resume its consideration of the unfinished business, S. 1888.

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

ORDER FOR RECOGNITION OF SENATOR MONTOYA ON FRIDAY, JUNE 8, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Friday, immediately after the remarks of the distinguished Senator from Wisconsin (Mr. PROXMIRE), the distinguished Senator from New Mexico (Mr. MONTOYA) be recognized for not to exceed 15 minutes.

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

Mr. CRANSTON. Mr. President, would the Senator withhold that suggestion?

Mr. ROBERT C. BYRD. Mr. President, I withhold my suggestion.

QUORUM CALL

Mr. CRANSTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AUTHORIZATION FOR THE PRESIDENT TO PROCLAIM JUNE 17, 1973, AS A DAY OF COMMEMORATION OF THE OPENING OF THE UPPER MISSISSIPPI RIVER

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives on House Joint Resolution 533. I do this at the request of the distinguished Senator from Iowa (Mr. HUGHES).

The PRESIDING OFFICER (Mr. GRAVEL) laid before the Senate H.J. Res. 533, a joint resolution authorizing the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673, which was read twice by its title.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be offered, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 533) was read the third time.

Mr. ROBERT C. BYRD. Mr. President, I am informed by the distinguished Senator from Iowa that this matter has been cleared with Senators EASTLAND, HRUSKA, and MCCLELLAN.

I have discussed it with the distinguished assistant Republican leader today.

Mr. GRIFFIN. Mr. President, may I say that Father Marquette was especially prominent in the early pioneer days in such areas as Michigan. In fact, he died in Michigan. I am very happy that the joint resolution is being considered and will be passed.

The PRESIDING OFFICER. The Joint resolution having been read the third time, the question is, Shall it pass?

The joint resolution (H.J. Res. 533) was passed.

ORDER FOR ADJOURNMENT TO 11:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11:30 a.m. tomorrow.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program is as follows:

The Senate will convene at 11:30 a.m. tomorrow. After the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Oklahoma (Mr. BELLMON) will be recognized for not to exceed 15 minutes; after which there will be a period for the transaction of routine morning business for not to extend beyond the hour of 12 noon; during which time the statements will be limited to 3 minutes.

At the hour of 12 o'clock noon, the Senate will resume its consideration of the unfinished business, the farm bill, S. 1888. The pending question at that time will be on the Buckley amendment No. 188.

I am sure that there will be a rollcall vote thereon. There will be yea-and-nay votes tomorrow on the bill. If the bill is not passed tomorrow, of course, action thereon will continue on Friday.

ADJOURNMENT TO 11:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move in accordance with the previous order that the Senate stand in adjournment until the hour of 11:30 a.m. tomorrow.

The motion was agreed to; and at 6:45 p.m., the Senate adjourned until tomorrow, Thursday, June 7, 1973, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 6, 1973:

DEPARTMENT OF DEFENSE

Malcolm R. Currie, of California, to be Director of Defense Research and Engineering, vice John S. Foster, resigning.

CONFIRMATIONS

Effective nominations confirmed by the Senate June 6, 1973:

DEPARTMENT OF STATE

David H. Popper, of New York, a Foreign Service Officer of the class of Career Minister, to be an Assistant Secretary of State.

INTERNATIONAL MONETARY FUND

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years.

Charles R. Harley, of Maryland, to be U.S. Alternate Executive Director of the International Monetary Fund for a term of 2 years.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Matthew J. Harvey, of Maryland, to be an Assistant Administrator of the Agency for International Development.

INTER-AMERICAN DEVELOPMENT BANK

Kenneth A. Guenther, of Maryland, to be Alternate Executive Director of the Inter-American Development Bank.

U.S. ADVISORY COMMISSION ON INFORMATION

The following-named persons to be members of the U.S. Advisory Commission on Information for a term expiring January 27, 1976: Hobart Lewis, of New York. J. Leonard Reinsch, of Georgia.

INTERNATIONAL ATOMIC ENERGY AGENCY

Gerald F. Tape, of Maryland, to be the representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

(The above nominations were approved subject to the nominees' commitments to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—*Wednesday, June 6, 1973*

The House met at 12 o'clock noon.

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

God is spirit; and they that worship Him must worship Him in spirit and in truth.—John 4: 24.

O God of grace and glory who with each new morning spreads the mantle of light about us, with grateful hearts we lift our spirits unto Thee seeking light upon our way and strength for this new day.

Sustain us, we pray Thee, as we carry our share of the burden that leads men upward to Thy kingdom of love and peace and support us as we endeavor to make truth and good will reign in our life together as a free nation.

"Spirit of life, in this new dawn,
Give us the faith that follows on,
Letting Thine all-pervading power
Fulfill the dream of this high hour.

"Spirit creative, give us light,
Lifting the raveled mists of night,
Touch Thou our dust with spirit hand
And make us souls that understand."

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1136. An act to extend the expiring authorities in the Public Health Service Act and the Community Mental Health Centers Act.

The message also announced 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 House to the bill (S. 38) entitled "An act to amend the Airport and Airway Development Act of 1970, as amended, to increase the United States share of allowable project costs under such act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 504) entitled "An act to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. WILLIAMS, Mr. NELSON, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, Mr. PELL, Mr. MONDALE, Mr. SCHWEIKER, Mr. JAVITS, Mr. DOMINICK, Mr. BEALL, and Mr. TAFT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 396. An act for the relief of Harold C. and Vera L. Adler, doing business as the Adler Construction Co.

SOYBEAN PRICE SPIRAL MUST BE BROKEN

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

Mr. COTTER. Mr. Speaker, unless steps are taken now to break the soybean price spiral the United States is going to face a protein food crisis of major proportions within a very short time.

Egg and broiler producers are cutting back their flocks because they can no longer afford soybean meal mix. What eggs are produced will be selling for $1 a dozen in September.

Hog farmers who had been expected to expand production 6 to 8 percent this year are now selling breeding stock for slaughter. The same situation prevails in the cattle industry.

Even more ominous is the very real possibility that soybean stocks will be exhausted this September before the new crop—already weeks behind in planting—is harvested.

The Agriculture Department acknowledges a 10-percent increase in food costs this year. Unofficially I understand internal figures show a 13- to 15-percent increase. And former Agriculture Under Secretary John Schnitker predicts a 20-percent increase.

The time for action is now. Last Friday I wrote to the administration urging temporary export controls on the balance of the 1972 soybean crop.

I urge my colleagues to join me in calling upon the administration to impose the provisions of the Export Administration Act on soybean and soybean meal.

To delay, let alone not to act, I predict, is courting disaster.

PERSONAL EXPLANATION

Mr. GIAIMO. Mr. Speaker, on June 4, on rollcall No. 174, I was present and voted "yea" by electronic device. In searching the RECORD yesterday I noticed I was recorded as not voting. I ask unanimous consent that the RECORD be corrected.

The SPEAKER. The Chair cannot entertain any such request. The gentleman can state how he did vote or intended to vote, but the Chair cannot go beyond that.

The gentleman's statement will appear in the RECORD.

Mr. GIAIMO. I thank the Speaker.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS DEVALUATION REFLECTS INTERNATIONAL LACK OF CONFIDENCE IN THE NIXON ADMINISTRATION

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

Mr. O'NEILL. Mr. Speaker, the President of France this morning was quoted as saying that the United States is about to devalue the dollar again.

That would be the third devaluation in a year and a half. If such an action is imminent, the President of the United States should say so. Congress and the American people should not have to read about it secondhand coming from the President of France.

This continued run on the dollar is the most conspicuous demonstration of the world's lack of confidence in the Nixon administration's ability to manage the American economy.

It now takes $126 to buy an ounce of gold in the European exchanges. That is three times the official price now contemplated in legislation before this Congress.

If this trend continues, the American consumer can expect to pay even higher retail prices for imported goods. The Government will take a substantially weaker bargaining position into the trade negotiations next fall—especially since we will be arrayed against the economic might of the European Common Market and our other trading partners.

If this is what the President means by 1973 being "the year of Europe," he can have it.

ANNIVERSARY OF ALLIED INVASION

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

Mr. GONZALEZ. Mr. Speaker, on this anniversary of the Allied invasion of France which led to the liberation of that country—this is the anniversary of D-day—the newspapers are reporting that the French President is lecturing the United States on its monetary policies.

In fact, this morning's paper in Washington said that the United States, in effect, was in its third devaluation.

I say to M. Pompidou, only the Congress can do that, and we will send a copy of the American Constitution to him and also to some of our administrative officials. The irony is overwhelming, however. I doubt that any country has more benefited from the aid of the United States than France. This country has financed French misadventures, aided the reconstruction of France, and ignored French debts. It has twice rescued that country from the perils of war and capture; all in this 20th century, which has not yet three-quarters gone.

Mr. Speaker, it takes a new peak in arrogance and ingratitude for the President of France to tell this country how its affairs should be run. M. Pompidou only helps the speculators by his injudicious remarks.

CONFERENCE REPORT ON H.R. 5610, AMENDING FOREIGN SERVICE BUILDINGS ACT

Mr. HAYS submitted the following conference report and statement on the bill (H.R. 5610) to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 93-260)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5610) to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, 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 Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

WAYNE L. HAYS,
THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
W. S. MAILLIARD,
VERNON W. THOMSON,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
FRANK CHURCH,
G. D. AIKEN,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5610) to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

ACQUISITION OF SITES AND BUILDINGS IN FOREIGN COUNTRIES

The House bill authorized specific amounts for the acquisition of sites and buildings in foreign countries for each of several geographic areas. With respect to each of such areas the House bill limited the amount which could be appropriated for the fiscal year 1974. Any amount not appropriated for fiscal year 1974 could be appropriated for any subsequent fiscal year.

As noted below, the Senate amendments authorized a specific amount for each geographic area for fiscal year 1974 only. Funds for subsequent fiscal years would require additional authorizations.

AFRICA

Amendments Nos. 1 and 2: The House bill authorized $2.19 million for use in Africa and provided that not more than $590,000 could be appropriated for the fiscal year 1974. Senate amendments nos. 1 and 2 have the effect of authorizing an appropriation of not more than $590,000 for use in Africa for the fiscal year 1974 only.

The Senate recedes.

AMERICAN REPUBLICS

Amendments Nos. 3 and 4: The House bill authorized an appropriation of $375,000 for use in the American Republics and provided that not more than $240,000 could be appropriated for the fiscal year 1974.

Senate amendments Nos. 3 and 4 have the effect of authorizing an appropriation of not more than $240,000 for use in the American Republic for the fiscal year 1974 only.

The Senate recedes.

EUROPE

Amendments Nos. 5 and 6: The House bill authorized an appropriation of $4.78 million for use in Europe and provided that not more than $160,000 could be appropriated for the fiscal year 1974. Senate amendments Nos. 5 and 6 have the effect of authorizing an appropriation of not more than $160,000 for use in Europe for the fiscal year 1974 only.

The Senate recedes.

EAST ASIA

Amendments Nos. 7 and 8: The House bill authorized an appropriation of $2,585,000 for use in East Asia and provided that not more than $985,000 could be appropriated for the fiscal year 1974. Senate amendments Nos. 7 and 8 have the effect of authorizing an appropriation of not more than $985,000 for use in East Asia for the fiscal year 1974 only.

The Senate recedes.

NEAR EAST AND SOUTH ASIA

Amendments Nos. 9 and 10: The House bill authorized an appropriation of $3,518,000 for use in the Near East and South Asia and provided that not more than $2,218,000 could be appropriated for the fiscal year 1974. Senate amendments Nos. 9 and 10 have the effect of authorizing an appropriation of more than $2,218,000 for such use for the fiscal year 1974 only.

The Senate recedes.

UNITED STATES INFORMATION AGENCY

Amendment No. 11: The House bill authorized an appropriation of not more than $45,000 for use beginning in the fiscal year 1975 for facilities for the United States Information Agency. Senate amendment No. 11 strikes out this provision of the bill.

The Senate recedes.

AGRICULTURAL AND DEFENSE ATTACHÉ HOUSING

Amendment No. 12: The House bill authorized an appropriation of not more than $318,000 for use beginning in the fiscal year 1974 for facilities for agricultural and defense attaché housing. Senate amendment No. 12 merely makes a technical change in the subparagraph designation to conform to the deletion of the provision relating to United States Information Agency facilities.

The Senate recedes.

OPERATING ACCOUNT

Amendments Nos. 13 and 14: The House bill authorized an appropriation of $45.8 million for fiscal years 1974 and 1975 for the operating account of the Foreign Service buildings programs, which covers the costs of minor improvements and also includes recurring rent payments on long-term leases and expenses such as utility costs, custodial services, and supplies. The House bill also provided that not more than $21.7 million could be appropriated for such purposes for the fiscal year 1974. Senate amendments Nos. 13 and 14 have the effect of authorizing an appropriation of not more than $21.7 million for such purposes for the fiscal year 1974 only.

The Senate recedes.

AUTHORIZATION FOR ADDITIONAL OR SUPPLEMENTAL AMOUNTS

Amendments Nos. 15 and 16: The House bill contained a permanent authorization for the appropriation of additional or supplemental amounts for increases in salary, pay, retirement, or other employee benefits authorized by law. Senate amendment No. 15 limited this authorization to the fiscal year 1974 only. Senate amendment No. 16 expanded the authorization to include other nondiscretionary costs, such as those resulting from exchange rate realignments.

The Senate recedes.

WAYNE L. HAYS,
THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
W. S. MAILLIARD,
VERNON W. THOMSON,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
FRANK CHURCH,
G. D. AIKEN,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 5293, PEACE CORPS AUTHORIZATION

Mr. MORGAN submitted the following conference report and statement on the bill (H.R. 5293) authorizing additional appropriations for the Peace Corps:

CONFERENCE REPORT (H. REPT. No. 93-261)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5293) authorizing additional appropriations for the Peace Corps, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3 and 4.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment strike out the following: "and for the fiscal year 1975 not to exceed $80,000,000;" 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 bill, and agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
DANTE B. FASCELL,
W. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
WILLIAM BROOMFIELD,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
FRANK CHURCH,
GEORGE S. MCGOVERN,
G. D. AIKEN,
CLIFFORD P. CASE,
JACOB K. JAVITS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5293) authorizing additional appropriations for the Peace Corps, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

AUTHORIZATION

Amendment No. 1: The House bill authorized an appropriation of not more than $80,000,000 for the fiscal year 1975 to carry out the Peace Corps Act. Senate amendment No. 1 strikes out this authorization.

The House recedes with a technical amendment to make clear that the authorization remaining for fiscal year 1974 is to carry out the Peace Corps Act.

FEDERAL PROCUREMENT PROCEDURES

Amendment No. 2: Senate amendment No. 2 added to the House bill a section amending section 10(d) of the Peace Corps Act to place the Peace Corps under existing Federal procurement law. At the present time, the Peace Corps has statutory authority to waive formal advertising requirements and the procurement policy established under existing Federal procurement law. This amendment, while bringing the Peace Corps contracting policy in line with other Federal agencies, would still provide the necessary flexibility to procure services and supplies abroad under the provisions of section 302(c) of the Federal Property and Administrative Services Act of 1949.

The House recedes.

LIMITATION ON ADMINISTRATIVE EXPENSES

Amendment No. 3: This Senate amendment added a section to the House bill limiting the Peace Corps overall administrative expenses to 25% of amounts appropriated for such agency for each fiscal year and requiring the agency to include in its annual report information concerning all administrative expenses (including compensation of officers and employees). This amendment was effective beginning with the fiscal year 1975.

The Senate recedes.

FOREIGN SERVICE PERSONNEL

Amendment No. 4: This Senate amendment added a section to the House bill to prevent the utilization of Foreign Service personnel and Peace Corps funds for work which is primarily domestic. This amendment—

(1) requires all Foreign Service employees of ACTION working within the offices designated as combined support operations to spend a substantial portion of their working time on strictly Peace Corps functions; and

(2) limits the number of Foreign Service employees that may work in the combined support programs to a figure equal to the ratio used to establish the Peace Corps share of the combined support costs.

ACTION is now in the process of converting its support program Foreign Service appointments to general schedule positions in order to conform with the support program's allocation formula ratio.

The Senate recedes.

AMENDMENT TO THE TITLE

The Senate amended the title of the House bill so as to read: "An Act to authorize additional appropriations to carry out the Peace Corps Act, and for other purposes.".

The House recedes.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
WAYNE L. HAYS,
DANTE B. FASCELL,
W. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
WILLIAM BROOMFIELD,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
FRANK CHURCH,
GEORGE S. MCGOVERN,
G. D. AIKEN,
CLIFFORD P. CASE,
JACOB K. JAVITS,
Managers on the Part of the Senate.

PERSONAL EXPLANATION

Mr. GUNTER. Mr. Speaker, yesterday I was necessarily absent from the House of Representatives for a brief time because my presence was required for official business with a group of constituents. Had I been here, I would have voted "yea" on rollcall vote No. 176.

TRANSFERRING AUTHORITY TO SET ASSESSMENT RATES, DISTRICT OF COLUMBIA

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

Mr. ADAMS. Mr. Speaker, I am introducing legislation today which will transfer authority to set assessment rates from the Department of Revenue and Finance to the District of Columbia Council. The Council presently has authority to set tax rates, and both of these functions rightfully should be assigned to the city's legislative body rather than to an administrative department.

This bill also provides that the 120,000 single family homes in the District will be assessed at 100 percent of true market value in fiscal 1974 and in each year thereafter. At the same time, the Council would have authority to lower the tax rate so that homeowners would pay no higher tax than they are paying right now.

This past Monday, we became aware of a practice by the Revenue Department to increase assessments in the District over the past 5 years from 55 percent to 65 percent. In fact, this amounts to an 18-percent jump in real estate taxes, even if the tax rate and the actual value of the homes remain at the same level.

Mr. Speaker, not only is the increase a staggering one, but even more appalling is the way it came about. The plan to increase assessments was conceived in bureaucratic secrecy, without public notice, without hearings of any kind. I do not believe that decisions to increase taxes should be made by someone hiding in the hierarchy. Both legally and traditionally, the taxes we pay at all levels of government are debated and determined by an elected legislative body in a proper open forum. We may not always agree with the decisions, but at least they are made in full public view. To adopt any other procedure is to flaunt the legislative process.

Mr. Speaker, because of the impact the planned assessments will have on residents of the District, I urge my colleagues today to take speedy action on this bill.

DEVALUATION OF THE DOLLAR

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

Mr. HAYS. Mr. Speaker, I was intrigued by the remarks of my colleague from Texas (Mr. GONZALEZ) about only Congress being able to devalue the dollar. The last two devaluations we had were announced by the administration, and I do not know if they even told anybody in Congress about it.

I realize that it does not become official until it is passed up here, but to all intents and purposes devaluation was accomplished.

If Members think Mr. Pompidou was wrong in saying there is a third devaluation of the dollar, let them try to buy foreign exchange with dollars, to see how much they pay for it.

To show the arrogance of the administration, Mr. Shultz was making statements all over town last week that he or the administration was going to raise the tax on gasoline 5 to 10 cents a gallon. They did not say anything about the Congress doing it.

I realize that is one thing they cannot get away with without having it pass the Congress; but it is the stupid policies they have adopted which have effectively, Mr. GONZALEZ, devalued the dollar, whether we like it or not. It is devalued because of the economic policies of this administration.

As I said earlier, if anyone does not believe it let him take some dollars and try to buy some foreign currency on any foreign exchange.

PERSONAL EXPLANATION

Mr. NELSEN. Mr. Speaker, yesterday I was meeting with Mayor Washington and President Tolbert of the Republic of Liberia when the vote on final passage of H.R. 8070, the Rehabilitation Act of 1973, was taken. When I returned to the floor, the final vote had already been announced, but had I been present to vote on rollcall No. 176, I would have voted "yea."

HOW TO IMPROVE THE CONGRESS

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

Mr. GOODLING. Mr. Speaker, I asked for this time to call the attention of this House to an editorial which appeared in one of my local papers over the weekend. I will read the caption of this editorial, which I believe will prove to the Members here today the importance of reading it. The caption is, "How To Improve the Congress: Let's Abolish the House."

This editorial was written by one Patrick Owens. Who one Patrick Owens is I do not know, and frankly I could care less.

I am going to insert the editorial in today's RECORD under the Extension of Remarks section. As I say, I believe this is "must" reading for every Member.

In my introductory remarks I have a few very kind words to say for Mr. Owens. I commend this to the Members' reading also.

WHO OUTLAWED GOLD?

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

Mr. GROSS. Mr. Speaker, I was intrigued by the statement of the gentleman from Massachusetts, the distinguished majority leader (Mr. O'NEILL), with respect to the price of gold going to more than $126 an ounce on the London Exchange yesterday.

Let me remind the gentleman from Massachusetts that it was a Democrat President and a Democrat Congress that outlawed the use of gold in this country as a medium of exchange, as a common medium of exchange, so that Americans today cannot buy, own, or sell gold except for ornamental and other restricted purposes.

The situation of this country, at home and abroad, probably would be far different today had a Democrat President and a Democrat Congress not taken this country off the gold standard and prohibited its use as legal tender.

PERSONAL EXPLANATION

Mr. COUGHLIN. Mr. Speaker, on May 29, 30, and 31, I was absent on official business and was unable to be present on the House floor during consideration of several pieces of legislation.

For the record, had I been present, I would have voted in the following manner:

Rollcall No. 160, H.R. 6912, the Par Value Modification Act, the rule under which the bill was considered, I would have voted "yea";

Rollcall No. 161, H.R. 6912, the Par Value Modification Act, an amendment that sought to permit private purchase, sale, and ownership of gold after December 31, 1973, I would have voted "no";

Rollcall No. 162, H.R. 6912, the Par Value Modification Act, an amendment that sought to strike out language that provides for Presidential determination and approval of private gold ownership, I would have voted "no";

Rollcall No. 163, H.R. 6912, the Par

Value Modification Act, passage, I would have voted "yea";

Rollcall No. 166, H.R. 5857, amending the National Visitors Center Facilities Act of 1968, I would have voted "yea";

Rollcall No. 167, H.R. 5858, authorizing further appropriations for the John F. Kennedy Center for the Performing Arts, I would have voted "yea";

Rollcall No. 169, H.R. 7806, extending through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, I would have voted "yea";

Rollcall No. 170, H.R. 7724, biomedical research, an amendment prohibiting live fetus research, I would have voted "yea";

Rollcall No. 171, H.R. 7724, the National Biomedical Research Fellowship, Traineeship, and Training Act of 1973, I would have voted "yea"; and

Rollcall No. 172, H.R. 6458, the Emergency Medical Services Act of 1973, I would have voted "yea."

PERSONAL EXPLANATION

Mr. SARASIN. Mr. Speaker, on June 4, 1973, I was necessarily absent from the House of Representatives because I was attending a pension roundtable at the American University. Had I been here, I would have voted "aye" on House Resolution 398, supervisory positions, U.S. Capitol Police Force. I ask that the permanent RECORD so indicate.

The SPEAKER. The gentleman's statement will appear in the RECORD.

TRIBUTE TO HON. JOHN J. ROONEY ON HIS 29TH ANNIVERSARY AS A MEMBER OF THE HOUSE

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

Mr. DELANEY. Mr. Speaker, 29 years ago today JOHN J. ROONEY, the senior Member of the New York delegation was sworn into Congress.

Mr. ROONEY has achieved an enviable record. At the present time he is chairman of the Subcommittee on Appropriations for State, Justice, Commerce, the Judiciary, and related agencies. His service as chairman has been recognized by every student of Government. No Member ever knew his subject better than JOHN ROONEY.

Besides that, he served as chairman of the Democratic caucus in the 84th Congress. As a member of the Committee on Military Affairs he visited western and Italian fronts in 1944, and was an official observer at the Japanese Peace Conference in 1951.

The Speaker has informed me that he spoke with JOHN this morning and he is well on the way to recovery. He expressed to all Members here that he will be back just as active as ever. We look forward with anticipation to his return, and extend to him our very best wishes for a speedy and permanent recovery.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll. No. 178]

Badillo	Harsha	Patman
Boggs	Hébert	Pepper
Brown, Ohio	Horton	Rooney, N.Y.
Burgener	Hudnut	Sandman
Carter	Ichord	Sikes
Clark	Kemp	Sisk
Diggs	Lent	Stokes
Fisher	Mallary	Teague, Tex.
Forsythe	Minish	Thompson, N.J.
Fraser	Mink	Towell, Nev.
Gray	Minshall, Ohio	Wydler

The SPEAKER. On this rollcall 399 Members have recorded their presence by electronic device, a quorum.

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

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 8410 UNTIL MIDNIGHT FRIDAY

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Friday of this week to file a committee report to accompany H.R. 8410.

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

There was no objection.

PERSONAL EXPLANATION

Mr. THOMPSON of New Jersey. Mr. Speaker, I was entering the Chamber when the time stopped, and I missed the quorum call by approximately 2 seconds.

PERSONAL EXPLANATION

Mr. DULSKI. Mr. Speaker, on May 23 I was unavoidably absent for two rollcall votes. Had I been present, I would have voted "no" on roll No. 158, and "yea" on roll No. 159.

June 4 I was detained in my district, and would like to state my position in favor of House Resolution 398. I would have voted "yea" on roll No. 174.

WAKAYAMA PREFECTURE SEEKS HELP IN UNITED STATES-JAPANESE FRIENDSHIP PROJECT

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

Mr. MATSUNAGA. Mr. Speaker, Commodore Perry's historic visit to Japan in 1853 is widely believed to have been the first official contact between the United States and Japan. Evidence which has recently come to light, however, indicates that some 62 years before the Perry visit, two American merchant vessels—the *Lady Washington* and the *Grace* called at the Port of Oshima in Japan's Wakayama Prefecture in search of trade.

To commemorate the visit of the *Lady Washington* and the *Grace*, and in tribute to United States-Japanese friendship, the government of Wakayama Prefecture is building a beautiful memorial hall in the Yoshino Kumano National Park, overlooking the Pacific Ocean, near Oshima. The memorial will house historic documents and records related to the visit of the *Lady Washington* and the *Grace*, scale models of the two ships, original paintings by Japanese artists depicting United States-Japanese friendship, and other articles of historical importance.

The task of locating historic documents—ships' records, letters, et cetera—is a massive one. Two representatives of Wakayama Prefecture have been sent to the United States specifically for the purpose of locating and obtaining such documents. Citizens of our country who may have access to such documents and who are interested in contributing to United States-Japanese friendship are asked to communicate with the Governor of Wakayama Prefecture, the Honorable Masao Ohashi. Letters to the Governor may be addressed to him in care of the Wakayama Prefectural Government, 1,1-Chome, Komatsubara-Dori, Wakayama City, Japan.

FAIR LABOR STANDARDS AMENDMENTS OF 1973

Mr. DENT. 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. 7935) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act, to expand the coverage of that act and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

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 further consideration of the bill H.R. 7935, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through section 1, ending on page 2, line 2 of the bill.

The Chair recognizes the gentleman from Illinois (Mr. ERLENBORN).

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. 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. ERLENBORN: Strike out all after the enacting clause and insert in lieu thereof the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Fair Labor Standards Amendments of 1973".

TITLE I—INCREASES IN MINIMUM WAGE RATES

INCREASE IN MINIMUM WAGE RATE FOR EMPLOYEES COVERED BEFORE 1966

SEC. 101. Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) not less than $1.90 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973, not less than $2.10 an hour during the second year from such date, and not less than $2.20 an hour thereafter, except as otherwise provided in this section;".

INCREASE IN MINIMUM WAGE RATE FOR NONAGRICULTURAL EMPLOYEES COVERED IN 1966

SEC. 102. Section 6(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(b)) is amended by striking out paragraphs (1) through (5) and inserting in lieu thereof the following:

"(1) not less than $1.80 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973,

"(2) not less than $2.00 an hour during the second year from such date,

"(3) not less than $2.10 an hour during the third year from such date, and

"(4) not less than $2.20 an hour thereafter."

INCREASE IN MINIMUM WAGE RATE FOR AGRICULTURAL EMPLOYEES

SEC. 103. Section 6(a)(5) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(5)) is amended to read as follows:

"(5) if such employee is employed in agriculture, not less than $1.50 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973, not less than $1.70 an hour during the second year from such date, not less than $1.85 an hour during the third year from such date, and not less than $2.00 an hour thereafter."

INCREASES IN MINIMUM WAGE RATES FOR EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 104. (a) Effective on the date of the enactment of the Fair Labor Standards Amendments of 1973, subsection (c) of section 6 of such Act is amended by striking out paragraphs (2), (3), and (4) and inserting in lieu thereof the following:

"(2)(A) In the case of any such employee who is covered by such a wage order and to whom the rate or rates prescribed by subsection (a) would otherwise apply, the following rates shall apply (unless superseded by a wage order issued under paragraph (5) and except as otherwise provided by paragraph (7)):

"(i) Effective as prescribed in subparagraph (B), the employee's base rate, increased by 18.75 per centum.

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 12.5 per centum of the employee's base rate.

"(iii) Effective one year after the applicable effective date of the increase prescribed by clause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 6.25 per centum of the employee's base rate.

"(B) The effective date of the increase prescribed by subparagraph (A)(1) shall be the sixtieth day following the effective date of the Fair Labor Standards Amendments of 1973 or one year from the effective date of the most recent wage order applicable to the employee which the Secretary issued before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(C) For purposes of this subsection, the term 'base rate' means the rate applicable to an employee under the most recent wage order issued by the Secretary before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed pursuant to section 5.

"(3)(A) In the case of an employee employed in agriculture who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5 and to whom the rate or rates prescribed by subsection (a)(5) would otherwise apply, the following rates shall apply (unless superseded by a wage order isued under paragraph (5) and except as otherwise provided in subparagraph (B) or paragraph (7)):

"(i) Effective as prescribed in subparagraph (C), the employee's base rate, increased by 15.4 per centum.

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 15.4 per centum of the employee's base rate.

"(iii) Effective one year after the applicable effective date of the increase prescribed by clause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 11.5 per centum of the employee's base rate.

"(iv) Effective one year after the applicable effective date of the increase prescribed by clause (iii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 11.5 per centum of the employee's base rate.

"(B) Notwithstanding subparagraph (A) of this paragraph, in the case of any employee employed in agriculture who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5, to whom the rate or rates prescribed by subsection (a)(5) would otherwise apply, and whose hourly wage is increased above the wage rate prescribed by such wage order by a subsidy (or income supplement) paid, in whole or in part, by the government of Puerto Rico, the following rates shall apply (unless superseded by a wage order issued under paragraph (5) and except as otherwise provided in this subparagraph and in paragraph (7)):

"(i) Effective as prescribed in subparagraph (C), the employee's base rate, increased by (I) the amount by which the employee's hourly wage rate is increased above his base rate by the subsidy (or income supplement), and (II) 15.4 per centum of the sum of the employee's base rate and the amount referred to in subclause (I).

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 15.4 per centum of the sum of the employee's base rate and the amount referred to in subclause (I) of clause (i).

"(iii) Effective one year after the applicable effective date of the increase prescribed by clause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 11.5 per centum of the sum of the employee's base rate and the amount referred to in subclause (I) of clause (i).

"(iv) Effective one year after the applicable effective date of the increase prescribed by clause (iii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 11.5 per centum of the sum of the employee's base rate and the amount referred to in subclause (I) of clause (i).

Notwithstanding clause (i), (ii), (iii), or (iv) of this subparagraph, the minimum wage rate for any employee described in this subparagraph shall not be increased under such clause (i), (ii), (iii), or (iv) to a rate which exceeds the minimum wage rate in effect under subsection (a)(5).

"(C) The effective date of the increase prescribed by subparagraphs (A)(i) and (B)(i) shall be the sixtieth day following the effective date of the Fair Labor Standards Amendments of 1973 or one year from the effective date of the most recent wage order applicable to the employee which the Secretary issued before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(4)(A) In the case of any employee who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5 and to whom this section was made applicable by the amendments made to this Act by the Fair Labor Standards Amendments of 1966, the following rates shall apply (unless superseded by a wage order issued under paragraph (5) and except as otherwise provided by paragraph (7)):

"(i) Effective as prescribed in subparagraph (B), the employee's base rate, increased by 12.5 per centum.

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (1), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 12.5 per centum of the employee's base rate.

"(iii) Effective one year after the effective date of the increase prescribed by clause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 6.25 per centum of the employee's base rate.

"(iv) Effective one year after the effective date of the increase prescribed by clause (iii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 6.35 per centum of the employee's base rate.

"(B) The effective date of the increase prescribed by subparagraph (A)(i) shall be the sixtieth day following the effective date of the Fair Labor Standards Amendments of 1973 or one year from the effective date of the most recent wage order applicable to the employee which the Secretary issued before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(5)(A) Any employer, or group of employers, employing a majority of the employees in an industry in Puerto Rico or the Virgin Islands for whom wage rate increases

are prescribed by paragraph (2), (3), or (4) may apply to the Secretary in writing for the appointment of a special industry committee to recommend the minimum wage rate or rates to be paid such employees in lieu of the rate or rates prescribed by paragraph (2), (3), or (4), whichever is applicable. Any such application shall be filed—

"(i) in the case of the first of such increases, not less than thirty days following the date of enactment of the Fair Labor Standards Amendments of 1973, and

"(ii) in the case of each succeeding increase, not more than one hundred and twenty days and not less than sixty days prior to the effective date of such increase.

"(B) The Secretary shall promptly consider any application duly filed under subparagraph (A) of this paragraph for appointment of a special industry committee and may appoint such a special industry committee if he has a reasonable cause to believe, on the basis of financial and other information contained in the application, that compliance with any applicable rate or rates prescribed by paragraph (2), (3), or (4), as the case may be, will substantially curtail employment in the industry with respect to which the application was filed. The Secretary's decision upon any such application shall be final. In appointing a special industry committee pursuant to this paragraph the Secretary shall, to the extent possible, appoint persons who were members of the special industry committee most recently convened under section 8 for such industry. Any wage order issued pursuant to the recommendations of a special industry committee appointed under this paragraph shall take effect on the applicable effective date provided in paragraph (2), (3), or (4), as the case may be. If a wage order has not been issued pursuant to the recommendation of a special industry committee appointed under this paragraph prior to the applicable effective date under paragraph (2), (3), or (4), the applicable percentage increase provided by paragraph (2), (3), or (4) shall take effect on the effective date prescribed therein, except with respect to the employees of an employer who filed an application for appointment under this paragraph of a special industry committee and who files with the Secretary an undertaking with a surety or sureties satisfactory to the Secretary for payment to his employees of an amount sufficient to compensate such employees for the difference between the wages they actually receive and the wages to which they are entitled under this subsection. The Secretary shall be empowered to enforce such undertaking and any sums recovered by him shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee or employees affected. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury of the United States as miscellaneous receipts.

"(C) The provisions of section 5 and section 8, relating to special industry committees, shall be applicable to special industry committees appointed under this paragraph. The appointment of a special industry committee under this paragraph shall be in addition to and not in lieu of any special industry committee required to be convened pursuant to section 8(a), except that no special industry committee convened under that section shall hold any hearing within one year after a minimum wage rate or rates for such industry shall have been recommended to the Secretary, by a special industry committee appointed under this paragraph, to be paid in lieu of the rate or rates prescribed by paragraph (2), (3), or (4), as the case may be.

"(6) The minimum wage rate or rates prescribed by this subsection shall be in effect only for so long as and insofar as such minimum wage rate or rates have not been superseded by a wage order fixing a higher minimum wage rate or rates (but not in excess of the applicable rate prescribed in subsection (a) or (b)) hereafter issued by the Secretary pursuant to the recommendation of a special industry committee appointed under section 5.

"(7) Notwithstanding any other provision of this subsection, the wage rate of any employee in Puerto Rico or the Virgin Islands which is subject to increase under paragraph (2), (3), or (4) of this subsection shall, on and after the effective date of the first wage increase under the paragraph which applies to the employee's wage rate, be not less than 60 per centum of the wage rate that (but for this subsection) would be applicable to such employee under subsection (a) or (b) of this section."

(b) The third sentence of section 10(a) of such Act (29 U.S.C. 210(a)) is amended by inserting "(including provision for the payment of an appropriate minimum wage rate)" after "modify".

EXCLUSION OF EMPLOYEES IN THE CANAL ZONE FROM INCREASES IN MINIMUM WAGE

SEC. 105. Section 13(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(f)) is amended (1) by inserting "(1)" immediately after "(f)", and (2) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding paragraph (1), the increases in the minimum wage rates prescribed by the Fair Labor Standards Amendments of 1973 shall not apply to the minimum wage rates applicable under this Act to employees employed in the Canal Zone."

TITLE II—REVISION OF EXEMPTIONS

SALES AND MANAGERIAL PERSONNEL

SEC. 201. Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding after subsection (j) the following new subsection:

"(k) For a period or periods of not more than seven workweeks in the aggregate in any calendar year, the requirements of subsection (a) of this section shall not apply with respect to the employment of any employee (not otherwise exempted from such subsection by subsection (i) or section 13(a)(1)) in a retail or service establishment if—

"(1) such employee is employed in a bona fide sales capacity in, or as manager of, such establishment;

"(2) such employee's regular rate of pay is not less than twice the wage rate in effect under section 6(a)(1); and

"(3) for employment in such establishment in excess of forty-eight hours in any workweek during such period or periods, such employee receives compensation at a rate not less than one and one-half times the regular rate at which he is employed in such establishment."

NEWSPAPER DELIVERY EMPLOYEES

SEC. 202. Section 13(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(d)) is amended by inserting after "newspapers" the following: "or shopping news (including shopping guides, handbills, or other types of advertising material)".

HOUSEPARENTS FOR ORPHANS

SEC. 203. Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended by striking out the period at the end of paragraph (14) and inserting in lieu thereof "; or" and by adding after that paragraph the following:

"(15) any employee who is employed with his spouse by a nonprofit educational institution to serve as the parents of children—

"(A) who are orphans or one of whose natural parents is deceased, and

"(B) who are enrolled in such institution and reside in residential facilities of the institution,

while such children are in residence at such institution, if such employee and his spouse reside in such facilities, receive, without cost, board and lodging from such institution, and are together compensated, on a cash basis, at an annual rate of not less than $10,000."

TITLE III—EXPANDING EMPLOYMENT OPPORTUNITIES FOR YOUTHS

SPECIAL MINIMUM WAGES FOR EMPLOYEES UNDER EIGHTEEN AND STUDENTS

SEC. 301. Section 14 of the Fair Labor Standards Act of 1938 (29 U.S.C. 214) is amended (1) by striking out subsections (b) and (c), (2) by redesignating subsection (d) as subsection (c), and (3) by adding after subsection (a) the following:

"(b)(1) Subject to paragraph (2) and to such standards and requirements as may be required by the Secretary under paragraph (4), any employer may, in compliance with applicable child labor laws, employ, at the special minimum wage rate prescribed in paragraph (3), any employee—

"(A) to whom the minimum wage rate required by section 6(a) or 6(b) would apply in such employment but for this subsection, and

"(B) who is under the age of eighteen or is a fulltime student.

"(2) No employer may employ for a period in excess of one hundred and eighty days any employee who is under the age of eighteen and is not a full-time student at the special minimum wage rate authorized by this subsection.

"(3) The special minimum wage rate authorized by this subsection is a wage rate which is not less than the higher of—

"(A) 80 per centum of the otherwise applicable minimum wage rate prescribed by section 6(a) or 6(b), or

"(B) $1.30 an hour in the case of employment in agriculture or $1.60 an hour in the case of other employment.

"(4) The Secretary shall by regulation prescribe standards and requirements to insure that this subsection will not create a substantial probability of reducing the full-time employment opportunities of persons other than those to whom the minimum wage rate authorized by this subsection is applicable.

"(5) For purposes of sections 16(b) and 16(c)—

"(A) any employer who employs any employee under this subsection at a wage rate which is less than the minimum wage rate prescribed by paragraph (3) shall be considered to have violated the provisions of section 6 in his employment of the employee, and the liability of the employer for unpaid wages and overtime compensation shall be determined on the basis of the otherwise applicable minimum wage rate under section 6; and

"(B) any employer who employs any employee under this subsection for a period in excess of the period authorized by paragraph (2) shall be considered to have violated the provisions of section 6 in his employment of the employee during the period in excess of the authorized period."

TITLE IV—CONFORMING AMENDMENTS; EFFECTIVE DATE; AND REGULATIONS

CONFORMING AMENDMENTS

SEC. 401. Section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208) is amended (1) by striking out "the minimum wage prescribed in paragraph (1) of section 6(a) in each such industry" in the first sentence of subsection (a) and inserting in lieu thereof "the minimum wage rate which would apply in each such industry under paragraph (1) or (5) of section 6(a) but for

section 6(c)", (2) by striking out "the minimum wage rate prescribed in paragraph (1) of section 6(a)" in the last sentence of subsection (a) and inserting in lieu thereof "the otherwise applicable minimum wage rate in effect under paragraph (1) or (5) of section 6(a)", and (3) by striking out "prescribed in paragraph (1) of section 6(a)" in subsection (c) and inserting in lieu thereof "in effect under paragraph (1) or (5) of section 6(a) (as the case may be)".

EFFECTIVE DATE AND REGULATIONS

SEC. 402. (a) Except as provided in section 104(a), the effective date of this Act and the amendments made by this Act is the first day of the second full month which begins after the date of its enactment.

(b) Notwithstanding subsection (a), on and after the date of the enactment of this Act the Secretary of Labor is authorized to prescribe necessary rules, regulations, and orders with regard to the amendments made by this Act.

Mr. ERLENBORN (during the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the amendment and that it be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ERLENBORN. Mr. Chairman, I have offered now the amendment in the nature of a substitute that was rather thoroughly debated yesterday during general debate and it has of course been available to the Members since it was introduced last week.

As we explained when we introduced the text of this amendment last week, this, except for wage rates, is identical to the bill that was introduced earlier this year with bipartisan support by me, the gentleman from Florida (Mr. FUQUA), the gentleman from Louisiana (Mr. WAGGONNER), the gentleman from Minnesota (Mr. QUIE), and the gentleman from Illinois (Mr. ANDERSON).

This follows quite generally what the House approved in the way of a minimum wage bill last year. The only change from our earlier bill that was made in the bill as introduced last week and as is now being offered as the substitute is a change in the wage rate structure. What we have in the substitute before us is the wage rate structure that was recommended by Secretary Brennan with the exception of the last year, the last step, so that the effect of this substitute would be to raise the nonagricultural minimum wage rates to the same level as in the committee bill. However, it would take two additional steps and would reach $2.20 in 1976, rather than next year as would be done by the committee bill.

As to agricultural labor, we do not go as high as the committee bill. We would raise the agricultural minimum wage rates to $2. This would be done in four steps. The present wage rate is $1.30. The substitute bill would raise, immediately upon its enactment, that wage rate to $1.50; next year, $1.70; the following year, $1.85; and finally, $2 in 1976. At that point there would be a 20-cent differential between agricultural and nonagricultural wage rates.

This would be a lesser percentage and a lesser cents difference between agricultural and nonagricultural than exists today. At the present time, there is a 30-cent differential, agriculture being $1.30; nonagricultural being $1.60.

Mr. Chairman, as I pointed out in the debate yesterday, the House showed its preference last year, for step increases that could be absorbed by our economy without doing it harm. This substitute bill will provide those reasonable step increases, taking into account the necessity for increasing minimum wage rates because of inflation, and also taking into account the need to go about this in a reasonable fashion because of further inflation that could be caused by unwarranted steep in increasing the wage rates.

Probably the most important issue that has divided us on this question of the minimum wage is the question of the youth differential. I put in the record yesterday, and I hope the members have had a chance to read, the comments of those who have carefully studied the impact of increases of the minimum wage rates on youth unemployment.

Almost without exception, the finding has been that there is an adverse impact on youth every time we increase the minimum wage rates. We find that most of those who have studied this problem suggest that there be a differential between youth and adult minimum wage rates to take into account the difficulties that youth have in finding employment.

How can this country; how can the majority on our committee live with unemployment rates among black teenagers of 35 percent without doing something about it? The committee bill does not address itself to the question of youth differential. As I pointed out yesterday, it has only an unworkable student differential. We in our substitute bill have a real, workable youth differential that would help to alleviate the unemployment existing among youth generally, and in particular the minority youth who suffer the greatest amount of unemployment.

Lastly, the committee bill would extend the coverage of the act into areas that we think it should not be extended, such as State and local employment, coverage of Federal employees.

I should take note at this point of a letter that was sent by the chairman of our committee to the members stating that I had misinformed them. If I have, I am sorry.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ERLENBORN. Mr. Chairman, I ask unanimous consent that I be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 additional minutes.

Mr. ERLENBORN. Mr. Chairman, I have prepared and had made available at the two desks of the majority and minority side, and sent to all of the members, a "Dear Colleague" letter of my own, in which I point out that the report of the committee itself does state that both minimum wage and overtime coverage is being extended to Federal employees. Then, in the next paragraph, the committee report states that there is, however, an exception for certain Federal employees; all of those Federal employees that were not covered by the 1966 amendments.

Then, Mr. DENT in his letter stated that no Federal employees were being covered for overtime. I can only say that this is confusing. It did confuse me, and if I have added to the confusion, I am sorry.

Mr. Chairman, I hope that the members of this committee will do as the House did last year, and that is to realize the importance of adjusting for inflation and doing it in a responsible manner, not extend coverage to areas that ought not be covered, maintain the overtime exemptions that are presently in the act and address the plaguing problem of youth unemployment in a meaningful way.

This can be done if the Committee of the Whole House will adopt the substitute that is being offered.

Mr. DENT. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, when we talk about responsibility, from where do we measure? Do we measure responsibility from the position taken today, or do we measure responsibility from the position taken yesterday—"yesterday" being all the days that have gone before?

My worthy colleague on the other side, the sponsor of this substitute, talks about a gradual escalation into a wage scale, and says that it inhibits inflation. Let us just take a look at things.

One year after this House voted with the gentleman on his substitute last year, he offers a wage rate 10 cents less than he offered last year. The Erlenborn bill of last year came up with a $2 base rate in 1972.

Even Mr. ANDERSON, who reduced the Erlenborn proposal to $1.80 for 1972, would today be at the point I am asking Members to be at, in a consistent move to reach these people all of us admit need the help the most. The Anderson amendment would have given us, right at this moment, $2 an hour. That is what we are asking for the pre-1966 coverage.

In the post 1966 coverage the gentleman from Illinois (Mr. ERLENBORN) offered $1.80 last year and $2 this year. That is exactly what we are offering now. We are offering $1.80 this year and $2 next year. And we are going on to the third step simply because, I believe, in the year the minimum wage bill would come up again, it being an election year, it would confuse the issue far and beyond trying to operate in an area of calmness and understanding of the problems these people have.

The Anderson amendment was beyond my amendment on agriculture, identical with the Erlenborn amendment on agriculture, and identical with the position they have taken this year.

Responsibility? The only responsibility is that which can be sold, at the request of the lobby conspiracy, to the membership of this House.

So far as the wage rate is concerned, I

have had not one single remonstrance against the position of the Dent bill. In fact, the only remonstrance I have had is from the agriculture Members of this Congress, who have said that I am going too slow to reach parity, and an amendment will be offered by a Member of this Congress later on to accelerate the pace of the increases in agriculture to bring them to that point.

Mr. Chairman, I want at this point, in speaking of agriculture, to tell this House that one of the Members of this House came to me this morning and said that he was called from his native State and was told by one of the chief lobbyists against this bill of mine that my bill covered agriculture on overtime.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 5 additional minutes.)

Mr. DENT. Mr. Chairman, that, like many other things that have been said about this legislation, is a deliberate attempt to mislead, and the kindest thing I can say about individuals who peddle that nonsense is that the truth is not in them.

Yes, for several months, the gentleman from Illinois is right, we have tried to compromise; we have tried to work out a solution. But you cannot work out a solution when all of the employer representatives of 47 million Americans covered by the minimum wage bill have been converging on this Hill and have been for the last 7 months joined in a pact and shaking hands and saying, "Unless we all get what we want, we stand against these people."

Mr. Chairman, the employers we discuss have no lobby. We are the lobby. No one else is the lobby for these workers. It has been that way since 1938.

There has always been opposition; there always will be. This is the kind of legislation that breeds opposition. It is bread-and-butter legislation, and we are the only persons in America, the only ones who can bring some measure of justice in the differentials between the wages paid under organized labor contracts and the wages paid these unorganized workers in America.

Mr. Chairman, they are our wards in a sense.

Yesterday the argument was made throwing the blame for the high cost of health care on minimum wages. Can anyone in this room imagine a minimum wage worker getting any of the benefits of health care from his wages?

Has any Member stopped at a hospital or nursing home and looked over their charges?

We talk about youth labor. This is not youth labor.

Mr. Chairman, if we pass the so-called Erlenborn teenage job rate that he is asking for, and the allowance he is asking for, we could not even put the kids to work if we wanted to. Why is that?

He opens it up to that list of hazardous jobs that are contained in the Child Labor Act and in the contract signed by employers with insurance companies.

You could not put a youth to work under the Erlenborn amendment in the city of Washington, D.C., for two reasons: workmen's compensation disallows it, and the private insurance policies disallow it.

This committee did not blindly throw something together; we worked. We worked for 4½ years on this legislation. We started to work on it after the last increase went into effect for the $1.60 workers in 1968. If those workers had received the wages that we had approved and this and past administrations handed out, then this worker making $1.60 an hour since 1968 would now be drawing $2.39 an hour.

Are we asking for that amount? Have we a regard for the payment of these amounts? Have we an understanding of the economics of creating payrolls? The argument yesterday was that we did not understand. If we did not understand, would we come up with a $2 bill today? We would not. It would propose increases far in excess of what we seek to provide.

Mrs. CHISHOLM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, on the days when this House has debated the welfare bills and poverty bills this Chamber rings with fervent speeches about the work ethic. Yesterday and today it has echoed with warnings about inflation. What I would like to know, is when are the Members of this House going to apply the same standards to the working poor as they do to themselves?

If we are going to talk about the work ethic we ought to be talking about fair compensation for work performed. If we are going to talk about inflation caused by wage increases we ought to look not at the workers at the bottom, but at ourselves and at the other high priced workers whose 5-percent cost-of-living increases frequently exceed the actual income of the workers who are seeking coverage by the Fair Labor Standards Act today.

There are currently 16 million American workers who are not covered by the minimum wage legislation. H.R. 7935 would provide for the extension of benefits to only 6 million additional workers. Although I would like to see all workers covered by at least a minimum wage, this bill is a start in the right direction.

As for the inflation argument, even the representative of the Chamber of Commerce, which is opposing this bill, conceded in testimony before the Senate Subcommittee on Labor, that the minimum wage is not inflationary. And former Secretary of Labor Hodgson also stated in January of 1971 that—

> It is doubtful that changes in the minimum had any substantial impact on wage, price, or employment trends.

Inflation has, however, had a terrific impact on the ability of the working poor to survive. There has been a 34-percent increase in the cost of living since 1966 when this Congress last extended the minimum wage. While this rise in prices has put a severe strain on the family budget for all citizens, its impact on the working poor has been devastating.

In presenting his substitute bill before the House today, Mr. Erlenborn has conceded that there is a need to raise the minimum wage for the 45 million workers already covered because of the increase in the cost of living since 1966. If he concedes this is the case for those who are already covered by the Fair Labor Standards Act, I do not understand why he is opposed to the extension of coverage to the 6 million workers who are not currently covered. They are not even receiving the minimum wage. Surely it is plain that their need is even greater than that of the workers now covered by the act.

Let us get down to cases. As a black and as a woman, I am especially concerned about the extension of coverage to domestic workers. My own mother was a domestic, so I speak from personal experience.

Right now when the Federal minimum stands at $1.60 an hour the average pay for a domestic is $1.34 a hour.

Almost one-third of these workers were paid less than 70 cents an hour in cash wages; almost half were paid less than $1 an hour; two-thirds less than $1.50 an hour; and almost 90 percent less than $2 an hour.

The figures for year-round wages are even more graphic. The median income for a domestic worker is $1,800. Even in my own State of New York, which generally pays higher wages than in the rest of the country, the median income for a woman working 50 to 52 weeks a year is $2,689. In Alaska, which has the lowest median income for domestics, the figure stands at $803 a year.

This is a sorry record any way you look at it, but what makes the situation even more serious is the fact that such a large portion of these women are heads of households.

According to the 1970 census 11 percent of all American households are headed by women.

Among black families, 28 percent are headed by women.

Among the families listed under the poverty line, 40 percent are headed by women.

And over 50 percent of the poor black families are headed by women.

Of the 25.5 million poor—1970 census—only 21.5 percent or about one-fifth are on welfare.

Of these poor female heads of households who work, over half worked as maids in 1970 and had incomes under the poverty line.

These women are struggling to make ends meet and keep their families together. They are proud, hard workers who are doing their darndest to stay off the welfare rolls and are getting precious little help for their efforts.

This bill would not provide the vacations with pay, health benefits or retirement benefits, which most American workers take for granted.

All it would do would be to insure that at least these women were paid the minimum wage.

There are those who argue that if we extend coverage to domestics there will be a loss of jobs and an increase in unemployment. This argument has been used since the inception of minimum wage legislation in 1938 and in spite of all the dire predictions, the Republic still stands and few jobs have been lost.

Indeed, with regard to the employment of domestics an increase in the wages paid will probably improve the job market. The drop in the number of household workers, which the Labor Department puts at 70,000 from 1960 to 1970 has resulted chiefly from the fact that it is an undesirable job, precisely because the pay is so low.

Indeed, due to the tremendous increase in the number of working women, the need for domestic help has increased rather than decreased. If the job is made more attractive and more rewarding financially, a larger number of women would be interested in household work.

Finally, there are those who argue that the justification for a Federal Fair Labor Standards Act, is that those employed are engaged in interstate commerce because the goods they produce cross State lines, and that domestic workers do not qualify for inclusion under the FLSA because they are not engaged in interstate commerce.

This is a specious argument designed to provide a flimsy excuse for denying coverage to domestics. Unless the Members of the House are planning to mandate a return to homemade soap and prohibition against the use of tools such as vacuum cleaners, it is clear that every household product utilized by a domestic from Handy-Andy to a Hoover is a product which has moved in interstate commerce.

Finally, it has been argued that housewives have no business knowledge, and would, therefore, be unable to keep the tax, social security, and other records related to employing a household worker. This may come as a shock to the Members of this House, but in most homes it is the wife who handles the family budget, and bookkeeping. She can tell you how much you owe at the bank, on the car loan, the charges run up on her credit cards, and in these days of spiraling food prices, she has been doing plenty of fancy figuring about base prices and unit prices at the grocery store. To suggest that women do not know how to add and subtract is an insult to women and totally contrary to all existing evidence.

Women, especially black women, simply have not had a fair shake in the job market. It is time that they were given their due. If the extension of the minimum wage for domestics is excluded from the Fair Labor Standards Act amendments today, it will mean that all the talk about the "work ethic" and "helping those who help themselves" is nothing but sham and hypocrisy. And all that rhetoric about welfare cheaters and loafers is nothing but a lot of hot air because you never meant for people to be able to work and earn a wage adequate to support themselves.

A newspaper article entitled "To Domestics, a Minimum Wage Is a Raise," follows:

[From the New York Times]

TO DOMESTICS, A MINIMUM WAGE IS A RAISE

(By Philip Shabecoff)

AUBURN, ALA.—Queen Esther Parker, who worked as a housemaid here until * * * a quite sure—like many other Americans—what the minimum wage is these days.

She hadn't heard a thing about proposals to include domestic workers for the first time under the minimum wage provision in an amendment to the Fair Labor Standards Act, which is scheduled to come to the floor of Congress very soon.

But Mrs. Parker knows that she is not paid enough money—not for the kind of hard work and long hours she puts in and not enough to live decently.

Until recently, she worked for a family in Auburn as a general household worker, cleaning, taking care of young children, doing errands and other odd jobs. She worked 5 days a week starting at 7:30 in the morning and ending at 5:30 or 5:45 in the evening.

For this work she was paid $35 a week.

The current basic minimum wage is $1.60 an hour and that is less than the poverty level established by the Federal Office of Management and Budget. Mrs. Parker, of course, was earning considerably less than $1.00 an hour.

MEDICAL PROBLEMS

But she is no longer working as a domestic. She went into the hospital recently and the doctor discovered that she had diabetes and other complications. They told her she could no longer do heavy household work.

Mrs. Parker did not get paid for the days she was in the hospital since as a domestic, she was not covered by any kind of medical insurance or workmen's compensation. In fact she never got any vacation or holiday pay either.

Household workers have always been shortchanged in these areas and will continue to be so even if they are included in the coverage of the minimum wage law. Moreover, even in the new minimum wage law amendments domestics will continue to be excluded from overtime pay provisions.

Now she has no income at all. Her husband earns $130 a week as an equipment man for the Auburn University football team. While in the hospital she ran up a bill of nearly $400. She needs two injections a week costing $25. With food prices going up and three children to feed and rent of $74 a month, she could not afford the loss of her take-home pay.

"I don't know how we will keep going," she worried aloud to an interviewer.

However, Mrs. Parker would have quit her last job even if she had been well enough to work. She felt that her employers did not treat her with enough respect. "They called me 'Queen Esther' but made me call them 'Mr. and Mrs.' I had to go in the back door when I came in the morning. And they didn't drive me to and from work. I had to pay a man with a car $3 a week to take me to work and pick me up."

GENERAL WAGE PATTERN

Even if Mrs. Parker had taken another job, the odds are her wages would have been considerably less than $1.60 an hour. Although reliable statistics are not available, most authorities say that, except in metropolitan areas such as New York and Washington, household workers are generally paid substantially less than the minimum wage.

In big-city areas, household workers generally command higher wages because there are a greater number of affluent people seeking household help. Also wage scales in these areas are generally higher for nonskilled labor.

Three states, New York, Wisconsin and Massachusetts, have their own minimum wage laws covering domestic workers.

"Domestic workers," commented a staff official in the House Labor Committee, "are the most depressed and disadvantaged group of workers in the United States."

Other observers have commented that typical household workers are disadvantaged on three counts: They are poor, they are black and they are women.

