commanded, and he took in his hands the two tables of stone". That is, he obeyed.

"And the Lord descended in the cloud and stood with him there". Doesn't He always stand with us *when we obey*?

"And Moses made haste and bowed his head to the earth and worshipped. And he said, 'Oh Lord, let my Lord, I pray Thee, go in the midst of us. For it is a stiff-necked people, pardon our iniquity and forgive our sins and take us again for Thine inheritance'."

Blessed was our nation when its God was the Lord. Blessed again, and always, will be our nation—and every nation—when its God is the Lord.

Lord, God of Hosts,

Be with us yet,

Lest we forget!

Lest we forget!

FORMER MEMBERS OF CONGRESS

HISTORY OF FORMER MEMBERS OF CONGRESS

FMC was formed in February 1970 by a group of 52 former Members of the United States Senate and House of Representatives who gathered in response to an invitation from Brooks Hays and Walter H. Judd. This meeting was an outgrowth of an earlier meeting in December 1969 attended by seven former Congressmen, H. Carl Andersen, Frank Chelf, Robert Hale, Brooks Hays, W. Pat Jennings, Walter H. Judd and J. T. Rutherford.

Mr. Hays initiated the proposal for such an organization because of a long-felt belief that former Members were an under-utilized resource of great potential value for our country. The need to make better use of this resource has been recognized by many in the Congress and in the academic world.

Following this first meeting, a questionnaire was circulated to those former Members whose addresses were readily available

to determine their interest in forming an association with their former colleagues for non-political and non-partisan purposes. In a nearly unanimous response, there was great support for the formation of such an association. In nine months over 300 joined as Charter Members.

A STATEMENT OF PURPOSE

Former Members of Congress is a bipartisan, non-profit organization which has been established to promote the cause of good government at the national level by strengthening the United States Congress as an institution.

FMC seeks to develop among the people of the United States a better understanding of and interest in our system of government and its institutions.

Its primary focus is research and education, and it is dedicated to wider national utilization of former Members of Congress as a major public resource.

FMC, when requested, will provide technical assistance to make available to Congress the experience of former Members.

It will serve as an "alumni" association for former Members, better enabling them to preserve the fellowship and friendships developed while in the Congress.

FMC, as an organization, will not take positions on any public issue, lobby for or against specific legislation, or engage in political or partisan activity. Every member, of course, will be free to do so. Membership will be suspended if a member seeks re-election to the Congress, and terminated if elected and sworn in.

CURRENT AND PLANNED PROGRAMS

Holding periodic meetings of the membership for fellowship, to conduct the business of the organization, and to receive domestic and foreign policy briefings on matters of public importance.

Preparing oral histories of former Members of Congress, developing an important record of the national decision-making process that is often neglected or overlooked.

Providing suitable recognition of past service for former Members through the issuance of Identification Cards, Citations of Service, and Pins.

Providing office space on Capitol Hill which can also be used as headquarters for members when visiting in Washington.

Cooperating with George Washington University in the establishment of a Center for study of the legislative process, enabling former Members to serve as visiting lecturers, and students from across the country to study the Congress first-hand for academic credit.

Assisting colleges in other States to establish similar centers and to utilize to maximum advantage the knowledge and legislative experience and expertise of former Members of the Congress living in those States or areas.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. We have pending a resolution which would carry the homecoming to this Chamber for former Members. They are extremely interested in it. The resolution has cleared the Rules Committee, and I do not believe it would have any problem on the floor. It would be a very fine thing for the House to do to have a Homecoming Day for former Members of Congress.

Mr. GERALD R. FORD. It would seem to me that this is something that might well be discussed at the outset of the next session.

Mr. ANDREWS of Alabama. I intend to reoffer the resolution.

WHAT ARE THE FACTS ABOUT A RUSSIAN SUBMARINE BASE IN CUBA?

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

Mr. WYMAN. Mr. Speaker, years and years ago I protested that there had been no genuine confrontation with the Soviet Union over Cuba. We never looked inside those cartons on the decks of the Soviet ships supposed to contain nuclear missiles being removed from Cuba. Overflight photographs, sure, but proof of actual withdrawal, none.

To make things worse, it now develops from Khrushchev's memoirs that former President Kennedy made a deal as the price of supposed Communist withdrawal of its missiles from Cuba. What was the agreement? If the Communists would remove their missiles, the United States would not invade this Communist-controlled country 90 miles from Florida.

Mr. Speaker, that is a poor deal for the security of this Nation. Just how poor it really is begins to show up with the latest reports of the construction of a Russian nuclear submarine base at Cienfuegos on the island of Cuba. Is such a base to be a privileged sanctuary under the Khrushchev-Kennedy understanding? I pray not.

Most respectfully I urge President Nixon to repudiate any understandings of this country that would permit further buildup of Communist military potential on the island of Cuba. I fervently hope that our great President will insist that no such installations be completed and that they be razed if started. I hope he will also insist on inspection by us just to make sure.

At this point in the RECORD I include the column entitled "The Subs of Cienfuegos" appearing in Time magazine issue of the week of December 28. Some pretty damaging factual allegations are made in this article and as a member of the Defense Appropriations Subcommittee, I want to know whether these things are true or are not? The item follows:

CUBA: THE SUBS OF CIENFUEGOS

Last September the White House announced that the Soviet Union was building a base to service missile-carrying submarines at the south Cuban port of Cienfuegos. The news set off shock waves of fear that an East-West confrontation comparable to the 1962 Cuban missile crisis was imminent. But then the Soviets removed their submarine tender from Cienfuegos, and the moment of alarm seemed to pass.

Despite President Nixon's press-conference statement that he was unworried by Soviet naval presence in the western Atlantic, there is some evidence that the crisis has merely been postponed. U-2 reconnaissance photographs show that the base is almost complete. In addition to bunkers for storing submarine-borne nuclear weapons, the Russians have built a steel antisubmarine barrier net between the shore and the island of Cayo Carenas and have installed anti-aircraft emplacements. They have also built a pier for docking submarines and elaborate rest and recreation facilities. The bay now contains two storage barges designed to receive the discharges of nuclear-contaminated effluent from submarines. The tender that touched off the September announcement is still cruising the Caribbean, and could return to Cienfuegos at any time.

DOUBLE CAPACITY

One U.S. naval official describes the Cienfuegos base as "smaller than Holy Loch and larger than Rota," referring to U.S. nuclear submarine bases in Scotland and Spain. It could service any of the Soviet navy's 76 nuclear submarines, including those of the Polaris-type *Yankee* class, of which the Soviets presently have 13. The practical strategic effect of the base will be to double the Soviets' nuclear submarine capability in American waters; one *Yankee* submarine will be able to perform a surveillance mission that required two such ships before.

The Nixon Administration faces a dilemma over how to react to the base at Cienfuegos. An outright confrontation with the Soviet Union, in an area deep within the traditional "U.S. sphere of influence," would almost certainly rule out the advancement of top-priority Administration objectives concerning the SALT talks, the war in Viet Nam, and the stalemate in the Middle East. The U.S. seems to be resigned to the presence of Soviet naval vessels in the Caribbean, with the submarines serviced in international waters from a tender based in Cuba. But it hopes that the Soviets will not force the issue by putting the Cienfuegos base into operation.

Ever since 1962, State Department officials have alluded to a vaguely defined "understanding" between John Kennedy and Nikita Khrushchev that the U.S. would not invade Cuba if the Soviets did not build strategic bases or install nuclear weapons there. Last month the White House let it be known that this understanding had been "renewed." In the meantime, however, the Cienfuegos base is all but ready to service Soviet nuclear missile submarines.

Accordingly I have submitted some simple straightforward questions today to the Secretary of Defense, Hon. Melvin Laird. I would like to have the answers to these questions whether or not other Members share my concern. I also want to be certain that the RECORD shows that at least one Member of Congress wants the Communists out of Cuba now—whatever it takes to do it. I have taken a similarly consistent position ever since Castro was first heard of.

It makes no sense to raise a hullabaloo about Vietnam and Southeast Asia and communism's advances in faraway places if we do not have the guts and the determination to prevent Communist military buildups in our own back yard.

The simple, direct questions I have asked Secretary Laird were as follows:

First. Is there a Soviet submarine facility on the island of Cuba or in the Caribbean? If so where, how large is it, and what is its capability?

Second. What is present U.S. policy with reference to such a base?

Third. Is there any understanding, formal or informal, direct or indirect, by the terms of which the United States is bound to refrain from going upon the island of Cuba to inspect and remove hostile military installations considered a threat to our national security?