The new fair labor standards legislation now coming before both houses of Congress could work significant changes in the economic position of household workers. It would, first of all, require that domestics be paid the statutory minimum. The minimum for most workers would go to $2.00 an hour next year under Democratic versions of the bill in the two houses.

Proponents of minimum wage coverage for domestics argue that in addition to these workers, it would also reverse the trend in which over one million workers have left this sector of the labor market in the last 10 years.

The average age of domestic workers is reportedly 10 years higher than the average wage of the work force as a whole.

EARLIER EFFORTS FAILED

However, unsuccessful efforts have been made in the past in Congress to amend the minimum wage law to include domestics. One such effort failed only a year ago. This year substitute bills, including provisions that would again exclude domestics, have been prepared by Republicans in both houses.

Senator Robert Taft Jr., Republican of Ohio who is one of the sponsors of the substitute bill, has asserted that including domestic workers under the minimum wage law would not be workable.

He believes that many "marginal" jobs would be lost because households would no longer be able to afford help.

Senator Taft also thinks that the requirements for keeping tax, Social Security and other records for domestics if they are included under the labor standards law makes such coverage impractical. He believes that housewives, who have no business knowledge, would not be able to maintain such records. The result, he said, would be large-scale violations of the law.

Senator Taft is also troubled by the constitutional issue of whether household work is interstate commerce and thus subject to Federal regulation. Another problem often cited is how to include domestic workers if businesses with sales under $250,000 a year are exempt in many cases.

Many of these same arguments have been used for many years against the whole concept of the minimum wage itself. For example, the early opponents of the minimum warned that it would lead to wide unemployment of marginal workers. These predictions never came true.

Efforts are being made to achieve social and economic justice for household workers through self-help. The National Committee on Household Employment is trying to organize domestic workers so they can demand rights collectively.

Here in Alabama, where wages for domestics are depressed and working conditions often poor, the household technicians of Auburn, a local affiliate of a national nonprofit group in the field, are training workers in cleaning, cooking, child care, first aid, and other skills. "We are doing this so that household workers have something to bargain with," explained Mrs. Jessie Williams, director of the group.

After workers have finished the course, the organization finds jobs for them and demands they be paid at least the current minimum of $1.60 an hour. Some household workers in the area are now earning only 50 cents an hour, Mrs. Williams said.

"Also very important is that we are trying to change the attitude of workers," she said. Many employers still tend to maintain the old white superiority-black inferiority relationship in what should be a neutral employer-employee relationship, she explained. This shows up when the housewife calls her domestic worker by her first name while expecting the worker to say Mrs. or Ma'am.

The household technicians try to discourage use of the word "maid" which, they say, is a relic of slavery.

"The technicians we place must be given respect," Mrs. Williams declared. "We won't go in the back door any more. We won't be told to eat scraps in the kitchen and stay out of the living room except when we are sweeping."

"We feel domestic work is just as professional as any other job," she insisted. "If people go on making it degrading, there won't be any workers doing it much longer."

The search for dignity is a tangible current running among household workers.

But Lena McGray, a 61-year-old domestic in Auburn who earns $1 an hour and works hard for it, told an interviewer, "I would like my job a whole lot better if they paid me the minimum wage."

Mrs. GRIFFITHS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am opposed to the Erlenborn amendment known as a substitute. I would like to point out to the Members that at the present time wages are really competing with welfare. For anybody in this Congress to vote against a minimum wage for a domestic worker is to say to that woman, "Be our guest; go on welfare."

That is exactly what they do. In a recent survey, I want to make it clear to this Congress, I pointed out that a woman today with four children, under five programs in some States, who goes to work at $3 an hour is really only earning 75 cents. We are not going to change these setups very rapidly. But for us to sit here today and to deny a domestic worker even $2 an hour is the height of the ridiculous.

What the gentleman from Illinois (Mr. ERLENBORN) is really asking is for the taxpayers to support her not working.

For 5 years I spent my time in the Committee on Ways and Means every time we had a tax bill trying to get it set up so that one could deduct the wages he paid to domestic workers. To fail to deduct those wages is in itself a sexist discrimination. What the gentleman really is saying is what that woman does in a home is of no worth. I should like to differ with him. What she does in that home is a thing that makes life livable. She is entitled to a decent wage, and her employer, whether it is the gentleman or his wife, is entitled to deduct that before he pays his taxes. For anyone now at this late time in history, who knows something about how the welfare system works, to come in and say, "Let them work for nothing; they are not entitled to a minimum wage;" is a sort of sex discrimination that is beyond my imagination.

But there is in addition to that a real discrimination against the American taxpayer. Personally, I think they are fed up with paying taxes for these things.

I think the gentleman from Illinois ought to withdraw his substitute.

Mr. ERLENBORN. Mr. Chairman, will the gentlewoman yield?

Mrs. GRIFFITHS. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I thank the gentlewoman for yielding. The gentlewoman is suggesting that there ought to be a tax deduction for wages paid to domestic employees. Was the gentlewoman aware that Mr. DENT had such a provision in the bill and voluntarily withdrew it before the bill was reported?

Mrs. GRIFFITHS. I am very well aware of why he withdrew it. I sat on the Committee on Ways and Means, and the Committee on Ways and Means was going to make a point of order against that. That will have to be determined in the Committee on Ways and Means. But I hope that the gentleman will put forth a little time and effort to try to convince his people on the Committee on Ways and Means that wages to the domestic should be deductible.

Mr. DENT. Mr. Chairman, will the gentlewoman yield?

Mrs. GRIFFITHS. I yield to the gentleman from Pennsylvania.

Mr. DENT. I thank the gentlewoman for yielding. I think the gentlewoman knows full well, as I explained it to the full committee in detail, that I had had discussions with the chairman of the Committee on Ways and Means, and that he and my staff got together and prepared the proper language. We put it in my bill for the purpose of acquainting everybody in the Congress with the fact that this was the intention of the sponsor of the bill. Then upon agreement between myself and the chairman of the Committee on Ways and Means, which was also transmitted to the full Committee on Education and Labor, the chairman of the Committee on Ways and Means said that he would take up that particular subject matter immediately in the tax bill. I have every reason to believe that the chairman of the Committee on Ways and Means is sincere and that his word is good and that he will do it, and we will have a tax deduction. On its own volition, the Committee on Ways and Means gives tax credit for babysitters and gives tax credit for child care. I see no reason, no valid reason, why domestic help should not have the same consideration.

Mrs. GRIFFITHS. Mr. Chairman it is entirely possible that if the gentleman from Illinois spent his time with the Illinois Legislature trying to get them to ratify the equal rights amendment, we could get some of these things.

I yield back the balance of my time.

Mr. McCLORY. Mr. Chairman, I move to strike the last word.

I should like to ask the sponsor of the amendment a few questions, if I may. Is there anything in the gentleman's amendment that specifies that women should receive a lower minimum wage? When we talk about domestics, are we talking about household help, which might be men or women, or is there something that specifies women?

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

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

Mr. ERLENBORN. Mr. Chairman, I thank the gentleman for yielding.

There is nothing in my bill concerning domestics and the provisions in the committee bill does not specify any different wage for men and women. Many men consider this an honorable way of earning a living, to work in the domestic service either within or outside the household, so I see nothing very sexist about the provision at all.

Mr. McCLORY. One of the reasons for supporting the gentleman's amendment and a further reason for questioning the wisdom of this entire legislation is that from my personal contact with school administrators and others who are involved in the problem of securing employment for students—and particularly students from among the minority groups—is that raising the minimum wage increases their unemployment. I have a high school district in my congressional district with a large number of black students, the student counselor there advises me that increasing the minimum wages which must be paid to these students does nothing except to deprive these young students of the opportunity for employment—an employment which is good for them and good for the school and good for their families and community.

I am sure that the gentleman recognizes that the differential in minimum wages required to be paid to students and that of adult workers is put into the bill so that we can give more opportunities to these young people to have useful and gainful employment. It seems to me that in this way we are getting the private economy to support or to partially support these individuals and we are not imposing any burden on the taxpayers as represented here earlier today.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, does the gentleman know this equal employment has been in the legislation since 1961 and approved in 1966? We have equal employment. There is not anything new in the amendment the gentleman is talking about, except that he wants to employ teenagers in the full-time labor market at a subminimum wage. He is trying to put youth in competition with adults in the full labor market. We restrict that to school students.

Mr. McCLORY. I understand the gentleman's amendment and I listened to the gentleman in his 10-minutes' debate on this subject, but I know we are not going to legislate jobs in this legislation. What we are going to do is to legislate people out of jobs by this bill. We are doing it all the time. The more we increase the minimum wage, the more we deprive these people at the lower-economic levels of the opportunity to work.

I understand that among black students the unemployment rate now is about 37 percent. Without this meddlesome and harmful legislation opportunities for working at lower wages, consistent with their talents and abilities, or, on a part-time basis or during summer vacations or on weekends would be greatly increased. We ought to offer them the opportunity. To legislate them out of those jobs is about the most absurd legislative action we can take here today.

Mr. BURTON. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman.

Mr. BURTON. Mr. Chairman, I thank the gentleman from Illinois.

I think he has highlighted an important aspect of the issue before us. It is our hope each of these sections would be extensively discussed and debated on its merits, rather than this omnibus, all-up-or-all-down proposal. So with the gentleman's concern for a thoughtful process, I would hope that he would conclude that statement of his position would be better made when the omnibus substitute is turned down, so that we can discuss in particular each of the individual sections.

Mr. McCLORY. I thank the gentleman for the suggestion. I might adopt that suggestion as well as my decision to support the amendment of the gentleman from Illinois (Mr. ERLENBORN). I believe it will bring my decision to vote against this whole bill, whatever its final form may be because I am basically against the principle of minimum wage legislation. Increasing wages artificially or legislating jobs is something we are not going to be able to do on this floor today. That is my position.

Mr. RANGEL. Mr. Chairman, will the gentleman yield?

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

Mr. RANGEL. Mr. Chairman, I was concerned about the rate of unemployment amongst the blacks in my district and indeed throughout the Nation. If I understand the gentleman's question correctly, is he stating the lower the wage the closer we will be coming to full employment of students or of black students?

Mr. McCLORY. No, what I am saying is that according to my advice, when we increase the minimum wage, we deprive these black youths of many jobs which otherwise would be offered to them. I am not saying it would give people full-time jobs. I am just saying partial employment and part-time jobs encourages these young people to become part of our private economic system. It provides incentives—and motivates them to move ahead.

Mr. RANGEL. Mr. Chairman, I move to strike the last word.

I would like further to see whether or not this logically follows: Is the gentleman saying that if we were to lower the wage to youngsters, we might have more of them employed?

Mr. McCLORY. No, I am saying that if we lower the minimum wage for students particularly, just retain a lower minimum wage, I think we would provide more opportunities and advantages, particularly for young people and young minority people.

I am confident that it is true. The literature I read convinces me it is true, and the individuals dealing day by day with these particular individuals convinces me that what I am saying is true. We are not discussing the nonpayment of wages or lowering wages. Nor can it be said that a $2 minimum is a nominal wage for an unskilled student employee. Nor by measuring minimum wages in this bill are we assuring a job for a single individual. On the contrary, I think we will increase unemployment among those who are most in need of jobs.

Mr. RANGEL. I do not know about that statistical data, but it seems to me that if one is going to believe that the lower the wage, the more employment we will get among black youngsters, one might suggest that slavery would take care of full employment among American black youths.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the chairman of the committee, Mr. DENT.

Mr. DENT. Mr. Chairman, it is an old saying that if one finds a lie to be useful, he will repeat it to the point where he believes it himself.

Every time this legislation comes up, the bugaboo about risking a number of jobs by passage of a higher minimum wage comes up.

Our own Department of Labor has, year after year after year, made studies and reports to us. It is just like the statement made by my opponent on three different occasions after he knew and was told that was an untruth. We were putting the employees in his office under overtime pay. It is not true. Yesterday he admitted it was not true, but he admitted it was not true after he twice repeated it in 24 hours and after it was told to him in my presence, in answer to a question in the Committee on Rules. He went right out and repeated it on the floor and in a letter to the Members of this House.

Let us see what the Department of Labor has said:

> Not one of the local offices of the Employment Service (ES) cited the recent hike in the minimum wage or the extension of coverage under the Federal Fair Labor Standards Act as responsible for the change between June 1966 and June 1969 in the total number of nonfarm job openings available to teenagers, or which specified a minimum age of 16–19 years of age or 20 years old or over.
>
> In nearly all of the States covered by the study, differential minimum wage rates applicable to youth, including exemptions, appear to have little impact on the employment of youth in 1969.
>
> On the basis of our examination (with respect to foreign experience) however, it appears reasonable to conclude that wage differentials are less important factors than rapid economic growth, structural and technological shifts, national full employment, relatively low mobility rates, and the relative shortage of young workers. A similar confluence of these factors in the American economy might well have similar effects on youth employment regardless of the wage structure.

These are the reports of our Government. Year after year after year it is the same story about rippling effects. Here again, rippling effects have been answered by our own department year after year after year, but we keep repeating the lie to where we believe it. It is a technique often used to deprive people of the use of their commonsense.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in strong support of the Erlenborn substitute and am particularly concerned that we recognize the need for a youth differential wage if we are ever going to reverse the odds which we have stacked against youth in the labor market in the past. We are debating this bill at a time when teenage unemployment is over three times the national average—and the national average has stagnated at an unacceptable high level of 5 percent in the past 6 months. Once upon a time, before minimum wage laws were on the books, teenage unemployment was only 1½ times the national average. But the ratio has steadily creeped upward and I hesitate to think how high it could climb if Congress blindly pushes through another minimum wage increase without reflecting on the consequences of that action for youthful jobseekers.

There was a misleading article in the New York Times this morning which sketched the history of minimum wage legislation. In one part of that article I found an interesting assertion:

> For example, the early opponents of minimum wage warned that it would lead to wide unemployment of marginal workers. *These predictions never came true.*

Now I find that a somewhat astounding conclusion in light of all the evidence available.

The unemployment rate of black youths is over 35 percent. Overall teenage unemployment is over 15 percent and has not dropped below 10 percent since 1953. In light of that clear evidence, how can it be concluded that the minimum wage has not had an adverse effect on teenage unemployment? How can my colleagues on the majority side of the Education and Labor Committee conclude that remedial steps—a youth differential rate—are not necessary?

Let me say that support for the youth minimum is not limited solely to this side of the aisle or such groups as the Chamber of Commerce. Just last week the columnist, Milton Viorst, hardly a right wing reactionary, wrote that—

> When the minimum wage is the same for teenage and mature workers, an employer will pick the adult every time, and maybe for overtime, while the teenager walks the street.

Andrew Brimmer, one of our most respected Federal Reserve Board governors, and the Nation's leading black economist, warned last March that youth unemployment is being aggravated by minimum wage legislation and that a youth differential minimum wage was sorely needed. Nobel Prize winner Paul Samuelson has asked: "What good does it do a black youth to know that an employer must pay him $1.60 an hour, or $2, if the fact that he must be paid that amount keeps him from getting a job?"

The massive Kosters and Welsh study covering the years 1954 to 1968 concluded that—

> Evidence indicates that increases in the effective minimum wage have had a *significant impact* on employment patterns. Minimum wage legislation has had the effect of decreasing the share of normal employment . . . of the group most marginal to the work force—teenagers. Thus, as a result of increased minimum wages, teenagers are able to obtain fewer jobs and their jobs are less secure.

They estimated that 565,000 teenagers would not get jobs that they might otherwise have had if the minimum wage

were raised to $2 in 1971. Yet there are those here today who are advocating a raise to $2.20 an hour and claiming that there will be no impact on youth.

Since 1950, when the minimum wage was only 75 cents an hour, the labor force participation rates for black teenagers 16 and 17 plummeted from 59.8 to 34.8 percent and the rates for black 18- and 19-year-olds dropped from 77.8 to 61.8 percent. Clearly the minimum wage laws are discouraging these young workers from even entering the labor market.

The Columbia University economist, Jacob Mincer, has found that most teenage workers are now actually employed at below minimum wages. It is simplistic to assume that raising the minimum will automatically help them out. Clearly, some will benefit. But if we are to be objective, we must also recognize that many will be hurt as well. It never ceases to amaze me that those who so ardently appeal for more funds for Neighborhood Youth Corps and other Federal aid programs designed to improve youth employability are at the same time so eager to throw huge obstacles in the way of such individuals and all but guarantee that they will never be able to help themselves, but instead, will have to rely on Government aid.

A cynic might suspect that Congress was deliberately building walls simply to keep itself busy by tearing them down. I am not so cynical. But I do wonder sometimes what goes on in the minds of my colleagues who, when confronted with the overwhelming evidence that minimum wages will surely increase youth unemployment still proceed to vote as if it did not matter. Well, it does matter, for there are limits to congressional power. We may make laws as we please, but let us not forget that economic laws cannot be broken with impunity. It would be nice if everyone could get $2.20 an hour without the danger of unemployment, but this is a dream, and not reality. I hope that the wisdom of the House has not diminished since last year when we passed the Erlenborn substitute and stood fast against those who could not distinguish between fact and fiction.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. ANDERSON) has expired.

(On request of Mr. BURTON and by unanimous consent, Mr. ANDERSON of Illinois was allowed to proceed for 2 additional minutes.)

Mr. BURTON. Mr. Chairman, will the gentleman yield

Mr. ANDERSON of Illinois. I am pleased to yield to the gentleman from California (Mr. BURTON).

Mr. BURTON. Mr. Chairman, I would like to commend my colleague, the gentleman from Illinois (Mr. ANDERSON) for his calm, dispassionate statement.

I would like to note that of the many, many sections of this bill the gentleman from Illinois (Mr. ANDERSON) and virtually all of the speakers have addressed themselves to one section about which there is admitted controversy. Therefore, I would resubmit that all of this thoughtful discussion and debate would best serve the purposes of constructive decisionmaking on behalf of all of us if the committee position was sustained and the up-and-down, take-it-or leave-it substitute was rejected and then we had an opportunity, section by section, to discuss each of those sections which are in issue, and then it will be recognized by all of us that this particular section is one about which there is the most difference of opinion, and then we would reserve discussion on those important matters.

Mr. ANDERSON of Illinois. Mr. Chairman, I would simply say in reply to the gentleman from California (Mr. BURTON), that we do not seem to have any great amount of difficulty in discussing in, I hope, the calm dispassionate manner with which he has credited me the most important issues in this bill.

If we are talking about black teenage unemployment rates of 35 percent or, as the gentleman from Illinois (Mr. MCCLORY) has said, 37 percent, what would be more important to focus on in this entire debate than that single issue?

Mr. Chairman, I submit that we ought to adopt the substitute that will make it possible to zero in on that very important issue.

Mr. BURTON. If the gentleman will yield.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. DENT. Mr. Chairman, will the gentleman from Kentucky (Mr. PERKINS) yield to me?

Mr. PERKINS. Briefly, yes, I will yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, the peculiar thing is that we are supposed to be doing something for the youth. They say there are 530-some thousand youth without jobs; there are 4½ to 5 million adults without jobs.

I do not believe there are fulltime jobs floating around in the marketplace that are not being occupied. I do not think those who have work to be done, production to be made, and foodstuffs to be gathered are letting the foodstuffs rot or the production be not produced because they are waiting for us to pass a 20-percent wage cut for youth.

What is youth? Is youth child labor? One would think we have no program for youth.

Mr. Chairman, we have the best program for youth ever devised. Why? Because we are trying to stop dropouts. And where they do drop out, it is for many reasons:

Their own peculiar personalities, their own peculiar ways; perhaps they want to drop out. We have made provisions for those.

This provision talks about youth for 6 months in the labor market. Under the provision devised in this particular substitute they want to give a 20-percent discount for 6 months. During the 6 months he has dropped out of school; he has been let out of his job. Historically, the textile industry proves that beyond any doubt. New kids are brought in, and these kids are on the streets. We spend millions of dollars trying to put them back in school or trying to put them in training.

But what do we do? We say that when a kid drops out of school, he is no longer entitled to a discount wage except when he goes into an apprentice program, or if he goes into a learner's job or if he takes a job in a messenger capacity.

Have we provided for the drop out in a legitimate and intelligent manner? Have we tried to train him so that he can become something and stay in the labor market and join the economic bloodstream of our country?

Here is the answer to your youth problem. The entire youth movement and all of its organizations have sent you their ideas on what it means. They have put their finger on the culprit in this situation. Since when has it just now become a very serious matter? We have always had a problem with regard to youth labor, but now the problem deals with adult labor and it is in a full labor market.

Do not tell the kid who may be driving a motorcycle or something in his 3 months of vacation that when he is through working there he will be working full time. They are working as students. Do not hold over them another 5 percent discount and say "Quit school, but you can only keep it for 6 months." I do not think any of the youth of America know that they have only a 6-month opportunity to work and that then they have to work full time at full pay.

Do you mean to tell me you do not have respect for youth? I know you have respect for youth, and so do I. I started to work full time when I was 11 years of age. I know what it is, and I know exactly what it is. It took me many, many years laying before the fireplace to even learn to read and write.

Do not tell me what youth labor is. You have to taste it, and it is no pleasure working in a slag plant or in a coal mine at the age of 11 or 12.

We passed the child labor legislation, and they fought that bitterly. That is what this is all about—to put the youth in hazardous jobs as cheap labor.

The CHAIRMAN. The gentleman from Kentucky has consumed 4 minutes.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. BROWN of Michigan. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The gentleman from Kentucky is recognized for the remaining 1 minute.

Mr. SCHERLE. Mr. Chairman, I ask unanimous consent that the gentleman in the well be allowed to proceed for an additional 5 minutes.

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

There was no objection.

The CHAIRMAN. The gentleman from Kentucky is recognized for 6 minutes.

Mr. PERKINS. Mr. Chairman, the arguments made against the committee bill are the same arguments that have been made against every minimum wage

bill brought to this floor since 1938. Those arguments carry no more weight today than they did before. I am sure the House of Representatives will once again ignore them and pass a meaningful bill—the committee bill.

If you look at the two bills, you see that with respect to minimum wages, the bills are really not very far apart. Both bills would eventually raise the minimum wage of covered employees to $2.20 per hour. The committee bill would have covered employees reach that level earlier than the substitute and, of course, the committee bill covers employees excluded by the substitute, but, with respect to the need to raise the applicable minimum the bills are reasonably close together.

The differences lie mainly elsewhere.

I want to clarify, now, some mistaken impressions about the impact of this bill on agriculture. The minimum wage provisions of the Fair Labor Standards Act apply only to employers who use 500 man-days of agricultural labor during any quarter of the previous year. The committee bill does not modify or enlarge upon that coverage in any way. Ninety-seven percent of the farms in America are totally exempt from the minimum wage provisions of the law.

Furthermore, nowhere in the committee bill do we remove the overtime exemptions applicable to farm production. I call these facts to my colleagues' attention to correct some misunderstandings I have found to exist among them.

Mr. Chairman, I would now like to address myself to the so-called youth differential in this bill.

As a youngster, when I was 14 or 15 years of age, I worked at many jobs. When I was out there doing a man's work I felt as though I should receive a man's pay—even though I was only 15 or 16 years old. And I did. Right in the heart of Appalachia I received a man's pay during the summer months when I was out of school and doing a man's work. And that was only fair. If we adopt the substitute we will be unfair.

Furthermore, if we adopt the substitute we will encourage students to leave school—to miss out on the education they so badly need. We will encourage them to compete at lower wages for jobs needed by adult breadwinners and heads of households. We will replace youth unemployment with adult unemployment. That will be the result of the substitute bill, the Erlenborn substitute. We are going to increase the dropout rate of students by doing this.

We have a high unemployment rate among students, and something should be done about that. We should be increasing the Neighborhood Youth Corps, the Job Corps, and manpower work and training programs helping youth. As for the committee bill we have a differential for students to help them remain in school and that should be maintained. And that the committee bill does. Students can presently work part-time and on vacations in retail and service institutions and in agriculture, at 85 percent of the applicable minimum. Their employment at that wage rate is made now possible by the committee bill in all employments that are nonhazardous. The student differential makes sense. It encourages young people to stay in school, and helps them to do so. It does not put young people into unfair competition for jobs with unemployed adults.

The committee bill may not be perfect. If there are some inequities, after we vote down the substitute offered by the gentleman from Illinois (Mr. ERLENBORN), we can deal with them. But, the substitute should be voted down—because the committee bill is much better and much more equitable. The people that we endeavor to cover under the committee bill, the "working poor" of America, certainly deserve its protection. They need the protection and the wage which the committee bill would establish. It is fair, it is reasonable.

The committee bill will not put people out of work, it is not inflationary. We do expand coverage in a few areas to people who need it and we provide a minimum wage that is fair and reasonable.

I certainly hope, Mr. Chairman, that the committee bill will be adopted.

Mr. QUIE. Mr. Chairman, I rise in support of the Erlenborn substitute.

Mr. Chairman, there are some important differences of opinion on this bill. We do gain the impression from the arguments so far that youth differential is the only real difference, but there are some other substantive differences as well. One of them is the speed at which the minimum is increased. For anybody who has watched labor-management negotiations, even though they agree about the extent to which their wages will be increased, one of the questions involved is the period over which they take in order to reach that increase. What the Erlenborn substitute does is to take a longer period of time.

Let me refer to what happened in the Minnesota State Legislature. For the first time in history the Minnesota State Senate has been controlled by the Democratic Farmer Labor Party, so both bodies and the governorship are held by that party. A minimum wage bill at $2 an hour was attempted this year. That is the one bill that the Legislature did not agree on with the proponents. The legislature passed $1.80 minimum wage in Minnesota and for a youth differential. Evidently they saw the merit of not moving too fast on increasing the minimum wage and the merit of youth differential.

I do not think there was anyone there who was opposed to a poor person getting as high a wage as possible. But we are not sitting here as managers of a business; we are sitting here as a legislative body trying to legislate for the entire country, looking at not only the needs of the poor workers but the economic impact it will have on the Nation.

What the Erlenborn substitute does is take another year to reach $2.20 an hour, stretch it out a little bit so we will not have an unfavorable impact on the economy and begin at $1.90 an hour.

I should also point out that on the youth differential, this is of tremendous necessity because we have already heard some of the testimony—and I could read additional testimony—that has proven out that the youth unemployment goes up during that 6-month period after the minimum wage is increased. It usually happens, and it is certainly going to happen this time unless we provide for an adequate youth differential.

Why is not the youth differential in the committee bill adequate. First, it provides that the students over 18 who receive the subminimum wage cannot work in employment that is deemed to be hazardous for young people under 18. However, if they get a minimum wage, they can work there. Why in the world is $1.60 an hour hazardous and $2 an hour nonhazardous? It does not make sense at all.

Another reason why it is not adequate is that it provides that if the employer hires more than four young people, then he has to have prior certification, and what has proven out to be the case is that it has prevented the employer from taking part in this program and providing the additional employment for young people that they ought do. Young people need that kind of employment.

The third reason why it is not adequate is it does not provide anything for the 16- and 17-year-olds not in school. Sixteen- and 17-year-olds—by and large most of them—do not have people dependent upon them. They are dependent. Some just cannot stand school for some reason or another. It happens in every State. Minnesota is the best State to prevent dropouts of any State in the union, but still 7 percent of those starting ninth grade do not finish twelfth grade. They drop out. Young people, if they cannot get jobs, may be the ones who have caused so much of the problems we have in this country. We have seen it. The increase in crime has come mostly from among young people. We have seen the drug problem. A person needs some self-satisfaction that he is doing something worthwhile for himself, for his family, and for the community, and a job provides that. That is why we need an adequate youth differential, as provided in the Erlenborn substitute.

I am convinced that if we are going to make our education system operate well, where we want young people to stay in school, we need the chance for them to be employed while they are in school.

Years ago it was possible for those who could not secure an adequate education, or who did not have the interest, to go ahead and find unskilled employment. In some places now cooperative education programs exist.

It has been shown there that it is important for the young people who just cannot see the value of their courses they are studying for getting a job some place. We have seen the cooperative education program, where these young men and women work for a period of time and go to school for a period of time during the day. They suddenly realize the importance of their math to the program they are working in or they suddenly realize how some of the civics courses they should be taking relate to the job and their interest in the community. Responsibility is developed.

Now if we require that all the schools

when they work out these programs have to see that every child gets $2 an hour rather than a differential, we are going to cut those programs out right and left and deny the young people the type of education they need. The youth differential will permit such program to continue and expand. That is the reason why we should support the Erlenborn substitute.

Let me go now to the question of the domestics, which has been raised. I do not believe anyone here does not want the domestics to receive the minimum wage. But here is the difficulty.

It is in enforcing the payment of the minimum. The domestics are not employed just by a few wealthy people who employ them full time. Most of the domestics are working where they spend 1 day on one job and another day on another job. They probably have five or six employers they are working for. We can imagine, as difficult as it is now for the Department of Labor to enforce the Fair Labor Standards Act, how difficult it will be for them to go out to every home throughout the country to try to get that enforced.

The gentleman from Pennsylvania (Mr. DENT), the chairman of the subcommittee, had a feature which many of my colleagues did not like but which I happened to like, and that was to provide for a tax deduction and then later a tax credit, which probably will be a little fairer, for the wages of those who are employed as domestics because then it would be self-policing, and it is important that a program be self-policing because there is no way we can put the enforcement on the Department of Labor where they can police it themselves.

If the Members will notice, the Dent bill does not propose to make certain that everybody who works for the farmer will be covered by minimum wage. They stay with and still use 500 man-hours per quarter as the cutoff point. We do not use this for everyone even who employs a person for a few days a month or a year on the farm. We cannot use the Department of Agriculture or the Department of Labor to go out to each home to see that it is enforced.

The effect of the expansion of coverage of minimum wage has been that it sets a level that noncovered employees must pay and wages keep going up. It is for that reason I say we should cover domestics when it becomes self-policing. The gentleman from Pennsylvania felt it should be self-policing. His proposal which the committee dropped should be included before we cover domestics.

Mr. Chairman, the other reason why the Erlenborn substitute should be adopted is that he does not cover State and local employees. There is a recognition in the bill that firemen and policemen should not be covered by the overtime provision. They are State and local employees. The committee recognized that police and firemen should not be covered. There are other employees working in State and local governments who also should not be covered by the overtime provisions because of the effect the Federal Government will have unthinkingly on the cost of operating the State and local governments. In the part of the country I come from we did not have great snow storms this last winter and then we could get by all right, but other years we may have a blizzard every weekend.

It is tough enough on those governments trying to provide snow removal when they have to put on extra crews and provide that extra time, but if they were required to provide overtime for everyone because in a snowstorm they had to work on weekends or extra hours because of that snowstorm in order to let people travel on the roads, I think the Federal Government would hamper the full operation of local and State governments, and it should not be done. I urge you to support the Erlenborn substitute.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Chairman, there has been considerable discussion lately about increasing the minimum wage. This is perhaps one of the most controversial and emotional issues to come before the House during this session.

An increase in the hourly minimum wage does not mean an automatic guarantee of higher wages, nor does it mean more money in the pocket of a wage earner. We cannot tamper with the basic laws of economics, because if we legislate in violation of these, the end result can only be disaster.

If by raising the minimum wage we merley succeed in adding to the inflationary spiral by forcing prices up, we have really accomplished nothing at all. And, in the long run, we end up legislating to the detriment of those we seek to help.

Should the minimum wage be increased to $2 or to $2.20 per hour, the flames of inflation will be fanned to new heights, and additional unemployment will hit Americ a's work force.

Theoretically, increasing the minimum wage will help in eliminating existing low wages. But, unfortunately, someone must pay for it—and all too often it is the worker himself who pays.

The stated purpose of the Fair Labor Standards Act upon its enactment in 1938 was to eliminate as rapidly as possible labor conditions thought to be harmful to "the health, efficiency, and general well-being of workers without substantially curtailing employment or earning power." There can be no question about it—the act intended to eliminate low wages without eliminatng jobs.

Unfortunately, this has not been the result of previous minimum wage increases.

Where the minimum wage has been raised, employers of marginal workers—such as the inexperienced, the semiskilled or the teenager—have little options open to them. They may either close their doors and go out of business, lay off least productive workers, cut back on their hours of work, or substitute capital equipment for human labor. Once a job is lost through the substitution of capital equipment, there is little chance it will ever be reclaimed by a human.

Each alternative open to the employer causes unemployment.

Especially is this true in the case of the small, independent business, where the highly competitive nature of the business and narrow profit-loss margins prohibit the employer from absorbing the increased payroll.

For example, in a recent poll of its member firms, the National Federation of Independent Business—the largest business organization in the United States—found that 84 percent of its membership opposed an increase in the hourly minimum wage. NFIB, which represents small independent business, has more than 344,000 member firms across the United States.

Numerous studies have been made upon the impact of a minimum wage increase. These studies provide evidence that raising the minimum wage actually reduces employment. Of all these studies, probably the most thorough attempts to evaluate the impact of minimum wage legislation was conducted by the New York State Department of Labor.

The New York study was in the form of a survey of the impact of an increased minimum wage in retail trades. Results showed that employers affected by the increased wage rates took a variety of actions to adjust to higher payroll costs. Payroll savings were achieved by reduced hours, layoffs, and quits who were not replaced. Five percent of the affected employers reduced hiring extra personnel. Altogether 1,000 employees lost their jobs as a result of the minimum wage increase, and another 500 who quit were not replaced.

Finis Welch of the National Bureau of Economic Research, and Marvin Kosters, now a senior staff economist with the Council of Economic Advisers, in a 1970 Rand Corp. study, found that as the minimum wage rises "teenagers are able to obtain fewer jobs and their jobs are less secure over the business cycle."

An Ohio University study, conducted by Gene L. Chapin and Douglas K. Aide revealed that "increases in the minimum wage causes unemployment among teenagers [and] the effects seem to persist for considerable periods of time."

These findings seem to be borne out in Labor Department statistics, which show teenage unemployment for April to have been 15.4 percent, against a national unemployment rate of 5 percent for the same month.

In another study, Belton M. Fleisher and William J. Shkuoti found that retail employment declined between 1960 and 1966 when a significant portion of retailing was, for the first time, covered under the Federal minimum wage law. And, Prof. A. F. Hinrichs found that employees in 11 low wage plants in the seamless hosiery industry were reduced by 12 percent after minimum wages applied to workers in that industry.

There are numerous other reliable studies which could be cited here, but they all reconfirm these following facts.

Raising the minimum wage simply does not automatically guarantee higher wages, or a better way of life in America.

The rate of inflation will soar even higher.

And unemployment will climb.

Mr. Chairman, I believe the House would do well to keep these thoughts in mind when the bill to increase the minimum wage is voted upon today.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think that there are some provisions in the Erlenborn amendment which are attractive, and I at times have been tempted to support it, and I may, if I have the opportunity, support a couple of amendments to the Dent bill.

However, there is one overriding and overwhelming reason why I cannot support the Erlenborn substitute. I want to appeal to my male colleagues in the House, who outnumber the women Members by a very, very considerable percentage. I want to speak today for a group which has not been represented by organized labor. For many years unions negotiated contracts where women were paid less than men for identical work.

Today, the group I want to speak about has no spokesman in this country at all. They are totally unorganized. In my judgment, they are the most neglected group in our society. They represent a very, very large number of people, heads of families, whose children are living in poverty, and who are totally dependent upon this person for support, and yet that person is not paid the minimum wage.

Mr. Chairman, I speak for the domestic workers. My colleague from Minnesota just opposed this because it would be difficult to enforce. I suggest that if that is an argument, there would be nobody in this country who would be covered by minimum wage, because it is difficult to enforce for everyone. I agree with that. Also welfare requirements and regulations are difficult to enforce—and for many, many thousands of would-be domestic workers who cannot receive a decent wage—welfare is the better alternative.

Do not let the difficulties of enforcement of minimum wage nor the difficulties faced in the abuse of welfare payments deter you from providing equity for a neglected group in our Nation. I would plead with the Members to listen to some of the statistics in regard to this group of people.

Later on, I understand, we are going to have a bill extending the "war on poverty" legislation. I am going to vote against extending the "war on poverty" bureaucracy, because I think it has wasted hundreds of millions of dollars in this country and that the impact has been minimal. That does not mean that I am satisfied or that I think people ought to live below the poverty level. I just think it is very foolish for us as a nation to spend hundreds of millions of dollars for social planners, and hundreds of millions of dollars for the professional poor to go out and try to plan other people's lives for them, and foolish to pour hundreds of millions of dollars into consulting firms for contracts and for entrepreneurs who are siphoning off the money intended for the poor.

I suspect there are not the votes in the House this year to extend the OEO legislation, and I am going to be one of those who vote against it. If we would just pay people a fair wage—a decent wage—they could manage their lives. That is what they need—not social engineers to tell them how to do better in their poverty.

I appeal to the Members to do something for those people living in poverty which would be the most meaningful thing possible. Listen to these statistics:

Domestic workers today form a group composed of one and a half million people. This is a group that is 97 percent female. This is a group which is 46 percent white; 52 percent black, and 2 percent other races. This is a group which enjoys a median—I repeat—a median income of less than $2,000 per year for full time employment—$2,000 per year for full time employment.

This is a group which includes over 275,000 heads of households, 54 percent of which are living in poverty. This is a group where over 52 percent of the unrelated individuals exist below the poverty level. This is a group where two-thirds have dependent children, including one-fourth with four or more children in the family.

This is a group whose numbers are shrinking drastically as demand for workers is increasing. This is a group whom the present system guarantees—the present system we are operating under, unless we do something today—guarantees that they will continue to live in poverty, to work a lifetime of hard work and to reach the end of life still in poverty.

The administration has consistently and continuously reminded us of our commitment to the work ethic. I also am committed to that. I am opposed to a guaranteed income, but I am heartily in favor of jobs where people can live and work and be above the poverty level.

In the President's human resources radio address of February 24 he made one thing clear—that social service should be provided in a manner which fosters self reliance rather than dependency among recipients. The Secretary of Health, Education, and Welfare has told us "We must remove any incentives for people to stay on the welfare rolls—and find some disincentives for their staying on."

It requires little insight to realize that the greatest incentive for work is being able to earn a living wage at it. The facts are that people can stay on the welfare rolls and earn more than they can as domestic helpers.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

(By unanimous consent, Mrs. GREEN of Oregon was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, we talk about it being difficult to get domestic workers. Until we are willing and able to pay a living wage, until we the Congress, are willing to bring them under the minimum wage, the problem will remain. They are not organized; they do not have any pressure groups outside the doors, sitting in the lobbies, or wandering around the Congress. Until we speak for them, until we are willing on our own to bring them under the minimum wage we will find that domestic workers will still benefit by staying on the welfare rolls. There is no reason for them to get off.

Mr. Chairman, ultimately it seems to me the question must resolve itself into one of simple justice. Do we really want anyone in our society to work 40 hours a week and not earn an income at least approaching the poverty level? That is what we are talking about—the chance to earn a living at least approaching the poverty level.

Working a 40-hour week at the present minimum wage, the annual income would be $3,328, considerably below the poverty level. If this legislation is passed and the minimum wage is raised to $1.80, the annual income would still only be $3,740, and eventually $4,500 as the minimum wage increases.

I must say that I do not consider this as a terribly magnanimous gesture on our part.

Anyone who understands what is involved in household work will concede that it is one of the most difficult and one of the least attractive forms of employment. Domestic workers are generally excluded from minimum wage laws, unemployment compensation, and workmen's compensation. They receive no benefits such as sick leave and paid vacations. And this is compounded by the fact that they are not covered by the Social Security Act unless they earn at least $50 from one employer in a given calendar quarter. And for those who earn that amount the responsibility rests with the individuals who employ them to make certain that they are brought within the protections of social security coverage. Everyone here knows that there is wide abuse of this, because some domestic workers are so desperate for money that they do not want the social security deduction to be withheld from their already meager wages.

I suggest that if domestic workers are included under the minimum wage and then, hopefully, as the gentleman from Minnesota suggested and as the gentleman from Pennsylvania (Mr. DENT) wanted, have a tax reduction for employment of these people, then we would perhaps get them enrolled in the social security program.

As it is now, not only are these hard-working individuals forced to sustain themselves and their families on grossly subminimum wages, but many cannot even look forward to living out their years on at least the minimum amount which we say that social security affords.

There are those who want to be employed. There are those who must be employed in order to support their families. But they may not wish or may not be equipped to enter more technological occupations. These people might choose household work if it provided sufficient wages and decent working conditions. By taking this first step, by including domestic workers under the minimum wage law, we could begin the difficult task of raising the status of the occupation and perhaps induce others on the welfare rolls to take another hard look at this profession.

So, my colleagues, I plead with you for one of the most depressed groups in this country, for one of the groups that has absolutely no voice in this Congress unless we as a body will defend them and say that they are also entitled to be under the minimum wage as well as agricultural workers or people who process tobacco or people who work in canneries or any other group.

Mr. Chairman, I would, therefore, hope that the Erlenborn substitute will be defeated and that we have a chance to vote on the Dent bill with the two or three amendments that should be added to make it more acceptable to all of us.

AMENDMENT OFFERED BY MR. TALCOTT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ERLENBORN

Mr. TALCOTT. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ERLENBORN).

The Clerk read as follows:

Amendment offered by Mr. TALCOTT to the amendment in the nature of a substitute offered by Mr. ERLENBORN: Page 3, strike out lines 1 through 7 and insert in lieu thereof the following:

"(5) if such employee is employed in agriculture, not less than $1.80 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973, not less than $2 an hour during the second year from such date, and not less than $2.20 an hour thereafter."

Mr. TALCOTT. Mr. Chairman, I am offering my amendment for people who are black and white, young and old, and men and women. Really the purpose of my amendment is to bring the farmworker up to the base level of the industrial worker. The purpose of my amendment is simply to give equity to some of the most deserving workers.

Mr. Chairman, my amendment would, if enacted, give all of the covered farmworkers or agricultural workers the same minimum wage as given the post-1966 workers, those enjoying the least favorable minimum wage.

I want to commend the committee on both sides of the aisle for giving more consideration to the farmworker than ever before.

Mr. Chairman, all of the workers at the minimum wage scale are low skilled or underskilled, but the farmworker works just as hard or maybe harder than any other worker. He must often migrate from one harvest to another, from one farm to another, which is expensive. He must pay the same prices for food, shelter, and gasoline. So it is really unfair—it has been unfair from the very beginning—that he should have a dual minimum wage, one that is lower than all the other workers.

So actually I am just trying to eliminate the cruel myth that there ever was any factual or objective reason for having a dual minimum wage for the farm or agricultural worker, one which was lower than the wage for the industrial worker.

Mr. Chairman, I simply, on the basis of equity, urge the adoption of this amendment to help the farmworker.

Mr. KETCHUM. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Chairman, I thank the gentleman from California (Mr. TALCOTT) for yielding.

We have listened now through about 3½ to 4 hours of debate, and we have heard this House address itself to every segment of society except farmworkers and there is absolutely no valid reason why farmworkers should not be treated the same as a steelworker or any other industrial worker or domestic worker.

Now, I am a farmer, and until we decide to treat the farmworker the same as we treat any other worker in the United States of America, I wish to express my dissatisfaction in that event.

Mr. QUIE. Mr. Chairman, will the gentleman from California (Mr. TALCOTT) yield?

Mr. TALCOTT. I yield to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, does the gentleman realize that at the present time those covered prior to 1966, nonagricultural, have the same minimum wage, as those who are covered after 1966, but even the committee bill treats those covered nonagricultural prior to 1966 and those nonagricultural after 1966 differently at first, recognizing it would be an economic hardship to move them all up together?

Now, does the gentleman recognize that in agriculture to move a 37.7 percent increase immediately without giving any time to adjust, we could have some kind of economic hardship in other areas than California? Or is this not something that is just trying to make everyone else less like Californians, because Californians are already paying that farm wage to their workers?

Mr. TALCOTT. Not every farmer in California is paying this much. However, I do not think there is anything wrong with bringing farmworkers up to the minimum standards that everybody else has. The so-called economic hardship for a very few farmers is not worth it to the farmworker. Somebody has to be caring about the farmworker, and when you are talking about the minimum wage it should apply to him as well as to everyone else.

Mr. QUIE. Will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Minnesota.

Mr. QUIE. You are not bringing it up to what everyone else has, but you are bringing it up to the post-1966 rate. Is that right?

Mr. TALCOTT. Yes.

Mr. QUIE. So we ought to recognize that there ought to be a differential. Should not the same principle apply to agricultural workers in taking a while to bring it up to that?

Mr. TALCOTT. If we talked about it 15 years ago, we should have done it then. I think it is too late now to try to build up slowly to that point.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from California.

Mr. TEAGUE of California. I compliment the gentleman on the amendment he has offered and associate myself with his remarks and support his proposed amendment.

Mr. STEIGER of Wisconsin. Will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. May I clarify what we are doing now? Am I correct in understanding that he is jumping from $1.30 an hour to $1.80 an hour?

Mr. TALCOTT. The first year.

Mr. STEIGER of Wisconsin. Which means what in the first year? Are you talking about the date that the bill is effective or 1 year after? What is the date you have there?

Mr. TALCOTT. The effective date is 1974. It is exactly the same as your bill, or the Erlenborn amendment, for the post-1966 employees.

Mr. BURTON. Will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from California.

Mr. BURTON. I am sure my colleague from California is offering this amendment in good faith, but I have one question. If his amendment fails in a voice vote, will it be his concern then that we have a recorded vote on this matter?

Mr. TALCOTT. I would like to ask for a recorded vote.

Mr. BURTON. That is fine. I will vote with the gentleman on his amendment.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. TALCOTT, at the request of Mr. DENT, was allowed to proceed for 2 additional minutes.)

Mr. TALCOTT. I yield to the gentleman from Pennsylvania.

Mr. DENT. You and I discussed this matter many times. I think you talked to me, and in the discussions last year with others it led me to the conclusion that there was a great deal of sentiment in the farming areas for this.

Now, since I have 35 percent of my district that is agricultural, I also have some farm experience. I have always felt that we had to come to a point where we would merge all of the areas in the different classifications in this bill into one wage section.

You will find in the legislation I have before us today that we do bring the farmworker up to that level. We extended it a year longer than the post-1966 nonagricultural worker classification, but as I told the gentleman when he said he would propose it, not only would I not object to it, but I would vote with him in order that there be an impetus given to the desire that Members have in this regard and to the feeling that my committee has to achieve equality of wage increases in agriculture and outside of agriculture.

I commend the gentleman very much.

Mr. TALCOTT. This is not all we should be doing for the farmer, but I very much appreciate the gentleman's remarks.

Mr. STEIGER of Wisconsin. Will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman.

Mr. STEIGER of Wisconsin. I want to clarify what we are doing. The amendment as I read it says we are to pay the wage of not less than $1.80 an hour dur-

ing the first year from the effective date of the Fair Labor Standards Act of 1973. What the gentleman is really asking for under the language of his amendment is that on the effective date of the Fair Labor Standards Act amendments of 1973 that the minimum wage for agriculture will be $1.80. It does not say "1974" but "1973."

Mr. TALCOTT. My first year would be $1.80. What it does is expedite what you are trying to do in 4 years to 3 years.

Mr. STEIGER of Wisconsin. But again, if the gentleman will yield further, let me say it does not do that. That is what you are talking about, is a jump from $1.30 to $1.80 for one segment of the economy, which in my judgment is wrong.

Mr. TALCOTT. I agree it is jumping 50 cents in 1 year, but the need and the equity are there and I think we should do it.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have taken this time because I simply desired that my good friend, the gentleman from California (Mr. TALCOTT) would yield to me so that I could support the amendment the gentleman has offered.

I for one have long sought equal treatment for farm labor, and certainly this is an area in which minimum wages should be adaptable, and I mean the best minimum that we have ever had in my opinion, even the best that is proposed here, that farm labor also should be given that minimum wage.

So I simply wanted to join with my colleague, the gentleman from California (Mr. TALCOTT) in close support for the amendment the gentleman has offered because, for a number of years. I have been for equality on the part of the farmworkers in connection with a minimum wage.

Mr. Chairman, I urge the adoption of the amendment offered by the gentleman from California (Mr. TALCOTT).

Mr. ERLENBORN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from California (Mr. TALCOTT) to my amendment in the nature of a substitute.

Mr. Chairman, I rise in opposition to the amendment. I know what the gentleman from California, who offers the amendment, seeks. I know that there are other Members from the rural areas of our country who also seek to eliminate the differential that now exists and has existed.

The problem that I see with the amendment offered by the gentleman from California is that the gentleman from California has not given his amendment sufficient thought so as to think it through as to what the impact could be on the farm community as to the rate at which this differential gap is closed. A 50-cent increase in the first year would be very, very difficult in the agricultural community.

I would point out, Mr. Chairman, that the substitute bill now pending does provide for closing that gap. It is now, at a lower wage rate, a 30-cent differential between agriculture and the industrial wage rates, and the substitute bill does close that gap. And at the end of the step increases there would be only a 20-cent differential in the higher wage rates, and therefore a much greater diminution of the percentage difference between agricultural and industrial wage rates.

Therefore, Mr. Chairman, I would hope that the amendment offered by the gentleman from California (Mr. TALCOTT) would be defeated; that the substitute amendment I have offered would be adopted so that we could help to close this gap, and that it would then be eliminated sometime in the future.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

(By unanimous consent, Mr. GONZALEZ was allowed to speak out of order.)

CONTINUING CURRENCY SPECULATION IN FOREIGN EXCHANGE MARKETS AND THE PHENOMENAL INCREASE IN THE PRICE OF GOLD

Mr. GONZALEZ. Mr. Chairman, I rise only because I think the urgency of the matter and the necessity to go on record is imperative.

Mr. Chairman, earlier today a number of Members, including myself, spoke about the continuing currency speculation in foreign exchange markets and the phenomenal increase in the price of gold.

Some of us have spoken in a sense of anger and some in a sense of partisanship, but all of us feel sorrow at the continuing economic turmoil. I want to remind my friends and colleagues that the realities of economics involve no partisanship—they involve the common good of all of us, and it behooves us, therefore, to consider the currency problems in the cold light of reality, and without passion or rancor.

I want to remind those who are speculating against the dollar of these things:

First, it is not the policy of this Congress to continually devalue the American dollar. We have yet to complete approval of the devaluation asked for by the President on February 12. I do not anticipate that he will ask or that the Congress will grant a further official devaluation of the dollar within the foreseeable future, and all speculators should be so warned, and so informed.

I tried unsuccessfully last Friday to persuade our executive leadership to so categorically state as of last week.

Second, it is imprudent and improvident for a supposedly responsible gentleman, like President Pompidou, to side with the speculators, in effect, by feeding the rumors and stories and theories that the U.S. Government is unstable, or unable to cope with its economic problems. Mr. Pompidou should be reminded that in the first place, ours is not a parliamentary government, and is not subject to the same kinds of instability so familiar to France and to other continental countries. He should not allow himself to be confused—there is no sign that the American Government is about to fall or collapse.

Furthermore, the President already has sufficient authority to deal with whatever economic ills we may have. As unhappy as many of us may be with the President's economic policies, the fact is that our country is doing better economically than France or any other continental country in managing inflation. There is no question but that our country does already have in place the authority to deal with our problems and there can be no question about that.

I expect that the President will soon be announcing very formidable economic policies. I think they are imminent.

Mr. Pompidou may question the leadership that President Nixon has shown, but I would respectfully remind him that it is none of his business and that he should not encourage the enemies of this country and of the economic system of the free world, for that matter, by casting doubts on our policies.

Third. I would remind our friends in Europe that they still need the United States and we expect their friendship and cooperation, for it is their own economy that is at stake as much as ours, and in cooperating with us our partners will not be engaging in a mere act of charity, but will be engaging in prudent self-interest.

Mr. Speaker, I appreciate the indulgence of my colleagues. I am glad to report to them and to you that the dollar has strengthened somewhat in recent trading, and I do not believe that on this anniversary of D-day we are going to have an invasion of the United States by European speculators and "gold bugs."

I yield back the balance of my time.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman from Texas, who is the distinguished chairman of this House's Subcommittee on International Finance, for his splendid statement on our dollar and its relationship to the currencies of other nations.

I second his remarks about devaluation. Our economy is large, vigorous, and growing. Our inflation rate is higher than we would like, but it is, as the gentleman from Texas pointed out, lower than the rates achieved by most of our major trading partners.

Federal Reserve Chairman Burns and Assistant Treasury Secretary Volker, speaking for Secretary Schulz, have both articulated in crystal-clear terms the position of the administration on devaluation. Both spoke strongly, in the International Finance Subcommittee hearings, against any formal, negotiated devaluation in the foreseeable future. Our dollar may rise or fall in float operations, but I am sure this Congress will not support further devaluations, other than minor adjustments which may be needed to complete a total international monetary system reform.

I think the gentleman from Texas has presented an accurate statement. I hope his warning is heeded. At the very least, I hope speculators are not encouraged by the impromptu remarks of observers, however highly placed, who are remote from our country and ignorant of our economy.

Mr. PEPPER. Mr. Chairman, I rise in opposition to the Erlenborn amendment. In many respects this reminds me of where I came in. In 1938 when I was running for my first full term

in the Senate, the issue of the minimum wage law was before the Congress and the country. It became the principal issue in my campaign. Would I dare to commit myself to a minimum wage law with a ceiling of 40 hours a week on hours and a minimum of 25 cents an hour on wages and provision for industry committees to raise the wage within 3 or 4 years possibly up to 40 cents an hour? It seemed rather dangerous to commit oneself to the support of that measure.

One of the ablest Members who ever sat in this House, Mark Wilcox, left this House to run against me at the instigation of the big business interests of my State. A lot of conscientious but misguided employers, on the theory that that bill would ruin the South, said CLAUDE PEPPER did not understand the South, that we should be in our national economy hewers of wood and drawers of water. While industry should exist in other parts of the country in the South we should furnish only the raw materials. I did not think that was the proper role for the South. I knew we needed industry and industry depended upon purchasing power. I knew there might be certain hardships imposed by the bill if enacted, but I thought the South and the country would be better off if we had a decent minimum wage-maximum hour law, and I supported it.

In that year, 1938 I won in the first primary by over a 100,000 majority. The wage-hour bill was passed and the South is more prosperous today than ever before in its history.

All I want to say to my colleagues is that ever since that time as we have increased and improved that law, there have been those conscientious Members of Congress, those conscientious employers, who thought that an additional step forward and upward in this legislation would ruin not only segments of the economy but perhaps the country at large.

We have increased the coverage of this legislation since 1938 from 3 million to 49 million people. Has it ruined the country? We have increased the minimum wage from 25 cents an hour to $1.80 an hour and now we are proposing $2 and after awhile $2.20 an hour in this period of incomparable inflation.

Mr. Chairman, every time in our long past somebody has proposed a step forward so some people could live a little better and eat a little better and wear a little better clothes and live in better surroundings and perhaps enjoy a richer life, there have always been those conscientious people who stood up and waved the red flag of danger and warn: We cannot do that and if we do that we will ruin our country or our State or our community. We have from time to time ignored these warnings and gone ahead and we have not ruined ourselves. I hope now we will not stop going forward and will by passing this bill make it possible for the lowest people on the ladder of the gainfully employed to enjoy a little better and a little richer life.

If we think there will be a little hardship for some, we should think of the many blessings and benefits for those millions who will stand to benefit under this legislation.

In this bill there is a reasonable program of progress which this committee has studiously and laboriously worked out. It is not radical or shocking or injurious. I hope therefore Mr. Chairman, the Erlenborn amendment will be defeated and the salutary provisions of this bill proposed by the committee will soon become the beneficient law of the land.

Mr. BAKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Erlenborn substitute. I support it because, in my judgment, it is more palatable than the legislation which is on the floor at this time.

Actually, I am against legally established minimum wages. I consider them to be a hoax served on the persons who cannot produce an hour's result calculated by the employer for an hour's pay. Our free enterprise system simply dictates that the employer just will not employ individuals who cannot produce at a respected level.

I saw in the paper just the other day a study which has been conducted by the University of Tennessee in Knoxville. Mr. Robert J. Gaston was reporting in the Tennessee Survey of Business and stated:

As the minimum wage rises the marginal productive worker becomes less profitable to employ and often cannot find a job.

I quote further, Mr. Chairman, from Mr. Gaston:

Evidence of the adverse employment effects of minimum wage laws is impressive and abundant, especially for the least productive groups in the labor force. Low skill and experience levels imply low wages, but with minimum wage laws they lead to unemployment and no wages.

The increases have been especially hard on teenagers trying to enter the work force. Following a one-third rate in 1956, the teenage unemployment rate rose from 7 percent to almost 14 percent.

Black teenagers fared even worse with an unemployment rate increase from about 13 percent to 24 percent. These high unemployment rates remain today bolstered by subsequent legal wage increases.

I submit, Mr. Chairman, that minimum wage levels only lead to further inflation if we continue them in the spiraling rate that has been followed in the past. I ask for the support of the Erlenborn substitute at this time, and I vote "No" against the whole business.

Mr. YOUNG of Georgia. Mr. Chairman, I rise in opposition to the Erlenborn amendment.

Mr. Chairman, I come to the well of this House really surprised at the tremendous concern that my colleagues have for unemployed black youth. I am surprised that we did not register that when we were talking about some of the youth unemployment measures..

I do not like opposing my distinguished colleagues from Illinois, either of them, but it seems to me that in the long list of experts quoted by the gentleman from Illinois (Mr. ANDERSON), I do not know one of them that has talked to a black youth in the last 20 years.

I think the issue in unemployment of black youth is dignity. They do not want jobs at substandard pay. The youth differential basically subsidizes middle-class youth and really does not address itself to the problems of hard-core youth who are basic supporters of their families.

On the question of domestic workers, it seems to me that this is a profession that has never been given the respect of a profession. I have never had trouble with domestic work in my household because we have been willing and able to pay, and we have insisted on paying a living wage for a respected professional because we happen to come from families that have been in that professional work for generations. But, I count that as perhaps the single most important investment that I made in my own marriage, which tomorrow will be 19 years in duration.

However, without demanding the same kind of professional help for my wife in the management of our home that I have demanded for myself in the various kinds of employment in which I have been employed, I doubt that I could have stayed married 19 years.