PENN CENTRAL RAILROAD PROPOSITION

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

Mr. MELCHER. Mr. Speaker, I have often heard the rattle of a rattlesnake, but never in December. In my country,

they hole up for the winter. Despite the time of year, I fear, Mr. Speaker, there is a snake threatening the House, and I believe it is a dangerous rattler.

The bill proposed to be considered in the House tomorrow that would guarantee loans to bankrupt railroads is highly questionable. The urgency that brings this bill to floor action in the last days of this Congress is the financial plight of the Penn Central Railroad. This bankrupt line, represented by its trustees, seeks loan guarantees for \$125 million now and contemplates a like amount next spring. Without this kind of legislation the Penn Central Transportation Co. trustees state the railroad will cease operating in 30 to 45 days.

The scandals involved in Penn Central manipulation prior to bankruptcy last June, need not taint the judgment or recommendations of the trustees. But the scandalous mismanagement of the conglomerate of corporations controlled by Penn Central during the past few years has yet to be untangled. The snake in the form of these scandals has, however, rattled, and I have heard it. Prudence tells me to move out of range quickly and find a stick for self protection to use on the snake.

It would, in my judgment, be wise for the House to refuse to consider the bill or soundly beat it.

Before the Penn Central proposition can be evaluated the House should have the facts on how the loan would affect the portions of the conglomerate that are not in bankruptcy. Among these is the Pennsylvania Co., whose common stock is entirely owned by the railroad company. The holdings of the Pennsylvania Co. includes 24 percent of Madison Square Garden, amusement parks, interests in other railroads, and a great array of other properties.

Just how the 100 subsidiary corporations of Penn Central are woven with interlocking directors is unknown to me. But it is a fact that much of the holdings have nothing to do with running a railroad. Where it starts and what it entwines may, Mr. Speaker, take on the proportions of a boa constrictor.

Under the present conditions no banking group will loan funds to Penn Central, nor should the House guarantee loans for the same reasons.

CONSTITUTIONAL AMENDMENT FOR MANDATORY RETIREMENT OF MEMBERS OF CONGRESS AND THE FEDERAL JUDICIARY

(Mr. ROTH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROTH. Mr. Speaker, on Friday, December 18, I introduced House Joint Resolution 1418 proposing a constitutional amendment which would set mandatory age limits for the election of an individual to either the House of Representatives or the Senate and which would set a mandatory age for members of the Federal judiciary.

This proposal is identical to one which has been introduced in the Senate by the senior Senator from Delaware (Mr. WILLIAMS), who declined to seek reelection

this year to the seat which he has so ably filled for the past 24 years.

In announcing his decision not to seek a fifth term in the Senate, Senator WILLIAMS gave as his principal reason the fact that had he been reelected and served out another full term, he would have reached the age of 72 upon completion of that term. Since he has long felt that there should be a mandatory retirement age for Members of Congress at about age 70, he logically and characteristically felt that he could not run for another term in office.

I deeply regretted the decision which Senator WILLIAMS made and I know that feeling of deep regret was shared by thousands upon thousands of Delawareans and admirers of Senator WILLIAMS throughout the country. Yet I could not help admiring him for sticking so steadfastly to a position which he had advocated for so long, even though every knowledgeable political observer would agree that he could have easily won reelection to the Senate had he chosen to run.

But Senator WILLIAMS argued persuasively that there is a time to stop, and just as the Constitution sets minimum age limits for Members in both Houses as well as the Presidency, so, he felt, it should set maximum age limits. The constitutional amendment which I proposed carries out that idea.

There is, of course, no chance that this proposed amendment can be considered by either the Senate or the House this year and enacted into law, and we have deliberately delayed its introduction until the closing days of the session despite that fact. The main reason for introducing the resolution at this time is to allow Members of the 92d Congress an opportunity to review it prior to the convening of the new Congress next month. It is my hope that it will be reintroduced in the House early next year as I shall introduce in the Senate when Congress reconvenes.

Under the terms of this proposed constitutional amendment, no individual would be eligible for election to the House of Representatives if he has reached his 68th birthday and no individual shall be eligible for election to the Senate if he has reached his 65th birthday. This would have the effect of retiring House Members at age 70 and Senate Members at age 71. Naturally, Members of Congress who took the oath of office before the effective age limits were reached would finish their terms.

At the same time, the proposed amendment prohibits the appointment to the Federal bench of any individual who has reached the age of 70 and requires that any individual holding a position on the Federal bench retire from active service within 30 days after he reaches age 70.

There is, of course, ample precedent for setting mandatory retirement ages. It is a common practice for industry to retire its top executives at 65 or 70 and the Federal civil service has a retirement age of 70. Although there is no set age beyond which a man can be elected or serve as President of the United States, the two-term limit and political realities effectively place an age limit on our Chief Executive.

The fact that we are still in session in the final weeks of December—an event that is recurring with greater and greater frequency—lends added force to the need for such an amendment. The workload on the Congress continues to grow heavier, and there is no reason to believe that it will diminish. Not too many years ago it was common practice for the Congress to adjourn toward the end of summer, but year-long sessions are now becoming the rule rather than the exception.

These longer days and lengthier sessions place an added burden on Members of Congress and the chore of keeping abreast of legislative activities and the ever-increasing tempo of world events falls even more heavily on our older Members.

It would be my suggestion that the talents and knowledge of our more senior Members could be put to effective use upon retirement. There is certainly no reason why such individuals could not be called upon from time to time as their convenience and personal schedules permit to consult with congressional committees or Members on legislative matters in those areas in which they are recognized experts. It seems to me that the Congress and the former Members themselves would benefit from such an arrangement. It would thereby be possible to have former Members continue to perform a public service without having to be burdened by the other responsibilities of office.

Mr. Speaker, I am well aware of the fact that the Congress can take no action on this proposal in the remaining days of this session. But it is one which I think deserves the serious attention of the Members of the 92d Congress.

Mr. Speaker, I ask unanimous consent that the full text of the proposed constitutional amendment be printed at this point in the RECORD.

The proposed amendment follows:

H.J. RES. 1418

Joint resolution proposing an amendment to the Constitution to provide maximum age limits for certain officers of the Government

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several states within seven years from the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. No person who has attained the age of seventy years shall be appointed to be a judge or justice of the United States. Within thirty days of attaining such age, any judge or justice of the United States shall retire from regular active service.

"SEC. 2. No person who has attained the age of sixty-five years shall be a Senator, except that any Senator who attains such age while in such office may serve for the remainder of the term for which he was elected or appointed.

"SEC. 3. No person who has attained the age of sixty-eight years shall be a Representative, except that any Representative who attains such age while in such office may serve for the remainder of the term for which he was elected or appointed.

GREETINGS FROM BEN

(Mr. MYERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MYERS. Mr. Speaker, one of the grand traditions of Indiana politics comes at Christmas time with the appearance of the annual holiday greetings penned by one of the most respected members of the Washington press corps, Ben Cole of the Indianapolis Star.

The 16th edition of "Greetings from Ben" appeared in the December 20 Star thereby ending weeks of anticipation among members of the Indiana congressional delegation about the tone and tenor of this year's poetic endeavor.

Ben's sagacious reflections are drawn from more than 21 years of watching over the Hoosier delegation on Capitol Hill. Of particular pride to me as Representative of the Seventh Congressional District is the fact Ben Cole made his journalistic debut as a member of the editorial staff of the Terre Haute Star. It was there, 32 years ago, that Ben Cole began accumulating the knowledge and understanding of the Hoosier political world which results in his excellent coverage of the Washington scene and his annual Christmas observations about the congressional delegation which I share with you today:

GREETINGS FROM BEN

(By Ben Cole)

Santa Claus is on the rooftop, examining the flue
To find out if its wide enough to let his tummy through,
While waiting in the room below are stockings neatly hung,
A tinsel tree sheds sparkling light and Christmas carols are sung.
Vance Hartke prances everywhere to spread sweet yuletide glee—
All kinds of yummy goodies hang upon his Christmas tree.
There is an explanation for the jolly mood he's in—
He kept his seat in Congress by the whiskers on his chin.
Birch Bayh is strumming Christmas carols upon his fine guitar
Robert Keefe, his loyal assistant, puffs upon a good cigar.
They may look as if they're loafing; but that is not the case—
They are studying the prospects of the presidential race.
Ray Madden roars his greeting from the Rayburn building gym
Where he daily exercises to keep himself in trim.
If Santa Claus would listen to this Indiana sage,
He'd shave his long white whiskers and look only half his age.
Earl Landgrebe harks to Christmas chimes that fill the wintry air
With peals of joy and gladness that can banish all his care.
He can sit before his yule log and ponder how, last fall,
'Twas better winning by a few than not to win at all.
John Brademas, with happy smiles, inspects the mistletoe
And listens while the sleigh bells ring across the field of snow.
He is hopeful that the season will warm his colleagues' hearts
So they'll loosen up the purse strings and subsidize the arts.