When we refuse to respect our own wives and families and the management of our own homes by demanding that the people who come into our homes are poorly paid and ill treated and not given an opportunity to develop their professional skills. If you do not believe that domestic work is a skilled profession, just stay home 1 day and try to clean house from top to bottom, wash and iron all the clothing, take care of the dishes and the children, and then you will realize what a significant accomplishment it is when someone can do this systematically and routinely; and what a contribution this makes to one's home. In addition, domestic workers, they go back across town and do the same thing again in their own homes. Domestic workers ought to be included in any minimum wage considerations, for our society has thrived too long on their suffering and sacrifice.

Therefore, I think all this paternalism ought to cease, and we ought to face the issue very squarely and vote down the Erlenborn amendment.

Mr. O'NEILL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the substitute offered by the gentleman from Illinois (Mr. ERLENBORN).

Two crucial differences exist between the committee bill and the Erlenborn substitute, crucial differences which affect the well-being of millions of American workers.

For, if you support the Erlenborn substitute, you are voting for a minimum wage bill that will keep 16 million unprotected American workers in abject poverty, without the protection of the Fair Labor Standards Act.

The wages of these working men and women would continue to be so low that their annual gross income would be more than $500 below the net income deemed poverty level for a family of four. So many of these workers would be forced to go on welfare or receive some kind of public assistance just to survive.

I firmly believe that an increase in the minimum wage and extension of coverage to public employees, household

workers, and employees of certain conglomerates as provided in the Dent bill is the most direct and least expensive way to eliminate poverty. It is such a reasonable approach that it defies opposition. It is the answer to President Nixon's desire for more workfare and less welfare, because it would give strong incentives for low-wage earners to work. And certainly a wage standard that yields only a poverty-level income at full-time steady work is not inequitable.

It is extremely unfair that a sizable number of American workers should continue to be denied the basic protection afforded by the Fair Labor Standards Act. Yet, the gentleman from Illinois (Mr. ERLENBORN) desires to depress wages as the answer to our Nation's unemployment problem. The fastest way to increase employment is to provide increased purchasing power for workers, not to keep wages depressed. That argument went out in the 1930's.

If the administration were seriously interested in ending unemployment as its rhetoric implies, then it would support job-creating legislation such as public and emergency employment, and manpower training programs.

Let us take the case of the 1.5 million individuals who are privately employed as domestics.

We have heard, in my opinion, some brilliant remarks here today on behalf of these domestic workers. I thought particularly the ones given by the gentlewoman from Oregon (Mrs. GREEN) and the one given by the gentleman from Georgia (Mr. YOUNG) were outstanding. It brought back a bit of nostalgia, a bit of memory to hear their remarks today.

As the gentlewoman from Oregon (Mrs. GREEN) talked, I could not help but think of the poor, immigrant mother, whether she was your own mother or whether she was your grandmother, or whether she was Irish or whether she was black or whatever nationality or race she happened to be. For the most part, when she came to this country, she was a domestic.

How hard she worked and how hard she struggled to make ends meet and to keep her family together. And she slaved and strived for one purpose: To bring up a family and to improve that family so her children would not have to do the work and chores she had to do.

As the gentlewoman from Oregon (Mrs. GREEN) said, all through the years America owes garlands of flowers to the immigrant mother who came to this Nation and worked as a domestic. Yet all through the years nobody has ever thought to protect her or her equal or the woman who took her place along life's line.

That is what this bill does in part today. I am so proud that the gentleman from Pennsylvania (Mr. DENT) and his committee wrote it as a part of this bill.

Some 1.5 million are privately employed today, as I understand it, as domestics. Truthfully, there would be 3 million employed as domestics if we paid them a just or a living wage. These workers epitomize the plight of the working poor of this country, because they are not covered under the minimum wage laws of this country.

The annual income of these domestics, working 50 weeks a year, is less than $2,000. More than 90 percent of all these domestics are women. As the gentlewoman from Oregon (Mrs. GREEN) said, over 50 percent of them are black. Yet, Mr. ERLENBORN desires to preclude these working mothers from earning a decent living by excluding them from minimum wage coverage.

I have to think of my own ancestry. I have to think of my grandmother. I have to think of the neighborhood from where I came. Today I can look at sons of doctors, sons of judges, sons of Congressmen, sons and daughters of those who hold eminent positions in this world. Truly they owe it to that immigrant ethnic grandmother of theirs or that black grandmother of theirs who worked as a domestic.

The second crucial difference between the Erlenborn substitute and the committee bill is the youth differential. Mr. Erlenborn would establish an unjustifiable subminimum wage for young people under the age of 18.

It would encourage industries that hire unskilled workers, particularly for seasonal work, to simply replace adult workers with teenagers and then pocket the difference in wages as profits. It would certainly entice youngsters to quit school early to compete in the job market with bread-earning adults.

Oh, I know from the remarks made here today, that Mr. Erlenborn offers the youth subminimum as a remedy for the soaring unemployment rates—18 percent—among out-of-school youth, and particularly for black males whose unemployment rate is 35 percent, and black females whose unemployment rate is 38 percent.

But minimum wage levels are supposed to establish a floor under wages for specific jobs, not for specific classes of workers. With Erlenborn's substitute, we would be creating a black teenage subminimum wage level. In this way, Mr. Erlenborn and the administration can continue their policies of discrimination against minority members of our population.

For an administration that expresses such great concern for expanding employment opportunities for youth, its actions are inconsistent with its rhetoric. This administration seeks to eliminate all the necessary youth-creating jobs like the neighborhood Youth Corps, manpower training programs, community action programs, and programs like Upward Bound which help disadvantaged youngsters to go to college so that they can eventually earn an income that will insure a decent standard of living.

Yes, these are the two crucial differences which Mr. Erlenborn and the administration offer—differences which undermine the basic concept of minimum wage legislation.

Naturally, I am supporting the Dent committee reported bill. I hope we will all work together to defeat the Erlenborn substitute and then take up the Dent bill section by section.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Erlenborn substitute amendment.

Mr. Chairman, I intend to support the Erlenborn substitute instead of the committee bill, H.R. 7395.

My principal objections to the committee bill are expressed well in letters from the municipalities of my congressional district. A letter from the mayor of Brooklyn Center, who is also president of the Minnesota League of Municipalities, expresses generally the municipal criticism of H.R. 7395.

A second letter from the city manager of the city of Richfield, also in my district, is more specific in its objection and requests support for the Erlenborn substitute.

It is true that H.R. 7395 exempts fire and police from its provisions. However, it is also true that last year the Senate version did not carry such exemptions. In addition, the chairman of the Labor Subcommittee, the bill's author, the distinguished gentleman from Pennsylvania, last year indicated his willingness to accept the Senate version. Therefore, the municipalities in my area are particularly nervous about any municipal reference in the House version. They, and I, would prefer the Erlenborn bill which exempts municipalities so that there would be reduced possibility of the Senate provisions creeping into the conference report.

In one city in my district alone, a municipal inclusion, including fire and police, would cost the community $180,000 and result in a two-mill property tax increase. Not only is a property tax increase undesirable in a very high property taxed State, but also Minnesota has a mill levy limitation law. This means that the municipality would have to cut back some other vital service, or perhaps cut back the same safety service.

Finally, the letter from the president of the League of Minnesota Municipalities indicates that the State Legislature of Minnesota has just passed a fair labor standards law for the State which includes the municipalities and is acceptable to them. The Minnesota law is not very much different from the Erlenborn Amendment. Therefore, I urge the passage of the Erlenborn amendment.

The letters referred to above follow:

ADMINISTRATIVE OFFICE,
Brooklyn Center, Minn., June 1, 1973.

Representative WILLIAM FRENZEL,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FRENZEL: It is respectfully urged that you oppose the inclusion of state and local government employees in the minimum wage and overtime provisions of the various proposed amendments to the Fair Labor Standards Act. Such provisions as contained in S. 1861, S. 1725, and H.R. 7395 would work a serious financial hardship on Minnesota municipalities, which are already severely constrained by state imposed property tax levy limitations.

The 1973 Minnesota Legislature enacted a minimum wage bill which applies to state and local government employees, as well as employees in the private sector. The provisions of the Minnesota law are designed to achieve the social objectives of the minimum wage concept without working severe hardship on Minnesota municipalities, particularly in the public safety area.

It is our position that minimum wage provisions can best be established by the states rather than by the federal government.

Thank you.

Respectfully,

PHILIP Q. COHEN,
Mayor, City of Brooklyn Center; President, League of Minnesota Municipalities.

CITY OF RICHFIELD,
May 30, 1973.

Hon. BILL FRENZEL,
House of Representatives,
Washington, D.C.

DEAR BILL: It is my understanding that the House, Education, Labor Committee has now reported out the Dent minimum wage bill (H.R. 7395) which extends coverage of the Fair Labor Standards Act to state and local employees, but does exempt overtime provision coverage for public safety personnel.

It is my understanding of this overtime provision exemption that it will not require municipalities to pay overtime or reduce hours for firemen who may be working more than a 40-hour week. As I indicated in some of our correspondence last year, it would cost the City of Richfield an estimated $600,000 to $800,000 to reduce firemen to 40 hours per week and still maintain the same level of on duty manpower. Originally, I believe that the Dent bill required that this be done over a five year period and we are very appreciative of the efforts made to obtain the exemption from the overtime provision for public safety personnel so that we will not be forced to make this very substantial additional expenditure.

While the Dent bill in its present form certainly eliminates one of our greatest concerns, we would still prefer that municipal employees be exempted entirely from the Fair Labor Standards Act. It is my understanding that Congressman John Erlenborn is interested in offering his bill (H.R. 2831) on the house floor as a substitute for the Dent proposal. The Erlenborn bill would continue to exempt state and local employees from coverage by the Federal Labor Standards Act and we would appreciate your support of Congressman Erlenborn's proposal if this appears to be feasible.

Yours very truly,

WAYNE S. BURGGRAAFF,
City Manager.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. TALCOTT) to the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ERLENBORN).

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. TALCOTT. Mr. Chairman, I demand a division.

The CHAIRMAN. A division is demanded.

RECORDED VOTE

Mr. BURTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 232, not voting 14, as follows:

[Roll. No. 179]

AYES—186

Abzug	Aspin	Biester
Adams	Badillo	Bingham
Addabbo	Barrett	Blatnik
Anderson, Calif.	Bell	Boland
Annunzio	Bennett	Brademas
Ashley	Bergland	Brasco
Biaggi	Blackburn	Breckinridge
Brown, Calif.	Heckler, Mass.	Pettis
Burgener	Heinz	Podell
Burke, Calif.	Helstoski	Price, Ill.
Burke, Mass.	Hicks	Rangel
Burton	Holifield	Rees
Carey, N.Y.	Holtzman	Regula
Carney, Ohio	Hosmer	Reid
Chisholm	Howard	Reuss
Clausen, Don H.	Johnson, Calif.	Riegle
Clay	Johnson, Colo.	Rinaldo
Conyers	Jordan	Rodino
Corman	Karth	Roe
Cotter	Kastenmeier	Roncallo, Wyo.
Cronin	Ketchum	Rooney, Pa.
Culver	Kluczynski	Rosenthal
Daniels, Dominick V.	Koch	Rostenkowski
Danielson	Kyros	Roush
de la Garza	Leggett	Rousselot
Delaney	Lehman	Roybal
Dellums	Litton	Ryan
Denholm	Long, Md.	St Germain
Dent	McCloskey	Sarbanes
Dingell	McCormack	Saylor
Donohue	McFall	Schroeder
Drinan	McKinney	Seiberling
Dulski	Macdonald	Sisk
Eckhardt	Madden	Slack
Edwards, Calif.	Mailliard	Smith, Iowa
Eilberg	Mallary	Staggers
Fascell	Maraziti	Stanton, James V.
Findley	Mathias, Calif.	Stark
Flood	Matsunaga	Steed
Foley	Mazzoli	Studds
Ford, William D.	Meeds	Sullivan
Fraser	Melcher	Symms
Frenzel	Metcalfe	Talcott
Gaydos	Mezvinsky	Teague, Calif.
Giaimo	Miller	Thompson, N.J.
Gibbons	Minish	Tiernan
Goldwater	Mink	Udall
Gonzalez	Mitchell, Md.	Van Deerlin
Grasso	Moakley	Vanik
Gray	Moorhead, Calif.	Veysey
Green, Oreg.	Moorhead, Pa.	Waldie
Green, Pa.	Morgan	Whalen
Griffiths	Moss	Wiggins
Gubser	Murphy, Ill.	Wilson, Bob
Gude	Murphy, N.Y.	Wilson, Charles H., Calif.
Hamilton	Nedzi	Wright
Hanley	Nix	Yates
Hanna	Obey	Yatron
Hansen, Wash.	O'Hara	Young, Ga.
Harrington	O'Neill	Zablocki
Hawkins	Owens	Zwach
Hechler, W. Va.	Patten	
	Pepper	
	Perkins	

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Abdnor	Collier	Gross
Alexander	Collins	Grover
Anderson, Ill.	Conable	Gunter
Andrews, N.C.	Conlan	Guyer
Andrews, N. Dak.	Conte	Haley
Archer	Coughlin	Hammer-schmidt
Arends	Crane	Hanrahan
Armstrong	Daniel, Dan	Hansen, Idaho
Ashbrook	Daniel, Robert W., Jr.	Harsha
Bafalis	Davis, Ga.	Harvey
Baker	Davis, S.C.	Hastings
Beard	Davis, Wis.	Hays
Bevill	Dellenback	Hébert
Blackburn	Dennis	Henderson
Boggs	Derwinski	Hillis
Bowen	Devine	Hinshaw
Bray	Dickinson	Hogan
Breaux	Dorn	Holt
Brinkley	Downing	Horton
Brooks	Duncan	Huber
Broomfield	du Pont	Hudnut
Brotzman	Edwards, Ala.	Hungate
Brown, Mich.	Erlenborn	Hunt
Broyhill, N.C.	Esch	Hutchinson
Broyhill, Va.	Eshleman	Ichord
Buchanan	Evans, Colo.	Jarman
Burke, Fla.	Evins, Tenn.	Johnson, Pa.
Burleson, Tex.	Fish	Jones, Ala.
Burlison, Mo.	Flowers	Jones, N.C.
Butler	Flynt	Jones, Okla.
Byron	Ford, Gerald R.	Jones, Tenn.
Camp	Forsythe	Kazen
Casey, Tex.	Fountain	Keating
Cederberg	Frelinghuysen	King
Chamberlain	Frey	Kuykendall
Chappell	Froehlich	Landgrebe
Clancy	Fulton	Landrum
Clark	Fuqua	Latta
Clawson, Del	Gettys	Lent
Cleveland	Gilman	Long, La.
Cochran	Ginn	Lott
Cohen	Goodling	Lujan
McCollister	Railsback	Stratton
McDade	Randall	Stubblefield
McEwen	Rarick	Stuckey
McKay	Rhodes	Symington
McSpadden	Roberts	Taylor, Mo.
Madigan	Robinson, Va.	Taylor, N.C.
Mahon	Robison, N.Y.	Teague, Tex.
Mann	Rogers	Thomson, Wis.
Martin, Nebr.	Roncallo, N.Y.	Thone
Martin, N.C.	Rose	Thornton
Mathis, Ga.	Roy	Treen
Michel	Runnels	Ullman
Milford	Ruppe	Vander Jagt
Mills, Ark.	Ruth	Vigorito
Mitchell, N.Y.	Sandman	Waggonner
Mizell	Sarasin	Walsh
Mollohan	Satterfield	Wampler
Montgomery	Scherle	Ware
Mosher	Schneebeli	White
Myers	Sebelius	Whitehurst
Natcher	Shipley	Whitten
Nelsen	Shoup	Widnall
Nichols	Shriver	Williams
O'Brien	Shuster	Wilson, Charles, Tex.
Parris	Sikes	Winn
Passman	Skubitz	Wyatt
Peyser	Smith, N.Y.	Wydler
Pickle	Snyder	Wylie
Pike	Spence	Wyman
Poage	Stanton, J. William	Young, Alaska
Powell, Ohio	Steele	Young, Fla.
Preyer	Steelman	Young, Ill.
Price, Tex.	Steiger, Ariz.	Young, S.C.
Pritchard	Steiger, Wis.	Young, Tex.
Quie	Stephens	Zion
Quillen		

NOT VOTING—14

Bolling	Kemp	Rooney, N.Y.
Brown, Ohio	McClory	Stokes
Carter	Mayne	Towell, Nev.
Diggs	Minshall, Ohio	Wolff
Fisher	Patman	

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TAYLOR OF NORTH CAROLINA TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ERLENBORN

Mr. TAYLOR of North Carolina. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ERLENBORN).

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of North Carolina to the amendment in the nature of a substitute offered by Mr. ERLENBORN:

Page 15, strike out line 8 and all that follows down through and including the matter on lines 1 and 2 on page 16, and insert in lieu thereof the following:

"SEC. 203. Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended by striking out the period at the end of paragraph (14) and inserting in lieu thereof "; or" and by adding after that paragraph the following:

"(15)(a) any employee who is employed with his spouse by a nonprofit institution which is primarily operated to care for and educate children who have been placed with the institution by or through a public agency or by parents or guardians who are financially unable to care for and educate their children or children under their guardianship (as the case may be), if such employee and his spouse (A) are employed to serve as the parents of such children who reside in facilities of the institution, (B) reside in such facilities and receive, without cost, board and lodging from such institution, and (C) are together compensated at an annual rate of not less than $10,000, up to 30 percent of which may be allowance for board and lodging, and

"(b) any employee who is employed by a nonprofit institution which is primarily operated to care for and educate children who have been placed with the institution by or through a public agency or by parents or guardians who are financially unable to care for and educate their children or chil-

dren under their guardianship (as the case may be), if such employee (A) is employed to serve as the parent of such children who reside in facilities of the institution, (B) resides in such facilities and receive, without cost, board and lodging from such institution, and (C) is compensated at an annual rate of not less than $5,000, up to 30 percent of which may be allownace for board and lodging."

Mr. TAYLOR of North Carolina. Mr. Chairman, the section which I seek to amend applies only to houseparents at orphanages or children's homes operated on a nonprofit basis. It has been thought down through the years that houseparents at these institutions were not covered by minimum wage legislation and most of the institutions are operating on that theory.

Recently some State welfare departments have taken the position that these houseparents are covered and should be paid for overtime work.

The language in the substitute bill which I now seek to amend is identical to the language in the committee bill. If the substitute is not adopted, I have a similar amendment for the committee bill.

The present language in these bills relates to a situation at Hershey, Pa., and I understand was inserted at the request of the Congressman for that area. That institution employs only husbands and wives as houseparents. Many other institutions employ single people also. At these institutions a certain number of boys or girls, perhaps a dozen, are assigned to one cottage. The houseparents live in the cottage also and look after these children just as parents look after their own children in their homes.

My amendment would broaden the language to meet the needs of an institution in my congressional district and it would apply to similar institutions in all of our districts.

The committee report has a section reading as follows:

SECTION 212. Substitute Parents for Institutionalized Children. This section amends section 13(a) to establish an exemption from the minimum wage and overtime compensation provisions of the Act for an employee who is employed with his spouse by a nonprofit educational institution to serve as parents to children who have been placed in such institution by or through a public agency or by parents or guardians who are financially unable to care for and educate their children or children under their guardianship. The substitute parents must also reside in the facilities of the institution, receive room and board without cost, and jointly receive cash compensation at an annual rate of not less than $10,000.

The amendment before us strikes the language, "are together compensated on a cash basis at an annual rate of not less than $10,000", and substitutes, "are together compensated at an annual rate of not less than $10,000, up to 30% of which may be allowance for board and lodging".

The amendment also contains a similar provision for any employee of these homes for children without requiring that the spouse be working also. It provides that the employee must meet all other conditions, receive board and lodging from the institution without cost and be compensated at an annual rate of not less than $5,000, up to 30 percent of which may be allowance for board and lodging.

This part of the amendment recognizes the fact that employment patterns in many children's homes include single individuals serving as houseparents. In many cases an elderly woman, perhaps a widow whose children are grown, serves ably as a houseparent. The present language in the bill does not seem to recognize the value of food and quarters which is substantial.

The credit for board and lodging for a couple would be a maximum of $3,000, for a single person a maximum of $1,500. Here in Washington people pay more than that for rent only.

Why do we need this amendment? It is uncertain today as to whether these institutions are covered by minimum wage legislation and the matter should be clarified. The U.S. Department of Labor does not have clearly-defined guidelines applying to such houseparents and the absence of such guidelines has resulted in confusion in these nonprofit institutions.

The language in the bills before us, if adopted, may be interpreted as a congressional intent that all orphanages and similar institutions be brought under minimum wage coverage unless they comply with the specific terms of the exemption—employee and spouse both working, getting room and board and $10,000 cash.

If this interpretation is applied, a great hardship will be imposed upon Eliada Home, a fine nonprofit home for children operated by dedicated people in my congressional district and upon many similar institutions across our Nation. We must not forget that without these charitable institutions, many children will suffer and more of the taxpayers' money will have to go for welfare.

In many cases these houseparents, both single and married, serve with an unusually high degree of personal dedication and might be compared to religious missionaries to whom financial compensation is often a secondary consideration. Most homes for children have a waiting list of dedicated people who desire to serve as houseparents.

The committee report recognizes these houseparents as substitute parents for institutionalized children. How can we determine the hours which a parent or substitute parent works? They would likely have certain scheduled hours of regular housekeeping work, but the parent is subject to call 24 hours a day if a child is sick or needs help or has a problem.

This type of operation does not lend itself to minimum wage coverage. It would take a voluminous amount of bookkeeping to establish a correct record of hours worked and would be burdensome to the institutions. It would be like a husband paying his wife on an hourly basis with extra pay for overtime for keeping the house and looking after a large family of children. How could you ever determine the hours?

This amendment would recognize the concern the Congress has for the problems of the employer and employee at orphanages and similar institutions. Both Congressman DENT and Congressman ERLENBORN have assured me that they do not desire to create problems for these nonprofit children's homes and I hope that they will accept this amendment.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I do not think I will take any time on the amendment. I just want to say the gentleman and I have worked on this proposal since the day when he brought it to our attention, and when we get into the bill, as I hope we do, I have told the gentleman I will accept his amendment.

Mr. TAYLOR of North Carolina. I thank the gentleman very much.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I want to advise the gentleman that since we have worked on this together, I have told him I will accept the amendment. I think it is a good amendment and does improve the bill.

Mr. TAYLOR of North Carolina. I thank the gentleman very much. I appreciate this. It is a clarifying amendment. The present law is very unfair.

Mr. MATHIAS of California. Mr. Chairman, I want to add my support for the Erlenborn substitute which, in view of the present inflationary spiral, is a more realistic way to increase the minimum wage.

I believe the committee bill (H.R. 7935) would deliver a severe blow to the economy. It would hurt our efforts to control inflation and reduce unemployment. I do not think the Congress should pass a bill which would be counterproductive to our efforts to restore reason and stability to the economy.

During the first year alone, the committee bill would increase wages for nonagricultural employees by 37.5 percent and 23 percent for agricultural workers. These rate increases are substantially higher than the 5.5 percent wage guideline established by the Cost of Living Council, which I might add, was recently approved by the Congress. If these increases are approved, they would definitely have a serious impact on our already inflationary economy.

The Erlenborn substitute, on the other hand, would enable the Congress to raise the minimum wage, but at a more acceptable rate. By stretching the wage increases over a longer period of time, we would lessen the adverse effects to the economy, particularly relative to the prices of goods and services, the rate of employment, and our balance of payments. In addition, the Erlenborn substitute would not put an undue stress on either agricultural or nonagricultural employers.

I am in favor of increasing the mini-

mum wage, but I want to do it in the least inflationary way. I believe the Erlenborn bill will accomplish this objective. It will provide for a reasonable rate of increase without putting excessive strain on the economy.

For this very important reason, I will vote for the Erlenborn substitute.

Mr. FUQUA. Mr. Chairman, I am once again a cosponsor of a substitute minimum wage bill. Unfortunately, the House Education and Labor Committee has again reported out a bill which is not only highly inflationary but would be counterproductive in many respects. Certainly, there is a need for an increase in the minimum wage. I felt that there was a need last year for such an increase and certainly it would be in effect today if there was not adherence by certain Members of this body to the "all or nothing" philosophy which stymied the measure last year.

The House spoke quite clearly last year in passing a reasonable and fiscally prudent minimum wage bill. As a cosponsor of H.R. 8304, I would like to address my remarks to the provisions of the substitute generally, and, more specifically, to the provision which I feel is the most important of all—the youth differential.

The substitute measure would increase to $2.20 the minimum wage for nonagricultural workers covered before the 1966 amendments. This increase would be attained in three steps going to $1.90 for the first year after the effective date; $2.10 the second year; and $2.20 for the third year. For those workers who were first covered by the 1966 amendment, the substitute proposes that these minimums be increased to $2.20 by a four step process. The minimum wage for these workers would be $1.80 for the first year after enactment; $2 for the second year; $2.10 for the third year; and $2.20 thereafter.

Agricultural workers are an extremely important part of the economy of my congressional district and the substitute provides adequate minmum wage increases for these employees. Our proposal would take agricultural workers from the present $1.30 per hour to $2 by a four step process. The committee bill ignores a fact of economic reality when it proposes that pay for agricultural workers be the same as all other workers in 1976. The impact of an immediate increase of 30 cents per hour with subsequent annual increases of 20 cents per hour each year until an hourly wage of $2.20 is reached would be dramatic in increasing rural unemployment.

It was brought out last year during the debate on an amendment that would have left agricultural workers at $1.30 per hour, that only 1 percent of the farmers in the country are covered by the minimum wage. An increase of the magnitude proposed in the committee bill would serve to diminish the opportunity for work when one considers that today the farmer can only count on receiving 38 cents of each food dollar.

It appears to me that these increases are in keeping with sound fiscal policy and are only fair to the millions of workers covered under the Fair Labor Standards Act. The latest version of the substitute, H.R. 8304, contains increases considerably greater than those proposed in our substitute of last year. I have been persuaded by testimony of Labor Secretary Brennan that additional increases would be appropriate and not inflationary.

The Education and Labor Committee, unfortunately, has not contended itself with reporting out a bill designed to remedy the effects of inflation but has piled on the measure fiscally unsound and ill-timed attempts at solving a broad spectrum of virtually unrelated matters. Changes in overtime exemptions and the phasing out of several overtime exemptions, and the inclusion of some 6 million new workers under the minimum wage and overtime provisions of the Fair Labor Standards Act are not related to helping the worker meet the burden of raging inflation.

On the other hand, the substitute measure goes immediately to the question of minimum wage increases and provides viable solutions. The substitute measure generally holds the line as to the present law except for the minimum wage increases. This is not true, however, in the increasingly serious area of youth unemployment.

In general, the substitute provides for employment of youths under age 18 or who are full-time students at wage rates not less than 80 percent of the applicable minimum, or $1.60 an hour—$1.30 an hour in agriculture—whichever is higher. Such employment must be in accordance with applicable child labor laws, and subject to a period of not longer than 180 days for any employee who is under the age of 18 and is not a full-time student at the special minimum wage rate.

The 1966 amendments to the act included provisions—section 14 (b) and (c) permitting the payment of wage rates below the applicable statutory minimum to full-time students for part-time work. This permission is narrowly limited in scope and subject to a number of rigorous prerequisites. The act provides that:

First. The permissible wage may not be less than 85 percent of the otherwise applicable minimum.

Second. The only nonfarm occupations in which the lower student rate may be paid are those in retail or service establishments.

Third. The full-time student may be paid the lower rate for not more than 20 hours of work per week except during school vacation periods.

Fourth. The number of full-time student hours which may be paid for at the lower rate is limited to a percentage of the work hours of the employer's total work force which percentage is the same as that which prevailed in the establishment during a preceding period, or where records are not available to determine such previous ratios the same percentages for other similar establishments in the area during the designated periods.

Fifth. As a condition for paying the lower rate, the Secretary of Labor must first issue a certificate for each such student employee indicating that the employer is complying with the foregoing conditions and requirements. Moreover, prior to issuing the certificate the Secretary must find that such employment will not create a substantial probability of reducing the full-time employment opportunities of persons other than students to be employed at the lower rate.

The initial inquiry must be whether there is a relationship between the Federal minimum wage and the unemployment rate of young people. A report entitled "Youth Employment Minimum Wages," was compiled by the Bureau of Labor Statistics and outlines several studies which show adverse effects of the minimum wage. The reasons for this relationship between the minimum wage increases and higher youth unemployment appear obvious. It would seem apparent that most employers are less willing to hire inexperienced and less productive young people than older, more productive workers, even when older workers have to be paid higher wages. It is clear that when young and inexperienced workers must be paid the same wage as a more productive and experienced worker, marginal jobs will be phased out rather than filled with the younger worker.

There are several reasons why the reduction of jobs opportunities affects teenagers more than adults. For one thing, most teenagers, especially those just beginning to work, are unskilled. The unskilled are usually the first to be let go because their work is the least essential. Second, most teenagers have little work experience. This makes them less desirable to an employer than an equally skilled adult who has worked before and has learned to adjust to a discipline of the regularity of work. Certainly, the youth differential provided for in the substitute would permit the young worker to obtain jobs otherwise unavailable and, if not a full-time student, would insure that he would not be kept at a subminimum level for an unreasonable period of time.

The youth differential is designed to preserve existing jobs and to create new jobs. The unadjusted jobless rate for teenagers is around 20 percent. The Secretary of Labor informed the committee that some 627,000 youths between the ages of 16 and 18 are unemployed.

As we discussed last year during the debates on a youth differential, Economists Gene L. Chapin and Douglas Adie of Ohio University, declared that:

> Increases in federal minimum wage cause unemployment among teenagers. The effects tend to persist for considerable periods of time. And the effects seem to be strengthening as coverage is increased and enforcement of the laws becomes more rigorous.

The essence of the youth differential is summed up quite well by Prof. Paul A. Samuelson of Massachusetts Institute of Technology when he questions the effect of the minimum wage on black youth—

> What good does it do for a black youth to know that an employer must pay him $1.60 an hour—or $2.00, if the fact that he must be paid that amount is what keeps him from getting a job?

I, therefore, ask my colleagues to join me in voting in favor of H.R. 8304, the substitute for the minimum wage bill, H.R. 7935, reported by the Education and Labor Committee. Certainly, the American workingman cannot stand another

year of inactivity by the Congress in the area of minimum wages.

Mr. BADILLO. Mr. Chairman, I rise in opposition to this ill-conceived substitute—as well as other crippling amendments—and urge our colleagues to quickly reject it. We must take affirmative action to raise the woefully inadequate current minimum wage and to significantly expand the coverage of the Fair Labor Standards Act.

Almost 7 years have passed since the Fair Labor Standards Act was last amended. During this time we have seen rampant inflation, soaring taxes, a continued crisis in unemployment and booming prices. The purchasing power of the dollar, particularly in light of devaluation and the administration's ineffective economic program, has been seriously eroded and raising the Federal minimum wage to even a basic level of $2.20 per hour is urgently required on the basis of simple economic facts. Government statistics reveal that, with the cost of living rising by more than 25 percent during this 7-year span, the present $1.60 per hour minimum wage adopted in 1966 has been completely destroyed and today's $1.60 minimum wage buys less than $1.25 bought in 1966. The present minimum wage fails to even approach the federally defined poverty level for a family of four of approximately $4,200. How is it possible, therefore, to consider in good conscience an amendment which would raise the minimum wage to only $1.90 per hour? If for no other reason this is justification alone for rejecting the Erlenborn substitute.

I have some doubts, Mr. Chairman, as to whether $2.20 per hour will even be sufficient. A full-time worker earning this salary will be grossing just barely more than the poverty level. However, one must then take into consideration deductions for taxes and social security. Thus, he may very well again fall below the poverty level. In the city of New York a family of four receives almost the same amount—$4,320—on welfare.

The Bureau of Labor Statistics has estimated that, for the New York City metropolitan area, the lowest budget for the cost of family consumption for a family of four is $6,014 annually. To meet this very basic level would require an hourly salary of $2.95. However, the total budget for a family of four increases to $7,578 when you include social security contributions, income taxes and similar additional payments. It is plainly visible, therefore, that the essentially inadequate figure of $2.20 per hour will be needed to simply catch up with the rising cost of living and general inflationary spiral.

As we know, the committee bill goes beyond just raising the minimum wage. This measure significantly extends wage and overtime protections to millions of American workers not presently covered by the FLSA. Particularly significant is the fact that the minimum wage coverage is provided for all Federal employees as well as State and local government employees. In addition, domestic workers—long at the bottom of the economic totem pole—are finally granted the protections of the Fair Labor Standards Act. However, Mr. ERLENBORN and the administration would not provide such urgently required and long-overdue coverage. Thus, we have still other reasons for rejecting this poorly considered substitute. It is simply unfair and unconscionable that such a sizable number of American working people should continue to be denied the basic protections of the FLSA—a measure which has been in existence since 1938. How can one even attempt to justify the continuation of labor conditions detrimental to the maintenance of a minimum standard of living? If the Erlenborn substitute is accepted, this is precisely what will occur.

Mr. Chairman, it is possible to continue to list the number of gross deficiencies in the amendment offered by Mr. ERLENBORN. Suffice it to say that if it or any of its individual components is allowed to pass, thousands of fellow Americans will continue to be relegated to second-class citizenship and will continue to be forced to endure the burden of poverty. Whether one considers the basic increase of the Federal hourly minimum wage, the expansion of coverage to currently unprotected workers or the special youth differential, it is clear that the Erlenborn substitute offers neither any solutions nor hope and that it must be soundly rejected. Certainly this issue is of critical importance to the people of the city of New York and they can only stand to lose if the substitute now under consideration is accepted. Thus, I again call upon our colleagues to defeat this amendment and to enact the committee measure without additional delay.

Mr. BIAGGI. Mr. Chairman, I rise to express my steadfast opposition to the Erlenborn substitute for the minimum wage legislation recently reported by the Education and Labor Committee this substitute is grossly inferior to H.R. 7935, and I would like to commend my colleague, Congressman DENT, on the expert leadership he provided during the development and refinement of this latter bill. As a member of the subcommittee to which this bill was referred, I can attest to the years of hard work which went into the drafting of a just proposal.

Back in 1966, the $1.60 minimum wage level was enacted into law so that hundreds of thousands of working Americans might be sheltered from exploitation and the ravages of poverty. Poverty level income at that time was considered to be $3,200 per year for a family of four. The Department of Labor has recently put today's poverty level income at $4,200 net—a figure which is far above what any laborer working for $1.60 per hour could expect to earn in a year.

Mr. Chairman, H.R. 7935 increases the minimum wage to $2 per hour this year for nonagricultural workers covered by the act prior to the 1966 amendments. The level would rise to $2.20 and hour in 1974. Even these adjustments will regrettably leave some laborers short of the official poverty level. The bill also increases the minimum wage for agricultural workers to $1.60 an hour.

As has been documented in the course of the committee hearings. The burden of inflationary price and rent rises has weighed heavily on the low-wage earner. Indeed it was pointed out that if a cost-of-living increase mechanism had been incorporated into the 1966 amendments, the minimum wage rate in March 1973 would have exceeded $2.07 per hour.

Moreover, it is an obvious fact that inflation affects the low-paid worker more dramatically than the middle- or upper-income wage earner. The situation has even deteriorated to the point where, in 20 States, a worker receiving the minimum wage is able to provide his family better support by abandoning his job and going on the welfare roles.

Let me comment as well on the efforts to strike from this bill coverage for youths under 18 years of age. The failure to pay the minimum wage to all workers performing fair and adequate services is unconscionable. There is little difference between such discrimination and the treatment of children that led to passage of the Federal Child Labor Law in 1938.

Why should a person doing the work of an adult not receive the compensation of an adult? The argument that without this cheap source of labor, the jobs would not be filled is spurious. The fast-food operations in this country, which are among the prime beneficiaries of the inexpensive youth labor market, will not close down their operations once H.R. 7935 is passed. I strongly urge that this provision be accepted, and that we extend proper coverage of the minimum wage provisions to all working individuals, regardless of age.

Mr. Chairman, I would like to reiterate my opposition to the Erlenborn substitute and my firm support for H.R. 7935. I would encourage my colleagues to reject all attempts to weaken the committee version, and exhort them to grant swift passage to the Fair Labor Standards Amendments of 1973. I am convinced that the minimum wage provisions contained in this measure represent a critically needed remedy for the financial disaster threatening so many underprivileged Americans.

Ms. ABZUG. Mr. Chairman, I rise in opposition to the Erlenborn amendments to H.R. 7935. We must act immediately to adopt legislation raising and extending coverage of the minimum wage, especially in view of the current dismantling of poverty and other needful social programs and the removal of controls on prices, rents, and profits—actions which serve only to further hinder the working poor in their struggle to survive on their own. I wish to associate myself with the remarks of Congresswomen CHISHOLM and GRIFFITHS and to compliment the committee for bringing out this bill.

I am especially happy that domestic workers are included in this bill. It is dismaying to realize, amidst all the pressure for raising wages to keep up with inflation, that a group of 16 million Americans, including 1½ million domestic workers, is still struggling to live on a minimum wage that in most States is still at the Federal level of $1.60 an hour. For a 40-hour week, this comes to $3,328 a year—well under the official definition of poverty level, $4,000 for a family of four. Inflation hits this worker harder than anyone else; $1.60 now buys less than the former minimum of $1.25 did in 1966 when the Fair Labor Standards Act was amended.

The Labor Department classifies over 2 million workers as "private household workers." Ninety-eight percent of them are women. In 1969 the median wage of a full-time household worker was less than $2,000 per year. Fifty-seven percent were below $1,000 a year. In New York the median income for those working 50 to 52 weeks a year is $2,689—the median for Alaska is $803, for Connecticut, $2,602.

We must remember, too, that privately employed household workers do not usually receive standard benefits such as pay for sick leave, vacation, and holidays—even when their employers go on vacation—nor employment nor workmen's compensation benefits. Most household employees work more than 40 hours per week but are not compensated for the extra time.

It has been argued that an increase in the minimum wage for domestic workers will price them out of the market because families who could have once afforded domestic help will no longer be able to do so. The reason for the decrease of one million domestic workers from 1960 to 1970 has been low pay. Moreover, with the number of working women increasing, the need for domestic help will continue to rise.

Most people these days would wish to identify themselves with any measures designed to help people to support themselves. If we are to encourage people to work, as the administration claims to do, then we will have to expend money on job training, on job development, on child care. And minimum wage coverage will have to be raised and extended. While there will be some increase in costs to the consumer, these are not excessive. As for the argument that minimum wage legislation will help increase inflation, Dr. Richard S. Landry of the Economic Analysts and Study Group of the Chamber of Commerce has testified before the Senate Subcommittee on Labor as follows:

> We do not contend, unlike some witnesses that appeared before you, that the minimum wage is inflationary, quite the opposite. Inflation is not caused by minimum wages.

Inflation hits low income groups hardest. The Senate Subcommittee on Employment, Manpower, and Poverty, in its analysis of the Census Employment Survey conducted as part of the 1970 Census of Population and Housing, found that approximately 20 percent of the population are working for subemployment wages—that is, less than $80 per week. I wish that it were possible to set the minimum wage, right now, at $2.50 per hour. My only objection to the present bill is that it moves far too slowly, at too low rates. But we must pass this, at the very least.

Large employers such as hotel and food chains and conglomerate enterprises oppose minimum wage legislation because they are eager to keep profits up and costs down. That we tend to forget that when industry does not pay, Government has to. Thousands of full-time workers' families must still get supplemental welfare payments. This means that the taxpayer is helping to subsidize big industry.

It is unfair to the taxpayers and grossly unfair to the workers whose labor keeps our economy running smoothly, to say that they are entitled to less than $5,000 a year by 1974, let alone 1975.

The proposed differential minimum wage for youth is discriminatory and will not begin to solve the problem of youth unemployment. A submininum wage will not create jobs for youth, nor will it answer the problem of the lack of skills and training.

According to a Labor Department Study published in 1970:

> The most important factor explaining changes in teenage unemployment and employment has been the general business conditions as measured by the adult unemployment rate. The rate of other variables remains clouded by interrelationships among them, all hints of adverse effects of minimum wages show up in available data, no firm statement can be made about magnitude at such effect.

Moreover, anyone who views the subminimum wage as a solution to the black teenage unemployment problem fails to understand the problem. In April, 1973, the unemployment rate for all teenagers—ages 16–19—was 15.4 percent. For white teenagers—13.3 percent; for black teenagers, 32.8 percent; for black male teenagers, 30.7 percent; for black female teenagers, 35.5 percent. Obviously, the important factor is not age, but color.

We must turn our attention to this severe economic problem, not by placing discriminatory restrictions on youth, but by passing imaginative and progressive legislation to create jobs and train youth to fill them. Those who are truly concerned with youth employment could well use their influence to urge the Continuation of such programs as the Neighborhood Youth Corps, instead of trying to pit youths against adults.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. TAYLOR) to the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ERLENBORN).

The amendment to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ERLENBORN), as amended.

RECORDED VOTE

Mr. ERLENBORN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

PARLIAMENTARY INQUIRY

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GERALD R. FORD. Mr. Chairman, for the benefit of the Members, will the Chair repeat what the vote is on at this point?

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ERLENBORN), as amended by the Taylor of North Carolina amendment.

Mr. GERALD R. FORD. Mr. Chairman, I thank the Chair.

The vote was taken by electronic device, and there were—ayes 199, noes 218, not voting 15, as follows:

[Roll. No. 180]

AYES—199

Abdnor	Fuqua	Pickle
Anderson, Ill.	Gettys	Powell, Ohio
Andrews, N.C.	Goldwater	Preyer
Archer	Goodling	Price, Tex.
Arends	Gross	Quie
Armstrong	Grover	Quillen
Ashbrook	Gubser	Railsback
Bafalis	Gude	Randall
Baker	Gunter	Regula
Beard	Guyer	Rhodes
Blackburn	Haley	Roberts
Bowen	Hammer-schmidt	Robinson, Va.
Bray	Hanrahan	Robison, N.Y.
Brinkley	Harsha	Rogers
Broomfield	Harvey	Roncallo, N.Y.
Brotzman	Hastings	Rose
Brown, Mich.	Hébert	Rousselot
Broyhill, N.C.	Henderson	Ruppe
Broyhill, Va.	Hinshaw	Ruth
Buchanan	Hogan	Sandman
Burgener	Holt	Satterfield
Burke, Fla.	Hosmer	Scherle
Burleson, Tex.	Huber	Schneebeli
Butler	Hudnut	Sebelius
Byron	Hunt	Shoup
Camp	Hutchinson	Shriver
Casey, Tex.	Ichord	Shuster
Cederberg	Jarman	Sikes
Chamberlain	Johnson, Pa.	Skubitz
Chappell	Jones, N.C.	Smith, N.Y.
Clancy	Jones, Okla.	Snyder
Clausen, Don H.	Jones, Tenn.	Spence
Clawson, Del	Kazen	Stanton, J. William
Cleveland	Keating	Steelman
Cochran	Ketchum	Steiger, Ariz.
Collier	King	Steiger, Wis.
Collins	Kuykendall	Stephens
Conable	Landrum	Stubblefield
Conlan	Latta	Stuckey
Coughlin	Lent	Symms
Crane	Lott	Talcott
Daniel, Dan	McClory	Taylor, Mo.
Daniel, Robert W., Jr.	McCollister	Taylor, N.C.
Davis, Wis.	McEwen	Teague, Calif.
de la Garza	McSpadden	Thomson, Wis.
Dellenback	Madigan	Thone
Dennis	Mahon	Treen
Derwinski	Mallary	Vander Jagt
Devine	Mann	Veysey
Dickinson	Martin, Nebr.	Waggonner
Dorn	Martin, N.C.	Wampler
Downing	Mathias, Calif.	Ware
Duncan	Mathis, Ga.	White
du Pont	Mayne	Whitehurst
Edwards, Ala.	Michel	Whitten
Erlenborn	Milford	Wiggins
Esch	Miller	Wilson, Bob
Eshleman	Mizell	Winn
Flowers	Montgomery	Wydler
Flynt	Moorhead, Calif.	Wylie
Ford, Gerald R.	Myers	Wyman
Fountain	Nelsen	Young, Fla.
Frelinghuysen	Nichols	Young, Ill.
Frenzel	O'Brien	Young, S.C.
Frey	Parris	Young, Tex.
Froehlich	Pettis	Zion
		Zwach

NOES—218

Abzug	Brown, Calif.	Dingell
Adams	Burke, Calif.	Donohue
Addabbo	Burke, Mass.	Drinan
Alexander	Burlison, Mo.	Dulski
Anderson, Calif.	Burton	Eckhardt
Andrews, N. Dak.	Carey, N.Y.	Edwards, Calif.
Annunzio	Carney, Ohio	Eilberg
Ashley	Chisholm	Evans, Colo.
Aspin	Clark	Evins, Tenn.
Badillo	Clay	Fascell
Barrett	Cohen	Findley
Bell	Conte	Fish
Bennett	Conyers	Flood
Bergland	Corman	Foley
Bevill	Cotter	Ford, William D.
Biaggi	Cronin	Forsythe
Biester	Culver	Fraser
Bingham	Daniels, Dominick V.	Fulton
Boggs	Danielson	Gaydos
Boland	Davis, Ga.	Giaimo
Brademas	Davis, S.C.	Gibbons
Brasco	Delaney	Gilman
Breaux	Dellums	Ginn
Breckinridge	Denholm	Gonzalez
Brooks	Dent	Grasso
	Diggs	Gray

Green, Oreg.	Meeds	Runnels
Green, Pa.	Melcher	Ryan
Griffiths	Metcalfe	St Germain
Hamilton	Mezvinsky	Sarasin
Hanley	Minish	Sarbanes
Hanna	Mink	Saylor
Hansen, Idaho	Mitchell, Md.	Schroeder
Hansen, Wash.	Mitchell, N.Y.	Seiberling
Harrington	Moakley	Shipley
Hawkins	Mollohan	Sisk
Hays	Moorhead, Pa.	Slack
Hechler, W. Va.	Morgan	Smith, Iowa
Heckler, Mass.	Mosher	Staggers
Heinz	Moss	Stanton,
Helstoski	Murphy, Ill.	James V.
Hicks	Murphy, N.Y.	Stark
Hillis	Natcher	Steed
Holifield	Nedzi	Steele
Holtzman	Nix	Stratton
Horton	Obey	Studds
Howard	O'Hara	Sullivan
Hungate		Symington
Johnson, Calif.	O'Neill	Teague, Tex.
Johnson, Colo.	Owens	Thompson, N.J.
Jones, Ala.	Passman	Thornton
Jordan	Patten	Tiernan
Karth	Pepper	Udall
Kastenmeier	Perkins	Ullman
Kluczynski	Peyser	Van Deerlin
Koch	Pike	Vanik
Kyros	Poage	Vigorito
Landgrebe	Podell	Waldie
Lehman	Price, Ill.	Walsh
Litton	Pritchard	Whalen
Long, La.	Rangel	Widnall
Long, Md.	Rees	Williams
Lujan	Reid	Wilson,
McCloskey	Reuss	Charles H.,
McCormack	Riegle	Calif.
McDade	Rinaldo	Wilson,
McFall	Rodino	Charles, Tex.
McKay	Roe	Wolff
McKinney	Roncalio, Wyo.	Wright
Macdonald	Rooney, Pa.	Wyatt
Madden	Rosenthal	Yates
Mailliard	Rostenkowski	Yatron
Maraziti	Roush	Young, Alaska
Matsunaga	Roy	Zablocki
Mazzoli	Roybal	

NOT VOTING—15

Blatnik	Kemp	Rarick
Bolling	Leggett	Rooney, N.Y.
Brown, Ohio	Mills, Ark.	Stokes
Carter	Minshall, Ohio	Towell, Nev.
Fisher	Patman	Young, Ga.

So the amendment in the nature of a substitute, as amended, was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GUDE. Mr. Chairman, on rollcall No. 180 on the so-called Erlenborn substitute I am recorded as voting "aye" when it was in fact my intent to vote "no." I opposed the substitute.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—INCREASES IN MINIMUM WAGE RATES

INCREASE IN MINIMUM WAGE RATE FOR EMPLOYEES COVERED BEFORE 1966

SEC. 101. Section 6(a)(1) (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) not less than $2 an hour during the period ending June 30, 1974, and not less than $2.20 an hour after June 30, 1974, except as otherwise provded in this section;".

AMENDMENT OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ERLENBORN: Page 2, strike out lnes 9 through 12, and insert in lieu thereof the following:

"(1) not less than $1.90 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973, not less than $2.10 an hour during the second year from such date, and not less than $2.20 an hour thereafter, except as otherwise provded in this section;".

Mr. ERLENBORN. Mr. Chairman, this amendment is an amendment that would affect the wage rate increases in the committee bill having to do with the group of workers who were covered prior to the 1966 amendments.

Under the committee bill these workers would be raised 40 cents upon the effective date of the act. At the present time the wage rate for this group is $1.60 an hour. The committee bill would raise that immediately to $2 an hour and a year later to $2.20.

The amendment I have offered would call for a 30-cent increase in the first year, that is, upon the effective date of the rate increase it would go from $1.60 to $1.90 per hour. Thereafter, 1 year later, it would be $2.10 and then in the last year $2.20.

This wage rate is in line with that recommended by Secretary Brennan when he testified before our committee.

I think one advantage to this besides allowing the economy to have the opportunity to absorb these wage rate increases in an orderly fashion is that we know that the rate recommended by the administration will be acceptable to the administration, and obviously the bill will be signed.

I have no information as to whether the President would sign any other bill or not sign any other bill, but we do know the administration recommended these wage rates.

It means 10 cents less the first year and it means reaching $2.20 a year later.

I hope the amendment will be adopted.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

I think most of the Members know exactly what it is all about.

I want to point out that the $2 in our bill is exactly the point we would be at if we would have been able to pass the Erlenborn amendment last year into law or even the Anderson amendment into law. We took up at exactly the point where they thought we ought to be this year.

I would appreciate it very much if you would consider it on the basis of that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ERLENBORN).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ERLENBORN. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 225, not voting 14, as follows:

[Roll. No. 181]

AYES—193

Abdnor	Bray	Byron
Alexander	Brinkley	Camp
Anderson, Ill.	Broomfield	Casey, Tex.
Archer	Brotzman	Cederberg
Arends	Brown, Mich.	Chamberlain
Armstrong	Broyhill, N.C.	Chappell
Ashbrook	Broyhill, Va.	Clancy
Bafalis	Buchanan	Clausen,
Baker	Burgener	Don H.
Beard	Burke, Fla.	Clawson, Del
Blackburn	Burleson, Tex.	Cleveland
Bowen	Butler	Cochran
Collier	Hudnut	Robison, N.Y.
Collins	Hunt	Rogers
Conable	Hutchinson	Roncallo, N.Y.
Conlan	Jarman	Rose
Crane	Johnson, Pa.	Rousselot
Daniel, Dan	Jones, N.C.	Runnels
Daniel, Robert	Jones, Tenn.	Ruppe
W., Jr.	Kazen	Ruth
Davis, Wis.	Keating	Satterfield
Denholm	Ketchum	Scherle
Dennis	King	Schneebeli
Derwinski	Kuykendall	Shoup
Devine	Landgrebe	Shriver
Dickinson	Latta	Shuster
Dorn	Lent	Sikes
Downing	Lott	Skubitz
Duncan	McClory	Smith, N.Y.
du Pont	McCollister	Snyder
Edwards, Ala.	McEwen	Spence
Erlenborn	McKay	Stanton,
Esch	Mahon	J. William
Eshleman	Mann	Steelman
Flynt	Martin, Nebr.	Steiger, Ariz.
Ford, Gerald R.	Martin, N.C.	Steiger, Wis.
Forsythe	Mathias, Calif.	Stephens
Fountain	Mathis, Ga.	Stratton
Frelinghuysen	Mayne	Stubblefield
Frey	Michel	Symms
Froehlich	Milford	Talcott
Fuqua	Miller	Taylor, Mo.
Gettys	Mizell	Teague, Calif.
Goldwater	Montgomery	Thomson, Wis.
Goodling	Moorhead,	Thone
Gross	Calif.	Treen
Grover	Myers	Vander Jagt
Gubser	Nelsen	Veysey
Gunter	Nichols	Waggonner
Guyer	O'Brien	Wampler
Haley	Parris	Ware
Hammer-	Pettis	Whitehurst
schmidt	Pickle	Whitten
Hanrahan	Poage	Wiggins
Hansen, Idaho	Powell, Ohio	Williams
Harvey	Preyer	Wilson, Bob
Hastings	Price, Tex.	Winn
Hays	Pritchard	Wydler
Hébert	Quie	Wylie
Henderson	Quillen	Wyman
Hicks	Randall	Young, Fla.
Hinshaw	Rarick	Young, Ill.
Hogan	Regula	Young, S.C.
Holt	Rhodes	Young, Tex.
Hosmer	Roberts	Zion
Huber	Robinson, Va.	Zwach

NOES—225

Abzug	Danielson	Heckler, Mass.
Adams	Davis, Ga.	Heinz
Addabbo	Davis, S.C.	Helstoski
Anderson,	de la Garza	Hillis
Calif.	Delaney	Holifield
Andrews, N.C.	Dellenback	Holtzman
Andrews,	Dellums	Horton
N. Dak.	Dent	Howard
Annunzio	Diggs	Hungate
Ashley	Dingell	Ichord
Aspin	Donohue	Johnson, Calif.
Badillo	Drinan	Johnson, Colo.
Barrett	Dulski	Jones, Ala.
Bell	Eckhardt	Jones, Okla.
Bennett	Edwards, Calif.	Jordan
Bergland	Eilberg	Karth
Bevill	Evans, Colo.	Kastenmeier
Biaggi	Evins, Tenn.	Kluczynski
Biester	Fascell	Koch
Bingham	Findley	Kyros
Blatnik	Fish	Landrum
Boggs	Flood	Leggett
Boland	Foley	Lehman
Brademas	Ford,	Litton
Brasco	William D.	Long, La.
Breaux	Fraser	Long, Md.
Breckinridge	Frenzel	Lujan
Brooks	Fulton	McCloskey
Brown, Calif.	Gaydos	McCormack
Burke, Calif.	Giaimo	McDade
Burke, Mass.	Gibbons	McFall
Burlison, Mo.	Gilman	McKinney
Burton	Ginn	McSpadden
Carey, N.Y.	Gonzalez	Macdonald
Carney, Ohio	Grasso	Madden
Chisholm	Gray	Madigan
Clark	Green, Oreg.	Mailliard
Clay	Green, Pa.	Mallary
Cohen	Griffiths	Maraziti
Conte	Gude	Matsunaga
Conyers	Hamilton	Mazzoli
Corman	Hanley	Meeds
Cotter	Hansen, Wash.	Melcher
Coughlin	Harrington	Metcalfe
Cronin	Harsha	Mezvinsky
Daniels,	Hawkins	Mills, Ark.
Dominick V.	Hechler, W. Va.	Minish

Mink	Riegle	Sullivan
Mitchell, Md.	Rinaldo	Symington
Mitchell, N.Y.	Rodino	Taylor, N.C.
Moakley	Roe	Teague, Tex.
Mollohan	Roncalio, Wyo.	Thompson, N.J.
Moorhead, Pa.	Rooney, Pa.	Thornton
Morgan	Rosenthal	Tiernan
Mosher	Rostenkowski	Udall
Moss	Roush	Ullman
Murphy, Ill.	Roy	Van Deerlin
Murphy, N.Y.	Roybal	Vanik
Natcher	Ryan	Vigorito
Nedzi	St Germain	Waldie
Nix	Sandman	Walsh
Obey	Sarasin	Whalen
O'Hara	Sarbanes	White
O'Neill	Saylor	Widnall
Owens	Schroeder	Wilson, Charles H., Calif.
Passman	Seiberling	
Patten	Shipley	
Pepper	Sisk	Wilson, Charles, Tex.
Perkins	Slack	
Peyser	Smith, Iowa	Wolff
Pike	Staggers	Wright
Podell	Stanton, James V.	Wyatt
Price, Ill.	Stark	Yates
Railsback	Steed	Yatron
Rangel	Steele	Young, Alaska
Rees	Stuckey	Young, Ga.
Reid	Studds	Zablocki
Reuss		

NOT VOTING—14

Bolling	Flowers	Rooney, N.Y.
Brown, Ohio	Hanna	Sebelius
Carter	Kemp	Stokes
Culver	Minshall, Ohio	Towell, Nev.
Fisher	Patman	

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE:

On page 2, line 10, strike out "$2.20" and insert in lieu thereof "$2.10" and strike out "after June 30, 1974" in line 11 of page 2, and insert in lieu thereof "during the year July 1, 1974, and not less than $2.20 an hour after June 30, 1975,".

Mr. QUIE. Mr. Chairman, by the last vote it appears that the majority of the House want those who are covered prior to 1966 to go immediately to $2.00 an hour. There may be some reason for that. If we had passed a bill last year starting out at $1.80 last year, the minimum wage would have been $2 an hour this year. That might be the reason why the majority did vote as it did.

However, I think there is another part of the question. Do the Members want to jump to $2.20 an hour in 1 year? I believe that it ought to take a little more time to do that. It seems to me that it would be better if we start out, when this bill is passed, at $2.00 an hour as the majority voted. That is what my amendment provides, as the committee bill provides, but a year later be at $2.10 an hour and a year after that at $2.20 an hour. That is the issue before us.

I think that this will be accepted in the economy better. I believe that it makes the progression at about the rate that we ought to take. Hopefully, that is the only extent, 5 percent, that inflation should occur over that period of time. Therefore, since everybody now understands what the amendment would do, I shall not take any more time to discuss it.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hope not to take 5 minutes. I just want to state that the bill now stands identical in these rates to what Senator WILLIAMS has told me it is over in the Senate. I think it is good to have a working arrangement.

I think that, if we take into consideration the 10 cents being proposed, with a normal 20-percent deduction for social security and other direct taxes on payrolls, it comes to an 8-cents-an-hour increase.