Ross Adair inscribes his greeting with phrases of goodwill
And prepares to leave his office in that building on the Hill.

Eddie Roush won the election—a simple thing to do:
He paddled down the Maumee in a by-the-hour canoe.

Dick Roudebush's toga is all neatly tucked away
In event a recount makes him a Senator someday.

Bud Hillis hollers, "ho-ho-ho!" expressing yuletide mirth
And pledges as a Congressman to work for peace on earth.

Bill Bray salutes the season in his military style:
"Merry Christmas—by the numbers!" and "On the Double—Smile!"

At a personal inspection, Bray rated Santa high
And instructed him on driving a calsson through the sky.

John Myers is always watchful as the Christmas season nears,
In case some new farm problem unexpectedly appears.

And, if so, he is ready with an agriculture bill
To drop into the hopper of the legislative mill.

Roger Zion festoons holly and hangs up a Christmas wreath.
His tree is brightly lighted and has presents underneath.

Congress still is meeting below the great, white dome;
Its Members all are dreaming of a holiday back home.

Lee Hamilton is busy with a jolly yuletide plan,
And he hopes his friends in Congress will back him to a man.

The idea he has cooked up is the best you've ever seen—
He'd make Santa switch from reindeer and ride the Delta Queen.

David Dennis, jurispudent—That's a legal kind of guy—
Draws up writs of Merry Christmas, *duces tecum sine die*.

He's given proper notice that he's never gonna budge
Till southern Indiana gets another U.S. judge.

As Andy Jacobs, Jr. wraps up packages to mail,
His dog, C-5, wreacks havoc just with one wag of his tail.

The Christmas tree falls over and cracks a window pane—
He should have got a dachshund instead of that great dane!

Let yuletide bring to each of you its fullness of delight—
May the peace of Christmas magic descend on you this night.

May every prospect please you in this land so fair and free—
That is our yuletide message, now, from Washington, D.C.

A RESOLUTION TO EXPRESS THE SENSE OF CONGRESS ON INFLATION AND RECESSION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 20 minutes.

Mr. McFALL. Mr. Speaker, the failure of the administration's "game plan" calls for a concerted bipartisan effort in the Congress to offer alternative solutions to

cope with the present economic crisis. Inflation has continued its upward spiral even though planned productivity and employment have declined during the same period. The distinguished economist, Dr. Gardner C. Means, commenting on these conditions in a recent article in the Washington Post said:

This presents the country with the need for an emergency program to get us back to full employment under conditions which recognize the reasons for the failure of the President's game plan and take into consideration what would be required to restrain the kind of inflation we have been experiencing.

Today, I am introducing a House concurrent resolution designed to express the sense of Congress on the need for effective action to halt recession and inflation. The resolution is designed to reflect, in a general way, the present state of our economy with emphasis on the present high rate of unemployment, restricted or limited industrial activity and points up that a rapid expansion of demand to reach full potential through monetary and fiscal measures alone will bring about even more inflation.

The resolution calls for cooperative administrative and congressional action by taking immediate steps to supplement appropriate expansionary monetary and fiscal policies with a mechanism designed to secure the public interest by the establishment of noninflationary guidelines relating to wages, other costs including interest rates, prices, and productivity.

I expect to offer more specific but temporary emergency legislative proposals in the 92d Congress to deal with this serious economic problem. With unemployment approaching the 5 million level, many businesses on the brink of bankruptcy and industrial activity limping along at only 75 percent of capacity, it is time we recognized the situation as being of an "emergency" nature. Although it is my hope that these unhealthy economic conditions are temporary, they have reached emergency proportions and I believe it is time we recognized it. I believe the administration will need the full prompting and support of congressional actions to achieve economic stability, full employment and the ability to direct our energies and resources into areas of greatest need. I believe even "jawboning" will have its limitations, although the Committee for Economic Development has advocated voluntary wage-price policies.

It is necessary to break out a new deck of cards and develop rules for a new "game plan" for we can no longer tolerate a policy with a record of failure which threatens the future stability of our national economy. We must change the present course which has brought on inflation and runaway wages and prices. We must admit that an emergency does, in fact, exist; we must admit the present rate of unemployment is intolerable; we must admit the economic decline of 1970 has brought on a halt in growth of total output; and we must admit there is no prospect of increased economic activity in the immediate future unless new policies and programs are developed relating to wages, prices, interest rates, and productivity.

Before offering new legislation designed to carry out the intent of the concurrent resolution, I plan to consult with economists, labor, business, and consumers.

The text of the resolution follows:

H. CON. RES. —

Whereas the United States has been experiencing simultaneous inflation and recession;

Whereas the present state of unemployment of 5.8 percent and industrial activity of 76 percent of capacity is creating hardship and limiting the incomes of both labor and business;

Whereas the economy is operating at a rate between \$40 and \$50 billion below its potential;

Whereas a rapid expansion of demand to reach full potential through monetary and fiscal measures alone is likely to engender further rapid inflation;

Whereas the recovery to full potential cannot wait on a permanent solution to the problem created by the inflationary tendencies in the economy: Now, therefore be it

Resolved, That it is the sense of the Congress that the Administration with the cooperation of the Congress, should seek a rapid recovery with the least possible further inflation by taking immediate steps to supplement appropriate expansionary monetary and fiscal policies with a guidance mechanism designed to ensure the public interest by the establishment of non-inflationary guidelines relating to wages, other costs including interest rates, prices and productivity.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

The United States produces more soda ash than any other country. The 1968 production totaled 4,130,100 metric tons, or 27 percent of the world production. The Soviet Union was second ranked with production of 3,128,200 metric tons.

PERIL ON THE JOB

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

Mr. RYAN. Mr. Speaker, The members of the Oil, Chemical and Atomic Workers International Union, AFL-CIO, contribute to the basic well-being of our Nation. They work at making the oil, petrochemical, and chemical products that, more and more, are an indispensable part of our modern life and progress.

Yet, many of these workers must put their lives on the line every time they step into their places of work. The very progress that enables them to turn out new and marvelous substances for consumption by the rest of us threatens them with very real dangers. This is because research into industrial use of their skills has not been matched by research into the effects on the human body of the raw materials with which they work.

The OCAW, under the leadership of President A. F. Grospron, is making a

commendable effort to safeguard the health and lives of its members. The union is proposing that a joint industry-union fund, financed by a very small royalty on oil refined in this country, be set up to do research on occupational health and safety problems.

The public relations director of the OCAW, Ray Davidson, has vividly documented the type and scope of dangers faced by workers in the oil and chemical industries in a book entitled "Peril on the Job," on which Professor René Dubos has said:

Many readers of "Peril on the Job" will probably find the book frightening. But I found it reasonable and constructive . . . because it acknowledges the social complexities of the problems posed by health protection in industrial plants . . . (these problems) are not peculiar to the chemical industries; they apply to all aspects of technological civilization.

In light of the growing public awareness and concern regarding occupational health and safety—recognized partially by passage of the occupational health and safety bill—I think that the efforts of the Oil, Chemical, and Atomic Workers International Union, AFL-CIO, are particularly timely. The Union and its leadership are to be commended for their efforts to open a dialogue that can lead to solving the grave health and safety problems confronting workers.

I am including at this point in the RECORD a passage from the jacket of "Peril on the Job," published by Public Affairs Press, as a cogent capsulation of the problem of occupational health and safety:

Every day about 40 workers are killed and more than 6,000 are injured in the course of earning their living.

Counted in the statistics, as the author points out, are only those who die violently and some of those who are injured by physical accidents, such as fires or falls from high places. Not counted are thousands more who die away from their work place, at home or in hospitals, from accidents or disease suffered while they worked.

Certainly the statistics do not encompass the multitude of the prematurely aged, or those who suffer crippled bodies or damaged minds as a result of insidious but hard-to-pinpoint health hazards to which working people are exposed while on the job.

The public at large, recognizing the great technological prowess of American industry, is inclined to assume that our great centers of industrial production are safe as well as productive and efficient. That is a false assumption—as Ray Davidson shows.

Relatively little has been done to protect the safety and health of the 80 million working Americans during their occupational hours. Indeed it is only in the quite recent past that meaningful efforts have been undertaken to enact federal occupational health and safety legislation to implement the widely varying standards of state laws.