In the restaurant industry, it becomes 4 cents, because of the tip credit provision. I suggest we stay with the committee.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Chairman, I agree with the gentleman from Minnesota that we should have had a bill last year, which indeed we should have had, but the circumstances were such that we did not have it. We are in a situation where we find, notwithstanding that with the tremendous inflationary cost of living, not to mention the value of an ounce of gold or the lack of value of the dollar, the hourly wage earners throughout the United States would be in an infinitely better position today than they are.

This has been deferred to this point, and the effect of the bill's amendment is just to set the pace back in such a way that, if this amendment were carried, there is really no practical way for what I would call a catchup in hourly wages in order to sustain the families of working people.

So, although I agree with my distinguished friend from Minnesota that we should have had a bill last year, and I lament the fact that we did not, I feel it is our responsibility at this point to bring it up to date. I therefore urge that the amendment be defeated.

I thank the gentleman from Pennsylvania for yielding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

RECORDED VOTE

Mr. QUIE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 224, not voting 19, as follows:

[Roll. No. 182]

AYES—189

Abdnor	Burleson, Tex.	Davis, Wis.
Alexander	Butler	Denholm
Anderson, Ill.	Byron	Dennis
Andrews, N.C.	Camp	Derwinski
Archer	Casey, Tex.	Devine
Arends	Cederberg	Dickinson
Armstrong	Chamberlain	Dorn
Ashbrook	Chappell	Downing
Bafalis	Clancy	Duncan
Baker	Clausen, Don H.	du Pont
Beard	Clawson, Del	Edwards, Ala.
Blackburn	Cleveland	Erlenborn
Bowen	Cochran	Esch
Bray	Cohen	Eshleman
Brinkley	Collier	Flowers
Broomfield	Collins	Flynt
Brotzman	Conlan	Ford, Gerald R.
Brown, Mich.	Crane	Fountain
Broyhill, N.C.	Daniel, Dan	Frelinghuysen
Broyhill, Va.	Daniel, Robert W., Jr.	Frey
Buchanan		Froehlich
Burgener		Fuqua
Gettys	Martin, N.C.	Sikes
Goldwater	Mathias, Calif.	Skubitz
Goodling	Mathis, Ga.	Smith, N.Y.
Gross	Mayne	Snyder
Grover	Mazzoli	Spence
Gubser	Michel	Stanton, J. William
Gunter	Milford	
Guyer	Mizell	Steelman
Haley	Montgomery	Steiger, Ariz.
Hammer-schmidt	Moorhead, Calif.	Steiger, Wis.
		Stephens
Hanrahan	Myers	Stratton
Hansen, Idaho	Nelsen	Stubblefield
Harsha	Nichols	Symington
Harvey	O'Brien	Symms
Hastings	Parris	Talcott
Henderson	Pettis	Taylor, Mo.
Hicks	Poage	Teague, Calif.
Hillis	Powell, Ohio	Thomson, Wis.
Hogan	Preyer	Thone
Holt	Price, Tex.	Treen
Hosmer	Pritchard	Vander Jagt
Huber	Quie	Veysey
Hudnut	Quillen	Waggonner
Hutchinson	Rarick	Wampler
Jarman	Regula	Ware
Johnson, Pa.	Rhodes	Whitehurst
Jones, N.C.	Roberts	Whitten
Jones, Tenn.	Robinson, Va.	Wiggins
Keating	Robison, N.Y.	Williams
Ketchum	Rogers	Wilson, Bob
Kuykendall	Roncallo, N.Y.	Winn
Latta	Rose	Wright
Lent	Rousselot	Wydler
Lott	Ruppe	Wylie
McClory	Ruth	Wyman
McCollister	Satterfield	Young, Fla.
McEwen	Scherle	Young, Ill.
McKay	Schneebeli	Young, S.C.
Mahon	Sebelius	Young, Tex.
Mallary	Shoup	Zion
Mann	Shriver	Zwach
Martin, Nebr.	Shuster	

NOES—224

Abzug	Dulski	Long, Md.
Adams	Eckhardt	Lujan
Addabbo	Edwards, Calif.	McCloskey
Anderson, Calif.	Eilberg	McCormack
	Evans, Colo.	McDade
Andrews, N. Dak.	Evins, Tenn.	McFall
	Fascell	McKinney
Annunzio	Findley	McSpadden
Ashley	Fish	Macdonald
Aspin	Flood	Madden
Badillo	Foley	Madigan
Barrett	Ford, William D.	Mailliard
Bell		Maraziti
Bennett	Forsythe	Matsunaga
Bergland	Fraser	Meeds
Bevill	Frenzel	Melcher
Biaggi	Fulton	Metcalfe
Biester	Gaydos	Mezvinsky
Bingham	Giaimo	Miller
Blatnik	Gibbons	Mills, Ark.
Boggs	Ginn	Minish
Boland	Gonzalez	Mink
Brademas	Grasso	Mitchell, Md.
Brasco	Gray	Mitchell, N.Y.
Breaux	Green, Oreg.	Moakley
Breckinridge	Green, Pa.	Mollohan
Brooks	Griffiths	Moorhead, Pa.
Brown, Calif.	Gude	Morgan
Burke, Calif.	Hamilton	Mosher
Burke, Fla.	Hanley	Moss
Burke, Mass.	Hansen, Wash.	Murphy, Ill.
Burlison, Mo.	Harrington	Natcher
Burton	Hawkins	Nedzi
Carey, N.Y.	Hays	Nix
Carney, Ohio	Hechler, W. Va.	Obey
Chisholm	Heckler, Mass.	O'Hara
Clark	Heinz	O'Neill
Clay	Helstoski	Owens
Conable	Holifield	Passman
Conte	Holtzman	Patten
Conyers	Horton	Pepper
Corman	Howard	Perkins
Cotter	Hungate	Pickle
Coughlin	Hunt	Pike
Cronin	Johnson, Calif.	Podell
Culver	Johnson, Colo.	Price, Ill.
Daniels, Dominick V.	Jones, Ala.	Railsback
	Jones, Okla.	Randall
Danielson	Jordan	Rangel
Davis, Ga.	Karth	Rees
Davis, S.C.	Kastenmeier	Reid
de la Garza	Kazen	Reuss
Delaney	Kluczynski	Riegle
Dellenback	Koch	Rinaldo
Dellums	Kyros	Rodino
Dent	Landrum	Roe
Diggs	Leggett	Roncalio, Wyo.
Dingell	Lehman	Rooney, Pa.
Donohue	Litton	Rosenthal
Drinan	Long, La.	Rostenkowski

Roush	Stark	White
Roy	Steed	Widnall
Roybal	Steele	Wilson,
Runnels	Stuckey	Charles H.,
Ryan	Studds	Calif.
St Germain	Sullivan	Wilson,
Sandman	Taylor, N.C.	Charles, Tex.
Sarasin	Teague, Tex.	Wolff
Sarbanes	Thompson, N.J.	Wyatt
Saylor	Thornton	Yates
Schroeder	Tiernan	Yatron
Seiberling	Udall	Young, Alaska
Shipley	Ullman	Young, Ga.
Sisk	Van Deerlin	Zablocki
Slack	Vanik	
Smith, Iowa	Vigorito	
Staggers	Waldie	
Stanton,	Walsh	
James V.	Whalen	

NOT VOTING—19

Bolling	Hinshaw	Patman
Brown, Ohio	Ichord	Peyser
Carter	Kemp	Rooney, N.Y.
Fisher	King	Stokes
Gilman	Landgrebe	Towell, Nev.
Hanna	Minshall, Ohio	
Hébert	Murphy, N.Y.	

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INCREASE IN MINIMUM WAGE RATE FOR NONAGRICULTURAL EMPLOYEES COVERED IN 1966 AND 1973

SEC. 102. Section 6(b) (29 U.S.V. 206(b)) is amended (1) by striking out "Every employer" and inserting in lieu thereof "(1) Except as provided in paragraph (2), every employer", (2) by striking out "(other than an employee to whom subsection (a)(5) applies)", (3) by inserting "or the Fair Labor Standards Amendments of 1973" after "1966", and (4) by striking out paragraphs (1) through (5) and inserting in lieu thereof the following:

"(A) not less than $1.80 an hour during the period ending June 30, 1974,

"(B) not less than $2 an hour during the year beginning July 1, 1974, and

"(C) not less than $2.20 an hour after June 30, 1975.

"(2) This subsection does not apply to—

"(A) any employee to whom subsection (a)(5) applies,

"(B) any employee who was brought within the purview of this section by the amendments to section 18 made by the Fair Labor Standards Amendments of 1966, and

"(C) any Federal employee employed in connection with the operation of a hospital, institution, or school described in section 4(r)(1).

Subsection (a)(1) applies to the employees described in subparagraphs (B) and (C)."

INCREASE IN MINIMUM WAGE RATE FOR AGRICULTURAL EMPLOYEES

SEC. 103. Section 6(a)(5) (29 U.S.C. 206(a)(5)) is amended to read as follows:

"(5) if such employee is employed in agriculture, not less than—

"(A) $1.60 an hour during the period ending June 30, 1974;

"(B) $1.80 an hour during the year beginning July 1, 1974;

"(C) $2 an hour during the year beginning July 1, 1975, and

"(D) $2.20 an hour after June 30, 1976."

AMENDMENT OFFERED BY MR. TALCOTT

Mr. TALCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TALCOTT: Page 3, strike out line 23 and all that follows down through and including line 5 on page 4 and insert in lieu thereof the following:

"(A) $1.80 an hour during the period ending June 30, 1974;

"(B) $2 an hour during the year beginning July 1, 1974; and

"(C) $2.20 an hour after June 30, 1975."

SUBSTITUTE AMENDMENT OFFERED BY MR. ERLENBORN FOR THE AMENDMENT OFFERED BY MR. TALCOTT

Mr. ERLENBORN. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from California.

The Clerk read as follows:

Substitute amendment offered by Mr. ERLENBORN for the amendment offered by Mr. TALCOTT: Page 3, strike out line 21 and all that follows down through and including line 5 on page 4, and insert in lieu thereof the following:

"(5) if such employee is employed in agriculture, not less than $1.50 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1973, not less than $1.70 an hour during the second year from such date, not less than $1.85 an hour during the third year from such date, and not less than $2.00 an hour thereafter."

Mr. ERLENBORN. Mr. Chairman, the House has already had an opportunity in a rollcall vote to choose between the Talcott amendment now pending and the amendment that I have now just offered, which is identical to the language that was contained in the substitute.

May I refresh the memory of those Members who may not have been present during that debate. The Talcott amendment would raise agricultural minimum wage rates from the present $1.30 immediately to $1.80. That is a 50-cent increase upon the effective date of the act. It then would raise them to $2, and then to $2.20, and would eliminate the historic differential between agricultural and nonagricultural minimums.

The amendment that I have offered as a substitute would raise the minimum to $1.50 in the first step to $1.70 in the second step, $1.85, and then $2. It would bring the agricultural minimum to within 20 cents of the industrial minimum.

As I say, we have had a vote on this already. The Talcott amendment was rejected in favor of the language that was in the substitute. I would hope that the same result would obtain now.

Mr. BURTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as we all know, the House has worked its will on the Talcott amendment, and there seems to be little value to repeating that discussion. Similarly, the gentleman from Illinois is offering zigzag modification of the Talcott amendment, and I gather there is some effort being made to divide our ranks. I urge defeat of the Erlenborn amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Illinois (Mr. ERLENBORN) for the amendment offered by the gentleman from California (Mr. TALCOTT).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ERLENBORN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 224, not voting 13, as follows:

[Roll No. 183]

AYES—195

Abdnor	Fountain	Pickle
Alexander	Frelinghuysen	Poage
Anderson, Ill.	Frey	Powell, Ohio
Andrews, N.C.	Froehlich	Preyer
Archer	Fuqua	Price, Tex.
Arends	Gettys	Quie
Armstrong	Ginn	Quillen
Ashbrook	Goldwater	Railsback
Bafalis	Goodling	Randall
Baker	Gross	Rarick
Beard	Grover	Rhodes
Blackburn	Gunter	Roberts
Boggs	Guyer	Robinson, Va.
Bowen	Haley	Robison, N.Y.
Bray	Hammer-	Rogers
Breaux	schmidt	Roncallo, N.Y.
Brinkley	Hanna	Rose
Broomfield	Hanrahan	Runnels
Brotzman	Hansen, Idaho	Ruth
Brown, Mich.	Harsha	Sarasin
Broyhill, Va.	Harvey	Satterfield
Buchanan	Hastings	Scherle
Burke, Fla.	Henderson	Schneebeli
Burleson, Tex.	Hillis	Sebelius
Burlison, Mo.	Hinshaw	Shoup
Butler	Hogan	Shriver
Byron	Holt	Shuster
Camp	Huber	Sikes
Casey, Tex.	Hudnut	Skubitz
Cederberg	Hungate	Snyder
Chamberlain	Hunt	Spence
Chappell	Hutchinson	Stanton,
Clancy	Jarman	J. William
Clawson, Del	Johnson, Pa.	Steelman
Cleveland	Jones, Tenn.	Steiger, Ariz.
Cochran	Kazen	Steiger, Wis.
Collier	Keating	Stephens
Collins	Kuykendall	Stratton
Conable	Landgrebe	Stubblefield
Conlan	Landrum	Stuckey
Coughlin	Latta	Symms
Crane	Lent	Taylor, Mo.
Daniel, Dan	Long, La.	Taylor, N.C.
Daniel, Robert	Lott	Thomson, Wis.
W., Jr.	Lujan	Thone
Davis, Ga.	McClory	Thornton
Davis, S.C.	McCollister	Treen
Davis, Wis.	McEwen	Vander Jagt
de la Garza	Madigan	Waggonner
Dellenback	Mahon	Wampler
Dennis	Mann	Ware
Derwinski	Martin, Nebr.	White
Devine	Martin, N.C.	Whitehurst
Dickinson	Mathis, Ga.	Whitten
Dorn	Mayne	Williams
Downing	Michel	Wilson, Bob
Duncan	Milford	Winn
du Pont	Mills, Ark.	Wright
Edwards, Ala.	Mitchell, N.Y.	Wydler
Erlenborn	Mizell	Wylie
Esch	Montgomery	Wyman
Eshleman	Myers	Young, Fla.
Flowers	Nelsen	Young, Ill.
Flynt	Nichols	Young, S.C.
Ford, Gerald R.	O'Brien	Young, Tex.
Forsythe	Parris	Zion

NOES—224

Abzug	Brooks	Delaney
Adams	Brown, Calif.	Dellums
Addabbo	Broyhill, N.C.	Denholm
Anderson,	Burgener	Dent
Calif.	Burke, Calif.	Diggs
Andrews,	Burke, Mass.	Dingell
N. Dak.	Burton	Donohue
Annunzio	Carey, N.Y.	Drinan
Ashley	Carney, Ohio	Dulski
Aspin	Chisholm	Eckhardt
Badillo	Clark	Edwards, Calif.
Barrett	Clausen,	Eilberg
Bell	Don H.	Evans, Colo.
Bennett	Clay	Evins, Tenn.
Bergland	Cohen	Fascell
Bevill	Conte	Findley
Biaggi	Conyers	Fish
Biester	Corman	Flood
Bingham	Cotter	Foley
Blatnik	Cronin	Ford,
Boland	Culver	William D.
Brademas	Daniels,	Fraser
Brasco	Dominick V.	Frenzel
Breckinridge	Danielson	Fulton

Gaydos	Mailliard	Rousselot
Giaimo	Mallary	Roy
Gibbons	Maraziti	Roybal
Gilman	Mathias, Calif.	Ruppe
Gonzalez	Matsunaga	Ryan
Grasso	Mazzoli	St Germain
Gray	Meeds	Sandman
Green, Oreg.	Melcher	Sarbanes
Green, Pa.	Metcalfe	Saylor
Griffiths	Mezvinsky	Schroeder
Gubser	Miller	Seiberling
Gude	Minish	Shipley
Hamilton	Mink	Sisk
Hanley	Mitchell, Md.	Slack
Hansen, Wash.	Moakley	Smith, Iowa
Harrington	Mollohan	Smith, N.Y.
Hawkins	Moorhead,	Staggers
Hays	Calif.	Stanton,
Hébert	Moorhead, Pa.	James V.
Hechler, W. Va.	Morgan	Stark
Heckler, Mass.	Mosher	Steed
Heinz	Moss	Steele
Helstoski	Murphy, Ill.	Studds
Hicks	Murphy, N.Y.	Sullivan
Holifield	Natcher	Symington
Holtzman	Nedzi	Talcott
Horton	Nix	Teague, Calif.
Hosmer	Obey	Teague, Tex.
Howard	O'Hara	Thompson, N.J.
Johnson, Calif.	O'Neill	Tiernan
Johnson, Colo.	Owens	Udall
Jones, Ala.	Passman	Ullman
Jones, N.C.	Patten	Van Deerlin
Jones, Okla.	Pepper	Vanik
Jordan	Perkins	Veysey
Karth	Pettis	Vigorito
Kastenmeier	Pike	Waldie
Ketchum	Podell	Walsh
Kluczynski	Price, Ill.	Whalen
Koch	Pritchard	Widnall
Kyros	Rangel	Wiggins
Leggett	Rees	Wilson,
Lehman	Regula	Charles H.,
Litton	Reid	Calif.
Long, Md.	Reuss	Wilson,
McCloskey	Riegle	Charles, Tex.
McCormack	Rinaldo	Wolff
McDade	Rodino	Wyatt
McFall	Roe	Yates
McKay	Roncalio, Wyo.	Yatron
McKinney	Rooney, Pa.	Young, Alaska
McSpadden	Rosenthal	Young, Ga.
Macdonald	Rostenkowski	Zablocki
Madden	Roush	Zwach

NOT VOTING—13

Bolling	Kemp	Rooney, N.Y.
Brown, Ohio	King	Stokes
Carter	Minshall, Ohio	Towell, Nev.
Fisher	Patman	
Ichord	Peyser	

So the substitute amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. TALCOTT).

RECORDED VOTE

Mr. TEAGUE of California. Mr. Chairman, I demand a recorded vote.

PARLIAMENTARY INQUIRY

Mr. BURTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BURTON. Mr. Chairman, the pending business is a proposal to raise within a period of 12 months or so something akin to a dollar an hour to the farm employees' wages.

That is the matter to be considered, and that has already been defeated; is that correct?

Mr. TALCOTT. Mr. Chairman, that is exactly the——

The CHAIRMAN. The statement is made in the nature of a parliamentary inquiry in relation to the amendment. The Chair does not wish to interpret the amendment.

The question is on the amendment offered by the gentleman from California (Mr TALCOTT) on which a recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 102, noes 313, not voting 17, as follows:

[Roll No. 184]

AYES—102

Abzug	Frenzel	Podell
Adams	Goldwater	Pritchard
Addabbo	Gonzalez	Rangel
Anderson, Calif.	Green, Pa.	Rees
Badillo	Gubser	Regula
Bell	Gude	Reid
Bennett	Harrington	Riegle
Biaggi	Hawkins	Rodino
Biester	Hechler, W. Va.	Roe
Blatnik	Helstoski	Rosenthal
Brademas	Hosmer	Roush
Brasco	Howard	Rousselot
Brown, Calif.	Jordan	Roybal
Burgener	Karth	Ryan
Burke, Calif.	Kastenmeier	Seiberling
Burton	Ketchum	Sisk
Carey, N.Y.	Koch	Stanton,
Chisholm	McCloskey	James V.
Clausen,	McKinney	Stark
Don H.	Mailliard	Studds
Clay	Mallary	Sullivan
Collier	Mathias, Calif.	Symms
Conyers	Mazzoli	Talcott
Corman	Meeds	Teague, Calif.
Danielson	Melcher	Thompson, N.J.
de la Garza	Metcalfe	Van Deerlin
Dellums	Miller	Vanik
Diggs	Minish	Veysey
Drinan	Mink	Waldie
Eckhardt	Mitchell, Md.	Whalen
Edwards, Calif.	Moorhead,	Wiggins
Findley	Calif.	Wilson, Bob
Ford,	Moorhead, Pa.	Wright
William D.	Moss	Young, Ga.
Fraser	O'Hara	Zwach
	Pettis	

NOES—313

Abdnor	Conlan	Gilman
Alexander	Conte	Ginn
Anderson, Ill.	Cotter	Goodling
Andrews, N.C.	Coughlin	Grasso
Andrews,	Crane	Gray
N. Dak.	Cronin	Green, Oreg.
Annunzio	Culver	Griffiths
Archer	Daniel, Dan	Gross
Arends	Daniel, Robert	Grover
Armstrong	W., Jr.	Gunter
Ashbrook	Daniels,	Guyer
Ashley	Dominick V.	Haley
Aspin	Davis, Ga.	Hamilton
Bafalis	Davis, S.C.	Hammer-
Baker	Davis, Wis.	schmidt
Barrett	Delaney	Hanley
Beard	Dellenback	Hanna
Bergland	Denholm	Hanrahan
Bevill	Dennis	Hansen, Idaho
Bingham	Dent	Harsha
Blackburn	Derwinski	Harvey
Boggs	Devine	Hastings
Boland	Dickinson	Hays
Bowen	Dingell	Hébert
Bray	Donohue	Heckler, Mass.
Breaux	Dorn	Heinz
Breckinridge	Downing	Hicks
Brinkley	Dulski	Hillis
Brooks	Duncan	Hinshaw
Broomfield	du Pont	Hogan
Brotzman	Edwards, Ala.	Holifield
Brown, Mich.	Eilberg	Holt
Broyhill, N.C.	Erlenborn	Holtzman
Broyhill, Va.	Esch	Horton
Buchanan	Eshleman	Huber
Burke, Fla.	Evans, Colo.	Hudnut
Burke, Mass.	Evins, Tenn.	Hungate
Burleson, Tex.	Fascell	Hunt
Burlison, Mo.	Fish	Hutchinson
Butler	Flood	Ichord
Byron	Flowers	Jarman
Camp	Flynt	Johnson, Calif.
Carney, Ohio	Foley	Johnson, Colo.
Casey, Tex.	Ford, Gerald R.	Johnson, Pa.
Cederberg	Forsythe	Jones, Ala.
Chamberlain	Fountain	Jones, N.C.
Chappell	Frelinghuysen	Jones, Okla.
Clancy	Frey	Jones, Tenn.
Clark	Froehlich	Kazen
Clawson, Del	Fulton	Keating
Cleveland	Fuqua	Kuykendall
Cochran	Gaydos	Kyros
Cohen	Gettys	Landgrebe
Collins	Giaimo	Landrum
Conable	Gibbons	Latta
Leggett	Patten	Stanton,
Lehman	Pepper	J. William
Lent	Perkins	Steed
Litton	Pickle	Steele
Long, La.	Pike	Steelman
Long, Md.	Poage	Steiger, Ariz.
Lott	Powell, Ohio	Steiger, Wis.
Lujan	Preyer	Stephens
McClory	Price, Ill.	Stratton
McCollister	Price, Tex.	Stubblefield
McCormack	Quie	Stuckey
McDade	Quillen	Symington
McEwen	Railsback	Taylor, Mo.
McFall	Randall	Taylor, N.C.
McKay	Rarick	Teague, Tex.
McSpadden	Reuss	Thomson, Wis.
Macdonald	Rhodes	Thone
Madden	Rinaldo	Thornton
Madigan	Roberts	Tiernan
Mahon	Robinson, Va.	Treen
Mann	Robison, N.Y.	Ullman
Maraziti	Rogers	Vander Jagt
Martin, Nebr.	Roncalio, Wyo.	Vigorito
Martin, N.C.	Roncalio, N.Y.	Waggonner
Mathis, Ga.	Rooney, Pa.	Walsh
Matsunaga	Rose	Wampler
Mayne	Rostenkowski	Ware
Mezvinsky	Roy	White
Michel	Runnels	Whitehurst
Milford	Ruppe	Whitten
Mills, Ark.	Ruth	Widnall
Mitchell, N.Y.	St Germain	Williams
Mizell	Sandman	Wilson,
Moakley	Sarasin	Charles H.,
Mollohan	Sarbanes	Calif.
Montgomery	Satterfield	Wilson,
Morgan	Saylor	Charles, Tex.
Mosher	Scherle	Winn
Murphy, Ill.	Schneebeli	Wolff
Murphy, N.Y.	Schroeder	Wyatt
Myers	Sebelius	Wydler
Natcher	Shipley	Wylie
Nedzi	Shoup	Wyman
Nelsen	Shriver	Yates
Nichols	Shuster	Yatron
Nix	Sikes	Young, Alaska
Obey	Skubitz	Young, Fla.
O'Brien	Slack	Young, Ill.
O'Neill	Smith, Iowa	Young, S.C.
Owens	Snyder	Young, Tex.
Parris	Spence	Zablocki
Passman	Staggers	Zion

NOT VOTING—17

Bolling	Kemp	Rooney, N.Y.
Brown, Ohio	King	Smith, N.Y.
Carter	Kluczynski	Stokes
Fisher	Minshall, Ohio	Towell, Nev.
Hansen, Wash.	Patman	Udall
Henderson	Peyser	

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. HOLTZMAN. Mr. Chairman, I wish to explain my vote on the Talcott amendment. I wholeheartedly support bringing agricultural workers to the same minimum wage level as industrial workers—although I am on record as opposing this amendment.

I voted the way I did, because there was no written copy of the amendment available and because the nature of the amendment was incorrectly explained to me. Had I been able to change my vote I would have voted "yes."

The CHAIRMAN. Are there further amendments to be proposed to section 103? If not, the Clerk will read.

The Clerk read as follows:

GOVERNMENT, HOTEL, MOTEL, RESTAURANT, FOOD SERVICE, AND CONGLOMERATE EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 104. Section 5 (29 U.S.C. 205) is amended by adding at the end thereof the following new subsection:

"(e) The provisions of this section, section 6(c), and section 8 shall not apply with respect to the minimum wage rate of any employee employed in Puerto Rico or the Virgin Islands (1) by the United States or by the government of the Virgin Islands, (2) by an establishment which is a hotel, motel, or restaurtant, (3) by any other retail or service establishment which employs such em-

ployee primarily in connection with the preparation or offering of food or beverages for human consumption, either on the premises, or by such services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs, or (4) by an establishment described in section 13(g). The minimum wage rate of such an employee shall be determined under this Act in the same manner as the minimum wage rate for employees employed in a State of the United States is determined under this Act. As used in the preceding sentence, the term 'State' does not include a territory or possession of the United States."

Mr. ERLENBORN (during the reading). Mr. Chairman, I ask unanimous consent that section 104 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INCREASES IN MINIMUM WAGE RATES FOR OTHER EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 105. (a) Effective on the date of the enactment of the Fair Labor Standards Amendments of 1973, subsection (c) of section 6 is amended by striking out paragraphs (2), (3), and (4) and inserting in lieu thereof the following:

"(2)(R) In the case of any such employee who is covered by such a wage order and to whom the rate or rates prescribed by subsection (a)(1) would otherwise apply, the following rates shall apply (unless superseded by a wage order issued under paragraph (6) and except as otherwise provided by paragraph (8)):

"(i) Effective as prescribed in subparagraph (B), the employee's base rate, increased by 25 per centum.

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 12.5 per centum of the employee's base rate.

"(B) The effective date of the increase prescribed by subparagraph (A)(i) shall be the sixtieth day following the effective date of the Fair Labor Standards Amendments of 1973 or one year from the effective date of the most recent wage order applicable to the employee which the Secretary issued before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(C) For purposes of this subsection, the term 'base rate' means the rate applicable to an employee under the most recent wage order issued by the Secretary before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed pursuant to section 5.

"(3)(A) In the case of any employee employed in agriculture who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5 and to whom the rate or rates prescribed by subsection (a)(5) would otherwise apply, the following rates shall apply (unless superseded by a wage order issued under paragraph (6) and except as otherwise provided in subparagraph (B) or paragraph (8)):

"(i) Effective as prescribed in subparagraph (C), the employee's base rate, increased by 15.4 per centum.

"(ii) Effective one year after the applicable effective date of the increase prescribed by cause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 15.4 per centum of the employee's base rate.

"(iii) Effective one year after the applicable effective date of the increase prescribed by cause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 15.4 per centum of the employee's base rate.

"(B) Notwithstanding subparagraph (A) of this paragraph, in the case of any employee employed in agriculture who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5, to whom the rate or rates prescribed by subsection (a) (5) would otherwise apply, and whose hourly wage is increased above the wage rate prescribed by such wage order by a subsidy (or income supplement) paid, in whole or in part, by the government of Puerto Rico, the following rates shall apply (except as otherwise provided in this subparagraph and in paragraph (8)):

"(i) Effective as prescribed in subparagraph (C), the employee's base rate, increased by (I) the amount by which the employee's hourly wage rate is increased above his base rate by the subsidy (or income supplement), and (II) 15.4 per centum of the sum of the employee's base rate and the amount referred to in subclause (I).

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause increased by an amount equal to 15.4 per centum of the sum of the employee's base rate and the amount referred to in subclause (I) of clause (i).

"(iii) Effective one year after the applicable effective date of the increase prescribed by clause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 15.4 per centum of the sum of the employee's base rate and the amount referred to in subclause (I) of clause (i).

Notwithstanding clause (i), (ii), or (iii) of this subparagraph, the minimum wage rate for any employee described in this subparagraph shall not be increased under such clause (i), (ii), or (iii) to a rate which exceeds the minimum wage rate in effect under subsection (a)(5).

"(C) The effective date of the increase prescribed by subparagraphs (A)(i) and (B)(i) shall be the sixtieth day following the effective date of the Fair Labor Standards Amendments of 1973 or one year from the effective date of the most recent wage order applicable to the employee which the Secretary issued before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(4)(A) Except as provided in section 5(e) in the case of any employee who is covered by a wage order issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5 and to whom this section was made applicable by the amendments made to this Act by the Fair Labor Standards Amendments of 1966, the following rates shall apply (unless superseded by a wage order issued under paragraph (6) and except as otherwise provided by paragraph (8)):

"(i) Effective as prescribed in subparagraph (B), the employee's base rate, increased by 12.5 per centum.

"(ii) Effective one year after the applicable effective date of the increase prescribed by clause (i), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 12.5 per centum of the employee's base rate.

"(iii) Effective one year after the effective date of the increase prescribed by clause (ii), not less than the highest rate applicable to the employee on the day before the effective date of the increase prescribed by this clause, increased by an amount equal to 12.5 per centum of the employees base rate.

"(B) The effective date of the increase prescribed by subparagraph (A)(i) shall be the sixtieth day following the effective date of the Fair Labor Standards Amendments of 1973 or one year from the effective date of the most recent wage order applicable to the employee which the Secretary issued before the effective date of the Fair Labor Standards Amendments of 1973 pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(5) Except as provided in section 5(e), in the case of any employee employed in Puerto Rico or the Virgin Islands to whom this section was made applicable by the amendments made to this Act by the Fair Labor Standards Amendments of 1973, the Secretary shall, as soon as practicable after the date of enactment of the Fair Labor Standards Amendments of 1973, appoint a special industry committee in accordance with section 5 to recommend the highest minimum wage rate or rates, in accordance with the standards prescribed by section 8, to be applicable to such employee in lieu of the rate or rates prescribed by subsection (b). The rate or rates recommended by the special industry committee shall be effective with respect to such employee upon the effective date of the wage order issued pursuant to such recommendation, but not before sixty days after the effective date of the Fair Labor Standards Amendments of 1973.

"(6)(A) Any employer, or group of employers, employing a majority of the employees in an industry in Puerto Rico or the Virgin Islands for whom wage rate increases are prescribed by paragraph (2), (3)(A), or (4) may apply to the Secretary in writing for the appointment of a special industry committee to recommend the minimum wage rate or rates to be paid such employees in lieu of the rate or rates prescribed by paragraph (2), (3)(A), or (4), whichever is applicable. Any such application shall be filed—

"(i) in the case of the first of such increases, not less than thirty days following the date of enactment of the Fair Labor Standards Amendments of 1973, and

"(ii) in the case of each succeeding increase, not more than one hundred and twenty days and not less than sixty days prior to the effective date of such increase.

"(B) The Secretary shall promptly consider any application duly filed under subparagraph (A) of this paragraph for appointment of a special industry committee and may appoint such a special industry committee if he has a reasonable cause to believe, on the basis of financial and other information contained in the application, that compliance with any applicable rate or rates prescribed by paragraph (2), (3)(A), or (4), as the case may be, will substantially curtail employment in the industry with respect to which the application was filed. The Secretary's decision upon any such application shall be final. In appointing a special industry committee pursuant to this paragraph the Secretary shall, to the extent possible, appoint persons who were members of the special industry committee most recently

convened under section 8 for such industry. Any wage order issued pursuant to the recommendations of a special industry committee appointed under this paragraph shall take effect on the applicable effective date provided in paragraph (2), (3), or (4), as the case may be. If a wage order has not been issued pursuant to the recommendation of a special industry committee appointed under this paragraph prior to the applicable effective date under paragraph (2), (3), or (4), the applicable percentage increase provided by paragraph (2), (3), or (4) shall take effect on the effective date prescribed therein, except with respect to the employees of an employer who filed an application for appointment under this paragraph of a special industry committee and who files with the Secretary an undertaking with a surety or sureties satisfactory to the Secretary for payment to his employees of an amount sufficient to compensate such employees for the difference between the wages they actually receive and the wages to which they are entitled under this subsection. The Secretary shall be empowered to enforce such undertaking and any sums recovered by him shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee or employees affected. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury of the United States as miscellaneous receipts.

"(C) The provisions of section 5 and section 8, relating to special industry committees, shall be applicable to special industry committees appointed under this paragraph. The appointment of a special industry committee under this paragraph shall be in addition to and not in lieu of any special industry committee required to be convened pursuant to section 8(a), except that no special industry committee convened under that section shall hold any hearing within one year after a minimum wage rate or rates for such industry shall have been recommended to the Secretary, by a special industry committee appointed under this paragraph, to be paid in lieu of the rate or rates prescribed by paragraph (2), (3)(A), or (4), as the case may be.

"(7) The minimum wage rate or rates prescribed by this subsection shall be in effect only for so long as and insofar as such minimum wage rate or rates have not been superseded by a wage order fixing a higher minimum wage rate or rates (but not in excess of the applicable rate prescribed in subsection (a) or (b)) hereafter issued by the Secretary pursuant to the recommendation of a special industry committee appointed under section 5.

"(8) Notwithstanding any other provision of this subsection, the wage rate of any employee in Puerto Rico or the Virgin Islands which is subject to increase under paragraph (2), (3), (4), or (5) of this subsection shall, on and after the effective date of the first wage increase under the paragraph which applies to the employee's wage rate, be not less than 60 per centum of the wage rate that (but for this subsection) would be applicable to such employee under subsection (a) or (b) of this section."

(b)(1) The last sentence of section 8(b) (29 U.S.C. 208(b)) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "except that the committee shall recommend to the Secretary the minimum wage rate prescribed in section 6 (a) or (b), which would be applicable but for section 6(c), unless there is substantial documentary evidence, including pertinent unabridged profit and loss statements and balance sheets for a representative period of years, in the record which establishes that the industry, or a predominant portion thereof, is unable to pay that wage."

(2) The third sentence of section 10(a) (29 U.S.C. 210(a)) is amended by inserting after "modify" the following: "(including provision for the payment of an appropriate minimum wage rate)".

Mr. ERLENBORN (during the reading). Mr. Chairman, I ask unanimous consent that section 105 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONTE: Page 15, insert after line 9 the following:

SEC. 106. Section 13(f) (29 U.S.C. 213(f)) is amended (1) by inserting "(1)" immediately after "(f)", and (2) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding paragraph (1), the increases in the minimum wage rates prescribed by the Fair Labor Standards Amendments of 1973 shall not apply to the minimum wage rates applicable under this Act to employees employed in the Canal Zone."

Mr. CONTE. Mr. Chairman, the purpose of this amendment is to freeze the minimum wage paid in the Canal Zone.

Since 1966, when the minimum wage was extended to the Canal Zone, it has caused an economic disruption in the society of Panama. At the present time, the lowest paid worker for the Canal Zone Government or the Panama Canal Company earns the same wage as a professional schoolteacher in Panama.

This creates an embarrassing tension in our relations with the government of Panama. Gainful employment in Panama is discouraged by the higher paying, lower qualification jobs in the Canal Zone. In economic terms, we are fostering underemployment.

The minimum wage paid in the Canal Zone is three times what is paid in Panama for the same work. If the minimum wage is raised from $1.60 to $2.20 in the Canal Zone, an increase of 38 percent, this disparity will increase to four times the local rate.

This freeze on the minimum wage for the Canal Zone is supported by the State Department, the Panama Canal Company and the Canal Zone Government. It would affect only 300 employees, all of them Panamanian citizens.

The Canal Zone is the only area in the world where the foreign citizens are hired and paid according to the U.S. minimum wage schedule, instead of the local minimum wage.

Another disadvantage in having Panamanian workers paid under the U.S. minimum wage scale is the possibility that, as a result of treaty negotiations, certain business activities may be transferred from government operation to private business. Beset by minimum wage requirements, many firms would not be competitive.

Furthermore, under the treaty negotiations with Panama, a number of activities now performed by the Canal Zone Government, such as operating piers or commissaries, could be transferred directly to operation by the Panama Government. Employees paid $2.20 an hour under the U.S. wage scale would be reduced to 50 or 70 cents an hour under Panamanian jurisdiction. This sharp reduction would cause a severe morale problem in the Canal Zone.

If businesses which are now run by the Canal Zone Government are turned over to Panama, we would certainly hope for a period of time in which the employees would be guaranteed employment. But if minimum wages are raised to a level four times the Panamanian level, then there is little likelihood of such a guarantee.

I urge my colleagues to support this amendment so that the difference between the minimum wages paid for the same work in the Canal Zone is not aggravated any further.

I might say, Mr. Chairman, that this amendment was adopted last year when we had the minimum wage bill before this House.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

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

Mr. ERLENBORN. Mr. Chairman, I thank the gentleman for yielding.

The gentleman is correct. Last year when the same gentleman now in the well offered the same amendment as is now being offered it was adopted by a record vote by a substantial margin.

I would also like to point out that I have a letter dated March 23 of this year from the Department of State, signed by Marshall Wright, Acting Assistant Secretary for Congressional Relations. In this letter he sets out the reasons why the gentleman's amendment ought to be adopted. Without reading the whole letter, let me make two or three salient points: "The Department of State would like to recommend that H.R. 4757 be amended to exempt the Panama Canal Zone from the minimum wage provisions of the bill. This recommendation is based on the following important foreign policy considerations."

It continues that this, "would adversely affect the financial condition of the Panama Canal Company and increase the cost of operating U.S. military bases located there."

It continues further, "would further accentuate the existing disparity between wage levels of better paid Panamanians working in the Zone and those in the Republic of Panama."

Lastly, "A minimum wage increase would complicate on-going canal treaty negotiations."

These are very excellent reasons why I believe the amendment of the gentleman from Massachusetts ought to be adopted.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take too much time, but I also have a letter from the Department of State and one from the Government of Panama.

The situation at this point is that the Panamanian Government takes the position that this is a violation of treaty. The State Department states very flatly that they must pay equal pay for equal work to Panamanians, the same as to American citizens. The only way they

can deny the Panamanians' inclusion under the increase in minimum wage law is to specifically exclude the Americans as well.

Once it comes to the point of the money being paid, the agreement does say that they must pay the Panamanians the same amount as they pay American citizens.

Mr. Chairman, this committee had a concern over this. I had practically the same sentiments as my friend from Massachusetts has. What we have decided to do is to leave it in the bill to go to the Senate. I have already been talking to the Senators and they are going to try to work in some kind of language that will not violate the treaty; the Senator in charge of this legislation in the Senate assured that. We agreed to keep it in our bill so that we have a point of controversy when we get to the Senate.

Mr. NEDZI. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Michigan (Mr. NEDZI).

Mr. NEDZI. Mr. Chairman, is it not true that the Canal Zone has been under the jurisdiction of the minimum wage since 1966?

Mr. DENT. That is true.

Very sincerely, I tell you this has caused much thought. I wish the gentleman would let us keep our hands free for when we talk to the Senate.

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

Mr. DENT. I yield to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, I think I heard the gentleman's remarks regarding the effect this provision has on U.S. citizens, is that correct?

Mr. DENT. Yes.

Mr. STEIGER of Wisconsin. Perhaps I missed the point. I cannot think in terms of experience of the committee that no U.S. citizen is paid less than the minimum wage. It seems it would not affect U.S. citizens.

Mr. DENT. In fact, there are wage board and other Federal employees who now earn less than $2 an hour. But, moreover, we believe that in the conference committee with the Senate, who are really the treaty endorsers for the Government of the United States, that we will be in a better position to work out something equitable.

That is all this is.

Mr. LEGGETT. Mr. Chairman, I move to strike the last word.

I rise to oppose the amendment. I have recently been designated as chairman of the Panama Canal Zone Subcommittee. We have had in the Merchant Marine and Fisheries Committee a number of conferences with Panamanian officials.

We are now trying to reach some kind of an accommodation, so far as an agreement goes, with the Panamanian Government through the State Department. The State Department has taken a position, as has been indicated, that the minimum wage coverage should not extend to the Panama Canal Zone. This is a change of a 15-year precedent, where the minimum wage coverage has extended to the zone.

The State Department has taken the position that we do not have the money to pay the $6 million that it would cost to cover the black Panamanians, who essentially are the ones involved here. We are now in a position where we have a surplus of $1.5 million as a result of Canal Zone tolls. I believe we are operating off a toll structure that is now 60 years old and certainly should be reformed. As a result I believe we do have the money to pay for this minimum wage coverage.

There is an allegation made by the Panamanian Government that in the event we exclude and in fact discriminate against the Canal Zone with respect to this legislation we will be violating a Treaty of 1955 origin. I believe that is correct.

Without belaboring the point, I believe the amendment is not well taken, that the Dent bill is in proper form in this respect, and the Conte amendment should be rejected.

Mr. Chairman, I oppose any amendment to delete from H.R. 7935 the increases in minimum wage rates provided for the workers in the Panama Canal Zone. These workers have received minimum wage increases along with workers in the United States for some 15 years now and I see no justification for discriminating against them this year.

If it is true that an increase in these wage rates will force an increase in canal tolls, I say that it is high time the tolls were increased. Many of my colleagues may not be aware of the fact that these tolls have never been increased; they are still at the rates at which they were fixed some 60 years ago when the canal was opened. If an increase of tolls is called for, then it will only mean removing what has been a subsidy for the shippers who use the canal, a subsidy paid for by the low wages of Canal Zone workers.

It is also illuminating to look at the size of the increases which may be called for. According to a letter sent by the Department of State to Mr. DENT, the cost of the minimum wage increase will be about $6 million annually. To meet this additional cost, if indeed there will be additional cost, the canal need only increase by 6.07 percent the $98,833,373 toll revenue they reported in 1972. This increase will presumably also permit them to retain the $1,247,448 net revenue—that means profit—that the canal reported in 1972.

One final point, I think it is well to note that the Government of the Republic of Panama supports an increase in the Canal Zone minimum wage. Their ambassador stated last year that his government would regard exclusion of the Canal Zone from the minimum wage increases as a violation of the memorandum of understanding attached to the 1955 treaty between the United States and Panama. The Government of Panama also feels that an increase in the Canal Zone minimum wage would have a beneficial effect on the Panamanian economy and would stimulate further increases in wage rates in their country.

I hope that the Conte amendment will be rejected.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from Massachusetts.

Mr. CONTE. The gentleman made reference that the Canal Zone had *x* amount of millions of dollars in surplus. That is not the issue here.

I have a letter here from the Governor of the Canal Zone Government.

I am pleased to see that the gentleman is now on this committee. I have been on the committee handling the appropriations for the Canal Zone for many years. I do not want to infringe on the jurisdiction of any other committee, however I do know something about the problem because of my work on the Appropriations Committee.

I have a letter from David S. Parker, Governor of the Canal Zone, president of the Panama Canal Company, pleading with us to make this change. The letter reads:

CANAL ZONE GOVERNMENT,
Balboa Heights, Canal Zone,
March 12, 1973.

Hon. JOHN H. DENT,
Chairman, Subcommittee on General Labor, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: It is my understanding that consideration is being given by your Subcommittee to H.R. 4757, a bill to amend the Fair Labor Standards Act of 1938. This legislation would, among other things, increase the minimum wage and extend its present coverage. The hourly minimum rate under the Act would be increased in time from $1.60 to $2.00 (or $1.80 for newly covered employees) and then to $2.20.

My purpose in writing is to recommend that the bill be amended to provide that the increases in the FLSA minimum wage and the expanded coverage shall not apply in the Canal Zone and that, instead, the present coverage and minimum wage of $1.60 per hour continue in effect. The Commander in Chief, United States Southern Command, acting on behalf of the military activities here, concurs in this recommendation. The reasons for this proposal are set out below.

The Fair Labor Standards Act is geographically applicable to the Canal Zone. Prior to 1966 its minimum wage requirements covered only employees of construction contractors and of certain of the few private business establishments located in the Canal Zone, such as banks and shipping agents. Under Public Law 89–601 (enacted September 23, 1966) the FLSA was amended to extend minimum wage coverage to employees of Federal agencies operating in the Canal Zone and to personnel of nonappropriated fund activities under the Armed Forces.

The application of the minimum wage to Federal workers in the Canal Zone in 1966 had a substantial impact on employment practices of the Canal agencies. Up to that time, the wage rates for positions at the lower skill levels for which there is adequate labor supply available in the Republic of Panama were fixed on a local wage base. For higher skilled workers in positions for which recruitment is necessary, at least in part, from the United States, rates of compensation applicable to Federal employment in the continental United States have been used. Congress has expressly sanctioned such a wage plan in the enactment of section 144 of Title 2, Canal Zone Code, 76A Stat. 17, which authorizes the head of each Federal agency here to fix basic compensation in relation either to United States rates or to wages paid in areas outside the country as

designated in regulations issued under authority of the President.

Since the effective date of the 1966 FLSA amendments, the use of a local wage base has been continued, but its lowest rates have been fixed at the minimum wage prescribed under the FLSA. The result has been that the pay for workers in those jobs for which there is local recruitment has been artificially held above the local wage base that otherwise would have been applicable under the statutory wage system prescribed for the Canal Zone under 2 C.Z.C. § 144.

At the present time there are approximately 9,100 employees in the Canal Zone subject to the Act. Of this number, about 6,800 are U.S. Government personnel in the wage board category or employed by nonappropriated fund activities. The remainder are the privately employed workers referred to above, who for the most part were subject to the FLSA prior to the 1966 amendments.

In order to eliminate the disparity between Federal employees entitled to the FLSA minimum and others in occupations not subject to the Act, the U.S. Government agencies administratively established a minimum wage of $1.60 an hour for all excluded employees. For that reason all Federal workers in the Canal Zone now receive no less than $1.60 an hour.

The legal minimum wage for urban employment in the adjacent labor market in Panama ranges from 50 to 70 cents an hour. A further increase in the Canal Zone minimum wage would, of course, widen the already substantial gap between the legal wage floor in Panama as opposed to the Canal Zone minimum. The anomaly is an obvious one because most of the employees in the Canal Zone who would be affected by a change in the minimum wage reside in, and are nationals of, the Republic of Panama. Present wage levels provided more than an adequate number of applicants for employment in the Canal Zone. The higher minimum does not appear justifiable on the basis of economic need, social policy, or sound personnel practice.

One obvious effect of a law establishing a minimum that is three times the prevailing wage in the Republic of Panama is uneconomical operation by the Canal agencies and the military components. The proposed legislation would have a significant effect on the U.S. military forces in the Canal Zone. The competitive position of open messes would be adversely affected, the activity of special services would be curtailed, and post exchange payrolls would be substantially increased. The effect on special services and on the competitive position of the open messes would be to cause a greater number of U.S. servicemen to seek food and entertainment in Panama rather than to remain on the military posts. A more significant result would be the loss of jobs by Panamanian nationals who work in these service activities in the Canal Zone. The delicate relations with the present Panamanian Government could be disrupted by the reduction in force that application of the increase here would require.

The cost impact of H.R. 4757 would be greater on the Panama Canal Company and the Canal Zone Government because of the large number of Panamanians in semi-skilled positions. At current employment levels, the annual increase in cost would be $6 million for the two Canal agencies if the minimum wage goes from $1.60 to $2.20 per hour. The expense of Canal operations, a principal part of which is labor cost, is expected in the near future to exceed income from tolls. It is evident, therefore, that a $6 million increase in labor costs that would result from an increase in the minimum wage would substantially contribute to the pressure for an upward revision in tolls, since the waterway is required to be self-sustaining.

The Canal Zone is the only foreign area in which the U.S. Government pays local nationals a wage equal to the minimum in the United States rather than one based on prevailing rates in the local economy. Continuation of the present policy in the Canal Zone with the adoption of the higher rates could place in jeopardy the practice of using wage scales conforming to locality rates in other foreign areas.

A second area of concern is the proposed extension of minimum wage coverage to domestic service employees. The inclusion of the nearly 7,000 domestics in the Canal Zone in the proposed legislation is considered to be most unwise. The present minimum wage for domestics in the Republic of Panama is $40.00 per month. The requirement to pay a $2.20 minimum wage to domestics working in the Canal Zone, or even a $1.60 minimum for that matter, would create a situation where Canal Zone domestics would be working under a minimum wage scale that is almost 10 times higher than the minimum wage for comparable work in the adjacent urban areas of Panama. The use of domestics, most of whom are already paid above the Panama scale, enables dependents of U.S. Government employees and military personnel to be employed in regular Government positions and, thereby, reduces the need for additional recruitment and housing of U.S. nationals. Many positions which cannot be filled from the local labor market, such as nurses and school teachers, are filled in this way. If the cost of employing domestics is raised substantially, it is expected that many dependents would give up domestics and return to household duties. Such an action unquestionably would result in markedly higher U.S. Government recruitment expenses while at the same time increasing unemployment in Panama.

Another important consideration is that the minimum wage in the Canal Zone is one of the subjects being considered in treaty negotiations now in progress between the United States and Panama. It would not appear to be in the best interests of the United States to increase the statutory obligation for a fixed level of compensation when the conditions under which the Canal enterprise operates may undergo substantive change.

Based on the foregoing considerations, I strongly recommend that while the bill is under consideration by your Subcommittee, it be amended to exclude the Canal Zone from the proposed expanded coverage and wage increases and to retain the present minimum here. I believe that such a result could be accomplished by adding a new section 214 at the end of Title II reading as follows:

"Sec. 214. This Act shall not apply to the Canal Zone."

Due to the fact that hearing by your Subcommittee is scheduled for March 13–15, time does not permit securing advice from the Office of Management and Budget as to the relationship of this report to the program of the President.

Sincerely yours,

DAVID S. PARKER,
Governor of the Canal Zone, President, Panama Canal Company.

The chairman of the subcommittee said, "Give us time." We have had about a year to solve this problem. I have spoken with the gentleman many times off the floor of the House. I told him I was going to offer the amendment. I did offer the amendment last year. The amendment was carried by the House.

They are paying these people outside of the Canal Zone 50 to 70 cents an hour, top wages. Can you imagine those who leave the zone in the evening and return to Panama earning twice as much as a schoolteacher and, if we pass $2.20 minimum per hour four times more than a person living in Panama? All we are doing is to further strain relations with the Panamanians.

I should like to see everybody get $2.20 an hour, but here we would aggravate the situation. Why make an exception to the rule? We do not pay U.S. minimum wage to foreign employees any place outside of the United States except the Canal Zone.

Mr. LEGGETT. I get the gentleman's point. I would say that I have a four-page letter from Gov. Dave Parker, too. I have great respect for him.

On this particular point I am satisfied, after talking with the officials there, that we are going to aggravate the situation between the United States and the Government of Panama by making this exception at this time.

The Panamanian Ambassador wrote a letter to the chairman of the Committee on Education and Labor. We can put that letter in the RECORD if we want to.

The better part of valor and diplomacy at this time would be not to make the mistake we made last year. If the Senate in conference wants to do something else, let us let them do it.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, very briefly it seems to me there are two points the committee ought to consider before turning down the Conte amendment.

In the first place, the chairman of the subcommittee argues it is required to keep the language of the committee bill in, in order to provide some kind of flexibility in the conference. I must say in all honesty that fails to be persuasive to the question, if we really want flexibility, for if that is what we are searching for let us take the Conte amendment and then deal with the other body in the conference.

But we, in effect, are going to eliminate any ability to be flexible if we do not adopt the Conte amendment.

Mr. Chairman, there is a second point which, I think, is even more important from the view of those of us on this committee, and that is that we have on this issue essentially two conflicting views: Those of the representatives of Panama and those of the representatives of the United States.

I would tell the Members very honestly that I think it would be far the wiser course of action to listen carefully to those views expressed by the representatives of this country who have to live with this kind of problem, and on that basis the Conte amendment is the one that makes the most sense from the standpoint of the United States.

Mr. Chairman, on that basis, it seems to me the Conte amendment ought to be adopted.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to address a question to the gentleman from Massachusetts (Mr. CONTE).

We have been talking about minimum wage problems here. But I have not heard any discussion so far with regard to the actual situation in Panama. If I read the papers correctly, the Panamanian peo-

ple have been attacking this country for some time: they claim that we have been unkind to them and have been taking too much money away from them. They even invited the Security Council of the United Nations down there a few months ago to attack the United States.

Mr. Chairman, I am a little confused as to just what the impact of this amendment will be. The gentleman tells us that if we continue to pay higher wages to the Panamanian people that the United States employs, then Panama is going to be mad at us.

Mr. CONTE. The Panamanians.

Mr. STRATTON. But it seems to me that under the gentleman's amendment, if we take away the additional money we have been paying some Panamanians, then they are going to be mad at us, too, because we have taken it away.

I wonder just what impact this bill or the gentleman's amendment will have on this basic problem? As far as I can see, neither one is going to help us very much. The Panamanians are going to be mad at us regardless of what we do.

Is that not the situation, or does the gentleman have any other light he can throw on it? Is there anything we can do that would improve the situation in Panama?

Mr. Chairman, it looks to me as though it would work the other way.

Mr. CONTE. Mr. Chairman, I may say that the amendment I have offered does not take anything away; it just freezes the minimum wage rate where it is at the present time.

Mr. Chairman, I think the gentleman has made a candid statement. I do not think it makes any difference whether my amendment carries or whether my amendment is defeated, as far as doing something to change relationships down there. I merely point out the human factor.

Mr. Chairman, the gentleman realizes this: that if he had somebody living in Cohoes, N.Y., and they were making $5 an hour, and they came up to Schenectady and made $30 an hour, the guy is going to be damn mad. That is the only point I am trying to make.

Mr. Chairman, this is what has happened. We have 300 Panamanians getting the minimum wage, because they work in the Canal Zone, and if they leave the Cana Zone, they make from 50 to 60 cents an hour. It has nothing to do with our policy or a change in our policy.

Mr. STRATTON. Mr. Chairman, would the gentleman tell us what the Panamanians have been doing for us lately?

Mr. CONTE. Not very much.

Mr. FRENZEL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the Conte amendment. Last year when the House considered a minimum wage bill, which did not become law, it overwhelmingly accepted a similar Conte amendment excluding the Panama Canal Company from the provisions of the bill.

The Panama Canal Company is currently obliged to pay a minimum wage of $1.60. The minimum wage rate in Panama is from 50 to 75 cents an hour. Obviously the Canal Company is a most attractive employer, and its jobs are a distortion in the labor market in Panama. The effect of H.R. 7935, if the Conte amendment is not adopted, would be to raise the minimum wage from about three times the local rate to about four times the local rate.

In addition to the unhealthy relationship with local wages, the increase in the minimum wage for the Canal Company would undoubtedly force higher rates for the Panama Canal tolls or oblige the Panama Canal Company to come to Congress for U.S. taxpayers' money to support the operation of the canal. Since we are engaged in negotiations to change some of the arrangements between the United States and the Government of Panama which have existed for years, the trustees of the Canal Company and its managers believe that it would be unwise to raise tolls. At this time, also, the full effect of higher tolls on South American economies is not known, except that increase would be generally harmful. Consequently, it would be terribly unwise if the Canal Company were included in H.R. 7935.

I am informed that American operations, particularly those of the Defense Department overseas, usually pay local rates when hiring local people. The Canal Company has not made such a request. They are only asking that the current rate, which is three times the local rate, be maintained rather than increasing it to four times the local rate. The amendment of the gentleman from Massachusetts deserves unanimous support. I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BURTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—EXTENSION OF COVERAGE; REVISION OF EXEMPTIONS

FEDERAL AND STATE EMPLOYEES

SEC. 201. (a)(1) Subsection (d) of section 3 (29 U.S.C. 203) is amended to read as follows:

"(d) 'Employer' includes any person acting directly or indirectly in the interest of an employer in relation to an employee and includes the United States or any State or political subdivision of a State, but does not include any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization."

(2) Subsection (r) of section 3 is amended by inserting "or" at the end of paragraph (2) and by inserting after that paragraph the following new paragraph:

"(3) in connection with the activities of the Government of the United States or of any State or political subdivision of a State,".

(3) Subsection (s) section 3 is amended—

(A) by striking out "or" at the end of paragraph (3),

(B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; or", and

(C) by adding after paragraph (4) the following new paragraph:

"(5) is an activity of the Government of the United States or of any State or political subdivision of a State.".

(b) Section 13(b) (29 U.S.C. 213(b)) is amended by striking out the period at the end of paragraph (19) and inserting in lieu thereof "; or" and by adding after that paragraph the following:

"(20) any employee of a State or political subdivision of a State engaged in fire protection or law enforcement activities; or

"(21) any Federal employee other than a Federal employee who was brought within the purview of section 7 by the amendments made by the Fair Labor Standards Amendments of 1966.".

(c) Subsection (b) of section 18 (29 U.S.C. 218) is amended to read as follows:

"(b) Notwithstanding any other provision of this Act (other than section 13(f)) or any other law, any employee employed in a Federal nonappropriated fund instrumentality shall have his basic pay fixed or adjusted at an hourly wage rate which is not less than the rate in effect under section 6(a)(1) and shall have his overtime pay fixed or adjusted at an hourly wage rate which is not less than the rate prescribed by section 7(a)."

Mr. DENT. Mr. Chairman, I would like to ask unanimous consent that the section be considered as read and the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ERLENBORN. Mr. Chairman, reserving the right to object, do I understand correctly the gentleman wants the remainder of the bill to be considered as read and open to amendment at any point?

Mr. DENT. Yes.

Mr. ERLENBORN. If the gentleman will reserve that and only ask at this time that this section be considered as read, I will not object. Otherwise I feel constrained to object.

Mr. DENT. Well, I have been trying for 7 months to get some kind of concession or conference with you, but I will yield again and only ask that this section be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENTS OFFERED BY MR. HENDERSON

Mr. HENDERSON. Mr. Chairman, I offer several amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. HENDERSON: Amend section 201 as follows:

On page 15, line 17, strike out "the United States or".

On page 15, beginning in line 25 and ending in line 1, page 16, strike out "of the Government of the United States or".

On page 16, lines 10 and 11, strike out "of the Government of the United States or".

On page 16, line 19, strike out "activities; or" and insert in lieu thereof "activities."."

On page 16, beginning in line 20, strike out all of paragraph (21).

Mr. HENDERSON. Mr. Chairman, the purpose of my amendment is to strike

from section 201 of the bill that language which would have the effect of extending coverage of the minimum wage provisions to all Federal employees and coverage of the overtime provisions to wage board employees of the Government.

I have examined the Committee's report on H.R. 7935, and I can find no justification for extending application of the minimum wage provisions of the Fair Labor Standards Act to Federal employees.

Such action, as everyone knows, will result in no benefit to Federal employees. This fact is acknowledged by the Education and Labor Committee on pages 21 and 22 of the committee's report.

At the present time, the minimum hourly rate under the general schedule is $2.31. The pay schedules of Federal employees are adjusted regularly to provide rates of pay which are not less than, and ordinarily are greater than, the minimum rate under the Fair Labor Standards Act.

With respect to wage board or prevailing rate employees of the Government, section 5343(a) of title 5, United States Code, specifically provides that their rates of pay may not be less than the minimum rate specified under the Fair Labor Standards Act.

The Post Office and Civil Service Committee has jurisdiction over the pay of Federal employees, and I believe our committee has been successful in establishing pay systems which insure fair and adequate rates of pay for all Federal employees. Therefore, I can see no necessity or justification for confusing the state of the law by bringing Federal employees under the minimum wage provisions of the Fair Labor Standards Act.

The application of the overtime provisions of the Fair Labor Standards Act to Federal wage board or prevailing rate employees, as proposed under section 201 of the bill, makes even less sense and creates more serious problems than does the proposal for extending the minimum wage provisions to Federal employees.

The Fair Labor Standards Act requires payment of time and one-half premium rates for work in excess of 40 hours a week for certain categories of employees. The extension of this provision to Federal prevailing rate employees would be of no substantial benefit to such employees because the overtime pay benefits provided for those employees in title 5 of the United States Code are more liberal and have broader coverage than those under the Fair Labor Standards Act.

For example, under section 5544 of title 5, prevailing rate employees are paid time and one-half rates for work in excess of 8 hours a day, as well as for work in excess of 40 hours a week. Furthermore, many employees, such as supervisors and professionals, who are exempt from overtime pay under the Fair Labor Standards Act, are entitled to overtime pay under section 5544 of title 5.

The most serious problem that would be created by bringing Federal wage board employees under the overtime provisions of the Fair Labor Standards Act centers on the fact that two agencies, the Civil Service Commission and the Department of Labor, would be responsible for administering and enforcing the overtime pay laws applicable to those employees.

Clearly, this will create complications and confusion as to what effect the decisions of either agency will have on the other's existing authority.

In addition, this jurisdictional confusion could extend to the General Accounting Office, which, by law, has authority to settle all claims, including claims for pay, against the Federal Government. Under the Fair Labor Standards Act, the responsibility for considering claims rests with the Secretary of Labor.

Mr. Chairman, in view of these serious administrative problems and the complete lack of necessity or justification for extending coverage of the Fair Labor Standards Act to Federal employees, I urge the adoption of my amendment.

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

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

Mr. GROSS. Mr. Chairman, I want to commend my colleague, the gentleman from North Carolina (Mr. HENDERSON) for offering his amendment, and to say that I think the action on the part of the Committee on Education and Labor, though including Federal employees in this legislation, constitutes a serious intrusion upon the jurisdiction of the Committee on Post Office and Civil Service.

Mr. HENDERSON. I thank the gentleman from Iowa.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from North Carolina (Mr. HENDERSON).

The truth of the matter is that we already have covered for 7 years now, these employees, and this extension was reached upon the basis of testimony given to our subcommittee on many, many different occasions. We are calling upon private enterprise under the minimum wage, and also the local governments and the State governments are covered. We should do the same for Federal employees. I think it is academic that there will not be anybody here getting a pay increase. However, it is also not true that we cover Federal employees for overtime. There is no overtime extension in this legislation at all for Federal employees.

I urge the Members to vote down the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from North Carolina (Mr. HENDERSON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BURTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 249, not voting 16, as follows:

[Roll. No. 185]

AYES—167

Abdnor	Bafalis	Brinkley
Anderson, Ill.	Baker	Brown, Mich.
Archer	Beard	Brown, Ohio
Arends	Blackburn	Broyhill, N.C.
Armstrong	Bowen	Broyhill, Va.
Ashbrook	Bray	Burgener
Burke, Fla.	Haley	Quillen
Burleson, Tex.	Hammer-schmidt	Rarick
Butler	Hanrahan	Regula
Byron	Hastings	Rhodes
Camp	Henderson	Roberts
Casey, Tex.	Hicks	Robinson, Va.
Cederberg	Hogan	Robison, N.Y.
Chamberlain	Holt	Roncallo, N.Y.
Clancy	Huber	Rose
Clausen, Don H.	Hudnut	Rousselot
Clawson, Del	Hunt	Runnels
Cleveland	Hutchinson	Ruppe
Cochran	Ichord	Ruth
Collier	Jarman	Satterfield
Collins	Johnson, Pa.	Scherle
Conable	Jones, N.C.	Schneebeli
Conlan	Jones, Tenn.	Sebelius
Crane	Ketchum	Shipley
Daniel, Dan	Kuykendall	Shriver
Daniel, Robert W., Jr.	Landgrebe	Shuster
Davis, S.C.	Latta	Smith, N.Y.
Davis, Wis.	Lott	Spence
Dellenback	Lujan	Steiger, Ariz.
Dennis	McClory	Steiger, Wis.
Derwinski	McEwen	Stephens
Devine	Mahon	Stubblefield
Dickinson	Mailliard	Symms
Dorn	Mallary	Talcott
Downing	Mann	Taylor, Mo.
Dulski	Martin, Nebr.	Teague, Calif.
Duncan	Martin, N.C.	Teague, Tex.
Edwards, Ala.	Mathias, Calif.	Thomson, Wis.
Erlenborn	Mathis, Ga.	Treen
Esch	Mayne	Udall
Eshleman	Michel	Vander Jagt
Evins, Tenn.	Milford	Veysey
Flynt	Miller	Waggonner
Ford, Gerald R.	Mizell	Wampler
Forsythe	Montgomery	Ware
Fountain	Moorhead, Calif.	Whitehurst
Frenzel	Myers	Whitten
Frey	Nelsen	Wiggins
Froehlich	Nichols	Williams
Fuqua	Pettis	Wylie
Gettys	Poage	Wyman
Goldwater	Powell, Ohio	Young, Alaska
Goodling	Preyer	Young, Fla.
Gross	Price, Tex.	Young, Ill.
Gubser	Quie	Young, S.C.
		Zion
		Zwach

NOES—249

Abzug	Hawkins	Helstoski
Adams	Danielson	Hillis
Addabbo	Davis, Ga.	Hinshaw
Alexander	de la Garza	Holifield
Anderson, Calif.	Delaney	Holtzman
Andrews, N.C.	Dellums	Horton
Andrews, N. Dak.	Denholm	Hosmer
Annunzio	Dent	Howard
Ashley	Diggs	Hungate
Aspin	Dingell	Johnson, Calif.
Badillo	Donohue	Johnson, Colo.
Barrett	Drinan	Jones, Ala.
Bell	du Pont	Jones, Okla.
Bennett	Eckhardt	Jordan
Bergland	Edwards, Calif.	Karth
Bevill	Eilberg	Kastenmeier
Biaggi	Evans, Colo.	Kazen
Biester	Fascell	Keating
Bingham	Findley	Kluczynski
Blatnik	Fish	Koch
Boggs	Flood	Kyros
Boland	Flowers	Leggett
Brademas	Foley	Lehman
Brasco	Ford, William D.	Lent
Breaux	Fraser	Litton
Breckinridge	Frelinghuysen	Long, La.
Brooks	Gaydos	Long, Md.
Broomfield	Giaimo	McCloskey
Brotzman	Gibbons	McCollister
Brown, Calif.	Gilman	McCormack
Buchanan	Ginn	McDade
Burke, Calif.	Gonzalez	McFall
Burke, Mass.	Grasso	McKay
Burlison, Mo.	Gray	McKinney
Burton	Green, Oreg.	McSpadden
Carey, N.Y.	Green, Pa.	Macdonald
Carney, Ohio	Griffiths	Madden
Chappell	Grover	Madigan
Chisholm	Gude	Maraziti
Clark	Gunter	Matsunaga
Clay	Guyer	Mazzoli
Cohen	Hamilton	Meeds
Conte	Hanley	Melcher
Conyers	Hanna	Metcalfe
Corman	Hansen, Idaho	Mezvinsky
Cotter	Hansen, Wash.	Mills, Ark.
Coughlin	Harrington	Minish
Cronin	Harsha	Mink
Culver	Harvey	Mitchell, Md.
Daniels, Dominick V.	Hays	Mitchell, N.Y.
	Hechler, W. Va.	Moakley
	Heinz	Mollohan
		Moorhead, Pa.

Morgan	Rooney, Pa.	Symington
Mosher	Rosenthal	Taylor, N.C.
Moss	Rostenkowski	Thompson, N.J.
Murphy, Ill.	Roush	Thone
Murphy, N.Y.	Roy	Thornton
Natcher	Roybal	Tiernan
Nedzi	Ryan	Ullman
Nix	St Germain	Van Deerlin
Obey	Sandman	Vanik
O'Hara	Sarasin	Vigorito
O'Neill	Sarbanes	Waldie
Owens	Saylor	Walsh
Parris	Schroeder	Whalen
Passman	Seiberling	White
Patten	Shoup	Widnall
Pepper	Sikes	Wilson, Bob
Perkins	Sisk	Wilson, Charles H., Calif.
Pickle	Skubitz	Wilson, Charles, Tex.
Pike	Slack	Winn
Podell	Smith, Iowa	Wolff
Price, Ill.	Snyder	Wright
Pritchard	Staggers	Wyatt
Railsback	Stanton, J. William	Wydler
Randall	Stanton, James V.	Yates
Rangel	Stark	Yatron
Rees	Steed	Young, Ga.
Reid	Steele	Young, Tex.
Reuss	Steelman	Zablocki
Riegle	Stratton	
Rinaldo	Stuckey	
Rodino	Studds	
Roe	Sullivan	
Rogers		
Roncalio, Wyo.		

NOT VOTING—16

Bolling	Kemp	Peyser
Carter	King	Rooney, N.Y.
Fisher	Landrum	Stokes
Fulton	Minshall, Ohio	Towell, Nev.
Hébert	O'Brien	
Heckler, Mass.	Patman	

So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ICHORD

Mr. ICHORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ICHORD: Page 15, line 12, strike out "AND STATE".

Page 15, beginning in line 17, strike out "or any State or political subdivision of a State, but does not include" and insert in lieu thereof the following: "but does not include any State or political subdivision of a State (except with respect to employees of a State, or a political subdivision thereof, employed (1) in a hospital, institution, or school referred to in the last sentence of subsection (r) of this section, or (2) in the operation of a railway or carrier referred to in such sentence)".

Page 16, beginning in line 1, strike out "or of any State or political subdivision of a State".

Page 16, beginning in line 11, strike out "or of any State or political subdivision of a State".

Page 16, strike out line 17 and all that follows down through and including "(21)" in line 20 and insert in lieu thereof "(20)".

Mr. ICHORD. Mr. Chairman, this amendment, although it seems rather lengthy, merely strikes out the extension of coverage to employees of local and State governments.

Mr. Chairman, I am one Member of the House who voted for the Erlenborn amendment because it, too, struck out the extension of coverage to local and State governments, even though I supported all of the other provisions of the bill of my good friend from Pennsylvania (Mr. DENT). So this is a matter of very great principle to me.

I first came to this body, Mr. Chairman, some 12 years ago. At that time I had no difficulty gaining a good legislative working knowledge of every measure that came before the House of Representatives. Today that is almost impossible. Why? Because in a short period of 12 years we have increased the legislative jurisdiction of the Federal Government I would say conservatively 1,000 percent.

Mr. Chairman, we are legislating or attempting to legislate upon everything, from the building of missiles, which goes to Defense, to the regulation of switchblade knives which is definitely a city council matter. And the situation is such that 90 percent of us, I think, do not even know what we are really voting on, or we do not have a good legislative working knowledge of what we are voting on in respect to every measure that comes before this body.

The principle is one of trying to preserve what we have left of our federal system of government. Here we are saying to every mayor and every city councilman, every Governor and every legislator, "We are going to put you under some measure of control of a bureaucrat or bureaucrats in the Labor Department."

Mr. Chairman, we still have a federal system of government. Those mayors, those city councilmen, those Governors, those State representatives, too, have an electorate to which they are responsible, and I submit that we have gone too far.

The committee, as I read the report, attempts to justify this measure on the minimal impact that it would have on the number of employees to be covered. It is true that there are very few State and local employees that would be covered by this particular provision, but the principle is there of putting those governmental elected officials on the local and State level under the control of a bureaucracy downtown, taking away the right that they have as elected officials to determine how the taxpayers' money should be spent.

I hope, Mr. Chairman, that the Committee sees fit to at least adopt this one amendment to H.R. 7935.

Mr. DENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I do so simply on the same basis as I discussed for the Federal employees.

We have been covering State employees since the 1966 amendments. They are covered by the act now.

Mr. Chairman, the Conference of Mayors is supposed to have sent out some kind of a release stating they were against this provision. Somebody handed me today a copy of that statement. But that is not true. The only questions put out by the municipal governments in this matter were on the employments of policemen and firemen.

Our committee, as it always has tried to do, has given serious consideration to legitimate proposals that come before us which have a different intent than what we are attempting in our actions, and we felt that they were right on that point. So we excluded policemen and firemen from the act.

Mr. Chairman, I have had those long, serious pains that my friend, the gentleman from Missouri (Mr. ICHORD) has, having served on the Council of State Governments for a great number of years. But I found out it is just something that you cannot do anything about. The minute the State governments and local governments start coming to the Federal Government and the local government starts going to the State government for assistance, they give up a lot of prerogatives the gentleman from Missouri and I enjoyed when we were younger members of legislative bodies.

It is just the old song of "whoever pays the piper calls the tune."

As much as I regret it, that is the situation. I would march backward to those days myself when States had all the States' rights they once had, but as long as we pay the bill, I am afraid this is what is going to happen. I would hate to have one-half of the State employees covered and one-half not covered.

It should have happened 7 years ago, if it happened at all.

Mr. ICHORD. Will the gentleman yield?

Mr. DENT. I am happy to yield.

Mr. ICHORD. Is it not true the only coverage now is hospitals and educational institutions which may or may not come under the jurisdiction of the city councils or the mayors or the State governments?

Mr. DENT. I think you are right, but it is a point of fact that we specifically spelled out those institutions and then the case was resolved in the courts as to our right to do so and the courts resolved it in our favor.

Mr. ICHORD. But here you are extending the coverage to all employees of all State and local units of government.

Mr. DENT. That is right. And our estimates are less than 100,000 will receive any kind of pay increase. It makes for a better understanding of the matter, really, especially in the area of public works.

Mr. ICHORD. I know very well that the gentleman from Pennsylvania is caught up in some very conflicting considerations here, and I am at least glad to hear he has some pangs of conscience, having been a great State legislative leader in the State of Pennsylvania.

Mr. DENT. Mr. Chairman, I ask that the amendment be defeated.

Mr. FRENZEL. Mr. Chairman, I rise in very strong support of the amendment offered by the gentleman from Missouri.

I think it is an absolute necessity, and while I take some comfort from the statement by the distinguished subcommittee chairman that some mayors' groups are in support of this particular provision in the committee bill, very definitely the mayors in my State are strongly opposed to this provision.

I read from a letter from the president of the League of Minnesota Municipalities who respectfully urges opposition to inclusion of State and local government employees in minimum wage and overtime provisions of the various proposed amendments to the Fair Labor Standards Act such as are contained in S. 1861, S. 1725, and H.R. 7935, this bill.

Other mayors in my district have called my attention to the fact that my State has a levy limitation imposed by the legislature. If the Federal Govern-

ment, in imposing its Fair Labor Standards Act on my municipalities, causes their costs to increase, they will simply have to cut back on other vital services or, if they pay overtime in specific areas, they have to lay somebody off.

It seems to me in that respect the committee version itself is self-defeating. We realize the exclusion of fire and police removes the greatest concerns, and yet mayors and city managers in my district feel, particularly based on last year's experience, what happens between here and the final bill could well bring the firemen and policemen back in. Many of us are reminded of the situation of last year when certain members of the House group indicated they would accept a Senate bill which would have put the firemen and policemen back in and therefore would have wreaked havoc with our municipal governments.

If we support the Ichord amendment today, we will speak very strongly to our conferees when they get into the conference committee. We will be saying that we do not want these or any other municipal employees included.

I believe the gentleman from Missouri has done us a great service in bringing this amendment to the floor, and I hope it is strongly supported.

Mr. DENT. Will the gentleman yield?

Mr. FRENZEL. I am glad to yield to the gentleman.

Mr. DENT. I can only say to you conditions last year were certainly a lot different than this year. If we willingly took the police and firemen out of this legislation, have no fear of where I will stand in the conference.

Mr. FRENZEL. In response to the gentleman from Pennsylvania, I would say a positive vote on the Ichord amendment would make me feel much more comfortable than the statement of the distinguished subcommittee chairman, although I am pleased to have that statement. I still think it is essential that we support the Ichord amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. ICHORD).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ICHORD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 233, not voting 17, as follows:

[Roll No. 186]

AYES—182

Abdnor	Burke, Fla.	Crane
Anderson, Ill.	Burleson, Tex.	Daniel, Dan
Archer	Burlison, Mo.	Daniel, Robert W., Jr.
Arends	Butler	Davis, Wis.
Armstrong	Byron	Dellenback
Ashbrook	Camp	Denholm
Bafalis	Casey, Tex.	Dennis
Baker	Cederberg	Derwinski
Beard	Chamberlain	Devine
Blackburn	Chappell	Dickinson
Bowen	Clawson, Del	Dorn
Bray	Cleveland	Downing
Breckinridge	Cochran	Duncan
Brinkley	Cohen	du Pont
Broomfield	Collier	Edwards, Ala.
Brown, Mich.	Collins	Erlenborn
Brown, Ohio	Conable	Eshleman
Broyhill, Va.	Conlan	Evins, Tenn.
Buchanan	Conte	Flowers
Burgener	Coughlin	Ford, Gerald R.
Forsythe	McCollister	Satterfield
Fountain	McEwen	Scherle
Frelinghuysen	Mahon	Schneebeli
Frenzel	Mallary	Sebelius
Frey	Mann	Shriver
Fuqua	Martin, Nebr.	Shuster
Gettys	Martin, N.C.	Sikes
Goldwater	Mathias, Calif.	Skubitz
Goodling	Mathis, Ga.	Smith, N.Y.
Gross	Mayne	Spence
Grover	Mazzoli	Stanton, J. William
Gubser	Michel	Steelman
Gunter	Milford	Steiger, Ariz.
Haley	Miller	Stephens
Hammer-schmidt	Mizell	Stubblefield
Hanrahan	Montgomery	Symms
Hastings	Moorhead, Calif.	Taylor, Mo.
Henderson	Myers	Taylor, N.C.
Hicks	Nelsen	Thomson, Wis.
Hillis	Nichols	Thone
Hogan	Parris	Treen
Hosmer	Pettis	Vander Jagt
Huber	Pickle	Veysey
Hudnut	Poage	Waggonner
Hungate	Powell, Ohio	Wampler
Hunt	Preyer	Ware
Hutchinson	Price, Tex.	White
Ichord	Quie	Whitehurst
Johnson, Pa.	Quillen	Whitten
Jones, N.C.	Randall	Widnall
Jones, Tenn.	Rarick	Wiggins
Kazen	Regula	Winn
Keating	Roberts	Wylie
Kemp	Robinson, Va.	Wyman
Ketchum	Robison, N.Y.	Young, Alaska
Kuykendall	Rogers	Young, Fla.
Landgrebe	Rose	Young, Ill.
Latta	Rousselot	Young, S.C.
Lott	Runnels	Zion
Lujan	Ruth	Zwach
		Flynt

NOES—233

Abzug	Esch	McCloskey
Adams	Evans, Colo.	McCormack
Addabbo	Fascell	McDade
Alexander	Findley	McFall
Anderson, Calif.	Fish	McKay
Andrews, N.C.	Flood	McKinney
Andrews, N. Dak.	Foley	McSpadden
Annunzio	Ford, William D.	Macdonald
Ashley	Fraser	Madden
Aspin	Froehlich	Madigan
Badillo	Fulton	Mailliard
Barrett	Gaydos	Maraziti
Bell	Giaimo	Matsunaga
Bennett	Gibbons	Meeds
Bergland	Gilman	Melcher
Bevill	Ginn	Metcalfe
Biaggi	Gonzalez	Mezvinsky
Biester	Grasso	Mills, Ark.
Bingham	Green, Oreg.	Minish
Blatnik	Green, Pa.	Mink
Boggs	Griffiths	Mitchell, Md.
Boland	Gude	Mitchell, N.Y.
Brademas	Guyer	Moakley
Brasco	Hamilton	Mollohan
Breaux	Hanley	Moorhead, Pa.
Brooks	Hanna	Morgan
Brotzman	Hansen, Idaho	Mosher
Brown, Calif.	Hansen, Wash.	Moss
Broyhill, N.C.	Harrington	Murphy, Ill.
Burke, Calif.	Harsha	Murphy, N.Y.
Burke, Mass.	Harvey	Natcher
Burton	Hawkins	Nedzi
Carey, N.Y.	Hays	Nix
Carney, Ohio	Hechler, W. Va.	Obey
Chisholm	Heckler, Mass.	O'Hara
Clancy	Heinz	O'Neill
Clark	Helstoski	Owens
Clay	Hinshaw	Passman
Conyers	Holifield	Patten
Corman	Holt	Pepper
Cotter	Holtzman	Perkins
Culver	Horton	Pike
Daniels, Dominick V.	Howard	Podell
Danielson	Jarman	Price, Ill.
Davis, Ga.	Johnson, Calif.	Pritchard
Davis, S.C.	Johnson, Colo.	Railsback
de la Garza	Jones, Ala.	Rangel
Delaney	Jones, Okla.	Rees
Dellums	Jordan	Reid
Dent	Karth	Reuss
Diggs	Kastenmeier	Rhodes
Dingell	Kluczynski	Riegle
Donohue	Koch	Rinaldo
Drinan	Kyros	Rodino
Dulski	Leggett	Roe
Eckhardt	Lehman	Roncalio, Wyo.
Edwards, Calif.	Lent	Roncallo, N.Y.
Eilberg	Litton	Rooney, Pa.
	Long, La.	Rosenthal
	Long, Md.	Rostenkowski
		Roush
		Roy
		Roybal
		Ruppe
		Ryan
		St Germain
		Sandman
		Sarasin
		Sarbanes
		Saylor
		Schroeder
		Seiberling
		Shipley
		Shoup
		Sisk
		Slack
		Smith, Iowa
		Snyder
		Staggers
		Stanton, James V.
		Stark
		Steed
		Steele
		Steiger, Wis.
		Stratton
		Stuckey
		Studds
		Sullivan
		Symington
		Teague, Calif.
		Teague, Tex.
		Thompson, N.J.
		Thornton
		Tiernan
		Udall
		Ullman
		Van Deerlin
		Vanik
		Vigorito
		Waldie
		Walsh
		Whalen
		Williams
		Wilson, Bob
		Wilson, Charles H., Calif.
		Wilson, Charles, Tex.
		Wolff
		Wright
		Wyatt
		Wydler
		Yates
		Yatron
		Young, Ga.
		Young, Tex.
		Zablocki

NOT VOTING—17

Bolling	Gray	Patman
Carter	Hébert	Peyser
Clausen, Don H.	King	Rooney, N.Y.
Cronin	Landrum	Stokes
Fisher	Minshall, Ohio	Talcott
	O'Brien	Towell, Nev.

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments to be proposed to this section, the Clerk will read.

The Clerk read as follows:

TRANSIT EMPLOYEES

SEC. 202. (a) Paragraph (7) of section 13(b) (29 U.S.C. 213(b)) is amended by inserting immediately before the semicolon the following: "and if such employee receives compensation for employment in excess of forty-eight hours in any workweek at a rate not less than one and one-half times the regular rate at which he is employed".

(b) Effective one year after the effective date of the Fair Labor Standards Amendments of 1973, such paragraph is amended by striking out "forty-eight hours" and inserting in lieu thereof "forty-four hours".

(c) Effective two years after the effective date of such amendments, such paragraph is amended by striking out "forty-four hours" and inserting in lieu thereof "forty-two hours".

(d) Section 7 (29 U.S.C. 207) is amended by adding at the end thereof the following new subsection:

"(k) In the case of an employee of an employer engaged in the business of operating a street, suburban, or interurban electric railway, or local trolley or motorbus carrier, whose rates and services are subject to regulation by a State or local agency, in determining the hours of employment of such an employee to which the rate prescribed by subsection (a) applies there shall be excluded the hours such employee was employed in charter activities by such employer if (1) the employee's employment in such activities was pursuant to an agreement or understanding with his employer arrived at before engaging in such employment, and (2) employment in such activities is not part of such employee's regular employment."

Mr. STEIGER of Wisconsin (during the reading). Mr. Chairman, I ask unanimous consent that section 202 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Page 17, strike out line 9, and all that

follows down through and including line 13 on page 18.

Renumber the succeeding sections (and references thereto) accordingly.

Mr. STEIGER of Wisconsin. Mr. Chairman, this would delete from the committee bill the provision which would effectively eliminate overtime coverage for transit workers.

The Members of the House will remember that last year when we debated this bill, the gentleman from Missouri (Mr. RANDALL) offered an amendment to the then Erlenborn substitute when it was being considered that would have eliminated overtime coverage of the transit workers. I argued at that time against the amendment and it was defeated.

This amendment seeks to strike out this provision from the committee bill. It is really very simple. I find it very difficult to understand the basis on which we ought in any way to make it more difficult for transit companies in the United States at a time when we are talking about accelerating the use of mass transit, to have to pay the overtime on the basis the committee bill proposes be done.

From my standpoint at least, as I look at the transit companies in the Sixth District of Wisconsin, Oshkosh, Sheboygan, Fond du Lac, all of them are in trouble and having a difficult time even staying in business at all.

I would suggest to the committee that the effort on my part in this amendment is to seek to make it possible for transit companies to stay in business; to seek to make it possible for young people and senior citizens and those who may not own automobiles or would like to use public transit, to be able to continue to use it.

I am fearful, if the committee bill as presently before us is not amended, we are going to run the great risk of making it more difficult for those struggling companies to stay in business.

I hope the amendment is adopted. I hope it will be possible for us to maintain a transit system as it is used in smaller cities across the United States.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Today, 88 percent of our organized transit workers are covered by a 40-hour-week agreement. We do not reach 40 hours. We start at 48 hours, go down to 42 hours, and stop at 42 hours.

We are dealing fairly as we tried to do throughout this legislation. I ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was rejected.

Mr. DENT. Mr. Chairman, I would like to inquire whether we could have some sort of agreement that we consider the bill to be read at this point, printed in the RECORD, and open to amendment at any point.

Mr. ERLENBORN. Is it the intention of the gentleman to in any way limit time for debate on any of the major amendments?

Mr. DENT. Not until the gentleman and I have had an opportunity to discuss it, I do not intend to make such a motion.

Mr. ERLENBORN. Under those circumstances, I certainly have no objection to the gentleman asking unanimous consent.

The CHAIRMAN. Does the gentleman ask unanimous consent?

Mr. DENT. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. DENT) asks unanimous consent that the remainder of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

PARLIAMENTARY INQUIRY

Mr. BURTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON. As I understand it, we will continue going through the bill section by section, but we will not go back. Is that the understanding of the Chair?

The CHAIRMAN. It is only the remainder of the bill to be considered as read and open to amendment.

Mr. BURTON. What is the next section, Mr. Chairman.

The CHAIRMAN. Section 203 is the next section open, as the Chair understands. Only the remainder of the bill would be open to amendment. Parts that have been dealt with would not be eligible for amendment.

Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The remainder of the bill is as follows:

NURSING HOME EMPLOYEES

SEC. 203. (a) Paragraph (8) of section 13(b) is amended by striking out "any employee who (A) is employed by an establishment which is an institution (other than a hospital) primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises" and the remainder of that paragraph.

(b) Section 7(j) (29 U.S.C. 207(j)) is amended by inserting after "a hospital" the following: "or an establishment which is an institution (other than a hospital) primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises".

SEASONAL INDUSTRY EMPLOYEES

SEC. 204. (a) Sections 7(c) and 7(d) are each amended—

(1) by striking out "ten workweeks" and inserting in lieu thereof "seven workweeks",

(2) by striking out "fourteen workweeks" and inserting in lieu thereof "ten workweeks", and

(3) by striking out "ten hours" and inserting in lieu thereof "nine hours".

(b) Section 7(c) is amended by striking out "fifty hours" and inserting in lieu thereof "forty-eight hours".

(c) Effective one year after the effective date of the Fair Labor Standards Amendments of 1973, sections 7(c) and 7(d) are each amended—

(1) by striking out "seven workweeks" and inserting in lieu thereof "five workweeks", and

(2) by striking out "ten workweeks" and inserting in lieu thereof "seven workweeks".

(d) Effective two years after the effective date of such amendments, sections 7(c) and 7(d) are repealed.

DOMESTIC SERVICE EMPLOYEES EMPLOYED IN HOUSEHOLDS

SEC. 205. (a) The Congress finds that the employment of persons in domestic service in households directly affects commerce because the provision of domestic services affects the employment opportunities of members of households and their purchasing activities. The minimum wage and overtime protection of the Fair Labor Standards Act of 1938 should have been available to such persons since its enactment. It is the purpose of the amendments made by subsection (b) of this section to assure that such persons will be afforded such protection.

(b)(1) Section 6 is amended by adding after subsection (e) the following new subsection:

"(f) Any employee who in any workweek is employed in domestic service in a household shall be paid wages at a rate not less than the wage rate in effect under section 6(b) unless such employee's compensation for such service would not because of section 209(g) of the Social Security Act constitute 'wages' for purposes of title II of such Act."

(2) Section 7 is amended by adding after the subsection added by section 202(d) of this Act the following new subsection:

"(1) Subsection (a) shall apply with respect to any employee who in any workweek is employed in domestic service in a household unless such employee's compensation for such service would not because of section 209(g) of the Social Security Act constitute 'wages' for purposes of title II of such Act."

Section 13(a) is amended by striking out the period at the end of paragraph (14) and inserting "; or", and by adding at the end of such section the following:

"(15) any employee who is employed in domestic service in a household and who resides in such household; or"

EMPLOYMENT OF STUDENTS

SEC. 206. (a) Section 14 (29 U.S.C. 214) is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following:

"(b)(1) The Secretary, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by special certificate issued under a regulation or order provide for the employment, at a wage rate not less than 85 per centum of the otherwise applicable wage rate in effect under section 6 or not less than $1.60 an hour, whichever is the higher (or in the case of employment in Puerto Rico or the Virgin Islands not described in section 5(e), at a wage rate not less than 85 per centum of the otherwise applicable wage rate in effect under section 6(c)) of full-time students (regardless of age but in compliance with applicable child labor laws) in any occupation other than—

"(A) occupations in mining,

"(B) occupations in manufacturing,

"(C) occupations in warehousing and storage,

"(D) occupations in construction,

"(E) the occupation of a longshoreman,

"(F) occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components,

"(G) the occupation of a motor vehicle driver or outside helper,

"(H) logging occupations and occupations in the operation of any sawmill, lathmill, shingle mill, or cooperage stock mill,

"(I) occupations involved in the operation of power-driven woodworking machines,

"(J) occupations involving exposure to radioactive substances and ionizing radiation,

"(K) occupations involved in the operation of power-driven hoisting apparatus,

"(L) occupations involved in the operation of power-driven metal forming, punching, and shearing machines,

"(M) occupations involving slaughtering, meatpacking or processing, or rendering,

"(N) occupations involved in the operation of bakery machines,

"(O) occupations involved in the operation of paper products machines,

"(P) occupations involved in the manufacture of brick, tile, or kindred products,

"(Q) occupations involved in the opera-

tion of circular saws, band saws, or guillotine shears,

"(R) occupations involved in wrecking, demolition, or shipbreaking operations,

"(S) occupations in roofing operations,

"(T) occupations in excavation operations, or

"(U) any other occupation determined by the Secretary to be particularly hazardous for the employment of such students.

"(2) The Secretary, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by special certificate issued under a regulation or order provide for the employment, at a wage rate not less than 85 per centum of the wage rate in effect under section 6(a)(5) or not less than $1.30 an hour, whichever is the higher (or in the case of employment in Puerto Rico or the Virgin Islands not described in section 5(e), at a wage rate not less than 85 per centum of the wage rate in effect under section 6(c)(3)) of full-time students (regardless of age but in compliance with applicable child labor laws) in any occupation in agriculture other than an occupation determined by the Secretary to be particularly hazardous for the employment of such students.

"(3)(A) A special certificate issued under paragraph (1) or (2) shall provide that the student for whom it is issued shall, except during vacation periods, be employed on a part-time basis and not in excess of twenty hours in any workweek.

"(B) the issuance of a special certificate under paragraph (1) or (2) for an employer will cause the number of students employed by such employer under special certificates issued under this subsection to exceed four, the Secretary may not issue such a special certificate for the employment of a student by such employer unless the Secretary finds employment of such student will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under special certificates issued under this subsection. If the issuance of a special certificate under this subsection for an employer will not cause the number of students employed by such employer under special certificates issued under this subsection to exceed four, the Secretary may issue a special certificate under this subsection for the employment of a student by such employer if such employer certifies to the Secretary that the employment of such student will not reduce the full-time employment opportunities of persons other than those employed under special certificates issued under this subsection."

(b) Section 14 is further amended by redesignating subsection (d) as subsection (c) and by adding at the end the following new subsection:

"(d) The Secretary may by regulation or order provide that sections 6 and 7 shall not apply with respect to the employment by any elementary or secondary school of its students if such employment constitutes, as determined under regulations prescribed by the Secretary, an integral part of the regular education program provided by such school."

(c) Section 4(d) (29 U.S.C. 204(d)) is amended by adding at the end thereof the following new sentence: "Such report shall also include a summary of the special certificates issued under section 14(b).".

LAUNDRY AND CLEANING ESTABLISHMENTS TO BE CONSIDERED SERVICE ESTABLISHMENTS FOR CERTAIN PURPOSES

SEC. 207. In the administration of section 7(i) (relating to commission employees) and 13(a)(1) (relating to executive and administrative personnel and outside salesmen) of the Fair Labor Standards Act of 1938, establishments engaged in laundering, cleaning, or repairing clothing or fabrics shall be considered service establishments.

MAIDS AND CUSTODIAL EMPLOYEES OF HOTELS AND MOTELS

SEC. 208. Section 13(b)(8) is amended by inserting after "employee" the first time it appears the following: "(other than an employee of a hotel or motel who is employed to perform maid or custodial services").

EMPLOYEES OF CONGLOMERATES

SEC. 209. Section 13 is amended by adding at the end thereof the following:

"(g) Subsection (a) (other than paragraph (1) thereof) and subsection (b) (other than paragraphs (1), (2), and (3) thereof) shall not apply with respect to any employee employed by an establishment (1) which controls, is controlled by, or is under common control with, another establishment the activities of which are not related for a common business purpose to the activities of the establishment employing such employee; and (2) whose annual gross volume of sales made or business done, when combined with the annual gross volume of sales made or business done by each establishment which controls, is controlled by, or is under common control with, the establishment employing such employee, exceeds $10,000,000 (exclusive of excise taxes at the retail level which are separately stated)."

EMPLOYEES OF BOAT DEALERS

SEC. 210. Section 13(b)(10) is amended (1) by inserting "boats," after "servicing", and (2) by inserting "boats or" before "such vehicles".

TOBACCO EMPLOYEES

SEC. 211. Section 7 is amended by adding after the subsection added by section 205(b)(2) of this Act the following:

"(m) For a period or periods of not more than fourteen workweeks in the aggregate in any calendar year, any employer may employ any employee for a workweek in excess of that specified in subsection (a) without paying the compensation for overtime employment prescribed in such subsection, if such employee—

"(1) is employed by such employer—

"(A) to provide services (including stripping and grading) necessary and incidental to the sale at auction of green leaf tobacco of type 11, 12, 13, 14, 21, 22, 23, 24, 31, 35, 36, or 37 (as such types are defined by the Secretary of Agriculture), or in auction sale, buying, handling, stemming, redrying, packing, and storing of such tobacco,

"(B) in auction sale, buying, handling, sorting, grading, packing, or storing green leaf tobacco of type 32 (as such type may be defined by the Secretary of Agriculture), or

"(C) in auction sale, buying, handling, stripping, sorting, grading, sizing, packing, or stemming prior to packing, of perishable cigar leaf tobacco of type 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 61, or 62 (as such types are defined by the Secretary of Agriculture); and

"(2) receives for—

"(A) such employment by such employer which is in excess of ten hours in any workday, and

"(B) such employment by such employer which is in excess of forty-eight hours in any workweek,

compensation at a rate not less than one and one-half times the regular rate at which he is employed.

An employer who receives an exemption under this subsection shall not be eligible for any other exemption under this section."

SUBSTITUTE PARENTS FOR INSTITUTIONALIZED CHILDREN

SEC. 212. Section 13(a) is amended by inserting after the paragraph added by section 205(b)(3) the following new paragraph:

"(16) any employee who is employed with his spouse by a nonprofit institution which is primarily operated to care for and educate children who have been placed with the institution by or through a public agency or by parents or guardians who are financially unable to care for and educate their children or children under their guardianship (as the case may be), if such employee and his spouse (A) are employed to serve as the parents of such children who reside in facilities of the institution, (B) reside in such facilities and receive, without cost, board and lodging from such institution, and (C) are together compensated, on a cash basis, at an annual rate of not less than $10,000."

TITLE III—CONFORMING AMENDMENTS; EFFECTIVE DATE; AND REGULATIONS

CONFORMING AMENDMENTS

SEC. 301. (a) Section 6(e) is amended to read as follows:

"(e) Notwithstanding the provisions of section 13 of this Act (except subsections (a)(1) and (f) thereof), every employer providing any contract services under a contract with the United States or any subcontract thereunder shall pay to each of his employees whose rate of pay is not governed by the Service Contract Act of 1965 (41 U.S.C. 351–357) or to whom subsection (a)(1) of this section is not applicable, wages at a rate not less than the rate provided for in such subsection."

(b) Section 8 (29 U.S.C. 208) is amended (1) by striking out "the minimum wage prescribed in paragraph (1) of section 6(a) in each such industry" in the first sentence of subsection (a) and inserting in lieu thereof "the minimum wage rate which would apply in each such industry under paragraph (1) or (5) of section 6(a) but for section 6(c)", (2) by striking out "the minimum wage rate prescribed in paragraph (1) of section 6(a)" in the last sentence of subsection (a) and inserting in lieu thereof "the otherwise applicable minimum wage rate in effect under paragraph (1) or (5) of section 6(a)", and (3) by striking out "prescribed in paragraph (1) of section 6(a)" in subsection (c) and inserting in lieu thereof "in effect under paragraph (1) or (5) of section 6(a) (as the case may be)".

EFFECTIVE DATE AND REGULATIONS

SEC. 302. (a) Except as provided in sections 105(a), 202, and 204, the effective date of this Act and the amendments made by titles I, II, and III of this Act is—

(1) the first day of the second full month which begins after the date of its enactment, or

(2) August 1, 1973,

whichever occurs first.

(b) Notwithstanding subsection (a), on and after the date of the enactment of this Act the Secretary of Labor is authorized to prescribe necessary rules, regulations, and orders with regard to the amendments made by this Act.

AMENDMENT OFFERED BY MRS. GREEN OF OREGON

Mrs. GREEN of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. GREEN of Oregon: Page 19, strike out lines 1 through 20. Renumber the succeeding sections (and references thereto) accordingly.

Mrs. GREEN of Oregon. Mr. Chairman, the amendment which I have offered does nothing about the minimum wage. It only applies to overtime for seasonal workers for perishable products.

At the present time, in the Dent bill, there is no overtime payment required for sugar processing, for cotton processing, for tobacco processing. There is an exemption in the law that for 20 weeks, which really is 20 days, the canners of perishable products do not have to pay

overtime. That is 20 days out of 365 days in the year.

I believe that exemption should stay in the law, and that is what my amendment seeks to do.

The bill would change the 20 weeks, or what amounts to 20 days, exemption to 14, and then to 7, and then to 5. My amendment would simply strike out that language. It seems to me fair and equitable.

At the present time on the west coast all of the canneries are unionized. In Oregon we are paying an average worker $2.79 an hour, compared to $1.75 paid in Wisconsin and $2.32 paid in other Eastern States.

We also have higher freight rates on the west coast. If we have to pay overtime on the already higher wages, it simply means another unfair disadvantage to west coast canners.

If the overtime exemptions are repealed, this third handicap perhaps will drive some additional canneries out of business.

Surely it is not the purpose of the authors of this legislation to penalize those who have more than met the objectives of a decent minimum wage. If the overtime exemptions are removed, the effect will be to reward those canners who have paid the least and will continue to pay the least. This is obviously in a highly competitive market. The cannery workers in Oregon and on the west coast have been organized for over two decades. Right now negotiations are going on for an increase in the hourly wages I have just quoted.

It would be just like handing a citation of merit to the non-union shops. They already have the upper hand in competing for the market. Why give them the whip hand? Why destroy those canneries whose laborers are receiving from 60 cents to $2.95 more—I repeat, more—than the minimum of $2 proposed in this legislation?

Now, one of the arguments that is presented in favor of eliminating the overtime exemption is that it will create more jobs. At least in the Far West, this simply is not an argument that would hold true.

During the canning season for perishable crops—and I am talking about peas and corn and berries—fruits and vegetables that have to be canned within a few hours. During those seasons every food processor is actively recruiting for almost any live body. The problem is not finding jobs for people; the problem is finding people for the jobs.

Mr. Chairman, the work is very easily learned. It is unskilled, for the most part, and if the applicant actually is breathing, he can get a job if he wants it; he can be put to work.

I repeat, removing the exemption will not create any more jobs for any more people. These canneries processing the highly perishable products, must do so within a period of a few hours of harvesting and, unlike others, these crops cannot be stored for a day or two. Naturally the processor, for whom Mother Nature allows no leeway, will be the hardest hit. Surely some consideration should be given to these circumstances.

Mr. Chairman, let me repeat that in terms of fairness and equity, if this bill does not require overtime payment for sugar processing, for tobacco processing and for cotton processing, why should we remove the exemption for the perishable products that are so essential for all the consumers of the country?

So I would hope that this House would adopt this amendment.

Mr. ULLMAN. Mr. Chairman, will the gentlewoman from Oregon (Mrs. GREEN) yield?

Mrs. GREEN of Oregon. I yield to my colleague and friend from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Chairman, I commend the gentlewoman for offering this amendment. I fully support her in it. I think as a matter of equity we should adopt the amendment, and if there is a problem in the future, we should adopt a more equitable kind of a phaseout, because this could cause undue economic hardship to one section of the country.

Mr. Chairman, I commend the gentlewoman from Oregon (Mrs. GREEN) and urge support for her amendment.

Mr. DENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

This has been a very, very serious problem for the many years we have worked on this legislation.

I can only remind the House that the conferees in 1966 spoke to the processing industry, and in an agreement or understanding between us we advised—and the Members may find it in the RECORD—the industry that this was the last time they could hope to escape without a repeal or other serious modification of their exemption.

And so, Mr. Chairman, at that time we asked the Secretary of Labor to make a study on overtime.

Secretary Shultz reported in 1970 as follows:

> The survey findings clearly indicate that consideration should be given to the phasing out of the overtime exemptions currently available to the agricultural handling and processing industries * * *. The favored position held for three decades by agricultural handlers and processors because of full and partial exemption from the 40-hour weekly overtime standard applicable to most industries covered by the FLSA needs reexamination.

Mr. Chairman, that was 3 years ago, and his recommendation clearly stated that the time had come to phase out. We will phase it out during a gradual period.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 2 additional minutes.)

Mr. DENT. These particular features were brought about after much study on the subject. The Secretary of Labor said that it is no longer necessary, and we followed our own directions in giving him directions.

As far as I am personally concerned, I will say that this is a very, very hard situation because so many areas of the country have so many different conditions. Most of the canners who have come to our committee say that they personally feel with the conditions under which they operate today, they can handle these amendments, and that is all I can honestly report to the House.

Mr. DELLENBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would speak very briefly in commending my colleague from Oregon (Mrs. GREEN) and urge support of the amendment she has advanced.

This is not a problem which is unique, although it is present in our State of Oregon. It is present in all of the Pacific Northwest.

My colleague from Oregon pointed out very soundly some of the special problems in the situation like ours where an industry is already paying in excess and substantially in excess of the minimum wage and yet those very canneries and institutions that are doing this would be very severely burdened if the provisions of the bill remained in.

Mrs. GREEN of Oregon. Will my colleague yield?

Mr. DELLENBACK. Of course I yield to the gentlewoman.

Mrs. GREEN of Oregon. Is it not also true if this exemption is ended, we are really talking about 20 days out of the year and the other 345 days the canners pay the time and a half if they work more than an 8-hour day. So we are really talking about that small period of time of 20 days when the perishable products can go to the cannery.

The gentleman from Pennsylvania was talking about sugar. I suggest some of the perishable products like corn and peas are far more important to work Saturdays on to get them into the cans than sugar and some other things.

We are asking for this 20 days, and what, in effect, is 20 days out of the entire year that they would not have to pay this kind of a tax?

Mr. DELLENBACK. My colleague's understanding is in accordance with my own.

I would point out that this is not just something that is important to the processors, but I would close by pointing out that the net results are beneficial to the consumers. It is important at this time that these products not go to waste, and the sort of thing proposed in the amendment offered by the gentlewoman from Oregon (Mrs. GREEN) is calculated to get these products to the consumers at the lowest possible prices consistent with equity in the sense of the paying of proper wages by the processors.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, my wife told me last night as I sat down to dinner that a head of lettuce costs 89 cents? There is another side to the minimum wage controversy and that is that the consumer has to pay the costs. A lot of these consumers are low-income people. The harvesting of perishable foods may indeed be a very important factor in the cost of living and for that reason I support this amendment

which would keep the cost of food down by providing flexibility at harvest time.

Mr. DELLENBACK. Mr. Chairman, I thank the gentleman for his remarks.

Mr. Chairman, I would just close by again commending my colleague, the gentlewoman from Oregon (Mrs. GREEN) and urge support of the amendment the gentlewoman has offered.

Mr. FOLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to commend the gentlewoman from Oregon (Mrs. GREEN), for offering this amendment, and I strongly support the amendment and I urge the support of the amendment by the members of the subcommittee.

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose the amendment offered by the gentlewoman from Oregon (Mrs. GREEN).

Mr. Chairman and members of the committee, I find myself in an anomalous position in opposing several members of the delegation from the Pacific Northwest. However, I would like to point out to the members that the present law provides for 10 weeks, where workers must work for 10 hours a day, or 50 hours a week before they get time and a half for overtime, if they are dealing with anything that is classified as a perishable crop even if it is actually refrigerated. Then they must work an additional 10 weeks a year at 10 hours a day, or 48 hours a week, before they obtain premium pay. There are 20 exemption weeks that the processor has to use at any time of the year he wants, even if he is refrigerating the products he has in storage for processing.

The committee bill will phase this out over a 3-year period, in order to give each processor an opportunity to adjust during that period.

I want to point out to the members of the committee, and I want to repeat to the members, that in 1970 Secretary Shultz said:

> The study of overtime exemptions available to the agricultural handling and processing industries indicates the need for reappraising the favored position which has long been given these industries through exemptions from the 40-hour maximum work week standard. It is my recommendation that the exemption currently available . . . be phased out.

The Secretary pointed out as one of the reasons for this phasing out that we now have automation and other technological advances that prevent spoilage. And, as a matter of fact, there are processors in this country who refrigerate their foods for 11 months of the year, and process during all that time, who still take advantage of the exemption that the bill, as reported from committee would phase out.

Mr. Chairman, I submit that the bill treats all processors equally. I do not see why anyone can stand here and say that it is a good idea to have food at lower prices when it is at the expense of the workers who are being cheated out of the pay for the work they do.

Mr. Chairman, I agree that some processors of some fruits that actually are perishable should have the benefit of the exemption. However, this is not the option we have before us. Given this parliamentary situation, I must oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Mrs. GREEN).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. GREEN of Oregon. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 251, noes 163, present 1, not voting 17, as follows:

[Roll No. 187]

AYES—251

Abdnor	Fountain	Miller
Alexander	Frelinghuysen	Mills, Ark.
Anderson, Ill.	Frenzel	Mitchell, N.Y.
Andrews, N.C.	Frey	Mollohan
Archer	Froehlich	Montgomery
Arends	Fulton	Moorhead, Calif.
Armstrong	Fuqua	Murphy, Ill.
Ashbrook	Gettys	Myers
Bafalis	Giaimo	Nelsen
Baker	Gibbons	Nichols
Beard	Ginn	Obey
Bennett	Goldwater	Owens
Bergland	Goodling	Parris
Bevill	Gray	Passman
Biaggi	Green, Oreg.	Pettis
Blackburn	Griffiths	Pickle
Boggs	Gross	Pike
Boland	Gubser	Poage
Bowen	Gunter	Powell, Ohio
Bray	Guyer	Preyer
Breaux	Haley	Price, Tex.
Brinkley	Hammer-schmidt	Pritchard
Broomfield	Hanley	Quie
Brotzman	Hanrahan	Quillen
Brown, Ohio	Harvey	Railsback
Broyhill, Va.	Hastings	Randall
Buchanan	Hays	Rarick
Burgener	Henderson	Rees
Burke, Fla.	Hillis	Regula
Burleson, Tex.	Hinshaw	Rhodes
Burlison, Mo.	Hogan	Roberts
Butler	Holt	Robinson, Va.
Byron	Horton	Robison, N.Y.
Camp	Hosmer	Rogers
Casey, Tex.	Huber	Roncallo, N.Y.
Cederberg	Hungate	Rose
Chamberlain	Hunt	Rostenkowski
Chappell	Hutchinson	Rousselot
Clancy	Jarman	Ruth
Clark	Johnson, Colo.	Sarasin
Clausen, Don H.	Johnson, Pa.	Satterfield
Clawson, Del	Jones, Ala.	Saylor
Cleveland	Jones, N.C.	Scherle
Cochran	Jones, Okla.	Schneebeli
Cohen	Jones, Tenn.	Sebelius
Collier	Kastenmeier	Shipley
Collins	Kazen	Shoup
Conable	Keating	Shuster
Conlan	Kemp	Sikes
Coughlin	Ketchum	Slack
Crane	Kluczynski	Smith, N.Y.
Daniel, Dan	Kuykendall	Snyder
Daniel, Robert W., Jr.	Landgrebe	Spence
Davis, Ga.	Latta	Staggers
Davis, S.C.	Lent	Stanton, J. William
Davis, Wis.	Long, La.	Steed
de la Garza	Long, Md.	Steele
Dellenback	Lott	Steelman
Dennis	Lujan	Steiger, Ariz.
Derwinski	McClory	Steiger, Wis.
Devine	McCollister	Stephens
Dickinson	McEwen	Stratton
Dorn	McKay	Stubblefield
Downing	McSpadden	Stuckey
Duncan	Madigan	Symms
du Pont	Mahon	Talcott
Edwards, Ala.	Mailliard	Taylor, Mo.
Erlenborn	Mallary	Taylor, N.C.
Esch	Mann	Teague, Calif.
Eshleman	Martin, Nebr.	Teague, Tex.
Evins, Tenn.	Martin, N.C.	Thomson, Wis.
Flowers	Mathias, Calif.	Thone
Foley	Mathis, Ga.	Thornton
Ford, Gerald R.	Mayne	Treen
Forsythe	Michel	Udall
Ullman	Milford	Vander Jagt
Waggonner	Widnall	Walsh
Wampler	Wiggins	Ware
White	Williams	Whitehurst
Whitten	Wilson, Bob	Wright
Wyatt	Wydler	Wylie
Wyman	Young, Alaska	Young, Fla.
Young, Ill.	Young, S.C.	Young, Tex.
Zion	Zwach	

NOES—163

Abzug	Fraser	Nix
Adams	Gaydos	O'Hara
Addabbo	Gilman	O'Neill
Anderson, Calif.	Gonzalez	Patten
Andrews, N. Dak.	Grasso	Pepper
Annunzio	Green, Pa.	Perkins
Ashley	Grover	Podell
Aspin	Gude	Price, Ill.
Badillo	Hamilton	Rangel
Barrett	Hanna	Reid
Bell	Hansen, Idaho	Reuss
Biester	Hansen, Wash.	Riegle
Bingham	Harrington	Rinaldo
Blatnik	Harsha	Rodino
Brademas	Hawkins	Roe
Brasco	Hechler, W. Va.	Roncalio, Wyo.
Breckinridge	Heckler, Mass.	Rooney, Pa.
Brooks	Helstoski	Rosenthal
Brown, Calif.	Hicks	Roush
Brown, Mich.	Holifield	Roy
Broyhill, N.C.	Holtzman	Roybal
Burke, Calif.	Howard	Ruppe
Burke, Mass.	Hudnut	Ryan
Burton	Ichord	St Germain
Carey, N.Y.	Johnson, Calif.	Sandman
Carney, Ohio	Jordan	Sarbanes
Chisholm	Karth	Schroeder
Clay	Koch	Seiberling
Conte	Kyros	Shriver
Conyers	Leggett	Sisk
Corman	Lehman	Skubitz
Cotter	Litton	Smith, Iowa
Culver	McCloskey	Stanton, James V.
Daniels, Dominick V.	McCormack	Stark
Danielson	McDade	Studds
Delaney	McFall	Sullivan
Dellums	McKinney	Symington
Denholm	Macdonald	Thompson, N.J.
Dent	Madden	Tiernan
Diggs	Maraziti	Van Deerlin
Dingell	Matsunaga	Vanik
Donohue	Mazzoli	Veysey
Drinan	Meeds	Vigorito
Dulski	Melcher	Waldie
Eckhardt	Metcalfe	Whalen
Edwards, Calif.	Mezvinsky	Wilson, Charles H., Calif.
Eilberg	Minish	Wilson, Charles, Tex.
Evans, Colo.	Mink	Winn
Fascell	Mitchell, Md.	Wolff
Findley	Moakley	Yates
Fish	Moorhead, Pa.	Yatron
Flood	Morgan	Young, Ga.
Ford, William D.	Moss	Zablocki
	Murphy, N.Y.	
	Natcher	
	Nedzi	

PRESENT—1

Heinz

NOT VOTING—17

Bolling	King	Peyser
Carter	Landrum	Rooney, N.Y.
Cronin	Minshall, Ohio	Runnels
Fisher	Mosher	Stokes
Flynt	O'Brien	Towell, Nev.
Hébert	Patman	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

"Amendment offered by Mr. ANDERSON of Illinois: Page 21, strike out line 6 and all that follows down through and including line 12 on page 25, and insert in lieu thereof the following:

SPECIAL MINIMUM WAGES FOR EMPLOYEES UNDER EIGHTEEN AND STUDENTS

SEC. 206. Section 14 (29 U.S.C. 214) is amended (1) by striking out subsections (b) and (c), (2) by redesignating subsection (d)

as subsection (c), and (3) by adding after subsection (a) the following:

"(b)(1) Subject to paragraph (2) and to such standards and requirements as may be required by the Secretary under paragraph (4), any employer many, in compliance with applicable child labor laws, employ, at the special minimum wage rate prescribed in paragraph (3), any employee—

"(A) to whom the minimum wage rate required by section 6(a) or 6(b) would apply in such employment but for this subsection, and

"(B) who is under the age of eighteen or is a full-time student.

"(2)(A) No employer may employ at the special minimum wage rate authorized by this subsection any employee who is under the age of eighteen and who is not a full-time student unless—

"(i) the employer assures the Secretary that the employment of such employee will not displace any other employee or adversely affect job opportunities of persons other than those employed under this subsection,

"(ii) the employer has notified the Secretary in writing of his intention to employ such employee and the Secretary has not, within the thirty-day period beginning on the date the Secretary received such notice, disapproved the employment of such employee at the special minimum wage rate authorized by this subsection, and

"(iii) the employer posts, in such place and such manner as the Secretary shall by regulation prescribe, a copy of the notice submitted under clause (ii).

"(B) No employer may employ, at the special minimum wage rate authorized by this subsection, for a period in excess of 20 workweeks, any employee who is under the age of 18 and who is not a full-time student; and the number of such employees employed by any employer at such wage rate may not in any workweek exceed—

"(i) six, or

"(ii) a number equal to 12 per centum of the total number of employees employed by such employer in such workweek.

whichever is greater.

"(3) The special minimum wage rate authorized by this subsection is a wage rate which is not less than the higher of—

"(A) 80 per centum of the otherwise applicable minimum wage rate prescribed by section 6(a) or 6(b), or

"(B) $1.30 an hour in the case of employment in agriculture or $1.60 an hour in the case of other employment.