In contrast with technical works about occupational health and safety, *Peril on the Job* is a human story—told poignantly in the words of men and women who know at first hand, unfortunately, the health hazards they encounter each day at work. With this evidence of our neglect in remedying a major American problem of occupational health and safety, *Peril on the Job* serves as a powerful challenge to industry, and to the American public, to bring about long overdue improvement in the safety of the workplace.

MEMBERS OF CONGRESS FILE COMPLAINT WITH CAB

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

Mr. KOCH. Mr. Speaker, I am joining today with 39 of my colleagues and two Congressmen-elect in filing a complaint with the Civil Aeronautics Board on the matter of the proposed fare increases filed by Allegheny, Eastern, National, Trans World and United Airlines. We are acting under the continuing leadership of our distinguished colleague from California (Mr. Moss) in an effort to assure that the CAB establish procedural fairness and full public participation in its ratemaking decisions.

We are objecting to the fare increases proposed by these five airlines because the carriers have failed to meet an elementary requirement of the CAB, rule 221.165(b), in filing for a fare increase: the submission of substantiating information justifying an increase in fares. This required information includes the cost of the service, the effect of the proposed fare increase upon airline traffic, and the revenue position of each affected airline before and after the proposed increase. This information is essential if the CAB is to carry out its responsibilities to both the airline industry and the public.

None of the five airlines has filed supporting data; they have merely requested fares "to match" those for American Airlines which the CAB has said it will permit to go into effect January 11, 1971, pending an investigation. Generally we are talking about an average fare increase of \$3 for short- and medium-haul routes servicing in particular, New York, Washington, D.C., Boston, Chicago, and St. Louis. In filing for increases, American cited high traffic density, high load factors, and high costs as justification for an increase. American furnished information showing losses in each of the markets in the 9-month period between January 1970 and September 1970. The Board felt that "in light of the particular circumstances encountered in these markets which create costs not generally typical of the overall air transport system" American's increase should become effective pending a final determination after the Board's investigation.

The burden of proof that a fare increase is needed is on each carrier. The CAB in determining rates is supposed to consider the revenue need of each individual carrier rather than the carriers as a group. The CAB cannot possibly fulfill its responsibilities without the submission of this information by each airline.

Furthermore, the airline industry, while regulated, is supposed to be a competitive one. The law does not mandate a uniform pricing of fares. But, since October 1969, the CAB has employed a noncompetitive fare structure and effectively lulled the public into accepting this uniform pricing system. Most important, it also has undermined competition between the airlines—and now it would seem that the airlines have even

forgotten that each carrier individually must show cause for an increase.

In the long run this noncompetitive pricing practice is deleterious for all the parties involved—the CAB, the public, and the airlines. In addition to undermining competition, it invites ratemaking collusion among the airlines. And should the CAB go one step further and allow the proposed fare increases to go into effect without upholding its own filing requirements and without receiving supporting data, the Board will effectively be handing over to the airlines the responsibility Congress has given it for establishing rates.

Furthermore, by not requiring substantiating information, the CAB fails in the responsibility it has to the airlines to weigh the effect a proposed increase will have upon airline traffic and the carrier's future revenue position. With competing modes of transportation and with an economically broad passenger market, the airlines are not faced with a completely elastic demand for their services. Thus, fares cannot continually be increased without having a depressing effect on air traffic.

It is important to note that fares were increased across the board just last July after the excise tax on airline tickets was increased from 5 to 8 percent, and airlines were allowed to round off to the nearest dollar their total fare charges. This followed closely the substantial increase that went into effect a little more than a year ago, October 1969, which for example sent up the coach fare for the Washington/New York trip from \$19.95 to \$22.10. The purpose of the October 1969 fare increase was to increase revenue, but during the past year air traffic has fallen off and revenue projections have not been realized.

Now the airlines propose to raise their tariffs again, purportedly to increase revenue. But what in fact they are doing is boarding a vicious treadmill that promises more losses, not gains. The proposed increase will affect some 10 million passengers. If the CAB does not consider such fare increases carefully, the airlines will find themselves priced out of the market and will fall into such a critical financial situation they will be coming to Congress to ask us to bail them out.

The Congress established the CAB to protect the public's interest and maintain a competitive and sound airline industry. It is essential that it act responsibly before it is too late. The CAB cannot do so, however, if it does not enforce its own regulations—if it does not demand from the airlines the fundamental information needed to determine what is in the interest of the public and the airlines.

My colleagues and I who are filing the complaint are requesting that the tariff increases proposed by Allegheny, Eastern, National, Trans World, and United Airlines be suspended and investigated. Furthermore, we are requesting that should the Board deny our complaint in whole or in part, it do so in sufficient time before the effective date to allow for judicial review.

I would like to insert for printing in the CONGRESSIONAL RECORD at this time a copy of our complaint filed today:

[Before the Civil Aeronautics Board, Washington, D.C., December 21, 1970]

IN THE MATTER OF PASSENGER-FARE REVISIONS PROPOSED IN VARIOUS MARKETS BY ALLEGHENY AIRLINES, EASTERN AIR LINES, NATIONAL AIRLINES, TRANS WORLD AIRLINES, AND UNITED AIR LINES

COMPLAINT OF MEMBERS OF CONGRESS AND AIR TRANSPORTATION USERS WITH REQUEST FOR TARIFF SUSPENSION AND INVESTIGATION

I

By tariff filing marked to become effective December 4, 1970, American Airlines (AA) proposed to increase regular fares in eight short-haul markets. AA stated that the purpose of its filing was to bring revenues more into line with costs in the eight selected high-traffic-density, high load factor, high cost, short-haul markets. AA alleged that its operations in these markets involve certain hub-point airports where the cost of doing business is substantially higher than at other airports AA serves. In support of this allegation AA submitted detailed data which indicated that it has operated these markets at a loss for an extended period of time, despite high passenger load factors. The Board felt that in "light of the particular circumstances encountered in these markets which create costs not generally typical of the overall air transport system", the proposed coach fares (with one exception due to rounding techniques) should be permitted to become effective pending a final determination of their lawfulness in the *Domestic Passenger Fare Investigation*; Order 70-11-134. For similar reasons, atypical costs of operation, the Board permitted fare increases previously filed by Mohawk (MO) and Northeast (NE) to or from Boston, New York, Washington and Chicago in markets of up to 500 miles to become effective pending investigation.

Subsequently, a number of other carriers, Allegheny (AL), Eastern (EA), National (NA), Trans World (TW) and United (UA) filed with the Board tariffs which matched the AA, MO and NE filings. Some, but not all, of these carriers filed so-called accompanying statements of justification in support of their tariff revisions.

Those justifications which were filed do not appear to comply with Rule 221.165 of the Board's Rules of Practice. To be specific, the carriers have not filed the data supporting their filings as required by Rule 221.165 (b). As a consequence, neither the public nor the Board can intelligently determine if the economics of the filings comply with the rate-making factors set forth in the Act; e.g., the effect of the rate changes upon the movement of traffic; cost and adequacy of service; or the revenue needs of the carriers and the effects of these proposals upon revenues. In regard to this point, none of the respondent carriers alleges, as did AA, that it is operating in these markets at a loss, or that the purpose of its filings is to bring its revenue into line with its costs. It should be remembered that the Act speaks to the revenue need of each carrier, rather than the carriers as a group. While it is true that the result of suspending these carriers fare increases might be different fares for different carriers in the same market (price competition), it is a fact that this situation has existed before in these markets prior to October 1969, and therefore is not a novel situation.

The carriers state, among other things, that their action is consistent with Orders 70-11-134 and 70-11-136, or similar to AA's filings. However, Rule 221.165(d)(1)(iv) eliminates the requirement for economic data and/or information "to meet competition only when it effects decreases in rates ... and/or increases the value of service..."

Here all the fare proposals are for increases in fares, not decreases, and there is no indication of an increase in the value of service.

Turning to the economics for just a moment, the carriers' proposals do not appear to be just and reasonable on their face. Assuming *arguendo* that there are typical costs in the cited markets as a consequence of congestion, and therefore the public should pay a higher rate per mile, the question arises as to why a passenger should pay a different rate per hour. Why must the passenger on the east coast be charged 64% more per hour than a passenger on the west coast? (\$18.50 v. \$27.00, tax included.) Why should a passenger between New York and Washington pay 5% more per hour than a passenger between New York and Boston for a similar type of service provided by the same air carrier? Are the costs greater? We do not know, and cannot know until the data and information supporting the carriers' proposal have been filed.

II

TW and UA have filed tariffs to increase certain long and medium-haul fares, which the Board had ordered reduced, to their earlier, higher levels, and to increase fares in certain selected markets of distances over 500 miles in a manner similar to that granted in Order 70-11-134 and 70-11-136. TW and UA statements of justification for these fares also do not comply with Rule 221.165. For example, no estimate of cost of service is provided. More important, the carriers do not allege, or present one fact to support an allegation that these fare increases are required to bring revenues more into line with cost of service in these markets, even with excess capacity (see Agreement CAB 21965, Docket 22525, and Order 70-11-35). With respect to the effect of these increases upon the movement of traffic, the carriers dismiss this issue with the reassuring statements that "there will be little, if any, traffic reduction." The possible self-defeating nature of such fare increase with respect to generating revenue should not be dismissed so lightly in view of the anticipated decline in airline traffic for the year 1970.

III

Accordingly, because the tariff filings of AL, EA, NA, TW and UA for passenger fare increases in selected markets do not comply with the Board's Rules of Practice, complainants request such fare increases be suspended and investigated. Should the Board deny this complaint in whole or in part, the Members request such action be taken in sufficient time to allow for judicial review.

Respectfully submitted,

Glenn M. Anderson, Thomas L. Ashley, Walter S. Baring, Mario Biaggi, George E. Brown, Jr., Phillip Burton, Daniel E. Button.

Hugh L. Carey, Jeffery Cohelan, James C. Corman, Don Edwards, Seymour Halpern, Richard T. Hanna, Michael J. Harrington.

Augustus F. Hawkins, Chet Holifield, Harold T. Johnson, Edward I. Koch, Robert L. Leggett, Joseph M. McDade, John McFall, Bertram L. Podell.

Spark M. Matsunaga, George P. Miller, Joseph G. Minish, Patsy T. Mink, Bradford F. Morse, John E. Moss, Thomas P. O'Neill, Jr.

Jerry L. Pettis, Thomas M. Rees, Peter W. Rodino, Jr., Benjamin S. Rosenthal, Edward R. Roybal, James H. Scheuer, Bernie Sisk.

Charles M. Teague, John Tunney, Lionel Van Deerlin, Jerome R. Waldie, Members of Congress; Bella S. Abzug, John G. Dow, Members-elect of Congress.

By their representative,

RICHARD W. KLABZUBA.

December 21, 1970.

CERTIFICATE OF SERVICE

I hereby certify that I have this the 21st day of December, 1970, served the foregoing document upon: Allegheny Airlines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., by causing a copy of it to be mailed to such carrier or its agent properly addressed with postage prepaid.

RICHARD W. KLABZUBA.

REPORT ON THE 91ST CONGRESS

(Mr. SMITH of Iowa asked and was given permission to extend his remarks at this point in the RECORD and to include certain statistical tables.)

Mr. SMITH of Iowa. Mr. Speaker, at the end of each Congress I summarize the activities of the Congress, reprint it from the CONGRESSIONAL RECORD at my expense, and mail it to my constituents in Iowa so that they might have a summary. Since hundreds of bills passed, all cannot be fully described but I am including those which I believe to be of the most interest.

EDUCATION

Public Law 91-230 extends and expands the Elementary and Secondary Education Act, the Impact Aid Act, and several other acts relating to elementary and secondary education.

Public Law 91-248 extends and expands the national school lunch program and provides free and reduced priced meals for certain children.

Public Law 91-295 extends the school milk program. The President did not veto it but he did not sign it so it became law without his signature after the necessary time expired on June 30, 1970.

Public Law 91-61 establishes a national center on education media and materials for the handicapped to facilitate the use of new technology in educational programs for the handicapped.

Public Law 91-515 extends and increases programs for the construction and staffing of facilities for the mentally retarded.

Public Law 91-345 establishes a National Commission on Libraries to conduct studies, develop plans and promote activities to improve libraries and information science.

Public Law 91-86 permits labor management cooperation in setting up educational scholarships and child care centers. It does not involve Federal money.

AGRICULTURE

Public Law 91-524 provides a farm program for the next 3 years. In many ways it is very similar to the farm programs of the past several years, but, in my opinion, will result in lower supports and a shifting of some feed grain acreage out of the Midwest.

CONSUMER AFFAIRS

Public Law 91-342 is my bill which amends the Meat Inspection Act of 1967 to clarify a provision permitting custom slaughtering operations where inspected meat is sold. It permits a plant to handle custom slaughtering but prohibits intermingling of noninspected customer-owned meat with meat for sale and also requires that the entire establishment meet Federal sanitation standards. Both

laws became fully effective December 15, 1970.

Since passage of the Federal Meat Inspection Act of 1967 which I sponsored, some other bills have passed to help protect the consuming public. One was the Poultry Inspection Act which I also sponsored, and a few weeks ago we passed an Egg Inspection Act to protect against the outbreak of salmonellosis such as has occurred in Des Moines and several other cities and is becoming more and more important as more bakery goods are used in this country. The one remaining major protein food source which is not adequately protected, in my judgment, is seafood.

Public Law 91-113 provides safety standards to protect children from toys which are hazardous for electrical, mechanical, or thermal reasons.

Public Law 91-51 extends the life of the National Commission on Product Safety.

Public Law 91- regulates the mailing of unsolicited credit cards.

Public Law 91-265 extends and expands the automobile safety program.

LAW ENFORCEMENT AND CRIMINAL PROCEDURE ARMED SERVICES

Public Law 91-452 is largely a reenactment of the previous Crime Control Acts of 1967 and 1968 but increases the amount of money that can be granted to States and local governments to help with law enforcement assistance.

It also revises the antibombing law of 1960 and increases penalties for those guilty, and is more specific concerning what constitutes illegal transportation or possession of explosives.

Public Law 91-447 provides for the establishment of a Federal district public defender plan.

In the past few years, Congress has passed 13 anticrime bills including the Omnibus Crime Control and Safe Streets Act of 1968 which authorizes Federal aid to help State and local governments recruit and secure better equipment. The new administration has been searching for new ideas, but all of their proposals except one have merely been for extension or expansion of previous laws.

ARMED SERVICES

Public Law 91-124 amends the Selective Service Act to authorize a random selection system for the draft. This will reduce the period of draft vulnerability for young men from 7 years to 12 months and thus remove most of the uncertainty which has made the law so difficult to administer.

Public Law 91-291 increases the maximum amount of life insurance for members of the services from \$10,000 to \$15,000.

FOREIGN AFFAIRS

The Senate ratified the nuclear non-proliferation treaty negotiated in 1968. The purpose of the treaty is to prevent the spread of nuclear weapons to nations which do not now possess them and is a followup to the 1963 limited nuclear test ban agreement.

H.R. 18970—The foreign trade bill—a bill which would probably have curbed imports of certain products such as shoes and textiles more than any bill in the

past 30 years. It passed the House of Representatives. By reducing the amount of money countries like Japan, Italy, France, and other European countries—which are big purchasers of Iowa corn and soybeans—could earn with which to buy Iowa farm products, it would undoubtedly have resulted in a reduced market for such products. It did not pass the Senate.

Public Law 91-469 provides for a massive merchant marine vessel construction program and a continuation of subsidies for their operation.

Public Law 91-99 extends the Peace Corps for 1 year.

VIETNAM

House Resolution 976 provided for a select committee to study military developments in Southeast Asia and report its findings to the House of Representatives. I was a member of the select committee and made the report last July. If anyone desires a copy of my report please write to me.

HEALTH AND WELFARE

Public Law 91-222 prohibits advertising of cigarettes on TV and radio after January 1, 1971.

Public Law 91-173 strengthens requirements for safety in coal mines and includes provisions to protect workers against black lung disease. This is the most far-reaching mine safety law ever enacted.

Public Law 91-296 extends for 5 years a program of grants for construction of hospital and health facilities.

Public Law 91-464 authorizes grants to States to help with communicable disease and vaccination programs.

German measles vaccine was developed by Federal researchers and licensed. Women who have the disease while pregnant bear a much higher incidence of retarded or deformed children. Some States are not contributing nearly as much to the program as the Federal Government does. Therefore, some States or counties have a good program and some do not. I helped secure a 60-percent increase in the funds because some States, like Iowa, were not getting the program off the ground. It is apparent that before other vaccines are discovered, we need a program, even if mostly paid for by the Federal Government, which will secure more cooperation from State and local health departments which are depended upon to secure medical personnel.

Several other acts in various ways provide substantial sums of money. Medical research, training of personnel, providing facilities, and working with drugs. However, it is becoming more and more apparent that adequate health services will not be available until the States revise their laws so that allied health personnel such as nurses and technicians can, under the direction of a doctor, help to provide more of the services which are in such short supply and do not actually require the exclusive services of a specialist or doctor of medicine.