"(4) The Secretary shall by regulation prescribe standards and requirements to insure that this subsection will not create a substantial probability of reducing the full-time employment opportunities of persons other than those to whom the minimum wage rate authorized by this subsection is applicable.

"(5) For purposes of sections 16(b) and 16(c)—

"(A) any employer who employs any employee under this subsection at a wage rate which is less than the minimum wage rate prescribed by paragraph (3) shall be considered to have violated the provisions of section 6 in his employment of the employee, and the liability of the employer for unpaid wages and overtime compensation shall be determined on the basis of the otherwise applicable minimum wage rate under section 6; and

"(B) any employer who employs any employee under this subsection for a period in excess of the period authorized by paragraph (2) shall be considered to have violated the provisions of section 6 in his employment of the employee during the period in excess of the authorized period."

Mr. ANDERSON of Illinois. Mr. Chairman, those of the committee who were present in the Chamber earlier this afternoon will recognize that this is the so-called youth opportunity amendment. It was discussed, I believe rather amply, in connection with the offering of the Erlenborn substitute.

I merely want to make the point that regardless of how Members voted on the substitute, regardless of what their feelings may have been with respect to the various wage levels that have been described in the bills before the committee this afternoon and in the amendments, for agricultural and nonagricultural labor, this is the most important and deserving amendment to the committee bill.

I hope it will have the overwhelming support of the Members of the committee, even those who were opposed for good and valid reasons to other portions of the Erlenborn substitute.

Mr. Chairman, I want to simply take the time to indicate that we have drawn the amendment as strictly as we possibly could to answer the fears and arguments that exist in the minds of some of our friends in the ranks of organized labor that we are going to disemploy mature adult workers by encouraging under strictly limited conditions the employment of 16- and 17-year-old teenagers.

We are approaching this problem at a time when the teenage unemployment rate is three times the national rate, when it is 35 percent with respect to black teenagers.

The gentleman from Pennsylvania said that there have never been any studies by the Department of Labor that would indicate that raising the minimum has had an adverse effect on unemployment. Well, the fact of the matter is that the Department of Labor has never done the type of analysis represented by some of the private studies that I will put into the RECORD; all they have done is to take each industry covered by the minimum wage law, and then they have undertaken to show that employment has increased in the aggregate, and then they conclude, of course, that minimum wages have not caused unemployment.

Mr. Chairman, I have a document from the U.S. Department of Labor, "Minimum Wages and Maximum Hours Standards Under the Fair Labor Standards Act" that shows very clearly that there have been responsible private studies, one by Moore and one by Hashimoto and Mincer, that show very convincingly that when an analysis is made in terms of the impact of increases in the minimum wage on groups in the population, such as males 16 to 19 and females 15 to 19, in all of these cases, as Moore observed, increases in either the level or the coverage of the minimum wage lead to increases in the unemployment rate.

And listen to this: His results also suggest that a higher minimum and increased coverage adversely affect not only the unskilled and inexperienced, but also those who suffer from discrimination in the labor market.

Those Members who are interested, as I hope they are, in doing something about eliminating discrimination, that ugly stain and scar upon the labor market, those Members ought to be interested, of all people, in a youth opportunity wage.

Mr. Chairman, the private studies that I will put in the RECORD show that unless we are willing to adopt this amendment, we are going to be perpetuating further discrimination among unemployed teenagers in minority groups, unless we permit an opportunity wage.

In closing, let me again emphasize that the amendment makes it clear that the employer must assure the Secretary that the employment of such employee will not displace any other employee or adversely affect the job opportunities of persons other than those employed under the subsection. He has to give a prior 30-day notice to the Secretary of Labor that he even intends to employ teenagers in this category, and during that 30-day period he can be proscribed by the Secretary of Labor from hiring these teenagers. Then listen to this restriction: That the number that he can employ in any workweek may not exceed 6 or a number equal to 12 percent of the total number of employees employed by the employer.

How much stricter can we get than that in imposing carefully circumscribed limits on the number of unemployed teenagers that can be placed under this amendment?

So I hope that in approaching this, rather than yielding to emotional, unfounded, illogical arguments that we are going to be destroying jobs for adult workers, we will see in contrast that we are going to be doing something positive for unemployed teenagers.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

Historically there has been a continuing fight, at least on my part, for 54 years of my 65 years on eath, in the area of child labor. You can call it what you want—youth, youth differentials, young people—but when it gets down to the bedrock of what we are discussing here, we are discussing putting into the hands of certain employers, not always imbued with the milk of human kindness and consideration, a tool with which to reemploy again into the working apparatus of this country teenagers at a subsubminimal wage. The idea that because the wage is reduced below a submimimum, which is already in my legislation, is an inducement to create jobs speaks in and of itself of the character of those who are in here demanding that kind of labor.

The idea that we have thousands of jobs all over the country waiting to be filled by 12 percent of the work force under 18 years of age is ridiculous. You say there are 605,000 unemployed 16 to 17 years of age. Well, this is a release from the Department on May 4, 1973, with the April statistics: 166,000 unemployed. There are over 3,189,000 full-grown adults, however, many with families, loking for jobs, and you want to induce somebody to take a kid out of school for a 5-month period for a saving of another 5 percent to the employer.

Call it what you want, spell it out, but it gets down to just plain child labor at a reduced wage.

When I was a young man I entered the

Legislature of the State of Pennsylvania and fought for 16 years to rid that State of the fly-by-night child-labor provisions. The bosses that hauled the machines in at night and who left after they worked these people a week or 8 days and got a bundle of clothing, and that kind of thing, and moved out and did not pay them anything but a nickel an hour.

You men and women should go home some day and read a little bit about the East Side of New York. Then you will know what it means for 12- and 14- and 15-year-old workers to work in the field.

It is necessary? Are we doing something wrong? Has this legislative body in the past with our actions denied some youthful worker an opportunity to do that which he has to do for himself and for his own benefit? What you are saying is you can pay 5 percent less to a student who will drop out of school. We now say that you can pay 85 percent of the wage to him and not for 5 or 6 months but as long as he is a student, and we estimated, with the best advice we could get from the educators, that 20 hours a week during schooltime was pretty much the outside limit that a youth can work and still be able to maintain his scholastic standing.

Then we said that any time during vacation, Christmas, Easter, or any other time, and the full 3 months of summertime, he can work 40 hours a week at 85 percent of the minimum wage. But, no, what do we say now?

As of now, they can only get an 85-percent savings through this employee, that is all they can get away with, but if they can induce him to drop out of school then they can save another 5 percent and ruin a whole life—ruin a whole life. Sure, we recognize they are dropouts, we know they are dropouts, some of them are, probably we have had a few in our own families.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 3 additional minutes.)

Mr. DENT. Mr. Chairman, I want to explain one thing, and that is that we take care of the dropouts. We take care of them from experience. We do not drop them into the marketplace and let them become roamers of the streets. What do we do? If you drop out as a student you can work without regard to any consideration of the minimum wage law—if you become an apprentice, if you become a learner in a new job, or where you take a nonadult job, a messenger-type job. Why did we do this? Because we are practical men. We are men who have had experience in the field of practical living in life. We are the members of the committee who voted billions of dollars to pick up these dropouts and try to recycle them through the school system, try to recycle them through the apprenticeship system, through the training system. Every student who is a dropout of a school can be taken care of. Every student can earn enough to help himself through college. That is all we ask.

I would hate to see this Congress, this day and this year, revert to child labor when it is not necessary, not needed, regressive and unconscionable.

AMENDMENT OFFERED BY MR. JONES OF OKLAHOMA TO THE AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. JONES of Oklahoma. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Oklahoma to the amendment offered by Mr. ANDERSON of Illinois: In the proposed subsection (b)(1)(B) strike out "who is under the age of eighteen or" and insert in lieu thereof "who (i) is under the age of eighteen and furnishes (by himself or with his spouse (if any)) less than one-half of his support or (ii)".

Mr. JONES of Oklahoma. Mr. Chairman, very briefly, my amendment would perfect the amendment offered by the gentleman from Illinois (Mr. ANDERSON) if it is passed, to insure that any young person regardless of his or her age and regardless of that person's capacity as a student, shall be covered by the minimum wage if he or she qualifies as to what amounts to a head of the household under our tax code.

That is, if he furnishes half or more of his support then he would not have to be covered by the minimum wage.

Briefly, that is my statement.

I think that for those young people, regardless of whether they are students, who have to support themselves or their families, that we cannot ask them to work at a subminimal wage.

There are compelling reasons to support the Anderson youth differential amendment. But I believe that my amendment to protect those young people who are supporting themselves or supporting a family must also be passed in order to prevent a true injustice.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. JONES of Oklahoma. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I want to be sure I understand the amendment proposed by the gentleman from Oklahoma (Mr. JONES).

In other words, if the person claiming the youth opportunity wage is in fact being carried on someone's tax return as a dependent because more than 50 percent of his support is coming from someone else, then he would be eligible for employment under this provision. Is that correct?

Mr. JONES of Oklahoma. That is correct.

Mr. ANDERSON of Illinois. Mr. Chairman, I want to congratulate the gentleman from Oklahoma for offering that amendment to my amendment. I would, for my part, accept the amendment. I think the gentleman from Oklahoma has made a contribution.

Mr. O'HARA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am afraid there is not any way that we can fix up the Anderson amendment, and, although I respect the intentions of the gentleman from Oklahoma (Mr. JONES), I have to oppose his amendment to the Anderson amendment.

Let me ask the Members this. If McDonald's hamburger chain can hire 16- and 17-year-old kids who are not self-supporting for $1.60 an hour, can you imagine them hiring a kid that has to support himself for $2 an hour? I am afraid that the effect of the Jones amendment would be to put the 16- or 17-year-old or the college student—the 19- or 20-year-old—or a 25-year-old who supports himself, in a very disadvantageous position, the same disadvantageous position that adult wage earners generally are put in by the Anderson amendment, and I should not want to saddle them with that burden.

I really believe, and I say this without derogating the motives of those who offered the amendments—that we must not develop a system in which we judge a man's worth not by the work he does, but by how old he is.

When I was 16 years old, I worked in a shop in Detroit. I did the same work as anybody else in that shop. I got 85 cents an hour, which was the same pay they got, and I think I was entitled to it. When I was 17 years old, I worked at the Ternsted Division of General Motors Corp., first as a stockman, and then as a timekeeper. I took care of the same number of timecards as anybody else in that division, and I feel I was entitled to the same pay that others received. Why should I be paid less for doing the same work that every other timekeeper in that factory was doing?

There is much talk about youth resentment and any one of us who has children knows that a lot of the youth of this country are suspicious and resentful of their elders. Let me say this to the Members. One of the reasons they are resentful is that they suspect that we are not going to give them a fair break. They will not only suspect it; they will know it, if we adopt the Anderson amendment.

I hope that we can defeat both the Anderson amendment and the Jones amendment to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. JONES) to the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ANDERSON of Illinois. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device. and there were—ayes 199, noes 215, not voting 18, as follows:

[Roll No. 188]

AYES—199

Abdnor	Bafalis	Brown, Mich.
Anderson, Ill.	Baker	Brown, Ohio
Andrews, N. Dak.	Beard	Broyhill, N.C.
	Blackburn	Broyhill, Va.
Archer	Bowen	Buchanan
Arends	Bray	Burgener
Armstrong	Brinkley	Burke, Fla.
Ashbrook	Broomfield	Burleson, Tex.
Aspin	Brotzman	Butler

Byron	Hinshaw	Rhodes
Camp	Hogan	Roberts
Casey, Tex.	Holt	Robinson, Va.
Cederberg	Hosmer	Robison, N.Y.
Chamberlain	Huber	Rogers
Chappell	Hudnut	Roncallo, N.Y.
Clancy	Hunt	Rousselot
Clausen, Don H.	Hutchinson	Ruth
Clawson, Del	Jarman	Sandman
Cleveland	Johnson, Colo.	Sarasin
Cochran	Johnson, Pa.	Satterfield
Cohen	Jones, N.C.	Scherle
Collier	Jones, Tenn.	Schneebeli
Collins	Keating	Sebelius
Conable	Kemp	Shoup
Conlan	Ketchum	Shriver
Conte	Kuykendall	Shuster
Crane	Landgrebe	Sikes
Daniel, Dan	Latta	Skubitz
Daniel, Robert W., Jr.	Lent	Smith, N.Y.
Davis, Ga.	Lott	Snyder
Davis, Wis.	Lujan	Spence
Dellenback	McClory	Stanton, J. William
Denholm	McCloskey	Steelman
Dennis	McCollister	Steiger, Ariz.
Derwinski	McEwen	Steiger, Wis.
Devine	Madigan	Stubblefield
Dickinson	Mahon	Symms
Downing	Mailliard	Talcott
Duncan	Mallary	Taylor, Mo.
du Pont	Mann	Taylor, N.C.
Edwards, Ala.	Martin, Nebr.	Teague, Calif.
Erlenborn	Martin, N.C.	Thomson, Wis.
Esch	Mathias, Calif.	Thone
Eshleman	Mayne	Treen
Findley	Mazzoli	Ullman
Flowers	Michel	Vander Jagt
Ford, Gerald R.	Milford	Veysey
Forsythe	Miller	Waggonner
Frelinghuysen	Mizell	Wampler
Frenzel	Montgomery	Ware
Frey	Moorhead, Calif.	Whitehurst
Froehlich	Mosher	Whitten
Fuqua	Myers	Widnall
Goldwater	Nelsen	Wiggins
Goodling	Nichols	Williams
Green, Oreg.	Parris	Wilson, Bob
Gross	Pettis	Winn
Grover	Pike	Wolff
Gubser	Poage	Wydler
Guyer	Powell, Ohio	Wylie
Haley	Price, Tex.	Wyman
Hamilton	Pritchard	Young, Alaska
Hanrahan	Quie	Young, Fla.
Harsha	Quillen	Young, Ill.
Harvey	Randall	Young, S.C.
Hastings	Rarick	Zion
	Regula	Zwach

NOES—215

Abzug	Davis, S.C.	Hansen, Wash.
Adams	de la Garza	Harrington
Addabbo	Delaney	Hawkins
Alexander	Dellums	Hays
Anderson, Calif.	Dent	Hechler, W. Va.
Andrews, N.C.	Diggs	Heckler, Mass.
Annunzio	Dingell	Heinz
Badillo	Donohue	Helstoski
Barrett	Dorn	Henderson
Bell	Drinan	Hicks
Bennett	Dulski	Hillis
Bergland	Eckhardt	Holifield
Bevill	Edwards, Calif.	Holtzman
Biaggi	Eilberg	Horton
Biester	Evans, Colo.	Howard
Bingham	Evins, Tenn.	Hungate
Blatnik	Fascell	Ichord
Boggs	Fish	Johnson, Calif.
Boland	Flood	Jones, Ala.
Brademas	Foley	Jones, Okla.
Brasco	Ford, William D.	Jordan
Breaux	Fountain	Karth
Breckinridge	Fraser	Kastenmeier
Brooks	Fulton	Kazen
Brown, Calif.	Gaydos	Kluczynski
Burke, Calif.	Gettys	Koch
Burke, Mass.	Giaimo	Kyros
Burlison, Mo.	Gibbons	Leggett
Burton	Gilman	Lehman
Carey, N.Y.	Ginn	Litton
Carney, Ohio	Gonzalez	Long, La.
Chisholm	Grasso	Long, Md.
Clark	Gray	McCormack
Clay	Green, Pa.	McDade
Conyers	Griffiths	McFall
Corman	Gude	McKay
Cotter	Gunter	McKinney
Coughlin	Hammer-schmidt	McSpadden
Culver	Hanley	Macdonald
Daniels, Dominick V.	Hanna	Madden
Danielson	Hansen, Idaho	Maraziti
		Mathis, Ga.
		Matsunaga
Meeds	Rangel	Stephens
Melcher	Rees	Stratton
Metcalfe	Reid	Stuckey
Mezvinsky	Reuss	Studds
Mills, Ark.	Rinaldo	Sullivan
Minish	Rodino	Symington
Mink	Roe	Teague, Tex.
Mitchell, Md.	Roncalio, Wyo.	Thompson, N.J.
Mitchell, N.Y.	Rooney, Pa.	Thornton
Moakley	Rose	Tiernan
Mollohan	Rosenthal	Udall
Moorhead, Pa.	Rostenkowski	Van Deerlin
Morgan	Roush	Vanik
Moss	Roy	Vigorito
Murphy, Ill.	Roybal	Waldie
Murphy, N.Y.	Ruppe	Walsh
Natcher	Ryan	Whalen
Nedzi	St Germain	White
Nix	Sarbanes	Wilson, Charles H., Calif.
Obey	Saylor	
O'Hara	Schroeder	Wilson, Charles, Tex.
O'Neill	Seiberling	
Owens	Shipley	Wright
Passman	Sisk	Wyatt
Patten	Slack	Yates
Pepper	Smith, Iowa	Yatron
Perkins	Staggers	Young, Ga.
Pickle	Stanton, James V.	Young, Tex.
Podell	Stark	Zablocki
Preyer	Steed	
Price, Ill.	Steele	
Railsback		

NOT VOTING—18

Ashley	Hébert	Peyser
Bolling	King	Riegle
Carter	Landrum	Rooney, N.Y.
Cronin	Minshall, Ohio	Runnels
Fisher	O'Brien	Stokes
Flynt	Patman	Towell, Nev.

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: On page 21, line 24, remove the period after the word "manufacturing" and add the following: "(except agricultural processing)"

And on page 24, line 1, after the word "student" add "or students."

Mr. MATSUNAGA. Mr. Chairman, the amendment which I am proposing is purely a perfecting amendment. It merely clarifies the language in section 206 so that the intent of the committee, as indicated in its report, will be put into explicit, unmistakable language.

Section 206 provides that employers engaged in certain nonhazardous occupations may employ full-time students at 85 percent of the minimum wage otherwise applicable. The intent of the committee was to include agriculture, and the agricultural processing industry within the permissible occupations. The present language of the section, however, does not make this altogether clear. Unless my amendment is adopted, some question may be raised by someone in the future.

I am particularly concerned about the pineapple industry in Hawaii which is presently faced with severe economic disadvantages in the world market and struggling for its survival. As long as I can remember, school students in Hawaii have found employment in the pineapple fields and canneries during the summer vacation. Many of the students earned enough during this period to finance their higher education, as I was fortunate to be able to do.

If by misinterpretation of section 206, the student minimum wage is not payable by the Hawaii pineapple producers and processors, thousands of students may find themselves without summer employment. What may be even more disastrous is that the pineapple industry in Hawaii may fail, in which event the Hawaiian economy would suffer an intolerable blow.

My amendment further makes it explicitly clear that the Secretary of Labor may issue special certificates permitting student hires singly or in groups of two or more. This is what the committee intended and what my amendment proposes to do.

I have discussed my amendment with the chairman of the subcommittee and its ranking minority member, who are both willing to accept my proposal.

Mr. DENT. Mr. Chairman, will the gentleman from Hawaii (Mr. MATSUNAGA) yield?

Mr. MATSUNAGA. I yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I have discussed the matter and I think I have an agreement with the ranking Member on the other side, and I accept the amendment.

Mr. MATSUNAGA. I thank the gentleman from Pennsylvania and urge the adoption of my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii (Mr. MATSUNAGA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. M'SPADDEN

Mr. McSPADDEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McSPADDEN: Page 29, after line 8, insert the following new section:

COMPENSATION OF EMPLOYERS FOR CERTAIN INCREASED CONTRACT COSTS

SEC. 213. Section 18 (29 U.S.C. 218) is amended by adding at the end thereof the following new subsection:

"(c) From the date of the enactment of this subsection, each company which has a firm bid contract, involving the clothing industry, in effect with the United States Government shall be entitled to receive from the United States Government an amount equal to all increased labor costs on such contract directly resulting from the enactment of the Fair Labor Standards Amendments of 1973. Such amount shall be in addition to any amounts specifically provided for in the contract and shall be paid in lump sums to the company by the Government contractor within a reasonable time following justification of the amount of such increased labor costs."

Mr. McSPADDEN. Mr. Chairman, this is a perfecting amendment.

In one particular instance, and perhaps in many instances in the country, a certain clothing industry, the stitch and sew people, will be probably in the beginning of a contractual period with, for instance, the Department of Defense.

A case in point is this: One such industry in my district, with 400 employees, is now entering the third month of an 18-month contract. Should this bill become law, say in the next 60 days, it would cost the contractor, the stitch and sew manufacturer there, an additional $333,000 in wages, which would break him.

Mr. Chairman, this merely says that should the bill become law and the mini-

mum wage is amended, he would have recourse against the department of the Government under which no escalation clause is ever given in the initial contract.

Mr. QUIE. Will the gentleman yield?

Mr. McSPADDEN. I am happy to yield to the gentleman.

Mr. QUIE. Why do you not expand it so everybody who has a contract with the Federal Government will come under this? There are canons who have a 30-cents-an-hour increase in the first instance, and they will be subject to the same thing. Why just confine it to the protective clothing industry? The majority here have been voting for all kinds of jobs under the new minimum wage as soon as this goes into effect. All I say is I see why we wiped out the tobacco and cotton and sugarcane people in order to get votes, but I cannot see this. I am against helping the clothing industry and nobody else. I want everybody to be treated alike, or else the whole bill is unfair.

Mr. McSPADDEN. I would ask the gentleman this question. I am trying to look after my district first. I will join you in a similar amendment.

Mr. DENT. Will the gentleman yield?

Mr. McSPADDEN. I am happy to yield to the gentleman.

Mr. DENT. This poses a very serious problem. We have been trying to get some kind of information on the determination of contracts within the period of time when a new minimum wage will be mandated. It is understood we are told by one agency that they have a renegotiation set up and pay out the amount added by the Congress of the United States. We are told by another agency that it is not so.

In fairness to the gentleman who came up with this today and out of consideration in trying to be fair to him, I would ask you to accept it with the understanding that between now and when we go to conference whatever information we can get from the Department of Defense we will respect and let that take precedence over what we are saying today, because we do not know. I do not know, and neither does he, how it is needed.

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

Mr. ERLENBORN. I thank the gentleman for yielding, but I intend to offer an amendment to the amendment, and I prefer to do that after you are done.

AMENDMENT OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Oklahoma.

Mr. McSPADDEN. Mr. Chairman, I ask unanimous consent that I may withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. M'KAY

Mr. McKAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McKAY. Page 24, line 24, strike out the close quotation marks and insert in lieu thereof the following:

The requirement of this subparagraph shall not apply in the case of the issuance of special certificates for the employment of full-time students by the educational institution to which the students are enrolled.

Mr. DENT. Mr. Chairman, I understand that the Members on the other side have agreed that this is a worthwhile amendment, and I suggest that we accept it.

Mr. Chairman, I am offering this amendment for myself and for Congressman WAYNE OWENS because we recognize a particular problem with minimum-wage and educational institutions. The amendment I am offering, simply stated, relaxes certain requirements for educational institutions; namely, the requirement under which the Labor Department certifies that none of the jobs offered to its students will have a substantial probability of limiting employment opportunities for others.

The effect is that universities will now have a pro forma certification under the Minimum Wage Act where they may pay the subminimal level to students who work at the university. It does not extend beyond educational institutions. The educational institutions have to comply with the other sections of this act. The student must be a student of the institution and they will be allowed to work on a part-time basis only. So, the purpose is to allow hundreds and thousands of students across the country, who are working part-time at educational institutions, to work their way through school.

It is my belief that students, rather than being given a handout to go to school, should have the opportunity to work and help themselves through school. This would have that effect. Otherwise, depending on how the certification was managed by the Labor Department, the institutions could be forced to make full-time help out of the thousands of part-time jobs that they now have for students.

It seems to me only wise that students should be given an opportunity to work their way through school. This would reduce Government subsidies to students. An example I can cite concerns a major university in my State which has some 25,000 student enrollees and has some 6,000 student employees. Until now, they have been paying above the minimum wage and, therefore, have not been subject to the certification provision. Unless we are successful in amending the certification provision, these universities might have difficulty convincing the Labor Department student help is not being used to eliminate jobs that otherwise would go to full-time employees. This is especially so in light of the fluctuation of full-time help at universities, including the one in my State.

Therefore, Mr. Chairman, I would urge members of the committee to accept this amendment and help our universities solve their financial problems and assist students working their way through school.

The amendment I am offering will contribute to these goals.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. McKAY).

The question was taken; and on a division (demanded by Mr. McKAY) there were—ayes 144, noes 6.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ERLENBORN: Page 26, strike out lines 3 through 19. Renumber the succeeding sections (and references thereto) accordingly.

Mr. ERLENBORN. Mr. Chairman, this amendment would remove the section. Mr. Chairman, there was no testimony before our committee to justify the inclusion of this language. The only place, by the way, the word "conglomerates" appears in the bill is in the title of the section. It does not even appear in the section.

There has been no showing that because the common ownership of two diverse businesses is involved that there is any competitive advantage to the owners of those two or more diverse businesses.

At the present time we have an "establishment" test, which says that if an establishment does not do in excess of $250,000 gross business in any year they are not covered under the provisions of the Fair Labor Standards Act.

There have been attempts in the past to change from the establishment to the enterprise test, that is, if one owner owns several different businesses, the test would then apply to the gross of all such businesses. This is just a little different approach in that it says that if the same owner owns two businesses that are not in the same line, who are diverse, and does a gross of $10 million a year or more, then even though the individual establishments do not have a $250,000 gross annual income, and would not otherwise be covered, they will now be covered merely because of the overall ownership of the enterprise.

There is no testimony in the record to justify this, and I would hope that I would be supported in my amendment to remove this provision.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment, briefly.

Our committee has gone into this subject matter very, very deeply. We were the first committee ever to consider the establishment exemption. We considered instead of an enterprise we gave them an establishment exemption to an establishment within an enterprise up to a $250,000 ceiling, complete exemption from the act. And this has worked well for the small chains and also for the fast-food operations where they have small franchises, and for small communities; put them in a competitive position with the privately owned small enterprises that were under $250,000.

However, when the recent phenomenon of a conglomerate takeover stepped in upon the good, sound reasoning and study, we found that an unfair advantage was being given to a conglomerate such as Squibb's that took over Toddle House and Heublein that took over Kentucky Fried Chicken. These huge type operations then were forming competition against that little fellow who was doing $250,000 a year, and they wanted to keep their establishment exemption

for their particular outlets that were in competition with this little person across the street. We still leave the establishment exemption for any enterprise that is doing a business that is less business.

For instance, if Kentucky Fried Chicken were still its own entity, it would be exempt in their smaller establishments, but when they became part of Heublein, with ITT taking up part of the smaller chains around this country, we said it was time we tried to save some of the independent little merchants in this country of ours, especially in the small communities that we have around the country.

Therefore, I ask the Members to vote down this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. ERLENBORN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. TAYLOR OF NORTH CAROLINA

Mr. TAYLOR of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of North Carolina:

Page 28, strike out line 18 and all that follows down through and including the matter on lines 1 through 8 on page 29, and insert in lieu thereof the following:

"SEC. 212. Section 13(a) is amended by inserting after the paragraph added by section 205(b)(3) the following new paragraph:

"(16)(a) any employee who is employed with his spouse by a nonprofit institution which is primarily operated to care for and educate children who have been placed with the institution by or through a public agency or by parents or guardians who are financially unable to care for and educate their children or children under their guardianship (as the case may be), if such employee and his spouse (A) are employed to serve as the parents of such children who reside in facilities of the institution, (B) reside in such facilties and receive, without cost, board and lodging from such institution, and (C) are together compensated at an annual rate of not less than $10,000, up to 30 percent of which may be allowance for board and lodging, and

"(b) any employee who is employed by a nonprofit institution which is primarily operated to care for and educate children who have been placed with the institution by or through a public agency or by parents or guardians who are financially unable to care for and educate their children or children under their guardianship (as the case may be), if such employee (A) is employed to serve as the parent of such children who reside in facilities of the institution, (B) resides in such facilites and receives, without cost, board and lodging from such institution, and (C) is compensated at an annual rate of not less than $5,000, up to 30 percent of which may be allowance for board and lodging."

Mr. TAYLOR of North Carolina (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I understand that this is the same amendment that the gentleman offered to the substitute that was discussed at that time and was acceptable to both the majority and the minority. For my part, I am willing to accept the gentleman's amendment.

Mr. TAYLOR of North Carolina. I thank the gentleman from Illinois. It is the same identical amendment. It provides for houseparents in orphanages.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. TAYLOR).

The amendment was agreed to.

Mr. SEIBERLING. Mr. Chairman, I move to strike the last word.

I would like to address the chairman of the subcommittee. I have a very simple, little amendment which I think the committee should accept, which is that in the future whenever the House debates a minimum-wage bill, we ought to be paid time-and-a-half for overtime.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 7935, a bill which would amend the Fair Labor Standards Act not only to increase the minimum wage, but would also expand such coverage to millions of workers. I would like to commend the distinguished gentleman from Pennsylvania (Mr. DENT) for doing a truly outstanding job in presenting a fair and equitable bill.

The present minimum wage, now set at $1.60 an hour, was passed in 1966 and the time has come to amend the current act to compensate for the cost of living increases we have suffered over the past 7 years. Inflation has caused the prices of such bare necessities as food, housing, and transportation to rise substantially in recent years. Today's minimum wage of $1.60 an hour would buy a low income worker less than the worker who made the minimum wage of $1.25 an hour in 1966.

At the current minimum wage, a worker would make an annual salary of $3,328. Since the poverty level has been defined at $4,200 for a nonfarm family of four, a hard-working man is making nearly a thousand dollars below an income standard that would classify him as impoverished. Surely we can make changes in the current law in order to help the working poor make a decent wage.

The supporters of this bill seem to think that raising the minimum wage would not cause inflation or unemployment. Since the low-income worker will be making more money, demand for goods and services will increase, thus jobs will be created rather than eliminated. For those who feel this bill is inflationary, let me state that an increase of the minimum wage to $2 an hour would provide a worker with an annual income of $4,160, a sum which is still below the poverty level.

A major amendment to the bill is the one establishing the youth minimum wage coverage. The youth differential, as provided in the Erlenborn substitute, would not create further jobs, but would make it easier for employers to hire young workers and discharge some of the older workers. Thus, total employment would remain the same, but unfortunately, the head of some households might lose their jobs.

A 1970 Department of Labor Survey, "Youth Unemployment and Minimum Wages," found no relationship between youth employment or unemployment and the minimum wage. The report went on to say that the levels of teenage employment varied with general business activity and not the minimum wage. People should get equal pay for an equal day's work, regardless of age and the Erlenborn substitute would not take this factor into account.

Furthermore, I support the extension of coverage of this minimum wage bill to Federal, State, and local workers as well as domestic service workers. The cost of living has risen for these people as well as others, and therefore we should acknowledge the unfairness in the current law by amending it to cover these workers. Only 157,000 out of the 3,333,000 State and local employees in the United States would get an increase in pay if the minimum wage was raised to $2.20 an hour. Around 687,000 domestic service employees would be affected by an increase of the minimum wage to $2.20 an hour.

It should be noted that George Schultz, former Secretary of Labor and now Secretary of the Treasury, stated in 1969 that—

In view of overall economic trends, it is doubtful whether changes in the minimum had any substantial impact on wage, price, or employment trends.

He went on to say that jobs "rose substantially" during the time period studied immediately after new minimum wage legislation.

To conclude, I would like to express the hope that H.R. 7935 is passed because I feel it is time to give the workers in America a fairer shake. The current inflationary trend has made it difficult for many people to balance the family budget. The bill now up for approval in the House is a good progressive piece of legislation that would reward those workers that have been long underpaid. I urge the passage of these amendments to the Fair Labor Standards Act as corrective measures which will help the working poor and the young maintain a minimum standard of living.

Mr. LANDGREBE. Mr. Chairman, in my separate minority views, I discussed the disastrous effects of H.R. 7935 if it becomes law; explaining why it will necessarily create more unemployment, more inflation, and the closing down of many businesses. In short, I explained why raising the minimum wage will not benefit the American worker, and pointed out that the only way to raise real wages is to increase labor productivity.

I would like, however, to reiterate one example that I cited in the separate minority views and explain its relation to our balance of trade problem. A manufacturer in Indiana presently has two sets of plans for expansion: one calls for expansion by building more plants

and providing more jobs in the United States; the other calls for building the plants in Mexico. The management is holding up implementation of the plans pending the outcome of this minimum wage bill—if H.R. 7935 becomes law, they will build in Mexico; if it is defeated, they will build in the United States. If they expand by building in Mexico, it will not be to gain vengeance against unjust laws; it will be out of economic necessity.

This is just one example of jobs that will be created outside the United States instead of being created for American workers if H.R. 7935 becomes law. And not only will the United States lose those jobs, but also the capital that will be circulating in Mexico instead of in our own country, thus further increasing our balance-of-trade deficit.

Many other businesses will be forced to move or expand to other countries if this bill is enacted into law. When we consider the loss of employment, the higher prices and inflation, the closing of businesses and the curtailment of expansion of businesses, the committee cost estimate of $3 million per year becomes ludicrous. The long range cost of this bill could reach into the billions.

Another of my major objectives to minimum wage legislation is the fact that many marginal people are automatically relegated to the welfare rolls. Good people, physically, mentally and educationally handicapped whose abilities make it impossible for them to qualify for employment at rates dictated by minimum wage laws find it impossible to get into the job market, even though meaningful employment would be, in many cases, the best possible therapy they could ever be exposed to. Of course, the demand for their limited productive capacities has never been greater in our Nation's history.

Jobs of every description are going begging and urgently needed services to human beings are being denied because of the limited means of so many people—especially those senior citizens who are in need of personal services, yet are trying to exist on low or modest incomes.

The point that I am raising has been acknowledged in that section of the Erlenborn substitute which makes provision for a youth differential.

The adoption of the Erlenborn substitute will be a good start toward recognizing the great array of problems that face all our marginal workers and yes, our marginal employers as well.

It is, therefore, ironical that H.R. 7935 is alleged to be a benefit to the American workers. In fact, it is the working man in our country who will suffer most from the inflation it will generate, the curtailment of employment opportunities for marginal workers, and the denial of services to good people who simply cannot afford the rates of pay demanded under either the committee bill or the Erlenborn substitute.

Mr. VEYSEY. Mr. Chairman, I support the amendment the gentleman from California (Mr. TALCOTT) offered today.

That time has come to strike down the discrimination which has too long existed against agricultural workers in terms of their status as compared with all other workers. This amendment would move in that direction.

For too long, second class status has been the lot of those who produce our food and fiber. They do not have unemployment insurance protection. They do not have law to protect their rights in labor relations. They do not have equal protection on minimum wages.

I believe we are moving rapidly toward the elimination of these discriminations, and I want to seize the chance to forward that objective.

Now, historically I am not a wild enthusiast for minimum wage and hours legislation. I see in it the danger of more inflation and more unemployment.

But in equity, I feel we should support the Talcott amendment—to achieve equity between farm and nonfarm workers, and to achieve equity between States and regions of this Nation.

There is no justification for not improving the status of the farmworker in terms of earnings. We have done this in California, where agricultural wage rates are the highest in the Nation. We are paying well over the minimum wage figures discussed here, and there is no excuse to permit other areas to undercut these gains and to compete unfairly with California in the marketplace.

I urge an aye vote on the Talcott amendment.

I yield back the balance of my time.

Mr. DOMINICK V. DANIELS. Mr. Chairman, I rise in support of H.R. 7935, the Fair Labor Standards Amendments of 1973. This bill provides economic justice to hundreds of thousands of American workers who are denied an adequate living standard by a minimum wage law made archaic by the same forces who urge today that we adopt the Nixon administration's substitute amendment offered by the gentleman from Illinois (Mr. ERLENBORN).

Working people today are faced with the highest cost of living in history. At the same time that the administration pursues economic policies that draw us inexorably closer to depression, they claim that to provide working people—many who live below the poverty level—with a marginal standard of living would be inflationary.

This administration has waved the bloody shirt of inflation at every proposal that would ease the plight of the middle, lower, and fixed income Americans. In the areas of price controls, emergency employment, jobs in the public sector, and public works projects that would take people off the welfare roles, the administration has resisted, opposed and vetoed measures that would have provided meaningful relief to American workers.

Mr. Chairman, in dealing with minimum wage legislation we are generally so struck with the appalling and desperate condition of the Nation's poor that we often forget the terrible burden on the shoulders of the family whose middle income status is maintained only because the husband, wife and perhaps children are working.

In 1966, we increased the minimum wage to $1.60 an hour in order to raise to the official poverty level—$3,200 a year—the income of a full-time worker with a family of four. As a result of rampant inflation a subsistence living can only be achieved today with an income of at least $4,200. A family today whose income remained fixed or remains at the 1966 poverty level has been driven deeper into poverty.

We attacked the problem earlier in the 92d Congress. That attack was thwarted by a massive campaign directed against the American worker by the White House.

We are proposing today a fair and reasonable bill which would ease the burden of hundreds of thousands of workers who, rather than leaning on welfare, would utilize increased wages for needed food, for clothing and for other necessities of life.

The bill increases by 40 cents to $2 an hour the minimum wage for nonagricultural employees covered before 1966. Beginning on July 1, 1974 the minimum wage would be increased to $2.20 an hour. For those workers who became covered by the act after 1966, the wage would increase to $1.80 an hour immediately, to $2 an hour July 1, 1974, and to $2.20 an hour July 1, 1975. The bill also increases the minimum wage for agricultural workers and extends coverage to nursing home employees as well as employees of conglomerates.

A major section of this bill extends coverage to over a million household employees, thus effectively opening up a new sector in the labor market which many potential employees have simply found it not worthwhile to enter. Indeed, because of such expenses as transportation, and child care many potential workers have been forced to utilize welfare even while they were willing and preferred to work. As a result of this new coverage, their new wages will be pumped back into the economy.

The increases in minimum wages and extended coverage in this bill are reasonable and fair. They allow and encourage workers to remain in the work force, contributing rather than becoming a burden to the tax roles. As for the old and worn argument that the bill is inflationary, even the U.S. Chamber of Commerce has admitted that inflation is not caused by minimum wages.

Increased employment cannot be achieved by maintaining depressed wages, but only by increasing purchasing power for all workers.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the House will resoundingly approve, without any weakening changes, the vitally important measure now before us, H.R. 7935, the Fair Labor Standards Amendments of 1973.

As you know, Mr. Chairman, this measure is principally designed to increase the Federal minimum wage and to thereby demonstrate this Nation's continued adherence to the wholesome concept incorporated in the original 1938 Fair Labor Standards Act, to eliminate "labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency and general well-being of workers."

Mr. Chairman, under the several titles of this pending legislative proposal, provision is made for a wholly equitable and

immediate increase in the minimum wage, to $2 an hour, to be followed by an increase to $2.20 an hour beginning on July 1, 1974. The measure further extends wage and overtime coverage to public employees, domestic household workers, transit employees, employees of conglomerates with an annual volume of sales in excess of $10 million, to seasonal industry workers and to nursing home employees. In addition, the bill broadens provisions of the current law to allow a limited differential wage for certain part-time employment for full-time students.

I very earnestly believe, Mr. Chairman, that in our legislative deliberation on this measure today, there are several important considerations to which we should pay particular attention. First, we should consider that despite the great progress made under the Fair Labor Standards Act, more than 16 million potentially covered workers remain without FLSA protection and many workers currently receiving a minimum wage continue to live in poverty.

Furthermore, we should recall, today, that the last amendments to the act occurred back in 1966 and increased the minimum wage to $1.60 an hour, an hourly wage which was considered by most authoritative sources, even back then, as barely enough to provide an income above what was then defined by the Federal Government as the poverty level. With skyrocketing inflation increasing the cost of living by more than 31 percent since the minimum wage law was last amended, the urgent necessity for further congressional action is all the more apparent. According to many respected economic authorities, the real buying power of workers, who were to benefit from the 1966 increase to $1.60 an hour, now has dwindled to $1.19 an hour. If we view this figure in terms of 1966 dollars, and if we base our calculations on a 40-hour work week, the 1966 increase represents an annual income of less than $2,500.

Mr. Chairman, there are those who very earnestly feel that because of our inflation plagued economy, the proposed minimum wage increases would be counter-productive to the necessary efforts designed to stem the rising tide of inflation. Mr. Chairman, I would like to suggest, this afternoon, that there is no evidence whatsoever to support this fear and in actuality, there is conclusive historical testimony to support the opposite point of view; namely, our national economy has never had any difficulty absorbing minimum wage increases. In addition, there is very persuasive evidence from a variety of sources, including the U.S. Chamber of Commerce and a former Secretary of Labor, to support the assertion that inflation does not result from minimum wages.

Mr. Chairman, I very earnestly believe it is essential to our National economic progress that wages keep reasonable pace with increases in the cost of living and I further believe that the minimum wage represents the most direct, constructive, and least costly way to assure that our American workers are not forced to labor for a living at a wage below what is governmentally defined as a poverty level figure. Therefore, Mr. Chairman, in determining the merits of the pending legislation and in full consideration of the expert testimony we have heard here this afternoon, I most earnestly believe that the evidence is conclusive in favor of extending the minimum wage as recommended by the Education and Labor Committee and I further believe that since the enactment of the bill will unquestionably result in a substantial national progress, it truly deserves the overwhelming approval of this House.

Mr. RARICK. Mr. Chairman, I rise in opposition to H.R. 7935, the Fair Labor Standards Act Amendments of 1973.

I, too, am in favor of working, productive citizens receiving fair wages for work done; however, the legislation before us far exceeds the desire of many of our colleagues to guarantee a $2.20 an hour minimum wage for unskilled labor.

When politicians legislate private salaries and wage scales, they are not only officiously intermeddling in the free enterprise economy sector, but are in reality passing a new tax which will be borne by all of our people.

There is nothing in existing law that prevents a man or woman from earning $2.20 an hour, or more, depending on his productivity and the success of his employer. But when politicians force a salary raise on the employer, whoever he may be, we know in advance that the employer will no more bear the brunt of the increase than will those politicians who think it is good for votes to spend someone else's money.

The employer who is faced with this increase in minimum wage will treat it simply as another Federal tax and will merely shift it on to the consumer. This legislation will raise all prices across the board and, in the long run, those people whom we are talking about helping will suffer most through higher prices and increased taxes.

The American people are being literally taxed to death and enactment of the legislation before us can only hasten their demise. Such gimmicks as use tax, sales tax, or minimum wage increases no longer fool the people. A tax is a tax, regardless of what is is called, and the only true beneficiary will be government at all levels through increased tax revenues.

The legislation before us wreaks havoc on the retirees, pensioners, disabled, and welfare recipients. We should be trying to hold down the cost of living, thus controlling the inflation which results from dumping more money in the marketplace without a corresponding increase in productivity.

In reality, Mr. Chairman, the legislation before us is antilabor. For too long now, the workingman has been told that wage increases must be held below 5.5 percent. The bill before us would increase the minimum wage a total of 37.5 percent for nonagricultural workers within 1 year. The committee bill would give covered agricultural workers a 23-percent increase in the first year an increase of 69.2 percent by the year 1976. It is certainly contradictory for the Congress to enact such legislation while instructing the Cost of Living Council to pursue guidelines of 5.5 percent for annual wage increases in sectors of employment not directly affected by this bill. Mr. Chairman, I do not believe that the average working American will accept this deliberate attempt by the Congress to level the wages of all Americans. The skilled worker and organized laborer should regard this as special interest legislation.

Finally, Mr. Chairman, I have consistently opposed use of the Congress to legislate labor contracts and establish salary standards. I have never regarded Congress as a proper forum to conduct negotiations on wages and working conditions. That is why I have never supported antistrike legislation.

Rising prices, inflation, and increased taxes must stop somewhere. Passage of a $2.20 minimum wage law will not help us restore fiscal sanity to any sector of our economy, and no one should blame the private sector. The fault lies here in the Federal Government. It is continued deficit spending that is a prime cause of the inflation which is being used to justify bringing to the floor.

Mr. Chairman, I repeat—my main opposition to this bill is that it is nothing but another tax on the consumers of our Nation. I will cast my people's vote against this legislation proposing such an inflationary increase in minimum wage.

Mr. BADILLO. Mr. Chairman, I rise in opposition to this ill-conceived substitute—as well as other crippling amendments—and urge our colleagues to quickly reject it. We must take affirmative action to raise the woefully inadequate current minimum wage and to significantly expand the coverage of the Fair Labor Standards Act.

Almost 7 years have passed since the Fair Labor Standards Act was last amended. During this time we have seen rampant inflation, soaring taxes, a continued crisis in unemployment and booming prices. The purchasing power of the dollar, particularly in light of devaluation and the administration's ineffective economic program, has been seriously eroded and raising the Federal minimum wage to even a basic level of $2.20 per hour is urgently required on the basis of simple economic facts. Government statistics reveal that, with the cost of living rising by more than 25 percent during this 7-year span, the present $1.60 per hour minimum wage adopted in 1966 has been completely destroyed and today's $1.60 minimum wage buys less than $1.25 bought in 1966. The present minimum wage fails to even approach the federally defined poverty level for a family of four of approximately $4,200. How is it possible, therefore, to consider in good conscience an amendment which would raise the minimum wage to only $1.90 per hour? If for no other reason this is justification alone for rejecting the Erlenborn substitute.

I have some doubts, Mr. Chairman, as to whether $2.20 per hour will even be sufficient. A full-time worker earning this salary will be grossing just barely more than the poverty level. However, one must then take into consideration deductions for taxes and social security. Thus, he may very well again fall below the poverty level. In the city of New York

a family of four receives almost the same amount—$4,320—on welfare.

The Bureau of Labor Statistics has estimated that, for the New York City metropolitan area, the lowest budget for the cost of family consumption for a family of four is $6,014 annually. To meet this very basic level would require an hourly salary of $2.95. However, the total budget for a family of four increases to $7,578 when you include social security contributions, income taxes, and similar additional payments. It is plainly visible, therefore, that the essentially inadequate figure of $2.20 per hour will be needed to simply catch up with the rising cost of living and general inflationary spiral.

As we know, the committee bill goes beyond just raising the minimum wage. This measure significantly extends wage and overtime protections to millions of American workers not presently covered by the FLSA. Particularly significant is the fact that the minimum wage coverage is provided for all Federal employees as well as State and local government employees. In addition, domestic workers—long at the bottom of the economic totempole—are finally granted the protections of the Fair Labor Standards Act. However, Mr. ERLENBORN and the administration would not provide such urgently required and long-overdue coverage. Thus, we have still other reasons for rejecting this poorly considered substitute. It is simply unfair and unconscionable that such a sizable number of American working people should continue to be denied the basic protections of the FLSA—a measure which has been in existence since 1938. How can one even attempt to justify the continuation of labor conditions detrimental to the maintenance of a minimum standard of living? If the Erlenborn substitute is accepted, this is precisely what will occur.

Mr. Chairman, it is possible to continue to list the number of gross deficiencies in the amendment offered by Mr. ERLENBORN. Suffice it to say that if it or any of its individual components is allowed to pass, thousands of fellow Americans will continue to be relegated to second-class citizenship and will continue to be forced to endure the burden of poverty. Whether one considers the basic increase of the Federal hourly minimum wage, the expansion of coverage to currently unprotected workers or the special youth differential, it is clear that the Erlenborn substitute offers neither any solutions nor hope and that it must be soundly rejected. Certainly this issue is of critical importance to the people of the city of New York and they can only stand to lose if the substitute now under consideration is accepted. Thus, I again call upon our colleagues to defeat this amendment and to enact the committee measure without additional delay.

Mrs. MINK. Mr. Chairman, I rise in support of H.R. 7935 provisions to establish minimum wage protection for household workers.

Inclusion of domestics in this legislation to extend the Fair Labor Standards Act was approved by the House Committee on Education and Labor after due consideration of all factors involved. We concluded that these workers were highly deserving of inclusion in the Minimum Wage Act.

Domestics are a significant part of the "working poor" in the United States. Their pay has always been extremely low in comparison with the earnings of other workers. They have not received fringe benefits such as paid vacations, health coverage, retirement, or overtime pay. It is largely because of such factors that the number of domestics employed in households across the United States declined by 70,000 between 1960 and 1970.

It is frequently argued that minimum wage laws produce unemployment among the low-income workers they are designed to help, but I feel that just the reverse is true in the case of domestic workers. The fact that the number of such workers has been declining strongly suggests that the pay and other incentives have not been sufficient to attract employees to this field. By increasing the pay, we should make these positions more attractive and add new employment opportunities.

Certainly it is doubtful that the wages will be improved without legislative action. The employees involved ordinarily lack the job training and skills required for more complex tasks. It is likely that employing households will continue to offer the lowest possible pay as long as they are not required to do otherwise, for the workers are in a poor bargaining position. This is not to say that the employers could not, or would not, pay more if necessary. I believe the minimum wage provided in this bill, initially $1.80 an hour, could be afforded by most employers of domestics. That amounts to just $72 for a full 40-hour week. The minimum wage would not apply in cases where the employee lived-in the household.

In my own State of Hawaii, census data show that women household workers are paid at a median rate of only $1,897 per year. That is hardly an income level sufficient to provide an adequate standard of living. If we truly believe in the "work ethic" it follows that those who work should receive equitable compensation for their labors. We should not require individuals to work for pay that will keep them below the poverty level. Unless these wage rates are increased to a more adequate level, we will not be providing full justice for household domestic workers.

I support the provision included in H.R. 7935 applying the minimum wage to domestics, and urge its adoption.

Mr. CRANE. Mr. Chairman, for a number of reasons I believe that it is necessary to oppose the proposal for an increase in the minimum wage, despite the various amendments and compromises which have taken place in the course of our discussion of this subject.

Many of those who advocate an increase in the minimum wage do so for the best of reasons. They believe that such an increase will assist ever larger numbers of Americans to lead a good and decent life.

Such individuals are of the opinion that, somehow, prosperity can be legislated. Their economic reasoning fails to take into consideration the side effects of their proposals, and few who advocate an increase in the minimum wage do so because they believe that such an increase will adversely effect those who occupy marginal positions in our employment structure.

The legal minimum wage has been pushed up 114 percent between early 1956 and 1968, though average hourly earnings in manufacturing rose only 55 percent. In addition, the federal minimum wage has become effective over a far greater range.

The net result of this, according to economist Henry Hazlitt "has been to force up the wage rates of unskilled labor much more than those of skilled labor. A result of this, in turn, has been that though an increasing shortage has developed in skilled labor, the proportion of unemployed among the unskilled, among teen-agers, females and non-whites has been growing."

Mr. Hazlitt notes that:

> The outstanding victim has been the Negro, and particularly the Negro teenager. In 1952, the unemployment rate among white teenagers and non-white teenagers was the same—9 per cent. But year by year, as the minimum wage has been jacked higher and higher, a disparity has grown and increased. In February of 1968, the unemployment rate among white teenagers was 11.6 per cent, but among non-white teenagers it had soared to 26.6 per cent.

By a minimum wage of, for example, $2 an hour we have forbidden anyone to work 40 hours a week for less than $80. If we offer the same amount, or something somewhat less, in welfare payments we are saying, in effect, that we have forbidden a man to be useful employed at $70 a week, in order that we may support him at either the same amount or something less in idleness. Such an approach deprives society of the value of his services and deprives the individual involved of the independence and self-respect that comes from self-support, even at a low level, and from performing wanted work, at the same time that we have lowered what the man could have received by his own efforts.

All of us agree that we would like to see American workers earning as much as possible. The way to raise the real earnings of our citizens, however, is not through the legislative process. We cannot, after all, distribute more wealth than is created. Labor cannot be paid more than it produces.

Economist Henry Hazlitt expresses the view that:

> The best way to raise wages . . . to raise wage labor productivity. This can be done by many methods: by an increase in capital accumulation, i.e. by an increase in the machines with which the workers are aided; by new inventions and improvements; by more efficient management on the part of employers; by more industriousness and efficiency on the part of workers; by better education and training. The more the individual worker produces, the more he increases the wealth of the whole community. The more he produces, the more his services are worth to consumers, and hence to employers. And the more he is worth to employers, the more he will be paid. Real wages come out of production, not out of government decrees.

Prof. James Tobin, a member of the Council of Economic Advisers under President Kennedy, pointed out that:

> People who lack the capacity to earn a decent living should be helped, but they will

not be helped by minimum wage laws, trade union pressures, or other devices which seek to compel employers to pay more than their work is worth. The likely outcome of such regulations is that the intended beneficiaries are not employed at all.

A similar view has been expressed by Dr. Robert M. Reese, executive director of the Ohio Vocational Association. He noted that:

For years, vocational educators and others have worked diligently to change work laws for youths so that they could obtain experience in employment.

He went on to say that:

The proposal for a $2.20 minimum wage would wipe out all the gains we have made in enabling lower-ability, disadvantaged youth to get the motivation of work to stay in school and become productive citizens.

Consider the occasion when, shortly before Christmas 1929, Harvard University fired, without notice, Mrs. Katherine Donahue, Mrs. Hannah Hogan, and 18 other scrubwomen in the Widener Library rather than raise their pay from 35 cents to 37 cents an hour as demanded by the Massachusetts Minimum Wage Commission. To avoid paying the extra 2 cents, Harvard replaced the women with men, who were not covered by the State's pioneering, but weak, minimum wage law.

As recounted by labor historian Irving Bernstein in the Lean Years, in the case of the Harvard charwomen ended on a brighter note. Yet the problem which we face remains the same. Economist Paul Samuelson recently asked:

What good does it do a black youth to know that an employer must pay him $1.60 per hour if the fact that he must be paid that amount is what keeps him from getting a job?

Economist Milton Friedman refers to the Fair Labor Standards Act of 1938, the basis of the minimum wage, as "the most anti-Negro law on our statute books—in its effect, not its intent."

Economists Gene L. Chapin and Douglas K. Adie of Ohio University, in a paper presented before the 23d annual meeting of the Industrial Relations Research Association, declared that:

Increases in federal minimum wage cause unemployment among teenagers. The effects tend to persist for considerable periods of time. And the effects seem to be strengthening as coverage is increased and enforcement of the laws becomes more rigorous.

The techniques, language and variables used in their mathematical models may vary, but most other econometricians get the same result: a strong correlation, confirmed by repeated observations in the 1950's and 1960's, between youth unemployment and the minimum wage.

Finis Welch of the National Bureau of Economic Research and Marvin Kosters, now a senior staff economist with the Council of Economic Advisers, concluded in a Rand Corp. study that:

Minimum wage legislation has apparently played an important role in increasing the cyclical sensitivity of teen-age employment.

They found that:

As minimums rise, "teen-agers are able to obtain fewer jobs, and their jobs are less secure over the business cycle. A disproportionate share of these unfavorable employment effects accrues to the non-white teenager."

A study by economists Jacob Mincer and Masonori Hashimoto of the National Bureau of Economic Research warns that many teenagers are scared out of the labor force by lack of job opportunities and vanish into the gray area of hidden unemployment.

Even the Bureau of Labor Statistics appears to be reconsidering the effects of the minimum wage. In a Labor Department study entitled "Youth Unemployment and Minimum Wages," Assistant Commissioner Thomas W. Gavett noted that:

While there is a significant relationship ... where other variables are excluded, a look at the whole set of variables casts doubt upon the importance of minimum wages as an explanatory variable.

Gavett finds the lack of clear evidence "discouraging." He fears that there is some real basis for inferring that extensions of minimum wage coverage, not the rate itself, tended in the 1960's to offset the benefits of Federal manpower programs.

In attempting to help those Americans whose status is most tenuous in the job market it is essential that we not take a step which will make it even more difficult for young people and members of minority groups to gain employment. The economic evidence available at this time indicates that an increase in the minimum wage would do precisely that: make it less possible for such individuals to find employment in today's job market.

Such a result would have serious consequences not only to the individuals involved, but also to the society at large. It is this group of unemployed young people, for example, who have been involved in a high proportion of the crime and violence which has occurred in our cities. A large part of the reason may be attributed to boredom, lack of incentive and the unavailability of employment.

Those who advocate an increase in the minimum wage should carefully consider the available evidence with regard to its effect upon both the economy and our society as a whole.

I have reviewed this evidence and conclude that it is in our best interest to refrain from any increase in the minimum wage which would have the dire impact set forth so persuasively by our leading economists.

Mr. ROYBAL. Mr. Chairman, I rise in support of H.R. 7935 which would amend the Fair Labor Standards Act to increase the minimum wage to $2.20 by steps and would extend the wage and overtime coverage of the act to 6 million more people.

This piece of legislation is desperately needed by the many millions of people who are covered by its provision. We have not had an increase in the minimum wage since 1968. Since that time this country has experienced the highest sustained rate of inflation in its history. One of the hardest hit groups has been persons earning the minimum wage. There is evidence that the $1.60 they earned in 1968 has shrunk in real value to $1.19. There is little doubt that unless we act today we will be facing the crisis of creating a working poor—people working a normal work week but unable to support themselves except on a subsistence level.

H.R. 7935 provides for an immediate increase of the minimum wage from $1.60 to $2 for the 34 million nonagricultural workers covered by the Fair Labor Standards Act before 1966. Beginning on July 1, 1974, the bill increases the minimum wage to $2.20.

The bill also provides an immediate increase in the minimum wage rate from $1.30 to $1.60 per hour for 535,000 agricultural employees who were covered under the 1966 amendments. The minimum wage will rise in 20-cent increments over the next 3 years so that on July 1, 1976, it will be $2.20 per hour.

Finally, the bill extends the coverage of the act to some 6 million people. For the first time almost all Federal, State, and local public employees will be covered by wage and overtime provisions of the act. Also domestic household employees will be covered for the first time.

Mr. Chairman, I expect that a series of weakening amendments will be introduced during our consideration of this legislation. The thrust of these proposals will be to lengthen the number of years until the $2.20 minimum wage is reached and deny extension of the acts coverage to new workers. I do not think these low-wage earners should have to wait any longer for an increase and I hope the Members of this Congress will join me in defeating these weakening amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, 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. 7935) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act, to expand the coverage of that act, and for other purposes, pursuant to House Resolution 419, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. BURTON. Mr. Speaker, I demand a separate vote on the so-called Conte amendment with reference to the Canal Zone.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 15, insert after line 9 the following:

SEC. 106. Section 13(f) (29 U.S.C. 213(f)) is amended (1) by inserting "(1)" immediately after "(f)", and (2) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding paragraph (1), the increases in the minimum wage rates prescribed by the Fair Labor Standards Amendments of 1973 shall not apply to the minimum wage rates applicable under this Act to employees employed in the Canal Zone."

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONTE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 203, not voting 16, as follows:

[Roll No. 189]

AYES—213

Abdnor	Frenzel	Myers
Anderson, Ill.	Frey	Nelsen
Andrews, N. Dak.	Fuqua	Nichols
	Gettys	Parris
Archer	Goldwater	Poage
Arends	Goodling	Powell, Ohio
Armstrong	Green, Oreg.	Price, Tex.
Ashbrook	Gross	Pritchard
Bafalis	Grover	Quie
Baker	Gubser	Quillen
Beard	Gunter	Railsback
Biester	Guyer	Rarick
Blackburn	Haley	Regula
Boland	Hammer-schmidt	Rhodes
Bowen		Rinaldo
Bray	Hanrahan	Robinson, Va.
Brinkley	Hansen, Idaho	Robison, N.Y.
Broomfield	Harsha	Roncallo, N.Y.
Brotzman	Harvey	Rousselot
Brown, Ohio	Hastings	Ruppe
Broyhill, N.C.	Hébert	Ruth
Broyhill, Va.	Heckler, Mass.	Sandman
Buchanan	Heinz	Sarasin
Burgener	Henderson	Satterfield
Burke, Fla.	Hillis	Scherle
Burleson, Tex.	Hinshaw	Schneebeli
Butler	Hogan	Sebelius
Byron	Holt	Shoup
Camp	Horton	Shriver
Casey, Tex.	Hosmer	Shuster
Cederberg	Huber	Sikes
Chamberlain	Hudnut	Skubitz
Chappell	Hunt	Smith, N.Y.
Clancy	Hutchinson	Snyder
Clausen, Don H.	Jarman	Spence
	Johnson, Colo.	Stanton,
Clawson, Del	Johnson, Pa.	J. William
Cleveland	Jones, Tenn.	Steele
Cochran	Keating	Steelman
Cohen	Kemp	Steiger, Ariz.
Collier	Ketchum	Steiger, Wis.
Collins	Kuykendall	Stephens
Conable	Landgrebe	Stratton
Conlan	Latta	Stubblefield
Conte	Lent	Stuckey
Coughlin	Long, Md.	Symms
Crane	Lott	Talcott
Daniel, Dan	Lujan	Taylor, Mo.
Daniel, Robert W., Jr.	McClory	Teague, Calif.
	McCloskey	Thomson, Wis.
Davis, Wis.	McCollister	Thone
Dellenback	McDade	Treen
Dennis	McEwen	Ullman
Derwinski	McKinney	Veysey
Devine	Macdonald	Waggonner
Dickinson	Madigan	Wampler
Donohue	Mailliard	Whitehurst
Dorn	Mallary	Whitten
Downing	Mann	Widnall
Duncan	Maraziti	Wiggins
du Pont	Martin, N.C.	Williams
Edwards, Ala.	Mathias, Calif.	Wilson, Bob
Erlenborn	Mathis, Ga.	Winn
Esch	Mayne	Wolff
Eshleman	Michel	Wydler
Findley	Milford	Wylie
Fish	Miller	Wyman
Flowers	Mizell	Young, Alaska
Flynt	Montgomery	Young, Fla.
Ford, Gerald R.	Moorhead, Calif.	Young, Ill.
Forsythe		Young, S.C.
Fountain	Mosher	Zion
Frelinghuysen	Murphy, N.Y.	Zwach

NOES—203

Abzug	Calif.	Badillo
Adams	Andrews, N.C.	Barrett
Addabbo	Annunzio	Bell
Alexander	Ashley	Bennett
Anderson,	Aspin	Bergland
Bevill	Hanna	Pike
Biaggi	Hansen, Wash.	Podell
Bingham	Harrington	Preyer
Blatnik	Hawkins	Price, Ill.
Boggs	Hays	Randall
Bolling	Hechler, W. Va.	Rangel
Brademas	Helstoski	Rees
Brasco	Hicks	Reid
Breaux	Holifield	Reuss
Breckinridge	Holtzman	Riegle
Brooks	Howard	Roberts
Brown, Calif.	Hungate	Rodino
Brown, Mich.	Ichord	Roe
Burke, Calif.	Johnson, Calif.	Roncalio, Wyo.
Burke, Mass.	Jones, Ala.	Rooney, Pa.
Burlison, Mo.	Jones, N.C.	Rose
Burton	Jones, Okla.	Rosenthal
Carey, N.Y.	Jordan	Roush
Carney, Ohio	Karth	Roy
Chisholm	Kastenmeier	Roybal
Clay	Kazen	Ryan
Conyers	Kluczynski	St Germain
Corman	Koch	Sarbanes
Cotter	Kyros	Saylor
Culver	Leggett	Schroeder
Daniels, Dominick V.	Lehman	Seiberling
	Litton	Shipley
Danielson	Long, La.	Sisk
Davis, Ga.	McCormack	Slack
Davis, S.C.	McFall	Smith, Iowa
de la Garza	McKay	Staggers
Delaney	McSpadden	Stanton, James V.
Dellums	Madden	
Denholm	Mahon	Stark
Dent	Martin, Nebr.	Steed
Diggs	Matsunaga	Studds
Dingell	Mazzoli	Sullivan
Drinan	Meeds	Symington
Dulski	Melcher	Taylor, N.C.
Eckhardt	Metcalfe	Teague, Tex.
Edwards, Calif.	Mezvinsky	Thompson, N.J.
Eilberg	Mills, Ark.	Thornton
Evans, Colo.	Minish	Tiernan
Evins, Tenn.	Mink	Udall
Fascell	Mitchell, Md.	Van Deerlin
Flood	Mitchell, N.Y.	Vander Jagt
Foley	Moakley	Vanik
Ford, William D.	Mollohan	Vigorito
	Moorhead, Pa.	Waldie
Fraser	Morgan	Walsh
Froehlich	Moss	Ware
Fulton	Murphy, Ill.	Whalen
Gaydos	Natcher	White
Giaimo	Nedzi	Wilson, Charles H., Calif.
Gibbons	Nix	
Gilman	Obey	
Ginn	O'Hara	Wilson, Charles, Tex.
Gonzalez	O'Neill	
Grasso	Owens	Wright
Gray	Passman	Wyatt
Green, Pa.	Patten	Yates
Griffiths	Pepper	Yatron
Gude	Perkins	Young, Ga.
Hamilton	Pettis	Young, Tex.
Hanley	Pickle	Zablocki

NOT VOTING—16

Carter	Minshall, Ohio	Rostenkowski
Clark	O'Brien	Runnels
Cronin	Patman	Stokes
Fisher	Peyser	Towell, Nev.
King	Rogers	
Landrum	Rooney, N.Y.	

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. King.
Mr. Rostenkowski with Mr Cronin.
Mr. Fisher with Mr. Carter.
Mr. Landrum with Mr. Minshall of Ohio.
Mr. Rogers with Mr. O'Brien.
Mr. Stokes with Mr. Runnels.
Mr. Patman with Mr. Towell of Nevada.
Mr. Clark with Mr. Peyser.

The result of the vote was announced as above recorded.

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.

Mr. ERLENBORN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 287, nays 130, not voting 15, as follows:

[Roll No. 190]

YEAS—287

Abzug	Grasso	Patten
Adams	Gray	Pepper
Addabbo	Green, Oreg.	Perkins
Alexander	Green, Pa.	Pickle
Anderson, Calif.	Griffiths	Pike
	Grover	Podell
Anderson, Ill.	Gubser	Preyer
Andrews, N.C.	Gude	Price, Ill.
Annunzio	Gunter	Pritchard
Ashley	Guyer	Quillen
Aspin	Hamilton	Railsback
Badillo	Hanley	Randall
Barrett	Hanna	Rangel
Bell	Hansen, Wash.	Rees
Bennett	Harrington	Regula
Bergland	Harsha	Reid
Bevill	Harvey	Reuss
Biaggi	Hastings	Riegle
Biester	Hawkins	Rinaldo
Bingham	Hays	Robison, N.Y.
Blatnik	Hechler, W. Va.	Rodino
Boggs	Heckler, Mass.	Roe
Boland	Heinz	Rogers
Bolling	Helstoski	Roncalio, Wyo.
Brademas	Henderson	Roncallo, N.Y.
Brasco	Hicks	Rooney, Pa.
Breaux	Hillis	Rose
Breckinridge	Hinshaw	Rosenthal
Brinkley	Holifield	Roush
Brooks	Holtzman	Roy
Broomfield	Horton	Roybal
Brotzman	Howard	Ruppe
Brown, Calif.	Hungate	Ryan
Brown, Ohio	Ichord	St Germain
Broyhill, N.C.	Johnson, Calif.	Sandman
Buchanan	Johnson, Colo.	Sarasin
Burke, Calif.	Johnson, Pa.	Sarbanes
Burke, Mass.	Jones, Ala.	Saylor
Burlison, Mo.	Jones, Okla.	Schroeder
Burton	Jones, Tenn.	Seiberling
Carey, N.Y.	Jordan	Shipley
Carney, Ohio	Karth	Shriver
Chappell	Kastenmeier	Sikes
Chisholm	Kazen	Sisk
Clancy	Keating	Skubitz
Clark	Kluczynski	Slack
Clausen, Don H.	Koch	Smith, Iowa
	Kyros	Snyder
Clay	Leggett	Staggers
Cleveland	Lehman	Stanton, J. William
Cohen	Lent	
Conte	Litton	Stanton, James V.
Conyers	Long, La.	
Corman	Long, Md.	Stark
Cotter	Lujan	Steed
Coughlin	McCloskey	Steele
Culver	McCormack	Stratton
Daniels, Dominick V.	McDade	Stubblefield
	McFall	Stuckey
Danielson	McKay	Studds
Davis, Ga.	McKinney	Sullivan
Davis, S.C.	McSpadden	Symington
de la Garza	Macdonald	Taylor, Mo.
Delaney	Madden	Taylor, N.C.
Dellums	Madigan	Teague, Calif.
Dent	Mailliard	Thompson, N.J.
Diggs	Mallary	Thornton
Dingell	Maraziti	Tiernan
Donohue	Mathias, Calif.	Udall
Dorn	Matsunaga	Ullman
Drinan	Mazzoli	Van Deerlin
Dulski	Meeds	Vander Jagt
Duncan	Melcher	Vanik
du Pont	Metcalfe	Vigorito
Eckhardt	Mezvinsky	Waggonner
Eilberg	Milford	Waldie
Eshleman	Miller	Walsh
Evans, Colo.	Mills, Ark.	Wampler
Evins, Tenn.	Minish	Ware
Fascell	Mink	Whalen
Findley	Mitchell, Md.	White
Fish	Mitchell, N.Y.	Widnall
Flood	Moakley	Williams
Flowers	Mollohan	Wilson, Charles H., Calif.
Foley	Moorhead, Pa.	
Ford, William D.	Morgan	Wilson, Charles, Tex.
	Mosher	
Forsythe	Moss	Wolff
Fountain	Murphy, Ill.	Wright
Fraser	Murphy, N.Y.	Wyatt
Frenzel	Natcher	Wydler
Fulton	Nedzi	Wylie
Fuqua	Nichols	Yates
Gaydos	Nix	Yatron
Giaimo	Obey	Young, Alaska
Gibbons	O'Hara	Young, Ga.
Gilman	O'Neill	Zablocki
Ginn	Owens	
Gonzalez	Passman	

NAYS—130

Abdnor	Flynt	Myers
Andrews, N. Dak.	Ford, Gerald R.	Nelsen
Archer	Frelinghuysen	Parris
Arends	Frey	Pettis
Armstrong	Froehlich	Poage
Ashbrook	Gettys	Powell, Ohio
Bafalis	Goldwater	Price, Tex.
Baker	Goodling	Quie
Beard	Gross	Rarick
Blackburn	Haley	Rhodes
Bowen	Hammer-schmidt	Roberts
Bray	Hanrahan	Robinson, Va.
Brown, Mich.	Hansen, Idaho	Rousselot
Broyhill, Va.	Hébert	Ruth
Burgener	Hogan	Satterfield
Burke, Fla.	Holt	Scherle
Burleson, Tex.	Hosmer	Schneebeli
Butler	Huber	Sebelius
Byron	Hudnut	Shoup
Camp	Hunt	Shuster
Casey, Tex.	Hutchinson	Smith, N.Y.
Cederberg	Jarman	Spence
Chamberlain	Jones, N.C.	Steelman
Clawson, Del	Kemp	Steiger, Ariz.
Cochran	Ketchum	Steiger, Wis.
Collier	Kuykendall	Stephens
Collins	Landgrebe	Symms
Conable	Landrum	Talcott
Conlan	Latta	Teague, Tex.
Crane	Lott	Thomson, Wis.
Daniel, Dan	McClory	Thone
Daniel, Robert W., Jr.	McCollister	Treen
Davis, Wis.	McEwen	Veysey
Dellenback	Mahon	Whitehurst
Denholm	Mann	Whitten
Dennis	Martin, Nebr.	Wiggins
Derwinski	Martin, N.C.	Wilson, Bob
Devine	Mathis, Ga.	Winn
Dickinson	Mayne	Young, Fla.
Downing	Michel	Young, Ill.
Edwards, Ala.	Mizell	Young, S.C.
Erlenborn	Montgomery	Young, Tex.
Esch	Moorhead, Calif.	Zion
		Zwach

NOT VOTING—15

Carter	Minshall, Ohio	Rostenkowski
Cronin	O'Brien	Runnels
Edwards, Calif.	Patman	Stokes
Fisher	Peyser	Towell, Nev.
King	Rooney, N.Y.	Wyman

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney of New York for, with Mr. Fisher against.

Until further notice:

Mr. Rostenkowski with Mr. Carter.
Mr. Edwards of California with Mr. Cronin.
Mr. Stokes with Mr. Runnels.
Mr. O'Brien with Mr. King.
Mr. Peyser with Mr. Minshall of Ohio.
Mr. Towell of Nevada with Mr. Wyman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, and specifically that all Members may have 5 legislative days in which to revise and extend their remarks before the vote on the Erlenborn amendment.

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

There was no objection.

IMMEDIATE CONSTRUCTION OF THE TRANS-ALASKA OIL PIPELINE

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

Mr. VIGORITO. Mr. Speaker, today I would like to express my full support for the immediate construction of the trans-Alaska oil pipeline. Everyone must realize that the United States is in an energy crisis now. The Alaskan pipeline would channel up to 2 million barrels of oil a day to the United States which would be about one-sixth of our daily needs. Work could begin immediately if Congress would give its approval to the pipeline right of way.

Consideration of a Canadian oil pipeline at this time is useless when comparing it to the Alaskan pipeline. It seems, these days, that everyone is talking about a Canadian oil pipeline except the Canadians. No one has apparently seen fit to even file an application for an oil pipeline in Canada. The pipeline venture in Canada is too many years of court fights and problems away.

It is a fact that the Alaskan pipeline is ready to go. The courts have approved all environmental issues in Alaska concerning the pipeline. What about all the tremendous environmental issues over the Canadian pipeline which would be four times the size of the Alaskan pipeline.

Alaskan native claims have all been settled. Canada has yet to settle one claim. Canada has not even set up its environmental regulations for the pipeline. Alaska has done this and the oil companies have spent millions of dollars in research to meet these environmental requirements in Alaska.

While Canada' first priority will probably be to build a gas pipeline first, Alaska is ready to go now on an oil pipeline.

Another important factor to consider is the balance-of-payment problems of the United States Oil from Alaska, displacing foreign oil, would enable the United States to reduce its cash outflows to foreign nations by $1.5 to $2 billion annually. We must remember that Canada is a foreign country.

The cause for the trans-Alaska pipeline is overwhelming in its favor. It would benefit the whole country by getting oil to the West coast, thus enabling oil from the Middle East to be transported cheaper and quicker to the Midwest and eastern part of the United States.

The Alaskan pipeline is ready to go. The Canadian is years and years of problems away. We need oil now and the Alaskan pipeline, at this time, is the fastest, safest, and most economically feasible method of transporting oil from Alaska's North Slope.

ARE COX'S WATERGATE PROSECUTORS PARTISAN?

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

Mr. DEVINE. Mr. Speaker, when Elliot Richardson was before the Senate for confirmation as Attorney General of the United States, there was much hub-bub about the selection of a special prosecutor for the Watergate case.

Some Senators were insistent that the special prosecutor be above reproach, completely independent of any control or direction from this administration and ultimately Prof. Archibald Cox was selected.

As a former FBI agent and a former prosecuting attorney in a large metropolitan area, including the capital city of my State, I think I have some knowledge of investigations, prosecutions, law enforcement, and administrative decisions in directing prosecutive staffs.

It is most intriguing to note the direction Special Prosecutor Cox is taking. He was, of course, Solicitor General of the United States during the Kennedy administration. The late Bobby Kennedy was Attorney General, and the stable of special prosecutors being assembled by Professor Cox seem to be 100 percent Kennedy worshipers. Many were in the Justice Department with Kennedy.

The newspapers have announced Cox's selections thus far as James Vorenberg, who was an associate employee and devoted to the late Attorney General Robert F. Kennedy. Thomas McBride, formerly of Justice, and more recently top attorney for the Police Foundation of itinerant Police Chief "Pat" Murphy, late of Syracuse, Washington, D.C., and New York City. James Neal of Nashville, who successfully prosecuted Jimmy Hoffa as an assistant U.S. attorney, and was rewarded by being chosen by Kennedy as U.S. attorney in Nashville. For the past 6 years he has been in the private practice in Nashville. Also, Cox's former aide in Justice under Kennedy, Prof. Phil Heyman.

And, I am reliably informed other former aides of the late Bobby Kennedy are presently being besieged to represent those who are or may be involved in the so-called Watergate matter.

One is compelled to wonder whether there are not any present or past Republican assistant U.S. attorneys, U.S. attorneys or State attorneys general available to give at least semblance of a bipartisan approach by Special Prosecutor Cox. Is it going to evolve into a Democratic "witch-hunt" aimed at Republicans, and "escape-hatch" for the clients of the former Kennedy lawyers?

Mr. Speaker, Senator ERVIN's committee at least suggests an investigation relatively free of pure partisanship however, it might be a real eye-opener if his inquiry probed into the allegedly fabulous sky-high fees being paid to the lawyers in the Watergate case.

It has been reported lawyer William Bitmann was paid $85,000 to plead his client E. Howard Hunt guilty. Imagine—for a guilty plea. What would it have been for a trial? Maybe Bitmann set a precedent with an unbelievable guilty fee for Spiegel Co. in the Brewster case.

The Grievance Committees of the District of Columbia Court of Appeals, and the U.S. District Court might well concern themselves in this fee area.

In any event, some balance in the prosecuting team is certainly the responsibility of Professor Cox, unless he plans to operate an anti-Nixon vendetta, with a group of lawyers from the snakepits of former adversaries.

PROHIBITING CIA'S ENGAGING IN DOMESTIC LAW ENFORCEMENT

(Mr. KOCH asked and was given permission to address the House for 1 min-

ute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, in response to a New York Times article last December stating that the CIA has been involved in the training of New York City policemen, I wrote to Richard Helms, then Director of the CIA, requesting the following information:

First. The number of police officers from local police departments throughout the country who had received CIA instruction within the last 2 years;

Second. A description of the training provided by the CIA;

Third. The cost of this training and the source of the funds;

Fourth. The purpose of this training and the legislative authority for CIA involvement; and

Fifth. Whether the CIA intends to continue training local police officers. It was my understanding that the CIA was precluded by the law under which it was created, The National Security Act of 1947, from engaging in domestic law enforcement activities.

On January 29, 1973, I was advised by John Maury of the CIA that there was no specific law which authorizes the CIA to undertake the training of local police forces but that the CIA believes that the statute which created LEAA indicates an intent that all Federal agencies should assist in law enforcement and crime prevention efforts in America. He also said that training was provided on request of police departments in about a dozen jurisdictions, and that such training dealt with the handling of explosives and foreign weapons as well as the detection of wiretaps and bugs in which foreign interests are involved.

Mr. Maury informed me of the CIA's authority, as the Agency interprets it, to conduct such activities. I quote from his letter:

> Regarding the Agency's authority to conduct such briefings, the National Security Act of 1947 (P.L. 80–253, as amended) specifically provides that "the Agency shall have no police, subpoena, law-enforcement powers, or internal security functions." We do not consider that the activities in question violate the letter or spirit of these restrictions. In our judgment they are entirely consistent with the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90–351, 42 USCA 3701 et seq). In enacting that law it was the declared policy and purpose of Congress "to assist State and local governments in strengthening and improving law enforcement at every level by national assistance" and to ". . . encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals" (42 USCA 3701). By the same law Congress also authorized the Law Enforcement Assistance Administration to use available services, equipment, personnel and facilities of the Department of Justice and of "other civilian or military agencies and instrumentalities" of the Federal Government to carry out its function (42 USCA 3756).

In an attempt to determine the viability of this interpretation of the law, I requested the General Accounting Office to study the matter and give me its opinion. In its response, the GAO noted that its examination of the National Security Act of 1947, as amended, "fails to disclose anything which reasonably could be construed as authorizing such activities (CIA training of local police forces)". However, the GAO did acknowledge that in the Omnibus Crime Control and Safe Streets Act of 1968 Congress authorized the LEAA to use available services, equipment, personnel and facilities of the Justice Department and of "other civilian and military agencies and instrumentalities" of the Federal Government to carry out its function. In addition, the GAO noted that the Intergovernmental Cooperation Act of 1968 authorizes "all departments and agencies of the executive branch of the Federal Government—which do not otherwise have such authority—to provide reimbursable specialized or technical services to State and local governments." Thus it would appear that while the authority for these CIA activities is not specifically established in law, a loophole has apparently been created by the provisions of the Omnibus Crime Control Act and the Intergovernmental Cooperation Act.

I am therefore introducing legislation today which I believe would establish in law the intent of the National Security Act of 1947 that the CIA be prohibited from becoming involved in internal security functions. This legislation would specifically prohibit the CIA from providing training or other assistance directly or indirectly in support of State or local law-enforcement activities. It would supersede the provisions of the Omnibus Crime Control Act of 1968 and of the Intergovernmental Cooperation Act of 1968 under which the CIA draws its present tenuous authority, and would thus make further CIA involvement in "internal security functions" a clear violation of our laws.

The matter of the CIA's involvement in domestic affairs is a very serious one. The American public was recently shocked by disclosures that the CIA had been involved in the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist. Neither Members of Congress nor officials in our judicial system are in a position at this point to determine the extent of CIA involvement in similar matters. The very fact that the CIA is carefully exempted from the usually required reports to the Congress—indeed its budget is confidential and not available to individual Members—poses the greatest of dangers. The operational authority of the CIA as a foreign intelligence agency must be limited and clearly defined in law, and its activities must be more vigilantly supervised. But in any event the law must be changed so not to give the CIA even the color of consent to engage in domestic surveillance of the citizens of this country.

We must be alert to abuses of the CIA's authority so that we don't wake up some morning to find that an agency we established to protect ourselves from outside subversion has become a Trojan horse in our midst invading the private lives of our own people. We have already had an instance, with the Ellsberg case, in which the facilities of the CIA were used to invade the private life of an individual. Such activities and the relationship that necessarily evolves from local police training programs must be avoided.

The response I received from the GAO follows:

> COMPTROLLER GENERAL OF THE UNITED STATES,
> *Washington, D.C., May 30, 1973.*
>
> Hon. EDWARD I. KOCH,
> *House of Representatives.*
>
> DEAR MR. KOCH: Reference is made to your letter of March 5, 1973, and subsequent correspondence resulting from an article which appeared in the New York Times for December 17, 1972, stating that 14 New York policemen had received training from the Central Intelligence Agency (CIA) in September.
>
> Enclosed for your information is a copy of our letter of today to the Director, CIA, advising that the CIA has no authority to provide such training, except in accordance with the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 or the Intergovernmental Cooperation Act of 1968.
>
> We trust that this will be of assistance to you.
>
> Sincerely yours,
>
> ELMER B. STAATS,
> *Comptroller General of the United States.*

> COMPTROLLER GENERAL OF THE UNITED STATES,
> *Washington, D.C., May 30, 1973.*
>
> Hon. JAMES R. SCHLESINGER,
> *Director, Central Intelligence Agency.*
>
> DEAR MR. SCHLESINGER: The Honorable Edward I. Koch, of the House of Representatives had referred to us for a ruling copies of correspondence with your office and certain material which appeared in the Congressional Record for February 6, 1972, page 3559 and March 5, 1973, pages 6313–6314, which was prompted by an article in the New York Times for December 17, 1972, which stated that fourteen New York policemen had received training from the Central Intelligence Agency (CIA) in September.
>
> Because of an informal contact from your office we suggested that a statement be sent from your office as to exactly what was done and the specific statutory authority relied upon therefor. As a result, we received a letter dated March 16, 1973, from your Deputy General Counsel which enclosed (1) an extract of the Congressional Record for March 5, 1973, *supra*, that contained Congressman Chet Holifield's discussion and report of the inquiry into the matter by the House Committee on Government Operations at the request of Congressman Koch, together with related correspondence and (2) a copy of Congressman Koch's letter of December 28, 1972, to the CIA and a copy of the response of January 29, 1973, signed by your Legislative Counsel. It was stated that it would appear that all the information needed was contained in those enclosures. We were also assured that the CIA does not run a formal institution for training of police officers in the manner of the FBI Academy located at "Fort Belvoir." (The FBI Academy is located at Quantico, Virginia.)
>
> It is noted that the Congressional Record for March 5, 1973, pages 6314 also includes related remarks of Congressman Lucian N. Nedzi, Chairman of the Special Subcommittee on Intelligence, House Committee on Armed Services, as to the activity of that Subcommittee in the matter, in which he emphasizes that the basic jurisdiction in CIA matters remains with the Armed Services Committee and that the Subcommittee has been diligent in fulfilling its responsibilities. He also stated that he shared the view "that the CIA should refrain from domestic law inforcement activities and that some of the activities described by our colleague Mr. Koch, and the agency itself could have been performed much more appropriately by other agencies."

It appears from the material referred to above that within the last two years less than fifty police officers from a total of about a dozen city and county police forces have received some kind of CIA briefing.

As to the New York police it appears that with the assistance of the Ford Foundation an analysis and evaluation unit was developed within the Intelligence Division of the New York City police department. At the suggestion of a Ford Foundation representative it sought assistance from the CIA as to the best system for analyzing intelligence. Although the CIA's techniques and procedures involve only foreign intelligence they were considered basic and applicable to the needs of the New York police. A 4-day briefing was arranged at which a ground of New York City police was briefed on the theory and technique of analyzing and evaluating foreign intelligence data, the role of the analyst, and the handling and processing of foreign intelligence information.

The briefing was given by a CIA training staff, based upon material used in training the CIA analysts and without any significant added expense. Specific guidance was not given as to how the New York City police system should be set up but the CIA presented its basic approach.

CIA assistance to local law enforcement agencies has been of two types. In the first type of assistance one or two officers received an hour or two of briefing on demonstration of techniques. Police officers from six local or State jurisdictions came to CIA headquarters for this type of assistance. In the second type of assistance, the briefing lasted for 2 or 3 days. Instruction was given in such techniques as record handling, clandestine photography, surveillance of individuals, and detection and identification of metal and explosive devices. Nine metropolitan or county jurisdictions sent officers for this type of instruction. Assistance given was at no cost to the recipients and has been accomplished by making available, insofar as their other duties permit, qualified CIA experts and instructors. Cost to the CIA has been minimal.

It is stated that all briefings have been conducted in response to the requests of the various recipients. It is also stated that the CIA intends to continue to respond to such requests within its competence and authority to the extent possible without interfering with its primary mission.

No provision of that part of National Security Act of 1947, as amended, 50 U.S.C. 403, *et seq.*, which established the Central Intelligence Agency has been cited as authority for the activities undertaken and our examination of that law fails to disclose anything which reasonably could be construed as authorizing such activities. However, in his letter of January 29, 1973, to Congressman Koch, your Legislative Counsel stated that these activities were entirely consistent with the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, *et seq.* He noted that in 42 U.S.C. 3701 it was the declared policy of the Congress "to assist State and local governments in strengthening law enforcement at every level" and that it was the purpose of that law to "encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals." 42 U.S.C. 3721. He also noted that in the same law at 42 U.S.C. 3756 Congress authorized the Law Enforcement Assistance Administration to use available services, equipment, personnel, and facilities of the Department of Justice and of "other civilian and military agencies and instrumentalities" of the Federal Government to carry out its function. It should also be noted that the section authorizes such use on a reimbursable basis.

There is nothing in the Omnibus Crime and Safe Streets Act of 1968 which authorizes a Federal agency of its own volition to provide services which it is not otherwise authorized to provide. As previously stated there is nothing in the legislation establishing the CIA which would authorize the activities in question. Neither does it appear that those services, equipment, personnel, and facilities utilized were utilized by the Law Enforcement Assistance Administration or even at its request. As stated by Congressman Holifield in his letter of February 23, 1973, to you and quoted in the Congressional Record for March 5, 1973:

Since the Law Enforcement Assistance Administration is the agency primarily concerned with such matters, particularly where Federal assistance funds are involved, it would seem that the need for Federal agency assistance to local law enforcement agencies should be coordinated by that Administration.

In that same letter of February 23, 1973, Congressman Holifield invited attention to the Intergovernmental Cooperation Act of 1968, Pub. L. 90–577, 82 Stat. 1102, approved October 16, 1968, 42 U.S.C. 4201, *et seq.*, as implemented by Budget Circular No. A–97 of August 29, 1969. Among the purposes of title III of that act, as stated in section 301 thereof, is to authorize all departments and agencies of the executive branch of the Federal Government—which do not otherwise have such authority—to provide reimbursable specialized or technical services to State and local governments. Section 302 of the act states that such services shall include only those which the Director of the Office of Management and Budget through rules and regulations determines Federal departments and agencies have a special competence to provide. Budget Circular No. A–97 covers specific services which may be provided under the act and also provides that if a Federal agency receives a request for specialized or technical services which are not specifically covered and which it believes is consistent with the act and which it has a special competence to provide, it should forward such request to the Bureau of the Budget (now Office of Management and Budget) for action. The same procedure is to be followed if there is doubt as to whether the service requested is included within the services specifically covered. Section 304 requires an annual summary report by the agency head to the respective Committees on Government Operations of the Senate and House of Representatives on the scope of the services provided under title III of the act. Possibly future requests for briefings from State or local police agencies could be considered under the provisions of that act and the implementing budget circular.

In the letter of January 29, 1973, to Congressman Koch from your Legislative Counsel it is also stated that the activities in question were not considered to violate the letter or spirit of the provisions of the National Security Act of 1947 which states that "the Agency shall have no police, subpoena, law enforcement powers, or internal-security functions." See 50 U.S.C. 403(d)(3). We do not regard the activities as set out above as being in violation of these provisions, but as previously indicated, we have found no authority for those activities by your agency, unless provided on a reimbursable basis in accordance with the Intergovernmental Cooperation Act of 1968, or at the request of the Law Enforcement Assistance Administration under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, which was not the case here.

Copies of this letter are being sent to the Members of Congress referred to above.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

YOUTH CONSERVATION CORPS

Mr. MEEDS. Mr. Speaker, today I am introducing, with 58 of our colleagues, a new youth conservation corps bill to exnew youth conservation corps bill to expand the program and make it permanent.

The original YCC legislation, which was passed in 1970, established a 3 year pilot program for young people 15 through 18 years of age from all socioeconomic and racial backgrounds. At that time Senator JACKSON and I, as the original sponsors of the legislation, contemplated a program in the magnitude of $150,000,000 serving 150,000 young men and women. But decided to start with a pilot program. We could learn from mistakes made on a small scale, see what techniques work best and then expand the program with a minimum of stress. Last year the Congress stairstepped the expansion of YCC by providing a fiscal year 1973 authorization of $30 million and $60 million for fiscal year 1974.

Considering the success of the Youth Conservation Corps, it appears from this vantage point that we may have been too cautious. The program has encountered no serious problems; we hear only praise. It is time that the Youth Conservation Corps be made a permanent program and expanded to meet the summer employment needs of our youth and the maintenance needs of our public lands.

The bill introduced today includes a Federal-State cost sharing program, whereby 30 percent of the YCC funds would be devoted to grants to States for YCC projects on State lands. The provision has the effect of bringing the YCC to the East where many young people reside but where there are few Federal lands. Assuming full funding and that the Federal Government pays 50 percent of the cost of the State grant program, 70,000 young people would be hired each summer to work on State laws; 80,000 would be employed on Federal lands.

An important part of the Youth Conservation Corps is its requirement that there be a mix of young people in the program. All socioeconomic and radical classifications are represented in the corps. The heterogeneous nature of the program is one of its strengths. Young people from all segments of society, working together, find they have many things in common not before discovered. I recently acquired a copy of a letter addressed to an administrative officer of the Ochoco National Forest in Prineville, Oregon from a Portland, Oreg., high school counselor which I think is significant:

Last year, one of our Wilson students had the good fortune to be accepted in the Youth Conservation Corps. The change for the good in that young man was absolutely indescribable. His Counselors and teachers had absolutely given up on him and he was suspended from school. However, when he came back he had a positive attitude about himself as well as school and most people who knew him at Wilson could not believe the change.

The experience offered in the Youth Conservation Corps is much more valuable to Wilson students than most others because it is so different from their past experience. It is because of this that I hope you will be

able to take all four of our applicants. I am absolutely certain it will be the most valuable experience any of the four have ever had in their life time.

In hearings last year, a number of corps participants talked about how the work they did in YCC was something worthwhile. Dr. Beverly L. Driver of the University of Michigan's Institute of Social Research, testified concerning the independent evaluation of the program. The evaluation showed that 98.6 percent of the participants felt their experience was worthwhile and highest ratings were given to be quantity and quality of work accomplished. Young people today do not want make-work jobs, merely to be on the receiving end of a paycheck. Certainly compensation is important, but the job must be meaningful.

It is also noteworthy that the University of Michigan study shows that youth in the 1972 YCC program gained environment understanding and awareness equivalent to a full year of study in a normal high school setting.

The Youth Conservation Corps is a people oriented program, but it is also an environmental and resource maintenance program. Not only does YCC provide summer employment for our young people, but the Nation is nearly repaid the cost of the program in improvements on our public lands. In upgrading our public lands, YCC corpsmen work in areas of erosion control, campground construction and maintenance, tree planting, timber production, trail construction, and maintenance and wildlife habitat improvement, to name a few.

The backlog of needed work on our public lands increases every year. The experience of the pilot YCC shows us that 15,00 hardworking young people, enthusiastic about their summer jobs, will certainly be able to hold that backlog to a minium.

At a time when our young people need summer jobs and there's work to be done on our public lands, the new Youth Conservation Corps bill provides us with a unique opportunity to attack two problems with one solution.

POSTCARD VOTER REGISTRATION

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

Mr. WAMPLER. Mr. Speaker, the House of Representatives will soon be considering the Senate-passed bill that would permit voter registration by mail. Post cards would be mailed from the Census Bureau to every household in the United States, and anyone who signed one and returned it would be duly registered to vote. I strongly oppose this legislation.

In my opinion, it would open the very real possibility of widespread fraud, error, and confusion. The right to vote is a unique privilege, but it carries with it some measure of responsibility as well. I believe most Amerimans are more than willing to bear the small inconvenience imposed by the requirement that they register in person in order to verify their eligibility to vote.

I would like to bring to the attention of my colleagues, first, a letter I received from Mrs. John M. Payne, president of the Virginia Electral Board Association, which clearly states the hazards inherent in this bill. I would also like to commend to your attention, an editorial from the Roanoke Times of June 5, 1973, which raises additional questions and suggests alternatives. Both the letter and the editorial follow:

THE CITY OF LYNCHBURG, VA.,
May 24, 1973.

Hon. WILLIAM C. WAMPLER,
Congress of the United States,
Washington, D.C.

DEAR BILL: The Executive Committee of The Virginia Electoral Board Association met Tuesday, May 21, at 1:00 A.M. at the Capitol in Richmond. At this meeting the Executive Committee went on record unanimously opposing S. Bill 352—Post Card Registration.

For Congress to pass this bill even though the Senate did pass it is unbelievable!

A bill which would allow Americans to register for Federal elections by simply mailing a post card is preposterous. Under this insane proposal, millions of post cards with return cards attached would be mailed to street and rural addresses, not to named individuals but to the "Occupant" or "Householder" as we understand this proposed legislation. The estimated cost of the program could run as high as $300 million a year.

As you know here in Virginia we have been striving to put a stop to illegal practices in the Election System and in the last three years have made tremendous strides in this direction. The Central Voter Registration System is just one of mang things which we have developed recently in Virginia to help prevent fraud.

Should this Bill pass and become law does anyone have any clear idea how the system would work? I understand that the Census Bureau and the Postal Service opposes it. There is not a single valid argument that can be made in its favor and many, many arguments against it.

The Executive Committee of The Virginia Electoral Board Association has instructed me as its President, to issue a statement in opposition to Post Card Legislation and to make our position known to the members of Congress from the Commonwealth of Virginia.

With my best wishes.

Sincerely,

MRS. JOHN M. PAYNE,
President, the Virginia Electoral Board Association.

[Editorial from the Roanoke Times, June 5, 1973]

POSTCARD REGISTRATION

Patrons of the bill to permit registration by postcard must not be acquainted with voting practices in the old Ninth District of Virginia, principally the Southwest. Ultimately those brought down the wrath of a U.S. district judge. They must have forgotten the voting practices in Chicago, Ill., which left at least a smidgen of doubt that President John F. Kennedy was fairly elected in 1960. Senators, who helped pass the bill, must have forgotten the occasional smell that follows an election in Texas.

The voting scandals in the Southwest Virginia counties usually involved the use of the absentee ballot, which has some relation to registration procedures. Some people in the cemetery, but still registered, were thought to have cast ballots. Registration may not have played much of a part in the doubts about the election of 1960 in Chicago. But taken all together, the scandals and near-scandals suggest that voting procedures must have at least a minimum of regulation to guarantee fairness.

Registration by postcard can be abused. Counterfeit cards can be made even more easily than counterfeit money. If the registration official is in cahoots with the counterfeiter, it would be easy for the crook to vote in two or more precincts, two or more counties or, along the border, in two or more states. In the light of past history, who can be sure this won't happen?

A philosophical objection also can be entered. It is no longer necessary to be literate or 21 to vote; residence requirements have been markedly reduced. Is it too much to ask that a citizen be interested enough in his government to go to a registration office and make out a simple form?

Improvements can be made in registration procedures in Virginia, at least. More registrars in more places during more hours, especially night hours, would make registration less burdensome. These reforms can be made without the risks of registration by postcards The Senate has passed the bill. The House should look at the bill more critically and kill it.

IN THE NAME OF PROFITS

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

Mr. PODELL. Mr. Speaker, it was recently announced by the administration that this country would be selling between 24 and 30 F–4 Phantom jet bombers to Saudi Arabia.

As we all know, these are the planes which we have traditionally been supplying to Israel. In recent years, the Israeli Government has repeatedly been threatened with an end to the delivery of Phantoms, or delivery in numbers far lower than had originally been agreed upon. Ostensibly, these proposals were put forth as a means of bringing about peace in the Middle East by cooling down the arms race. However, with the Soviet and French Governments continually selling greater and greater numbers of weapons to the Arab States, it would have been arrant foolishness for us to renege on our commitments to Israel.

A few weeks ago, it was revealed that Mirage fighter jets that France had sold to Libya were winding up at airbases in Egypt, poised for attack on Israel. The Israeli Ambassador informed the French Government that it had irrefutable proof of the transfer of planes from Libya to Egypt, even though the sales agreement stipulated that no such transfers were to take place.

The reason I mention this is because it is more than likely that, should the sale of Phantoms to Saudi Arabia go through, we will see a repeat of these transfers. The State Department has indicated that it will be a provision of our sales agreement with Saudi Arabia that these planes are not to be transferred. However, when asked what could be done if the agreement is violated in this respect, the silence from the administration is deafening.

The reason given for this sale is that Saudi Arabia's defenses need upgrading. I want to know, for what purpose? Is Saudi Arabia seriously threatened with attack from the outside? Is the security of Saudi Arabia and other Persian Gulf states that much in peril? Or is this merely an attempt to placate one of the world's greatest oil-producing nations,

an effort to show that we are not unilaterally biased in Israel's favor.

This proposal by the administration is highly dangerous. It is a threat to Israeli security if the planes are transferred to Egypt or another Arab state bordering on Israel. It could lead to a serious escalation of the arms race in the Middle East. Once Saudi Arabia can buy jets from the United States, other Arab nations, even the tiny Persian Gulf sheikhdoms, will feel that they have legitimate "security" needs that justify the purchase of vast amounts of weapons, not only from the United States, but from the Soviet Union, France, and any other nation willing to turn a fast profit and insure its oil supply. The possibility for economic blackmail is rich and frightening.

It should be recalled, when the no-transfer agreement is mentioned, that American tanks given to Jordan with the proviso that they were not to be used across the Jordan River, were in fact deployed against Israel in the 1967 war. Both this incident, and the recent incident involving Libya and the French Mirages, leads me to believe that the no-transfer agreement would be more honored in the breach than the observance.

The shortsightedness of this administration when it comes to the Middle East is appalling. We have been fortunate in the last 2 years, that there have been no serious outbreaks of fighting between Israel and her Arab neighbors. This sale of Phantoms to Saudi Arabia will upset the tenuous balance of power that has been achieved at such a great cost, and may perhaps destroy any hopes of peace in the foreseeable future. I call upon the administration to abandon this ill-conceived plan immediately.

AMERICA SHOULD HAVE ONE TERM OF 6 YEARS FOR THE PRESIDENT

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

Mr. SIKES. Mr. Speaker, the suggestion that Presidential terms be limited to one of 6 years has merit. It deserves more consideration than it has received.

It is generally accepted that a sitting President, concerned about his reelection, is less effective as a leader than a man who knows he need not be political in his actions. He spends too much of his first 4 years seeking to be reelected. It is only natural that his decisions be weighted at least in part with political considerations.

Recent revelations tend to support this hypothesis. Watergate would not have happened if some of those around the President had been more concerned with what was right than with what was politically expedient.

When the framers of our Constitution established the Presidency, there was no limitation as to the number of terms he could serve, but tradition dictated over the years that two 4-year terms would be the rule. It was only in this century that tradition was broken, and then by only one President, Franklin D. Roosevelt.

Congress later approved an amendment limiting Presidential service to no more than two terms, largely to avoid the establishment of a political machine which the people could not overturn at the ballot box. I believe that was a wise decision, but we must change with the times. The Founding Fathers were seeking an ideal situation. They had few precedents. We have the benefit of experience. Other nations have successfully tested the concept of one 6-year term. Mexico is a good example. Few governments in modern times have been as stable.

That the suggestion for one 6-year term has been endorsed by President Nixon is worthy of note. A constitutional amendment is required and this in itself is a slow process. It is time for a beginning. For the good of our political system and our Nation, this Congress should give prompt and thoughtful consideration to the President's recommendation.

A REDUCED SALARY PAYS OFF

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

Mr. VAN DEERLIN. Mr. Speaker, the pay cut which Max Hernandez agreed to take nearly 5 years ago has paid off in rich dividends for the Spanish-speaking community of San Diego.

Mr. Hernandez consented to a reduced salary when he took over as first director of Operation SER in San Diego. SER was a then relatively unproven program which sought to prepare persons of Spanish heritage to compete for jobs in the often unfriendly U.S. market.

In 1968, Mr. Hernandez, who left a comfortable position in a labor organization, had one assistant in the fledgling SER effort. No one knew for sure whether the SER methods for overcoming old hostility and prejudice would even work. But Mr. Hernandez never had any doubt. He says today—

From the start I was a little bit closer to the people than ever before.

The story of SER in San Diego has been typical of its success throughout the Southwest United States.

Some 1,200 persons have been enrolled in the San Diego program, and most of these have been placed in jobs. The staff has grown from 2 to 17, and the annual budget from $247,000 to $534,000.

This year alone, 306 enrollees will obtain breakthrough employment in my district, 100 of whom will also have benefited from a special ESL—English as a second language—program.

And the figures alone tell us nothing about individual cases, of success achieved over odds that initially, at least, were formidable. One young woman who graduated from the program only 3 months ago now runs her own restaurant in suburban Chula Vista. SER had given her the combination of skills—linguistic, financial, and perhaps even culinary—to put this endeavor together.

Fittingly, this week is "SER Week," recognizing what is now well established as the only national manpower delivery system staffed by bicultural and bilingual professionals. Proclamations of support are being issued in all of the 14 States where SER is located. Citizens, business groups, and elected officials will observe the week by hosting a variety of conferences and luncheons, all illuminating the contributions and achievements of this unique training system.

As the Representative of a border district, I am especially pleased to have this opportunity to offer my own tribute to this organization and the individuals serving it who have had such a positive impact in my home area.

THE LATE CONGRESSMAN WILLIAM O. MILLS

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. GUDE) is recognized for 60 minutes.

Mr. GUDE. Mr. Speaker, BILL MILLS was a warm, friendly, and likable man whose death is mourned by the many he helped and served. He had represented the large congressional district surrounding Maryland's Chesapeake Bay for just 2 years, but his constituents had come to rely on him as a man who was, as the Baltimore Sun recently noted, "attentive, reliable, and most important, totally representative of the traditional conservative qualities they espouse."

Born WILLIAM OSWALD MILLS in Caroline County, he graduated from the Federalsburg High School in 1941 and soon afterward entered the Army, serving throughout World War II. He was awarded the Bronze Star for bravery after crossing the Rhine with General George S. Patton's 3d Army.

After the war, he was employed by the Chesapeake & Potomac Telephone Co., becoming commercial manager in 1950.

In 1962, then-Congressman Rogers C. B. Morton asked him to become his administrative assistant. Over the next 9 years, BILL served well and nonpolitically. He was a boy from a simple, small-town background, who had never been to college, but who worked hard and well. He and the imposing, sophisticated and outgoing Congressman made a great team.

Some were surprised when BILL set out to run for the congressional seat, which became vacant when Congressman Morton was named Secretary of the Interior in early 1971. BILL surprised them by not only running but winning, and winning again in this past election. But no one should have been surprised, because BILL stayed close to his constituents, driving home each day to his district, and making special efforts on his people's behalf.

There is a file in his office of thank you letters—letters written just before the news of his death. He never saw them. Most of the letters are handwritten and several are on simple, lined paper. A woman from Cambridge wrote:

I want you to know how much I appreciate what you have done for me. Thank you for your concern, your help and the time that you spent on this matter.

A woman from Compton wrote thanking BILL for helping in a social security dispute. She said:

We do need a man like you to try and do something for the old people.

Another letter:

I wish to thank you very much for helping me to locate my passport and bringing it over from Washington personally.

Another:

Your interest and help are very much appreciated. It is both comforting and reassuring to know that there is someone like yourself who can and is willing to actually do something for the people that he represents.

A letter from Salisbury thanked BILL for help in a food stamp problem. A letter from Edgewood thanked him for help with the Veterans' Administration and said:

I thank you from the bottom of my heart.

And a letter from Bryans Road said:

Thank you for your concern for the little people of your district.

These letters show the concern that BILL MILLS had for his constituents and the pride they took in his work. For these and other reasons, BILL had a rewarding and very useful career still ahead of him.

His death thus grieves many. I particularly extend my sympathy and that of my family to BILL's wife, Norma, and their two children, Lynda Mills Haley and Bill, Jr., who have lost a loving and attentive husband and father, respectively, and to BILL's fine congressional staff.

Mr. Speaker, I yield to the gentleman from Baltimore County, our colleague, Mr. LONG.

Mr. LONG of Maryland. Mr. Speaker, I thank the gentleman from Maryland for yielding to me.

BILL MILLS was a gracious gentleman and a hard-working Congressman. He loved the Eastern Shore of Maryland and worked hard to represent its people. He had acquired just at the start of the 93d Congress one of the counties of my old district—Harford County—so I had ample opportunity to hear from friends in that area about his work. I heard nothing but praise for his dedication to the job and his interest in the people.

BILL MILLS had been an able administrative assistant to Rogers Morton, our former colleague, who went on to become the Secretary of the Interior.

As a Congressman he again demonstrated his willingness to work for his constituents. He was genial, amiable and sensitive. His people knew that BILL cared about them.

I shall miss BILL MILLS. Mrs. Long and I have extended to the family our deepest sympathy and regret.

In closing, Mr. Speaker, I ask unanimous consent to insert in the RECORD excerpts from editorials about BILL MILLS in the Baltimore Evening Sun and News-American. They speak of BILL MILLS' dedication to and friendship with the people for whom he stood in the 92d and 93d Congresses.

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

There was no objection.

The material referred to follows:

[From the News American, May 25, 1973]

REPRESENTATIVE WILLIAM O. MILLS

The death of Rep. William O. Mills, R-Md., is a tragedy for his family, his friends, and for the residents of the First Congressional District where he was twice elected to office by substantial margins.

Mr. Mills, 48, was a protege of Secretary of the Interior Rogers C. B. Morton, and gained Capitol Hill experience as Mr. Morton's top aide during the latter's years as the congressman from the Eastern Shore. When Mr. Morton resigned to become a Cabinet officer, Mr. Mills won a special election to fill the vacancy and was re-elected last fall.

During his time in office, Mr. Mills became a faithful supporter of the policies of President Nixon, departing from the White House position only on a handful of issues where a contrary vote was dictated by the inetrests of the First District.

He was known to his colleagues as a hard-working congressman who put a high priority on maintaining offices in his home district and answering requests of constituents.

Tragedy struck the office of Rep. Mills once before. Three key members of his staff were killed last year in an automobile accident on the Eastern Shore. . . .

It is a fact that a promising political career has been cut short and a man liked and respected on the Eastern Shore and in Maryland is gone. We extend our deep sympathies to his family.

[From the Baltimore Evening Sun, May 25, 1973]

His Bay country constituents, too, will realize that in Bill Mills they had one of their own. Unlike his mentor and immediate predecessor—the huge, bluff, charismatic Rogers Morton—Mr. Mills was small, unassuming, a painstakingly conscientious doer of Washington chores. He functioned less as a grand political leader than as a public servant, a man who knew his own limits and preferred to serve his great, sprawling district by staying within it and within himself. A hotel man in Ocean City, an oysterman in Dorchester, a tobacco grower in St. Marys—these were Bill Mills's people. He liked to hunt and fish with them, afterward to tell jokes down at the Elks. He wasn't so sure about Fourth-of-July type speechmaking, and neither are the rural skeptics he walked with. What he was sure about was his deep attachment to the flat, water-deckled region for which he stood in Congress and for which, most nights, he put Washington behind him and turned his car happily eastward for the long drive to the bridge and home. That was where he belonged, and his strength was that he knew it.

Mr. GUDE. Mr. Speaker, I yield to the gentlewoman from Anne Arundel County.

Mrs. HOLT. Mr. Speaker, I thank my colleague.

Mr. Speaker, I rise today to pay tribute to our departed colleague, WILLIAM O. MILLS.

BILL MILLS was an Eastern Shore man motivated by a driving desire to represent the interests of his constituents and prove himself worthy of their trust. It was to this end that he dedicated his considerable energies and talents. The effects of his leadership and dedication are evident in his many accomplishments for the First District of Maryland.

None of us can comprehend the effect on BILL of the tragic loss of his three staff members last year. This tragedy was ever with him, the burden constantly pressing on him. My heart today is doubly heavy because I could not comfort my friend during his time of need, because I could not find words to make his burden more bearable.

BILL MILLS was above all an honorable man. The House has lost an honest, dedicated Representative. The First District has lost a good Representative. We have all lost a dear friend.

Mr. DINGELL. Mr. Speaker, will the gentleman from Maryland yield?

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

Mr. DINGELL. I thank the gentleman from Maryland for yielding to me.

I express my compliments to the gentleman for the service he is providing to the House today. I join him in expressing to the family of our former colleague, our good friend BILL MILLS, my personal condolence, as chairman of the subcommittee on which he served, which met just a few hours before the unfortunate event transpired.

He was an effective, courageous, dedicated and decent man, a valuable member of the subcommittee who represented his constituents faithfully, honorably, and well. It was only a matter of a few hours before the unfortunate event took place, which took BILL MILLS from us, that he was working with the subcommittee, involved in matters of fisheries and wildlife conservation and water management, all of great concern to him and to the people he served. He appeared, I might say, downcast and sorrowful, prior to the unfortunate event which subsequently took him from us.

He was at all times a gentle man and in all matters thoroughly considerate as a Representative of the people of his district and the United States, a valuable member of the subcommittee and a valuable Member of this body. I personally am sorrowful over the loss of the gentleman from Maryland.

Mr. GUDE. I thank the gentleman from Michigan for his comments.

Mr. Speaker, I yield to the gentleman from Baltimore City (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding so that I might join in this tribute to our distinguished colleague and good friend BILL MILLS.

Mr. Speaker, BILL MILLS was elected to his seat as Representative from Maryland's First Congressional District in the special election held on May 25, 1971, almost 2 years to the day before his tragic death. He was subsequently reelected last year to a full term in the 93d Congress. His tenure as a Member of Congress was only a part of his long and distinguished service on Capitol Hill. For nearly a decade prior to his election he served as administrative assistant to Congressman Rogers Morton, who was then Congressman from the First District.

The First District in Maryland encompasses the Eastern Shore, which all Marylanders recognize as a distinctive and special part of our State. Despite his long career in Washington, BILL MILLS' deepest ties were always to the shore. He was born and raised there. Except for the World War II period, when he served as a soldier in General Patton's 3d Army and was awarded a Bronze Star for bravery, he lived all his life there. He shared the spirit of the Eastern Shore and understood its concerns. His years in Washington never weakened his strong identification with the people he represented and the communities he knew so well. For more than 10 years he commuted daily from his

home in Easton to his work on Capitol Hill. He devoted his energies in Washington above all to solving the varied problems of his constituents and they never forgot his concern.

BILL MILLS' death was made more tragic by its circumstances. He was a devoted family man, and a thoughtful person of good nature and deep sensitivity. His loss will be deeply felt by his constituents and by his colleagues. He will be greatly missed in the Maryland delegation and in the House of Representatives.

I join with my colleagues in extending heartfelt sympathies to his wife, Norma Lea, his two children, Lynda and Bill, Jr., and to the other members of his family.

Mr. GUDE. Mr. Speaker, I thank the gentleman for his fine comments.

Mr. Speaker, I yield to the gentleman from Baltimore City (Mr. MITCHELL).

Mr. MITCHELL of Maryland. Mr. Speaker, I thank the gentleman for yielding to me.

I suppose BILL MILLS and I represented the exact opposite ends of the political spectrum, and we probably represented the exact opposite ends of our ideological positions. Therefore, someone might ask, "If this is true, how do you have the nerve to stand in this well and eulogize this man?"

Mr. Speaker, the answer is very simple. Despite political and ideological differences, I have to admire him because of the industry that he brought to his job, the industriousness that he gave to his work. I have to admire him because he represented a district that had a particular political and ideological stance and he never deviated from the thoughts and wishes of his district. Therefore, I have to admire him.

I first knew him when he was the administrative assistant to then Congressman Morton, and I was a civil servant of the State and then a civil servant of the city. I remember so well that when I could not get to Congressman Morton, I could get to BILL MILLS, and I remember so well the meticulous attention to detail that he gave to the problems that we brought to him.

How can one not help but admire a man who had those capabilities?

Mr. Speaker, I remember him so well at our Maryland delegation luncheons. He was always affable, always pleasant, always attentive, always willing to contribute and always willing to listen. Surely one must admire a man like that.

Mr. Speaker, there have been various citizens' groups that came to Washington from Maryland, some of them lobbying for programs and ideas that BILL did not necessarily support, but he came and listened. Therefore, we have to admire him. Of course, we shall miss him. Of course, he did an excellent job representing his district.

Of course, out of a sense of very deep-felt sorrow I extend my sincere condolences to his wife and the members of his family.

Thank you very much for yielding to me.

Mr. GUDE. I thank the gentleman.

Mr. Speaker, I now yield to the gentleman from the Sixth District of Maryland (Mr. BYRON).

Mr. BYRON. Mr. Speaker, all of us were shocked by the passing of Congressman WILLIAM O. MILLS from Maryland's First Congressional District. He was a man both jovial and serious who took his duties and responsibilities as an elected official with the utmost seriousness. His presence in this Chamber and in the Maryland delegation will be missed, and I know that his concern and interest in his constituents will be missed by those he represented so ably for almost 2 years.

BILL MILLS came to politics late in his life, but it was obvious to everyone that he enjoyed the political process and that he took great pride in his elected office. His business background had prepared him well for his public service. As an officer with the telephone company on the Eastern Shore, he had spent most of his life working with and for people; and he knew the value and importance of service. Long before he came to Washington he was a respected figure on the Eastern Shore beyond Easton and Talbot County. Those who knew him as a business man and an aid on the Hill and later as a Congressman could detect no change in his outlook of dedication and service. The interests of his constituents was primary in his mind. Their views, their welfare, and their difficulties he took a direct interest in on a daily basis. He worked long and diligently to represent those citizens who elected him, and his passing is a personal loss to this body, his constituency, but above all his family and friends in Easton. It was an honor to have known BILL MILLS and to have worked closely with him for this short period.

Mr. GUDE. I thank the gentleman, and I now yield to the gentleman from New York (Mr. MCEWEN).

Mr. MCEWEN. I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, it was my great privilege and pleasure for all too brief a time, as with the rest of us, to know and serve here with BILL MILLS.

BILL was a person who certainly, as has been said, took the responsibilities and work of his office seriously but never took BILL MILLS too seriously. He had a wonderful sense of humor, always friendly, warm, and outgoing whenever you met him here in the Chamber or elsewhere.