Public Law 91-56 requires that States receiving money under the medicare program use it for that purpose. Some had

merely reduced their contributions for other programs when they received medicare payments from the Federal Government.

H.R. 16311 was the plan promoted by the President which he said would reform the welfare laws. It passed the House April 16, 1970, by a vote of 248 to 149 but it ran into heavy bipartisan opposition in the Senate. Principal objectors claimed it would cost too much and provide too little incentive for persons to work. The general subject matter is bound to be on the active list during the next Congress.

Public Law 91- continues the anti-poverty program for 2 years. The administration closed many Job Corps centers and is using more of the anti-poverty funds to contract with larger employers for training of hard-core unemployed.

LEGISLATIVE REORGANIZATION

Public Law 91-510 provides the most substantial reorganization of both the House and Senate rules of procedure that has been passed since 1946. While it assures more democratic procedures, there is considerable fear that it will slow congressional action even more and it does not provide an easier way to cut off debate in the Senate. It becomes effective January 1, 1971.

In addition to this, both the Democratic and Republican caucuses established committees to recommend changes in rules relating to seniority and other organizational procedures. I was a member of the Democratic committee and we reported rules which will guarantee that each committee chairman shall be elected separately and that they need not be the most senior member. Actually there is no rule that senior members shall be the chairmen but a majority of the House Members have always preferred voting for the senior member. Naturally, the majority will still rule but there is a guarantee that there will be a separate vote and that the majority can work their will.

House Joint Resolution 681 would abolish the electoral college and provide for direct popular election of the President. This is one of the most important bills in many years but the Senate did not pass it. I am sure it will be reviewed next year but not be passed in time to be effective in 1972.

LABOR

Public Law 91-226 dealt with a railroad labor dispute in April of 1970 and further legislation recently dealt with another dispute. Among the most difficult problems for Congress to solve are problems dealing with railroad disputes. No one wants Congress involved but Congress has become involved in so many ways with railroads; and transportation is so vital to our economy that the whole country cannot help but become involved. No satisfactory way out of these problems has been found.

Public Law 91-169 further reduces the number of consecutive hours a railway operating employee may be on duty.

Public Law 91-215 provides supplemental annuities for retired railroad employees and Public Law 91-377 increases the annuities.

Public Law 91-373 extends and enlarges the unemployment compensation program and establishes a new program for paying benefits during periods of longer-than-usual unemployment when benefits would have ordinarily been exhausted.

Public Law 91-54 provides for health and safety standards for workers at federally financed or federally assisted construction projects.

Public Law 91-_____ authorizes a procedure for setting job safety standards and enforcing them.

VETERANS

Public Law 91-96 provides for a more equitable compensation formula and increased payments for most widows of deceased veterans or servicemen whose deaths are service connected.

Public Law 91-376 increases the monthly rates of compensation for veterans with service-connected disability.

Public Law 91-219 provides for increased educational allowances for Vietnam veterans attending college.

Public Law 91-102 makes any war veteran with a permanent total disability from service-connected injuries eligible for outpatient treatment in civilian life.

Public Law 91-_____ extends the period during which veterans may purchase homes with a GI loan.

ENVIRONMENT AND NATURAL RESOURCES

Public Law 91-_____ requires the meeting of certain air pollution standards and prohibits the sale of automobiles after 1975 which do not meet clean air standards. The industry claims they cannot meet the deadline, and the administration wanted to be more lenient, but Congress decided to insist on these air quality standards for automobiles, planes, fuels, and production plants.

Public Law 91-224 amends water pollution control laws to control pollution in the ocean including control of oil pollution in offshore waters.

Public Law 91-144 provides additional money for projects such as Saylorville, Red Rock, and the Ames Reservoir project to control flooding, increase the minimum flow and raise the water quality in streams, provide additional open spaces and recreation facilities and otherwise increase the quality of our environment.

Public Law 91-308 restores the Golden Eagle program to help finance land and water conservation.

Public Law 91-512 provides for extended research in ways to more economically and better handle solid waste and to help with solid waste disposal.

Public Law 91-135 prevents importation of endangered species of fish and wildlife into the United States.

Public Law 91-378 establishes a Youth Conservation Corps to provide summer employment opportunities in conservation programs on national park land, wildlife refuges, and forests.

TRANSPORTATION

Public Law 91-518 establishes a national railroad passenger corporation to operate a few cross-country passenger trains linking major cities. Some of us have strongly promoted the Rock Island train through Des Moines being on one

of the lines going from Chicago to the west coast.

Public Law 91-543 amends the Urban Mass Transit Act to provide a commitment of \$10 billion over a 12-year period for urban mass transportation programs.

Public Law 91-258 provides an enlarged Federal aid for airport facilities program and permits user charges to be paid into a trust fund similar to the existing highway trust fund.

Public Law 91-_____ extends the Federal Aid Highway Act for 5 years and the period for completing the Interstate System to 1978.

POSTAL REORGANIZATION

Public Law 91-375 establishes the U.S. Postal Service as an independent government corporation beginning January 1, 1971, with independent authority to set postal rates, negotiate sales and sell up to \$10 billion worth of bonds with which to provide facilities.

COMMUNICATIONS

Public Law 91-437 provides more financing for the corporation for public broadcasting.

A bill to limit the amount candidates could spend for TV was vetoed by President Nixon but the subject will be reviewed in the next Congress.

HOUSING

Public Law 91-152 authorizes an additional \$4.8 billion for housing and urban development programs through 1971 and made it easier for low and moderate income families to secure housing.

Public Law 91-351 authorizes an appropriation of \$250 million to be provided to savings and loans institutions for the purpose of financing mortgages on homes and contained other provisions designed to make more mortgage money available.

POWER DEVELOPMENT

Public Law 91-_____ amends laws to provide more efficient methods of handling applications for licenses to use atomic power to generate electricity and for industrial purposes.

A committee of which I am chairman investigated problems related to the brownouts and shortages of electric power, oil, and gas and the increases in fuel prices. We concluded that more shortages and increases in prices can be expected and that immediate action is needed. A copy of the report is available upon request.

CIVIL RIGHTS

Public Law 91-285 extends the Voting Rights Act of 1965. It also grants the right to vote at age 18 and prohibits the denial of the right to vote in a presidential election to anyone who applied for registration 30 days or more prior to the election, and provides that a citizen who moves to another State during the 30 days prior to the election shall have a right to vote in his former State.

Women's rights amendment. A constitutional amendment passed by the House guaranteeing "equality of rights." In the Senate an amendment was adopted which would permit continuing to exempt women from the military draft. The bill did not pass the Senate.

DISTRICT OF COLUMBIA

Public Law 91-405 provides for a non-voting Delegate for the District of Columbia in the House of Representatives.

Public Law 91-358 substantially reorganizes the court system providing for additional judges and substantive changes in criminal laws and procedures.

TAX AND FISCAL POLICIES

Public Law 91-172, the Tax Reform Act removes some loopholes, reduces the scope of some others and removes some incentives to businesses to expand. It also reduces the rate of taxes, increases the exemptions per dependent and increases social security benefits by 15 percent.

H.R. 7906 passed the House containing my amendment to prohibit a State income tax from being levied by more than one State on the same income of an individual. Some people are finding themselves liable for income taxes on their entire income in a State other than where they live merely because they took a vacation, make occasional business trips there or drive through the State. Under my bill, taxes are owed to the State where the money is earned and no other State can tax it for income purposes.

SST

Much argument developed but no final decision on whether the United States will continue work begun during the Kennedy administration on the development of a plane to fly at supersonic speeds. The Russians and the British and French are testing such planes and expect to start production next year. We have pretty well completed work on the frame but not on the engine and the earliest a U.S. plane could be produced would probably be in 1978. There will be foreign produced SST's so the issue is not whether there will be an SST, but whether the United States will produce one.

Both the foreign produced and U.S. SST would be required to fly at slower speeds over the United States. Much of the present research is on trying to find ways to solve the noise and air pollution problem and perhaps provide methods of reducing pollution from those now flying.

The U.S. Government has put \$800 million into the research and development so far and aircraft companies have also contributed. It is estimated that a total of \$500 million more would be needed if the program is completed; and if it is canceled, about \$200 million will be owed for cancellation damages on contracts. If 300 are developed and sold, the Government would receive enough "royalties" to repay the investment and if more are sold, it would return a profit on the contract in addition to increased tax receipts. However, if the foreign-produced planes are superior, that size of a market would be difficult to obtain.

The argument is strictly over whether to continue the research and development program. A construction program could not be undertaken without further legislation. This will continue to be a controversial subject for several years.

Mr. Speaker, I include the following material:

APPROPRIATIONS BILLS PASSED BY 91ST CONG., 2D SESS., FOR FISCAL YEAR 1971

Departments or Agencies	President Nixon's Request	Amount appropriated	Request compared to appropriation	Amount appropriated last year
Education.....	\$3,966,824,000	\$4,420,145,000	\$+453,321,000	\$3,813,777,650
Legislative.....	421,414,899	413,054,220	-8,360,679	344,326,817
Treasury-Post Office.....	9,567,693,000	9,525,711,000	-41,982,000	8,783,245,000
Independent Offices-HUD.....	17,468,223,500	17,709,525,300	+241,301,800	15,111,870,500
State, Justice, Commerce, and Judiciary.....	3,251,200,000	3,108,074,500	-143,125,500	2,354,432,700
Interior.....	1,839,974,600	1,835,474,700	-4,499,900	1,380,375,300
Transportation.....	2,553,816,437	2,458,134,605	-95,681,832	1,929,738,630
District of Columbia (Federal funds).....	109,088,000	108,938,000	-150,000	168,510,000
Foreign assistance.....	2,876,539,000	2,534,310,000	-342,229,000	2,558,910,000
Agriculture.....	7,748,354,500	8,090,856,550	+342,502,050	7,488,903,150
Military Construction.....	2,134,800,000	2,037,814,000	-96,986,000	1,560,456,000
Space, Atomic Energy and Public Works.....	5,263,433,000	5,238,517,000	-24,916,000	4,756,007,500
Labor-HEW-OEO not including Social Security.....	18,759,377,000	18,969,352,500	+210,015,500	15,934,376,550
Defense.....	68,745,666,000	66,595,937,000	-2,149,729,000	69,640,568,000
Miscellaneous increases requested.....	1,701,836,738	1,525,365,538	-176,471,200	278,281,318
Total.....	146,408,240,674	144,571,209,913	-1,837,030,761	129,595,765,115

¹ Based upon agreement by conference committee and approved by House but not yet signed into law. ² Based on House-passed bill.

SPENDING ON NATIONAL DEFENSE AND ON HUMAN RESOURCES

[As a percentage of outlays]

Fiscal year	Unified budget—	
	Defense	Human resources
1957.....	55.7	23.2
1958.....	53.7	26.2
1959.....	50.6	26.3
1960.....	49.8	27.6
1961.....	48.4	29.7
1962.....	47.8	28.7
1963.....	46.9	29.2
1964.....	45.2	28.9
1965.....	41.9	29.9
1966.....	42.2	31.0
1967.....	44.3	32.0
1968.....	45.0	32.1
1969.....	44.0	34.4
1970.....	40.1	37.0
1971 (estimate).....	36.7	40.8

PRESIDENT'S VETO OF MANPOWER BILL

(Mr. STEIGER of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STEIGER of Wisconsin. Mr. Speaker, the other body a few moments ago voted to uphold the veto by the President of the comprehensive manpower bill. The vote of 48 to override to 35 to sustain was a solid show of support for the sound position taken by the President in vetoing this bill.

The conference report on which this House took action not long ago was a clear step backward from the position taken by the House when it considered its version of the manpower bill. What the House adopted was a decategorized, decentralized, sound structured bill which provided for a significant public service employment program.

The final bill not only created a massive federally subsidized public service program without safeguards, it also maintained a lengthy list of categorical programs. These two features of the bill were the basic reasons the bill was not supported by the House Republican conferees.

It is tragic, Mr. Speaker, that after the House passed a truly bipartisan, truly comprehensive manpower bill, the conferees of the House were unwilling to stand by the House position and instead gave in to the adamancy of the other body.

The Nixon administration and many in this House have committed themselves

to improving the manpower delivery system as well as job creation than public service employment. Having done this, however, it is apparent that some in the Congress would rather have an issue than a program to help the unemployed. I salute the other body for sustaining the President's proper veto of a bill which would have gone far beyond what is appropriate or solidly based.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. WINN (at the request of Mr. GERALD R. FORD), for today, on account of personal business.

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ for 10 minutes, today.

The following Members (at the request of Mr. PREYER of North Carolina), to revise and extend their remarks and to include extraneous matter to:

Mr. McFALL, today, for 20 minutes.

Mr. DORN, on December 22, for 60 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BETTS and to include extraneous matter.

Mr. ROSENTHAL to include newspaper articles and letters with his remarks made today in the Committee of the Whole on House Joint Resolution 1146.

Mr. BELL of California, to revise and extend his remarks after the amendment offered by Mr. COLLINS of Texas.

(The following Members (at the request of Mr. DENNIS) and to include extraneous matter:)

Mr. RAILSBACK.

Mr. GUDE.

Mr. SCHERLE in 10 instances.

Mr. ARENDS.

Mr. MAILLIARD.

Mr. WYMAN in two instances.

Mr. HUTCHINSON.

Mr. ROBISON.

Mr. BROYHILL of Virginia.

Mr. MILLER of Ohio in six instances.

Mr. GOODLING.

Mr. FETTIS.

Mr. DICKINSON.

Mr. HOSMER in two instances.

Mr. BRAY in three instances.

Mr. ESHLEMAN.

Mr. DERWINSKI in two instances.

Mr. QUIE.

Mrs. DWYER.

(The following Members (at the request of Mr. PREYER of North Carolina), and to include extraneous matter:)

Mr. ROSTENKOWSKI in two instances.

Mr. DINGELL.

Mr. SYMINGTON.

Mr. BOLLING in three instances.

Mr. DOWNING in two instances.

Mr. MARSH.

Mr. WALDIE.

Mr. EILBERG in two instances.

Mr. ROONEY of New York.

Mr. CONYERS in five instances.

Mr. MINISH in two instances.

Mr. MURPHY of New York in three instances.

Mr. BINGHAM in two instances.

Mr. ROSENTHAL in five instances.

Mr. JOHNSON of California in three instances.

Mr. FOUNTAIN in two instances.

Mr. BURKE of Massachusetts.

Mr. HAGAN in two instances.

Mr. MIKVA in eight instances.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1008. An act for the relief of Robert J. Ebbert and Design Products Corp., Troy, Mich., to the Committee on the Judiciary.

S. 1985. An act for the relief of Randall L. Talbot; to the Committee on the Judiciary.

S. 2956. An act to provide private relief for Lt. Cmdr. LeRoy E. Coon, Supply Corps, U.S. Navy (retired), continued on active duty in a retired status after June 30, 1967; to the Committee on the Judiciary.

S. Con. Res. 85. Concurrent resolution authorizing the printing of additional copies of Senate hearings on U.S. security agreements and commitments abroad; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 956. An act to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Buckman lock";

H.R. 3107. An act to officially designate the Totten Trail Pumping Station;

H.R. 4982. An act for the relief of Thomas J. Beck;

H.R. 6100. An act for the relief of Hershel Smith, publisher of the Lindsay News, of Lindsay, Okla.

H.R. 6854. An act to provide for the free entry of a peal of eight bells and fittings for use of Smith College, Northampton, Mass.;

H.R. 7264. An act for the relief of Mrs. Pearl C. Davis;

H.R. 7334. An act to designate the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Kooacanusa";

H.R. 11547. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans;

H.R. 12128. An act for the relief of William Heidman, Jr.;

H.R. 12564. An act to rename a pool of the Cross-Florida Barge Canal "Lake Ocklawaha";

H.R. 13182. An act for the relief of Frank E. Dart;

H.R. 14683. An act to designate as the John H. Overton Lock and Dam the lock and dam authorized to be constructed on the Red River near Alexandria, La.;

H.R. 15270. An act for the relief of Thaddeus J. Pawlak;

H.R. 15272. An act for the relief of David L. Kennison;

H.R. 15505. An act for the relief of Jack B. Smith and Charles N. Martin, Jr.;

H.R. 16502. An act for the relief of Gary W. Stewart;

H.R. 16965. An act for the relief of Richard N. Stanford;

H.R. 17750. An act to grant the consent of Congress to the city of Boston to construct, maintain, and operate a causeway and fixed-span bridge in Fort Point Channel, Boston, Mass.;

H.R. 18858. An act to change the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the "Michael J. Kirwan Dam and Reservoir";

H.R. 19855. An act to designate the lake formed by the waters impounded by the Butler Valley Dam, Calif., as "Blue Lake"; and

H.R. 19890. An act to name a Federal building in Memphis, Tenn., for the late Clifford Davis.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 578. An act to include firefighters within the provisions of sections 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in hazardous occupations;

S. 3835. An act to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism; and

S. 4106. An act to amend the Public Health Service to authorize the assignment of commissioned officers of the Public Health Service to areas with critical medical manpower shortages, to encourage health personnel to practice in areas where shortages of such personnel exist, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 6114. An act for the relief of Elmer M. Grade, and for other purposes;

H.R. 6400. An act for the relief of Reddick B. Still, Jr., and Richard Carpenter;

H.R. 12962. An act for the relief of Maureen O'Leary Pimpare;

H.R. 15549, an act to amend title 10, United States Code, to further the effectiveness of shipment of goods and supplies in foreign commerce by promoting the welfare of U.S. merchant seamen through cooperation with the United Seamen's Service, and for other purposes;

H.R. 17809. An act to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes;

H.R. 19401. An act to extend for 1 additional year the authorization for programs under the Vocational Rehabilitation Act;

H.R. 19402. An act to authorize the Secretary of Agriculture to receive gifts for the benefit of the National Agricultural Library;

H.J. Res. 1416. Fixing the time of assembly of the 92d Congress; and

H.J. Res. 1417. Extending the dates for transmission to the Congress of the Presidents, Economic Report and of the report of the Joint Economic Committee.

ADJOURNMENT

Mr. PREYER of North Carolina. Mr. Speaker, I move that the House do now adjourn.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER pro tempore (Mr. MATSUNAGA). As many as are in favor of the request of the gentleman from Iowa will rise and remain standing until counted. The Chair will count. An insufficient number have arisen and the yeas and nays are not ordered. The question is on the motion of the gentleman from North Carolina.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. A quorum is not required on the motion to adjourn. The question is on the motion of the gentleman from North Carolina.

The motion was agreed to; accordingly (at 11 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Tuesday, December 22, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2628. A letter from the Secretary of Commerce, transmitting an interim report on the U.S. metric study, pursuant to Public Law 90-472; to the Committee on Science and Astronautics.

RECEIVED FROM THE COMPTROLLER GENERAL

2629. A letter from the Comptroller General of the United States, transmitting a re-

port concerning the claim of the Ferris Corp. against the United States, pursuant to 31 U.S.C. 236; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee of conference. Conference report on S. 1181; with amendment (Rept. No. 91-1790). Ordered to be printed.

Mr. MORGAN: Committee of conference. Conference report on H.R. 19911; with amendment (Rept. No. 91-1791). Ordered to be printed.

Mr. REUSS: Committee of conference. Conference report on H.R. 18306; (Rept. No. 91-1792). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MARSH:

H.R. 19983. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission; to the Committee on the Judiciary.

By Mr. SCHMITZ:

H.R. 19984. A bill to amend the Voting Rights Act of 1965 by repealing the provisions with respect to 18-year-old voting; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.R. 19985. A bill to require the submission of a detailed report by the Secretary of Health, Education, and Welfare to Congress prior to closing Public Health Service hospitals; to the Committee on Interstate and Foreign Commerce.

By Mr. LOWENSTEIN:

H.R. 19986. A bill to require that the training of the National Guard for civil disorders be emphasized equally with that for combat warfare, and to require that the National Guard be provided with specialized weapons and protective equipment suitable for use to control civil disorders; to the Committee on Armed Services.

H.R. 19987. A bill to require that the procedures and conduct of National Guard organizations used by States to control civil disturbances within their borders in time of peace conform to the discipline of the Army and Air Force; to the Committee on Armed Services.

H.R. 19988. A bill to amend the Small Business Act to encourage the development and utilization of new and improved methods of waste disposal and pollution control; to assist small business concerns to effect conversions required to meet applicable pollution control standards; and for other purposes; to the Committee on Banking and Currency.

H.R. 19989. A bill to provide a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation; to the Committee on Education and Labor.

H.R. 19990. A bill to establish a Commission on Fuels and Energy to recommend programs and policies intended to insure, through maximum use of indigenous resources, that the U.S. requirements for low-cost energy be met, and to reconcile environmental quality requirements with future energy needs; to the Committee on Interstate and Foreign Commerce.

H.R. 19991. A bill to require the Secretary of Transportation to prescribe regula-

tions governing the humane treatment of animals transported in air commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 19992. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 19993. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 19994. A bill to amend the Public Health Service Act in order to provide for the establishment of a National Health Service Corps; to the Committee on Interstate and Foreign Commerce.

H.R. 19995. A bill to establish a Juvenile Research Institute and Training Center; to the Committee on the Judiciary.

H.R. 19996. A bill to require the Council on Environmental Quality to make a full and complete investigation and study of national policy with respect to the discharging of material into the oceans; to the Committee on Merchant Marine and Fisheries.

H.R. 19997. A bill to prohibit the discharge into any of the navigable waters of the United States or into international waters of any military material without a certification by the Council on Environmental Quality approving such discharge; to the Committee on Merchant Marine and Fisheries.

H.R. 19998. A bill to amend title 13, United States Code, to provide for a mid-

decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 19999. A bill to amend the Federal Water Pollution Control Act to protect the navigable waters of the United States from further pollution by requiring that synthetic petroleum-based detergents manufactured in the United States or imported into the United States be free of phosphorus; to the Committee on Public Works.

H.R. 20000. A bill to amend title 38, United States Code, to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power; to the Committee on Veterans' Affairs.

H.R. 20001. A bill to assist in the provision of housing for veterans; to the Committee on Veterans' Affairs.

H.R. 20002. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him for special education furnished to a child or other minor dependent who is physically or mentally handicapped; to the Committee on Ways and Means.

H.R. 20003. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax the interest on certain obligations of volunteer fire departments; to the Committee on Ways and Means.

By Mr. ABBITT (for himself and Mr. DANIEL of Virginia):

H. Con. Res. 793. Concurrent resolution expressing the sense of the Congress with respect to the participation by the United States in loans made by any international agency or bank to underdeveloped countries,

for the purpose of increasing the production of an agricultural commodity determined to be a surplus agricultural commodity within the United States; to the Committee on Foreign Affairs.

By Mr. McFALL (for himself, Mr. REUSS, and Mr. HOLIFIELD):

H. Con. Res. 794. Concurrent resolution to express the sense of Congress on inflation and recession; to the Committee on Banking and Currency.

By Mr. LOWENSTEIN:
H. Con. Res. 795. Concurrent resolution expressing the sense of the Congress with respect to the pollution of waters all over the world and the necessity for coordinated international action to prevent such pollution; to the Committee on Foreign Affairs.

By Mr. ALBERT:
H. Res. 1317. A resolution providing for the Speaker to declare a recess at any time during the remainder of the session; to the Committee on Rules.

By Mr. SISK:
H. Res. 1318. A resolution relating to the clerk hire allowance of Members of the House of Representatives; to the Committee on House Administration.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

655. By the SPEAKER: Petition of Chojo Oyama, chairman, Central Shi-Cho-Son Municipal Association, Okinawa, Ryukyu Islands, relative to removal of chemical munitions from Okinawa, Ryukyu Islands; to the Committee on Armed Services.

SENATE—Tuesday, December 22, 1970

(Legislative day of Tuesday, December 15, 1970)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Dear Lord and Father of mankind, grant that, as we prepare to celebrate the festival of Christmastide, we may arise and hasten to the place where love has come, and offer there the homage and devotion of our lives. We thank Thee for the road to Bethlehem and for all the pilgrims who have hastened there. Be Thou in our hearts, our homes, our churches, our public ceremonies, that the banner of the King of Life may be held high.

We pray for those to whom Christmas brings the remembrance of grief and separation, of voices now silent awaiting the final bugle call.

Be especially near those in the Armed Forces that they may know the affection of a grateful Nation and have encouragement for the coming day of peace. Heal the afflicted and be near the prisoner of war. May every life near and far be crowned with the peace of Thy redemption.

Give rest, joy, and inspiration to those in the service of the Government. Grant journeying mercies to all who travel.

Illumine the way of love's pilgrimage

and set above the far horizon the star of Thy coming kingdom.

We pray in the name of the Prince of Peace. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 22, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, December 21, 1970, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, without prejudice to the Senators who were to be recognized during the special hour set aside for tributes, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTES TO SENATOR YARBOROUGH

Mr. MONDALE. Mr. President, I understand that the tributes to Senator YARBOROUGH were to be led off by the Senator from Massachusetts (Mr. KENNEDY). He has been temporarily required to be elsewhere.