I had the rare privilege of also knowing BILL MILLS away from this Chamber. I visited BILL and his family on the Eastern Shore of Maryland. He was as much a part of the indigenous to that area as I would like to think all of us might be to the parts of America we come from. I was with him in his home community in Easton.

I remember well one day going into a very modest diner to get something to eat there, and you know, Mr. Speaker, how it is here where we come in in the morning and the garage attendant or the elevator attendant says, "Good morning, Congressman." Well, there it was "Good morning, BILL," "How are you, BILL," and "Good to see you, BILL." You realized it was truly a man who was a part of his district and the people and who knew them so well and they knew him so well. You could feel the warmth and affection and confidence they had in their Representative.

Then may I say I had the privilege of being in the field and hunting with this man and sharing with him the duckblind. In those circumstances, Mr. Speaker, you get acquainted with a man and find out truly what his values and feelings and concerns are.

May I say probably no Member of this Chamber will be longer reminded of BILL MILLS than shall I because of a very simple little statement I happened to make and how seriously he took it and responded to it.

I said to him one time when we were hunting how much I admired one of our native American dogs, the greatest of the rugged retrievers, the Chesapeake Bay retriever. It was a very casual comment that I happened to make while we were sharing a duckblind, but it was more than that to BILL MILLS, because unbeknownst to me at the time that set in motion a series of events where he went to considerable effort to locate for me and arrange for me to go with him to the Eastern Shore of Maryland where I got a little Chesapeake puppy that now is on the shores of the river St. Lawrence in the far northern part of our country.

I remembed flying down with BILL. I said:

> Bill, you are about to get the dog for me that you have arranged for me, and I do not even have a name for the dog.

And as we were looking down through the windows of the plane while we were flying down there, and I was looking at all the beautiful Tidewater country that spread below me, I continued, and I said:

> I think maybe I have a name for the dog. I know that the dog has to bear the name of the kennel, which is the Burning Tree Kennel. I think we will call her Tidewater of Burning Tree.

I felt very deeply and personally the loss of my friend BILL MILLS. I tried to dismiss my feelings of sorrow over his death as I returned to the far northern part of the State of New York where my home is. I thought I was getting over my grief. Then as I came into my home you know, of course, who ran out to greet me—no one but Tidewater of Burning Tree—we call her "Tidy"—a beautiful red Chesapeake Bay retriever. Every time I return home each week now I am reminded by her presence of the wonderful friendship, thoughtfulness and kindness of this man to a colleague such as myself who happened to mention that he liked a certain breed of dog, and who went to the trouble to find out whether or not he could get a fine specimen of a Chesapeake Bay retriever for me.

To BILL's widow, Norma, and to his son and daughter, I extend my deepest sympathies on the very real loss they have suffered. To the people of the First District of Maryland who truly lost a Representative who was so much a part of that district, who knew them, loved them, and knew their problems—and as the gentleman from Maryland (Mr. GUDE) quoted from the letters from those constituents

which showed the interest that BILL MILLS took in their personal problems and their concerns—they too have suffered a real loss. I want his widow, Norma, and his constituents to know that someone from the far reaches of the northern part of New York shares with them a real sorrow in BILL MILLS' death.

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

Mr. GUDE. I yield to our distinguished Speaker, the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Speaker, I want to join my colleagues from Maryland and other colleagues in paying a last word of tribute to our late colleague, BILL MILLS.

I think it is appropriate to say that, from the Speaker's Chair, almost every day during the time BILL MILLS was a Member of this House I saw him in the Chamber in one of the front rows as the Chaplain offered his opening prayer.

BILL MILLS was, I believe, one of the most attentive Members in the House. I saw him here nearly all of the time. He was present not just for rollcalls, but throughout the daily sessions of the House. He was always friendly and he was always pleasant. The tragedy of his death shook me deeply, as I am sure it has shaken every Member of this Chamber. While other Members knew him better than I, I came to know him well enough to realize that he was a real gentleman, a man with concerns and interests not only in his own family and his constituency, but in everyone with whom he came in contact.

He was a fine man and I shall miss his presence here as long as I remain in this Chamber.

I extend to his widow and children my deepest sympathy.

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

Mr. GUDE. I yield to the gentleman from Illinois (Mr. COLLIER).

Mr. COLLIER. Mr. Speaker, I thank the gentleman for yielding to me.

There certainly is little that can be added to the beautiful tributes that have been paid to BILL MILLS by his colleagues here today. So I would only say that, recognizing all the qualities that have been referred to by my colleagues in their previous remarks, there was one that perhaps has not been mentioned, and that was the deep sense of real humility that BILL MILLS possessed. I considered the acquaintance that I had with BILL on a social basis something that I shall long remember because, indeed, he was in every sense a fine man.

Mr. GUDE. I thank the gentleman from Illinois.

I yield to the gentleman from Delaware.

Mr. DU PONT. Mr. Speaker, I thank the gentleman for yielding so that I might take a moment to pay my respects to and say a final word about our colleague, BILL MILLS. His death to me was a very sad and tragic thing.

BILL and I served together on the Committee on Merchant Marine and Fisheries. We also had districts that were adjacent to one another, and a great many problems were common to our districts. We worked closely together on many of those problems, and I came to know him as a man deeply concerned and dedicated. I think he had but one goal in life. It was a very simple one. It was to serve his constituency and his country to the very best of his ability. I am proud to say that he did that.

I knew him as a man of utmost honor and integrity, and he was a faithful and loyal friend.

The people of the Eastern Shore have lost a very fine Congressman; Delaware has lost a friend; and the United States has lost a good man.

I think the gentleman from Maryland for yielding.

Mr. GUDE. I thank the gentleman from Delaware.

I yield to the gentleman from Georgia (Mr. FLYNT).

Mr. FLYNT. Mr. Speaker, I join in tribute to our departed colleague, the Honorable WILLIAM MILLS, the late Representative of Maryland.

BILL MILLS endeared himself to all of us who were privileged to serve with him. He was a great Representative of his district, the First District of Maryland, and, indeed, the State of Maryland.

I certainly wish to associate myself with the remarks of the gentleman from Maryland (Mr. GUDE), with the Speaker of the House, and with others who have preceded me in paying tribute to this fine man and friend. He was a great Representative of his State. He was a great American. We were shocked, indeed, by the news of his untimely death. It was a tragedy which brings close to all of us the atmosphere and the times in which we find ourselves.

Mrs. Flynt and I want to extend our heartfelt sympathy and our condolences to Mrs. Mills and to their children.

I thank the gentleman for yielding.

Mr. GUDE. I thank the gentleman from Georgia.

I yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman from Maryland for yielding, and I thank him for making the arrangements for today's program.

Mr. Speaker, it is with great sadness that I rise today to reflect on the passing of Congressman BILL MILLS and to acknowledge my personal feeling that BILL was one of the really fine Members of this body with whom I served.

It is hard not to know pretty well the Members of one's own class in Congress, especially when they are of the same political persuasion. It is also very difficult not to form personal judgments in those associations, especially when those associations are close and warm, as mine were with BILL.

From the daily contact that I had with BILL MILLS, I can only conclude that it was a privilege and a great good fortune to me to serve with such a Congressman and such a fine human being. I respected his judgment, and I valued his friendship.

I miss BILL MILLS, and I find the Congress poorer for his absence.

I offer my sincerest sympathy to his family and my best wishes for their future happiness.

Mr. GUDE. I thank the gentleman from Minnesota for his comments.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. BURKE).

Mr. BURKE of Massachusetts. Mr. Speaker, I thank my colleague, the gentleman from Maryland, for yielding.

I wish to join with my other colleagues in the House in expressing my deep sorrow at the passing of WILLIAM MILLS. I have known BILL in passing each other in the corridor here. It was a deep shock to all of us to hear of his tragic passing. I have listened to the statements made by many of the employees around the Capitol about how sorrowful they felt on learning of his passing.

BILL MILLS was a dedicated public servant. He was a hard worker and, as the Speaker has pointed out, very attentive to his duties. He had a fine war record, serving with the famed 3d Army Division under General Patton, and he served his nation well and his beloved country, representing his Eastern Shore district. He loved his work here in the Capitol. I knew him first when he was working as the administrative assistant for former Congressman Rogers Morton. BILL carried on his work there very well.

We are all going to miss BILL MILLS because he was a kindly man and a good family man. I hope in this hour of sorrow his widow and his children will get some comfort out of our prayers and our sympathy.

Mr. GUDE. Mr. Speaker, I thank the gentleman from Massachusetts for his comments.

I yield to the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Speaker, I wish to join with my colleagues in expressing my deepest sympathy to the family of the late Honorable Mr. BILL MILLS. Although my acquaintance with him was rather brief I truly enjoyed his friendship, one of cheerfulness, and one which made me feel that my friendship was really appreciated.

I think if an epitaph can be written in one sentence about our friend, it is this: That unto the very end he lived an honorable life.

Mr. Speaker, I thank the gentleman for yielding.

Mr. GUDE. Mr. Speaker, I thank the gentleman from Hawaii for his fine contribution.

I yield to the gentleman from New Jersey (Mr. HUNT).

Mr. HUNT. Mr. Speaker, I thank my colleague, the gentleman from Maryland, for yielding.

I cannot help but note the air of sadness in the Chamber this evening insofar as the eulogies for BILL MILLS are concerned. It seems so sad we have to wait until a time such as this to suddenly realize the loss we have all suffered. I have known BILL MILLS for a number of years, long before I came to this Chamber. BILL MILLS, although he was a gentleman from the Eastern Shore, was a rare combination of sportsman and family man and businessman and a courageous individual. I enjoyed my acquaintanceship with him over the years.

Rogers Morton and his administrative aide used to talk to me and then when he came to the House, Mr. MILLS made a contribution most rare in these days because he was knowledgeable. He very

rarely exercised any animosity for anyone as an individual.

The thing that really disturbs me is the underlying reason for our loss of BILL MILLS. It would seem ironic that this situation should develop for a man like BILL MILLS in the prime of life and a very capable leader, one who has been known to all of his colleagues as a man of integrity and outstanding courage, a churchman and a family man.

So I find myself tonight with the gentlemen who are here expressing this one thing: Our sorrow for his family. I extend to Mrs. Mills and the family my sincere condolences.

Mr. GUDE. I thank the gentleman from New Jersey.

Mr. Speaker, one of the officers of the House, Jimmie Lea, is a longtime friend and associate of Mr. MILLS. I know he shares in the thoughts that have been expressed by so many of our colleagues here on the floor of the House.

Mr. BROYHILL of North Carolina. Mr. Speaker, it was with deepest regret that I learned of the recent death of our colleague from Maryland, BILL MILLS. He was a most pleasant and likeable person who, in his few years as a Congressman impressed his colleagues with his hard work and his dedication to serving his constituents.

BILL MILLS was proud of representing the State of Maryland and the Eastern Shore, and I know that those he served so well are saddened by his loss.

He will be missed as well by all of us who knew and worked with him in the House of Representatives.

Mr. MAZZOLI. Mr. Speaker, we gather here today to pay tribute to the memory of our late colleague, WILLIAM O. MILLS of Maryland.

I did not have the privilege of a long and personal friendship with BILL MILLS And yet, I knew him to be personable, thoughtful, courteous and a dedicated legislator.

His tragic death has taken from our ranks a man who, in his brief period of service, left his mark on this body.

He will be sorely missed by his colleagues with whom he worked, his constituents whom he served, and his family whom he loved.

Mr. CONTE. Mr. Speaker, it is with a sense of deep sadness that I join with my colleagues today in paying tribute to the memory of the late Congressman WILLIAM O. MILLS. Word of BILL MILLS' tragic death just days ago stunned this Chamber. His absence diminishes this body as his presence distinguished it.

BILL MILLS served his country with diligence, first as a congressional staff member, and later, as a forceful and conscientious Congressman.

I know the loss of BILL MILLS is felt acutely by all present and most particularly by his First District of Maryland constituents. The sum of his contributions to their well-being will continue to be tallied for a long time to come.

At this time, I would like to offer my heartfelt condolences to Mrs. Mills and the Mills children on the death of this good man and dedicated public servant.

Mr. MIZELL. Mr. Speaker, I join with all of my colleagues in expressing the deepest sorrow at the passing of our good friend and colleague, WILLIAM MILLS.

BILL MILLS was a man who knew the work of the Congress as well as any freshman Member has ever known it. Working for years as administrative assistant to our former colleague, and now the distinguished Secretary of the Interior, Rogers Morton, BILL MILLS grew to love the Congress and its work enough to seek a place in its membership himself.

His constituents in the First District of Maryland appreciated that loyalty and that ability enough to elect him as their representative, and the wisdom of their selection was proven time and again through his service in this body.

We have lost a good friend and an able servant of the people, and our body is diminished by his absence from us.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I join my colleagues in their sorrow over the recent untimely death of our friend and fellow representative, WILLIAM MILLS of Maryland.

BILL came to Congress just 2 years ago and in that short time he established a reputation as a truly concerned and diligent representative of the people of Maryland's First District.

His service on the Committee on the Merchant Marine and Fisheries and the Post Office and Civil Service was nothing less than distinguished and all of us benefited from his presence here on the floor.

I would like to offer my condolences to his wife, Norma, and two children, William, Jr., and Lynda, along with the hope that God will sustain them in their time of need.

Mr. RHODES. Mr. Speaker, it was with a sense of real shock and sadness that I learned of the death of my colleague, The Honorable WILLIAM O. MILLS. BILL was a person of highest integrity, who served his district, his State, and his Nation with dedication and honor. We who knew him well in our association in the House recognized him as a fine person, who was richly deserving of the esteem and unreserved respect he enjoyed.

Mr. Speaker, in the passing of WILLIAM MILLS, we have all suffered the loss of an outstanding public servant, and I have lost a true friend. I join my colleagues and Americans everywhere in mourning that loss, and in extending my sincere and heartfelt sympathy to his family in their bereavement.

Mr. DOMINICK V. DANIELS. Mr. Speaker, I rise to pay tribute in this body to our late and beloved colleague, WILLIAM O. MILLS of Maryland's First District.

Mr. Speaker, I served with BILL MILLS on the House Post Office and Civil Service Committee. I knew him as a quiet, sincere and totally dedicated Member who chose to let his actions not his words speak for him. A Hill staff member before he was elected to Congress on May 25, 1971, to succeed Rogers C. B. Morton, BILL had been Secretary Morton's administrative assistant all during the latter's service in the House.

At 48 years of age representing a relatively safe district all of us, I am sure, would have thought that BILL would have continued to represent his bay country district for many more years to come. But the ways of divine providence are often inscrutable to mere mortals, and BILL has gone back to the Eastern Shore he loved so well. It is my hope that he will sleep the sleep of the just and find the peace that he lacked during his last days among us. I know that I shall miss him very much, his basic goodness, his quiet sense of humor and his total dedication to his country.

Mrs. Daniels joins with me in expressing our deepest sympathy to Mrs. Mills and BILL's children in their time of sorrow.

Mr. PRICE of Texas. Mr. Speaker, we were all deeply saddened by the news of the untimely passing of our friend and colleague from Maryland, BILL MILLS.

BILL was the kind of man who did not spend much time talking; he just got the job done. He did not believe in fanfare or in capturing headlines. His main goal was to be an effective representative and voice in the Congress for the people of Maryland's Eastern Shore, his good friends and neighbors to whom he returned home at the end of each day. He did his job well and in so doing earned the respect and admiration of those of us privileged to work with him.

The passing of BILL MILLS must be regarded as a loss to all of us who believe as he did in constitutionally sound government. Particularly at this time I offer to Mrs. Mills and family my sincere condolences and prayers that they might be comforted at this most difficult time.

Mr. ARENDS. Mr. Speaker, we pause today to pay tribute to BILL MILLS—a man who, in only a short tenure in the Congress, showed so much promise and potential to be a fine public servant.

BILL came to the Congress with the added experience of having served in a staff position with one of our truly outstanding former Members and now Secretary of the Interior, Rogers C. B. Morton. For that reason, BILL already knew the ropes and he sensed the weight of responsibility involved with service in the Congress. These added to his stature and his effectiveness.

BILL MILLS was genteel. He was quiet. He was unassuming. He tended to business. He truly worked at his job. He served the residents of his district so ably and so well.

All of us who knew him feel that we have lost a good friend and a respected colleague. I was very proud to call him a friend. The Congress misses BILL MILLS.

We extend our warmest wishes to his wife and family.

Mr. WAGGONNER. Mr. Speaker, with the feeling of sadness that accompanies the loss of a friend and colleague, I join in paying tribute to the life and memory of the late WILLIAM O. MILLS.

When I came to Congress in 1961, BILL was serving as Rogers C. B. Morton's administrative assistant; and I remember well the outstanding job he was doing then. With this knowledge of his past record and experience, I was pleased that the people of Maryland's First District chose to elect him to serve in the 92d Congress when Rogers Morton chose to resign. BILL's contributions during his tenure of office here in the House were significant, and he served diligently and well on both the Merchant Marine and Fisheries Committee and the Post Office

and Civil Service Committee. It was an honor for me to serve along with him in the 92d Congress and during these first months of the 93d Congress.

Words alone cannot express my feelings in regard to the tragic loss of our distinguished colleague. He will be truly missed by those of us who knew him well. I extend my deepest sympathy to BILL's entire family in this time of sorrow.

Mr. SPENCE. Mr. Speaker, I certainly share the feelings of esteem and high regard which others have expressed today for our former colleague, BILL MILLS, and I am grateful for this opportunity to pay my respects to his memory.

We often talked together here on the floor or in walking back and forth between our offices in the Cannon Building. I am sure that everyone found BILL as warm and friendly as I did for this was the true nature of the man. Also, earlier this year, I was privileged to attend the Interparliamentary Union Conference with him and his lovely wife, Norma, and this provided an opportunity to enlarge upon and extend our friendship.

We will miss BILL MILLS. We will miss his warmth—his winning smile. We will miss his concern for others. My deepest sympathies go to his family. They have lost a loving husband and father and we in the House have lost a dear friend and dedicated public servant.

Mr. MILLS of Arkansas. Mr. Speaker, we were all deeply saddened and sorrowful at the recent death of our colleague and friend, WILLIAM O. MILLS of the First District of Maryland.

BILL MILLS' distinguished service to his district, to Maryland, and to the Nation goes far back beyond his initial election to Congress in the special election on May 25, 1971. Previous to that time, from 1962 to 1971, he had been a very efficient administrative assistant to Congressman Rogers C. B. Morton, whom he succeeded in the House of Representatives. We shall all remember BILL MILLS as one of the hardest working Members of this body and one who served his constituency effectively and with great dedication.

We all mourn BILL MILLS' passing and our heartfelt sympathies continue to go out to his family and loved ones.

Mr. CAMP. Mr. Speaker, I join my colleagues with great sadness in paying tribute to the Honorable WILLIAM O. MILLS, Congressman from the First District of Maryland. It is indeed unfortunate that this able man served for such a brief time in this Chamber, but even so he made his mark as a talented legislator, a good friend and a kind man.

BILL MILLS served the people of America and Maryland long before his election to Congress in 1971 as administrative assistant to then Representative Rogers C. B. Morton. All of us can testify to the importance of this position to the smooth and effective operation of every Member's office, and I feel we were fortunate to have BILL with us in that capacity since 1962.

We will all miss BILL and I offer my sincerest condolences and sympathy to his fine wife and children.

Mr. CEDERBERG. Mr. Speaker, the passing of BILL MILLS is a genuine loss to the Congress and the people of the State of Maryland. As a freshman Member of this body, BILL MILLS worked conscientiously and with great effect to serve both his constituents and the country. His dedication to the people he served and to excellence in the performance of his legislative tasks marked him as a public servant in the finest traditions of this body.

Having gained a unique insight into the workings of the Congress while serving on the staff of his distinguished predecessor, the Secretary of the Interior, Rogers Morton, BILL MILLS came to the Congress prepared to make a genuine contribution and possessing a knowledge of the Congress which would assist him in that effort. In the short time that he served he made his mark with his colleagues on the various committees and with his fellow Members. He will certainly be remembered for the fairness and good humor which he injected into our legislative life. I know that we here in the Congress, as well as the people of Maryland will miss BILL MILLS' dedicated service. The country will be deprived of the services of a fine public servant who always kept the best interests of the Nation in mind as he carried out his legislative tasks.

To his wife, Norma, and his children, Lynda and Bill, Jr., Mrs. Cederberg and I extend our deepest sympathy.

Mr. COUGHLIN. Mr. Speaker, I wish to join in expressing my sorrow over the death of BILL MILLS, our beloved colleague from Maryland.

Although BILL MILLS' service as a Representative was all too short, his spirit and ideals had long been felt in the Halls of Congress during his 10 years as administrative assistant to Rogers C. B. Morton. Both then, and in the past 2 years as Congressman from Maryland's First District, BILL MILLS displayed untiring efforts in behalf of others, as well as true dedication to the welfare of America.

I know that I express the sentiments of all my colleagues when I say that BILL MILLS will be sadly missed. I hope that the high affection and esteem in which we held him will provide some small measure of comfort to his wife and children, to whom I extend my most sincere condolences.

Mr. HENDERSON. Mr. Speaker, I have suffered a personal loss in the death of our colleague, BILL MILLS.

For many years when he was administrative assistant to Rogers Morton, his office was just across the hall from mine; and representing a coastal North Carolina district as I did, I found many common interests with Maryland's First District.

Like BILL, I served in a staff capacity before my election to Congress and later succeeded the retiring member for whom I had worked.

BILL was assigned to the House Post Office and Civil Service Committee and on the Manpower and Civil Service Subcommittee which I have the honor to chair.

Although he was a member of the minority party, BILL and I enjoyed an unusually close relationship and he often sought my advice on matters related to our committee.

In all of my relationships with him, he conducted himself with unfailing courtesy, fairness, warmth, and integrity.

It was my sad duty to attend his funeral as a member of the official congressional delegation and to join there his family and hundreds of friends in paying our last respects.

BILL MILLS served his district, his State, and his Nation well. The House of Representatives will be the poorer for his loss.

Mr. GOLDWATER. Mr. Speaker, every Member of the House has suffered a personal loss in the untimely passing of our dear friend, BILL MILLS. As a dedicated and loyal staff member to former Congressman, and now Secretary of the Interior, Rogers Morton, and for the past 2 years as a Member of this body, BILL MILLS earned the respect and admiration of everyone who was privileged to know him.

BILL was truly a constituent Congressman without peer. He traveled back and forth to his congressional district—the great Eastern Shore of Maryland—on a daily basis. He loved politics, because he loved people. His constituents sensed this, and they knew that BILL was always available to help them. The residents of the First District of Maryland have lost a great public servant.

BILL was a serious student of government. Yet, he always had time during a particularly long legislative day on the Floor to cheer up his colleagues with a word of encouragement or one of his wonderful anectodes. He understood issues, and it always amazed me how well he retained the details of complex legislation.

Mr. Speaker, each of us who knew BILL MILLS will savor the fond memories of our association. One such memory for me personally happened just 2 months ago. BILL asked me to go over to the Eastern Shore and make a speech to the Republican Club of Dorchester County. I accepted, and we had a wonderful time. The speech was in Cambridge, so I decided to drive over. It was early spring, and driving through the beautiful farm country of Maryland, I think I understood why BILL loved his area and its great people. I'm not sure if my speech was a success, but there was no doubt in my mind after the meeting that I was in "BILL MILLS Country." I will certainly never forget the warm hospitality that I received from BILL and his constituents during the visit.

Mr. Speaker, I have lost a colleague and a friend in the death of BILL MILLS. This House has lost a great Member who was just beginning to make a significant and lasting impact on the Congress. To his dear family I extend my profound sorrow.

Mr. HOGAN. Mr. Speaker, today we pause to honor WILLIAM D. MILLS, my good friend and colleague. It was only 9 days ago that news of BILL's untimely death stunned and shocked every Member of the House of Representatives.

The death of BILL MILLS is a tragedy not only for the House of Representatives, but for the State of Maryland and

particularly for the First Congressional District that he represented ably and with complete dedication.

I first became acquainted with BILL during his years of service as administrative assistant to Rogers C. B. Morton who was then Congressman from the First District. When Rog Morton accepted the appointment as Secretary of the Interior in 1971, BILL successfully ran for the vacancy and immediately established himself as a competent, capable and dedicated Member of the House.

Last November BILL won one of the most convincing victories in the history of the First Congressional District. The residents of Maryland's Eastern Shore knew and respected BILL and he worked hard for their interests in Congress.

I served with BILL on the Post Office and Civil Service Committee and worked closely with him on Maryland problems. He was very much aware of the problems of his district and could always be counted on. He was scrupulously conscientious in the performance of his duties.

BILL MILLS was always ready to serve his country. Soon after he graduated from Federalsburg High School in 1941, he entered the U.S. Army and served throughout World War II, distinguishing himself in service with George S. Patton's Third Army. After the crossing of the Rhine River by the Third Army, BILL received the Bronze Star for bravery.

He was always active in civic and fraternal organizations. Among the posts that he held were: President of the Easton Combined PTA; Talbot County chairman for the American Cancer Society; member of the Easton Memorial Hospital advisory board; president of the Easton Rotary Club; exalted ruler of B.P.O.E. 1622, Elks Club. He was a member of St. Mark's United Methodist Church in Easton.

To better understand what kind of a person BILL MILLS was, let me relate to you a statement made by one of his longtime friends shortly after death:

> BILL MILLS was the kind of a person, who, finding a dime on the pavement near a parking meter, would go up and down both sides of the block to locate the person who dropped it rather than put it in his pocket.

After assuming his duties in Congress, in addition to his service on the Post Office and Civil Service Committee, BILL was a member of the Merchant Marine and Fisheries Committee, a very important assignment for his district. Early last year, he was named to the Board of Visitors of the U.S. Naval Academy in Annapolis.

BILL was recognized by his colleagues as a devoted and thoughtful legislator, and he was very well liked in his quiet, friendly way. He never lost his down-to-earth character, he was an honest, hard-working Eastern Shoreman through and through and his constituents and his colleagues appreciated that.

BILL MILLS was not only my colleague, but a close personal friend. I feel a deep sense of loss. I extend my sympathy to his wife Norma, his two children, Lynda and Bill, Jr., and all his friends.

Mr. YOUNG of Florida. Mr. Speaker, I join my colleagues in expressing my sense of deep personal loss at the untimely death of BILL MILLS. I know the people of Maryland's Eastern Shore will feel his absence also, for BILL MILLS was, first and foremost, a "man for the people," whose total dedication to their welfare was a byword.

As administrative assistant for 10 years to Congressman Rogers C. B. Morton, before that gentleman became Secretary of the Interior, BILL was totally familiar with all of the people, problems, and needs of the First District of Maryland. When he won the special election to fill the unexpired term of Secretary Morton, he immediately set up one of the most demanding schedules of any Member of this House in order to make himself totally accessible to the people of the district.

BILL put in long hours of hard work to fulfill his congressional and district responsibilities. No matter the legislative schedule or the weather, he drove back to the district every night so as to be available to see people and take part in all activities involving the welfare of his constituency.

I spent many hours talking with BILL MILLS, and must say that he was one of the most sincere, honest, and loyal individuals to serve in the House. His personal modesty was such that he probably never realized how much he was loved and appreciated by his colleagues and constituents.

BILL's integrity and honesty was beyond question. It is an utter tragedy that implications drawn by the media from an event of which he had no personal knowledge would make him feel that this integrity was stained to such an extent that he felt he could no longer serve his people. Service was BILL's life, and when he felt he had lost that central core, there was no further reason for living.

I hope that BILL's family knows that we share their grief and dismay and that we will feel his loss as deeply. BILL was a good man, a true American, and his dedication to the people has created a love for him that will be his greatest single memorial.

Mr. HANLEY. Mr. Speaker, this is a very sad occasion for me, as I am sure it is for all our colleagues. BILL MILLS was one of the finest men it has been my pleasure to know. Quiet, unassuming, and gracious, BILL was a hard worker who left the limelight to others.

BILL's tragic and untimely passing leaves a void here in the House that will be difficult to fill. During his many years here, both as an assistant to our former colleague, Rog Morton, and later as a Member himself, BILL made scores of friends. I was privileged to consider myself in that category. We served together on the Post Office and Civil Service Committee, and only last December, I was privileged to travel with him and his lovely wife, Norma, on an inspection trip to Germany for the committee.

Mr. Speaker, Rita and I join with all our colleagues in extending our deepest sympathies to Norma and to her two wonderful children, Linda and Bill, Jr., and in praying that they will have the strength to carry on despite their tremendous loss.

Mr. ERLENBORN. Mr. Speaker, I could express some thoughts about BILL MILLS, and his competence in fulfilling his congressional office, both as the elected Representative of the people of the First Maryland District and as the administrative assistant to former Representative Rogers Morton.

His record in these respects has gotten much attention in the newspapers and in statements by his constituents.

Let me turn my attention to another facet of his character. I did not know him well as a Congressman, but I did know him as a fine fellow and a good companion. He was a cheerful outdoorsman; and I am happy to have enjoyed many hours with him on the Eastern Shore which he loved so much.

Many of us will miss BILL MILLS.

Mr. EDWARDS of Alabama. Mr. Speaker, I rise to join my colleague, GILBERT GUDE, in expressing my respect and regard for the late Congressman BILL MILLS. During his 11 years on the Hill, both as an administrative assistant and later as a Member of Congress, BILL MILLS impressed everyone with his hard work, his conscientious efforts, and his ability to get things done.

BILL MILLS was awarded the Bronze Star after crossing the Rhine with General Patton's Third Army. He brought this same determination to the Congress, and it was evident in his dedication to helping his Maryland constituents.

Mr. Speaker, I join my colleagues in expressing my sympathy to BILL's family and his many friends. We will miss him here in the House of Representatives.

Mr. WHALEN. Mr. Speaker, I am pleased to join my good friend and distinguished colleague from Maryland (Mr. GUDE) in pausing this afternoon to eulogize the late Honorable WILLIAM O. MILLS.

Although BILL was a Member of the House for only a short time, his congressional career spanned the decade prior to his election when he had the great fortune to work as administrative assistant to his predecessor, the present outstanding Secretary of the Interior, Rogers C. B. Morton. We shall remember for many years the good humor and dedication with which BILL rendered his services as a staff member and as a Congressman from the First District of Maryland.

Mrs. Whalen joins me in extending our sympathy to Mrs. Mills and her children. May BILL rest in peace.

Mr. QUIE. Mr. Speaker, the late Representative WILLIAM O. MILLS was one of the finest men it has been my privilege to know as a Member of this body.

Not only did I admire him as a man of principle and dedication to the ideals of this country, but also I came to have a great respect for his competency.

He was in fact an example of one of the highest accolades that any of us can hope to earn—a Congressman's Congressman.

To his widow and family, I extend my deepest sympathy. It is with great pleasure that I recall our time together at the annual BILL MILLS trail ride last Sep-

tember which my son and I attended. The country has lost a great public servant who served the people of the First District of Maryland with diligence and distinction. We in the Congress have lost a respected colleague, and in my own case, a warm personal friend.

Mr. THONE. Mr. Speaker, it was sad news indeed to hear of the death of BILL MILLS.

He was a man of courage and conviction. He was a quiet and sincere person who was well thought of by Members on both sides of the aisle.

We will miss BILL MILLS, and we express our very best to Mrs. Mills and the family.

Mr. BINGHAM. Mr. Speaker, I wish to thank the gentleman from Maryland (Mr. GUDE) for arranging this special order and wish to join in paying tribute to our late colleague WILLIAM O. MILLS.

BILL MILLS and I were both delegates to the recent meeting of the Interparliamentary Union in Abidjan. The trip provided a welcome opportunity for my wife and myself to get acquainted with BILL and Norma Mills. We found them to be delightful and outgoing people and very much enjoyed the time we were able to spend with them.

The news of BILL MILLS' sudden death, therefore, came as a tremendous shock. It is a tragedy that such a fine man and promising legislator should have his career cut short.

My wife and I extend to Norma Mills and her family our deepest sympathy in their grief.

Mr. KEMP. Mr. Speaker, the Gospel of John declares:

All things were made through God and without Him was not anything made that was made. In Him was life and the life was the light of man. The light shines in the darkness, and the darkness has not overcome it.

Darkness cannot overcome light. Neither will the darkness in our lives caused by the passing of BILL MILLS blot out the light of his life.

The untimely death of my friend and colleague, BILL MILLS, gives pause for each of us to take account of the temporal nature of human life. Moreover, it allows each of us to express gratitude for eternal life and lets us reaffirm that those qualities of understanding, devotion, and wisdom with which BILL MILLS was imbued will live on.

The spiritual ideals, of which BILL MILLS' earthly existence was but a mortal manifestation, are those which each of us can not forget. Our bereavement, our grief, and our mourning is for the loss of human life. We need not mourn BILL MILLS, for his spiritual qualities remain very much with us.

Rather than grieve BILL MILLS' passing, let us make these highly emotional days following BILL'S death moments of increased awareness and devotion to life and love and God. It is that which should help each of us embolden our hopes, reaffirm our desires, and rededicate our lives to the good to which each of us, in our own way, has committed ourself.

BILL MILLS was a great American and he will be missed. But that which BILL MILLS represented, those eternal qualities to which we all hold, will be a source of increased strength and purpose. For that, my sorrow is tempered with hope.

Mr. DULSKI. Mr. Speaker, the passing of our able and distinguished colleague, the Honorable WILLIAM O. MILLS of Maryland, came as a great shock to all of us, and particularly to the members of the Post Office and Civil Service Committee on which he had served with distinction.

BILL MILLS, chosen in a special election to fill a vacancy, immediately became a member of our committee and was deeply interested in our legislative responsibilities.

Although he served just less than 2 years as a Member, he was no stranger to Capitol Hill, having served ably for 9 years as administrative assistant to his predecessor, the Honorable Rogers C. B. Morton, now Secretary of Interior.

BILL was a public servant in the true sense of the words. He devoted himself to the interests of the people of his district, taking full advantage of the opportunity which was his to commute daily from his home in nearby Easton.

Our committee is deeply saddened by his loss. He was a quiet, hard-working colleague whom we all miss.

At the outset of our full committee meeting today, the ranking minority Member, the Honorable H. R. GROSS, of Iowa, offered a resolution of sympathy. It was adopted by unanimous vote after which the members joined me in standing for a short silent tribute.

Mr. Speaker, I include the text of the committee resolution as part of my remarks:

Whereas, the Honorable William O. Mills, a Representative from the State of Maryland, served with dedication on the Committee on Post Office and Civil Service since his election to the Congress in 1971; and

Whereas, his brief service with the Committee was illuminated by the development of bonds of friendship and esteem between the Members of said Committee and Representative William O. Mills; and

Whereas, the Committee, both individually and collectively will deeply miss the sense of responsibility and dependability that Representative William O. Mills brought to said Committee: it is hereby

Resolved by the Committee on Post Office and Civil Service in regular session, that it has learned with profound sorrow of the death of Representative William O. Mills and that it extends its deepest sympathy to his family.

Mr. HUDNUT. Mr. Speaker, I wish to thank the distinguished gentleman from Maryland (Mr. GUDE) for arranging this special order and I wish to join in paying tribute to our late colleague WILLIAM O. MILLS.

My staff and I felt close to BILL MILLS and his staff, because we have the same office in the Longworth Building which they occupied before moving to the Cannon Building at the beginning of this 93d Congress. When I first came to Congress as a freshman last January, BILL MILLS was very kind and helpful to me and he would come by my office every so often to see how we were doing.

It was a privilege for me to know and serve with such a fine gentleman and I valued his friendship and advice highly. His constituents in Maryland have lost a very fine Representative, America has lost a good man, and all of us here have lost a good friend.

BILL'S untimely death diminishes us all, and we extend to his family our sincerest sympathy.

Mr. LATTA. Mr. Speaker, none of us can fully comprehend the tragic death of our colleague, BILL MILLS, which has so shocked and saddened all who knew him. Our heartfelt sympathy goes out to his widow, Norma and their son and daughter.

All of us who served with BILL in the House of Representatives know what his passing means, in the sense of great loss, to the thousands of people he loved and on whose behalf he worked so hard—his constituents from his native eastern shore of Maryland. Although he had represented them in Congress a relatively short time, they had demonstrated their strong trust and confidence in him by two convincing election pluralities.

They knew him as one of their own—quiet, unassuming, and wholly dedicated to his family and his duties as a Member of Congress.

We knew him as a congenial, attentive, and knowledgeable colleague who did his homework, was faithful in his attendance, and who had the ability to win friendship and respect from members on both sides of the aisle and from whatever political persuasion. Uppermost in his mind at all times was how to serve his constituents most effectively.

The news of BILL'S death had an especially personal impact upon me, since it was only last month that we traveled to the African Republic of the Ivory Coast together as members of the American delegation to the Interparliamentary Union. That common experience outside our regular legislative assignments gave me an opportunity to become better acquainted with BILL and Norma, and Mrs. Latta and I were looking forward to the future when we would have an opportunity to share our time together again.

BILL will be missed and remembered by all who knew him.

Mr. CRANE. Mr. Speaker, the tragic loss of the Honorable WILLIAM O. MILLS has come as a sudden blow to the House of Representatives leaving the many Members who were privileged to know him personally with a deep sense of grief.

I first met WILLIAM MILLS when he was the dedicated and hard-working administrative assistant to his predecessor, the Honorable Rogers C. B. Morton. When Rogers Morton resigned his seat as Representative for the First District of Maryland it was only natural for the district to elect WILLIAM O. MILLS who had done so much for the people of the area as his successor. There are many citizens on the Eastern Shore who will always be grateful for the way BILL O. MILLS looked after their problems, patiently tracing a social security claim, making repeated calls to a Government agency to obtain needed information, pressing for Federal aid to deal with cases of pollution in Chesapeake Bay and in general doing anything and everything he could to make the Eastern Shore a better place to live.

The short but distinguished congressional career of BILL O. MILLS was only the capstone of a life devoted to public service. WILLIAM O. MILLS served his country valiantly in General Patton's legendary Third Army; after crossing the Rhine in 1945, he was awarded the Bronze Star for heroism. Upon his return to the Eastern Shore, BILL devoted his considerable energies to the service of his community, State, and Nation. He was a leading member of St. Mark's Methodist Church of Easton, Md.; Talbot County chairman of the American Cancer Society and of the American Red Cross; he was also a member of the advisory board of the Easton Memorial Hospital and a member of the Board of Visitors of the U.S. Naval Academy in Annapolis.

The Eastern Shore, the Free State of Maryland, the House of Representatives, and his country will sorely miss the Honorable WILLIAM O. MILLS.

Mr. BRASCO. Mr. Speaker, the death of our distinguished colleague was as tragic as it was unnecessary, bringing home to us in the most vivid manner the need for constructive change in a number of areas much in the news these days.

I had the pleasure of working with him in the House Committee on Post Office and Civil Service on an intimate, daily basis, and knew him to be an able and thoroughly decent man. In his work on the committee, he was diligent, straightforward, and took a keen interest in the problems that concerned us.

He took his responsibilities seriously, setting an example that no one could find fault with.

My heartfelt sympathy is extended to his family and constituents, who have sustained a grievous and painful loss. The Congress will miss him.

Mr. DERWINSKI. Mr. Speaker, it is with very deep feelings that I join my colleagues this afternoon in eulogizing our late colleague, BILL MILLS.

It was my privilege to work with BILL closely on a number of major legislative assignments and I knew him as a conscientious, hard-working man. At the same time, he was very warm, pleasant, and always an understanding individual.

BILL MILLS was one of the finest men that I have met in my years of service in the Government. The great potential that he had, based on his knowledge of government and his experience, makes his passing an even greater loss.

Recently, it was my privilege and pleasure to travel with BILL and his wife, Norma Lee, to a special meeting of the IPU in Abidjan, Ivory Coast, where he served in an exceptional fashion representing our country in a major meeting of world parliamentarians.

But above all, Mr. Speaker, I feel the loss of a true friend. I only regret that words are inadequate to describe my feelings at the loss of BILL MILLS.

Mrs. Derwinski joins with me in extending our deepest sympathy to Mrs. Mills and their whole family.

Mr. MILLER. Mr. Speaker, I am deeply saddened by the tragic passing of our colleague and good friend, BILL MILLS.

BILL's long Hill experience as administrative assistant to former Congressman Rogers Morton for nearly 10 years and later as the Representative of Maryland's First Congressional District will be missed by all.

I recall it being said by one of his aides shortly after BILL's death that BILL was completely dedicated to doing his very best for the people he represented. Neither the public nor the Congress could ask more of a man. We're fortunate to have known such dedication in this Chamber.

It was with profound sorrow and deep regret that I learned of BILL's death and it is with deep sincerity that I extend my sympathy to his family.

Mr. LENT. Mr. Speaker, the untimely death of our colleague, Congressman WILLIAM O. MILLS of Maryland, was a shocking loss to all of us who knew him and respected his work in Congress.

In the all too brief time in which he was a Member of this body, BILL MILLS distinguished himself by his thoughtfulness and his tireless dedication to his job. As a lifetime resident of Maryland's Eastern Shore, he had a close rapport with his constituents, and he always represented them well.

I know that he will be sorely missed by everyone who had the privilege of serving with him in the House, and by the residents of the First District of Maryland.

I would like to extend to his family and many friends my sincere sympathy.

Mr. DOWNING. Mr. Speaker, the loss of our dear friend and colleague, BILL MILLS, was a great tragedy to the Nation, to the House of Representatives, and to his district which is so full of his loved ones and his friends. It was no less a tragedy to me and to my office.

The First District of Maryland and the First District of Virginia adjoin on the southern portion of the Delmarva Peninsula, the eastern shore, as it is known in both of our States. BILL was a typical eastern shoreman. He loved people and seemed to take a heartfelt enjoyment in immersing himself in their problems as well as enjoying a deep sense of pride in the trust which they placed in him.

Since our districts were adjacent, many of our interests were mutual. An enjoyable relationship between the two offices was established immediately, one which continues to this day. BILL MILLS was always a key part of this fine relationship which has never known any partisan political overtone. We were sorry to lose former Congressman Rogers Morton to the President's Cabinet, but we were delighted that BILL could succeed him.

In every way BILL MILLS seemed to be an ideal representative of his district. He spent his nights at home, driving almost 200 miles every day to be with his people and to serve them here in Washington. His generosity knew no bounds. His integrity and his moral fiber were of the very highest and truest kind. His character remains above reproach.

It was typical of BILL to sit in session with the Committee on Merchant Marine and Fisheries until late in what turned out to be his last day in Washington.

We mourn his loss grievously, and we regret most deeply its tragic circumstances. It is my unquestioned belief that any inquiry will completely vindicate our friend.

The smiling face and warm heart of BILL MILLS will live forever with those of us who were his colleagues and those people on his beloved eastern shore whom he served with every measure of devotion.

Mr. KEATING. Mr. Speaker, I was deeply saddened to learn of the recent loss of our fine colleague, WILLIAM O. MILLS.

BILL was elected to his congressional seat a few months after I came to Congress, and we had the opportunity to become acquainted when the role of Congressman was new to both of us. I must admit that although BILL was new to the role, he had already demonstrated an untiring dedication to the constituents of Maryland's First District through his previous 9 years of service as administrative assistant to former Representative Rogers C. B. Morton.

BILL MILLS believed in constitutionally sound government, and he knew thoroughly the great responsibilities involved in good legislation. He undertook these responsibilities of congressional service with diligence, quiet efficiency, and fairness.

It was impossible to be around this gentle and friendly man without realizing how deeply he felt about his duty to his family, his elected office, and his country. BILL's service has been cut short but there is no question that all of us are the beneficiaries of his past record of excellence in legislative tasks, and his example as a capable, conscientious and caring human being. We will miss his leadership and companionship.

My wife and I extend our sincerest condolences and prayers to BILL's wife and family in this time of grief.

Mr. DON H. CLAUSEN. Mr. Speaker, it was with great remorse that I learned of the passing of BILL MILLS. It is always sad to lose a colleague—it is tragic to lose a friend. Therefore, I speak with profound and heartfelt sorrow, because BILL MILLS was my friend.

Whenever the name of a colleague is mentioned, I believe each of us is inclined to associate that name with an image. The image I have of BILL MILLS will always be that of a man who was admired here in this body; a man who was loved and respected in his home, in the community of Easton where he lived, and his beloved native State of Maryland. A man of character and compassion, BILL MILLS was truly a dedicated public servant.

I first met BILL while he was serving as administrative assistant to Rogers C. B. Morton during which time I found him to be a very knowledgeable, concerned, and conscientious staff man. During his first campaign for Congress, BILL and I discussed many of the issues that surfaced and we exchanged ideas on his campaign.

In short, BILL MILLS was, in every sense of the word, a gentleman. His tragic and untimely passing leaves a vacuum that is difficult to understand and will be even difficult to fill. I wish to extend my deepest sympathy to BILL's widow Norma and

to his fine children—Lynda and William, Jr.

Remembering that BILL MILLS participated in the famous crossing of the Rhine River with General Patton in World War II, for which BILL received the Bronze Star Medal, I believe it appropriate to close with a motto which both General Patton and BILL MILLS knew very well and believed in fully—"duty, honor, country."

BILL MILLS did his duty and served his country and the people he represented with honor.

Rest in peace, my friend.

Mr. QUILLEN. Mr. Speaker, the death of WILLIAM O. MILLS is a sad loss to the House, to his District and to his many friends.

BILL MILLS was an honest, courageous man who was sincerely dedicated to his duties as a Congressman. He was knowledgeable about the workings of Congress and he did his homework faithfully. He was truly a public servant.

His responsibility to his constituents was primary in his mind, and he represented them well. He devoted his many energies and talents to helping them.

This hard-working man was a thoughtful, understanding individual who won the respect of all with whom he came in contact, and he is sorely missed by all.

Although BILL MILLS served but a short time in this Chamber, he will always be remembered as a good legislator, a great American and a truly fine gentleman.

I extend my deepest sympathy to his wife and family.

Mr. MATHIS of Georgia. Mr. Speaker, on the afternoon of his final day of service in the House, I was on an elevator with BILL MILLS. When I learned the following morning of his death, I thought of seeing him on his way to the Capitol for what turned out to be his final vote. This reflects what was typical of BILL MILLS. He was on the job.

He worked hard and was doing his very best to represent his constituents well and to help make his State and Nation a better place. I shall remember BILL MILLS as a worker, as a tireless Congressman, as a capable and dedicated man.

Although his time of service as a Member was not lengthy, he could be considered a veteran of the legislative process, having ably served for a number of years on his predecessor's staff. His experience and his willingness to stay on the job contributed to his success as a Member of Congress.

While I did not know him well, I wanted to join with his colleagues in expressing a sense of loss, and to extend my deepest sympathy to his fine family.

Mr. FORSYTHE. Mr. Speaker, my colleagues, I want to briefly express my own sorrow over the death of Congressman WILLIAM O. MILLS

I have lost a friend, the House has lost a competent and effective legislator, and his district has lost a dedicated servant.

It is tragic when anyone dies, but it is especially so when the victim is cut down at the very time that he is emerging as a forceful leader for his people.

It is tragic, indeed, the circumstances that apparently led to his death. BILL MILLS was an unnecessary victim; he should not have died. And, had he lived, his constituents would still have the benefit of his vigor and dedication, I am certain, for many years to come.

Though many days have passed since his death, I have not forgotten, nor will I forget, this man I considered a friend.

My sympathy is with his family; they have lost a good man. My hopes are that his constituents will not forget the man who was their Congressman; the man who wanted so desperately to serve them well.

Mr. MALLARY. Mr. Speaker, I wish to join my many colleagues in this expression of sorrow on the death of our associate and good friend, WILLIAM O. MILLS, of Maryland.

When I arrived in Congress as a freshman, after a midterm election, to take my seat during the middle of the 92d Congress, one of the first people to approach me and offer his help, advice, and services was BILL MILLS. During those difficult, early days he not only offered but provided invaluable counsel and assistance to me. This kind of selfless and generous action was very typical of the kindly and thoughtful person that we all discovered BILL MILLS to be.

During my all-too-brief association with him, I never heard him say a mean or thoughtless word about any person. He showed a gentle and compassionate concern for the welfare and the interests of his constituents as well as the best interests of the Nation as a whole.

I am sure that I join all my colleagues on both sides of the political aisle in saying how deeply we shall miss him here in the Congress.

GENERAL LEAVE

Mr. GUDE. Mr. Speaker, I ask unanimous consent that all Members may have 10 legislative days in which to insert their remarks in the RECORD in eulogy of BILL MILLS.

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

There was no objection.

DISCLOSURE OF FUNDS

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

Mr. GUDE. Mr. Speaker, the House Committee on Standards of Official Conduct requires an annual, partial disclosure of the financial holdings of Members of the House. In my opinion, citizens are entitled to a more comprehensive financial statement from public officials. Such a statement provides another measure whereby citizens can assure themselves that officials are not subject to conflicts of interest which would prevent or deter them from performing their official duties in an objective manner. I insert in the RECORD at this point a statement of my wife's and my financial holdings. Taxable income in 1972 was $65,598. All income exclusive of that from the U.S. Government was from sources listed under assets.

FINANCIAL STATEMENT OF GILBERT GUDE AND JANE CALLAGHAN GUDE, HIS WIFE, JUNE 6, 1973

Assets:	
Cash, checking and savings accounts	$36,446
First National Bank of Maryland (stock, 120 shares)	3,600
American Finance System Debenture Bonds	3,150
A. T. & T.	2,816
Part ownership of A. Gude Sons Co., Inc. (family landscape nursery and florist firm)	2,178,266
Residence	80,000
Part ownership, dwelling, 16 Wall Street, Rockville, Md.	9,000
Part ownership, unimproved lots, Woodland Beach, Anne Arundel County, Md.	2,000
Life insurance, cash value	9,000
Household furnishings, personal belongings	28,000
Two automobiles	4,400
Total	2,356,678
Liabilities:	
Accounts payable	3,000
Mortgage, residence	17,213
Note, automobile	667
Total	20,880
Net worth	2,335,798

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. SAYLOR (at the request of Mr. GERALD R. FORD), for balance of the week, on account of attendance at a funeral for a member of the staff.

Mr. TOWELL of Nevada (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:

(The following Members (at the request of Mr. PRITCHARD) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 15 minutes, today.

Mr. ANDREWS of North Dakota, for 5 minutes, today.

Mr. HOGAN, for 10 minutes, today.

Mr. FINDLEY, for 5 minutes, today.

Mr. WALSH, for 15 minutes, today.

Mr. YOUNG of Florida, for 10 minutes, today.

(The following Members (at the request of Mr. SARBANES) and to revise and extend their remarks and include extraneous matter:)

Mr. EILBERG, for 10 minutes, today.

Mr. FRASER, for 5 minutes, today.

Mr. HAMILTON, for 5 minutes, today.

Mr. WOLFF, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. MATHIS of Georgia for 5 minutes, today.

Ms. ABZUG, for 60 minutes, today.

Mr. JAMES V. STANTON, for 15 minutes, today.

Mr. COTTER, for 5 minutes, today.

Mr. TIERNAN, for 5 minutes, today.

Mr. BREAUX, for 5 minutes, today.

Mr. HOLIFIELD, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Miss HOLTZMAN, to revise and extend her remarks immediately following the vote on the second Talcott amendment.

Mr. FRENZEL, immediately following the remarks of Mr. GONZALEZ today on the Erlenborn substitute, and to include extraneous matter.

(The following Members (at the request of Mr. PRITCHARD) and to include extraneous material:)

Mr. STEELMAN.
Mr. ESCH.
Mr. TEAGUE of California.
Mr. STEIGER of Wisconsin in two instances.
Mr. GOODLING.
Mr. BUTLER.
Mr. RONCALLO of New York in four instances.
Mr. WYMAN in two instances.
Mr. KEMP in three instances.
Mr. WALSH.
Mr. ZWACH.
Mr. BROTZMAN.
Mr. HOGAN in two instances.
Mr. HILLIS.
Mr. YOUNG of Alaska.
Mr. HUBER.
Mr. SEBELIUS.
Mr. DERWINSKI.
Mr. STEELE.
Mr. PRICE of Texas.
Mr. RAILSBACK in three instances.
Mr. WIDNALL.
Mr. RUPPE.
Mr. SNYDER in two instances.
Mr. CONLAN.
Mr. CHAMBERLAIN.
Mr. COHEN.
Mr. BEARD.
Mr. HOSMER in two instances.
Mr. MIZELL in five instances.
Mr. VEYSEY in three instances.
Mrs. HECKLER of Massachusetts in 10 instances.
Mr. MCCLOSKEY in two instances.

(The following Members (at the request of Mr. SARBANES) and to include extraneous material:)

Mr. O'NEILL.
Mr. CORMAN.
Mr. WON PAT.
Mr. MOAKLEY in 10 instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. SIKES in five instances.
Mr. MATHIS of Georgia.
Mr. CHARLES WILSON of Texas in three instances.
Mr. EVINS of Tennessee.
Mr. HICKS.
Mr. GRAY in four instances.
Mr. JONES of Tennessee in 10 instances.
Mr. LEHMAN in 10 instances.
Mr. MINISH.
Mr. TEAGUE of Texas in six instances.
Mr. DELANEY.
Mr. BRASCO in eight instances.
Mr. EDWARDS of California.
Mr. COTTER.
Mr. FUQUA.
Mr. ANDERSON of California in two instances.
Mr. MURPHY of New York.
Mr. ADAMS.
Mr. WALDIE in two instances.
Mr. CAREY of New York.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 396. An act for the relief of Harold C. and Vera L. Adler, doing business as the Adler Construction Co.; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 38. An act to amend the Airport and Airway Development Act of 1970, as amended, to increase the United States share of allowable project costs under such act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes;

S. 49. An act to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes; and

S. 1136. An act to extend through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes.

THE SPECIAL CONSTITUTIONAL POWER AND DUTY OF IMPEACHMENT BY THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MCCLOSKEY) is recognized for 60 minutes.

GENERAL LEAVE

Mr. MCCLOSKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

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

There was no objection.

THE SPECIAL CONSTITUTIONAL POWER AND DUTY OF IMPEACHMENT BY THE HOUSE OF REPRESENTATIVES

Mr. MCCLOSKEY. Mr. Speaker, I have asked for time this afternoon to encourage a tempered discussion of the impeachment process. There are those who suggest that mere discussion of the topic is inappropriate and dangerous at the present time.

I respectfully disagree and would like to set forth the reasons why I believe our constitutional history now imposes a special duty on the part of Members of the House to discuss the substantive and legal background for this historic cornerstone of our check and balance system of Government.

A great deal is being written and said about America today being in a state of crisis and chaos. I think this is overstated. If anything, upon sober reflection, I believe most of us would concede that the difficulties we are currently experiencing are minor compared to the difficulties our Nation has successfully endured and overcome in the past. It is true that we are presently conducting a careful re-examination of the relationship between our various branches of Government. Congress is in disagreement with the Chief Executive over use of the war power in Cambodia, the termination of programs and impoundment of funds duly authorized and appropriated by Congress; indeed, the right of Congress to receive full and complete truth from the executive branch of Government is at issue. We are confronted with extremely grave problems of energy, foreign trade, inflation, and tax reform.

Nevertheless, the problems of 1973 pale into insignificance compared with the great crises of the past. A nation that has survived the dark days of Valley Forge, the burning of this very building in 1814, the Civil War and Reconstruction, the Great Depression, Pearl Harbor, the landing in Europe 29 years ago today—that nation should certainly be able to take in stride the discovery of serious misconduct and corruption on the part of a few Cabinet officers and White House advisers. Today's press reports are no more strident than those of the eras of Grant and Harding, or even during the second term of President Washington.

Our institutional strength remains sound if our faith in some individual officeholders does not.

On every hand, there is increasing evidence that we are moving with speed and determination to meet many of the challenges before us.

We have lately enjoyed healthy debate over war and trade powers, freedom of the press, budgetary controls, spending priorities, excessive governmental secrecy, campaign financing reform, and in a whole host of areas where our committees are making steady progress in the ordinary legislative and administrative processes.

I suspect our committees and agencies are moving at a speed Washington has not seen for 40 years.

We remain uncertain as to new goals in energy, land use, health, housing, and agriculture. We have not solved inflation.

These difficulties are nothing new, however. The difficulty of achieving excellence in government has been with us since the Nation's beginning. It is as worthy a challenge as we can possibly undertake, and the joy of undertaking and doing battle with that challenge is a real privilege for those of us honored to serve in Congress.

Whatever may have been the despair and dismay of our people over the revelations of corruption in recent months, we have every right to hope that the Nation will ultimately be stronger for the reevaluation and reformation of our system of government which Watergate has stimulated.

In the House we should have no fear whatsoever of vigorous debate and reasoned argument on any subject, particularly one of constitutional power and responsibility. There should certainly be no fear of considering the constitutional process of impeachment and the conditions under which it may become the

duty of this House to initiate appropriate proceedings.

It was only a few weeks ago that the Attorney General of the United States, in testimony to the Senate, suggested that impeachment was the appropriate remedy to pursue if Congress disagreed with the President's use of Executive privilege to deny the testimony of his aides before Congress.

Thereafter, the Chairman of the Securities and Exchange Commission resigned, allegedly citing a fear of impeachment by this House if he did not so resign.

There have been national polls taken on the question of whether the President should be impeached, and yesterday a Las Vegas oddsmaker was quoted on the question.

If impeachment is to be debated, it is certainly proper that that debate take place in this Chamber. Impeachmment is one of the two special powers which the Constitution specifically reposes in the House of Representatives, the other being that of initiating revenue measures.

It is relatively seldom in our history that the House has brought impeachment to trial by the Senate. On each occasion, commencing with the impeachment of Senator Blount in 1797, there have been varying learned opinions expressed on the interpretation of the constitutional provisions involved and their history. I do not presume to suggest that my limited research on this subject is conclusive or even persuasive, but I think it not inappropriate to initiate the discussion by setting out some tentative views on the constitutional and legal background of the impeachment process, and on the various methods of procedure which the House has pursued in the past.

Before proceeding to this discussion, however, I would like to briefly set forth those few facts thus far established which bear on the question as to whether impeachment proceedings should be brought against President Nixon. In so doing, I would like to stress the importance of the principle that we decline even to consider those matters of innuendo, hearsay, opinion, and speculation which would be inadmissible in an ordinary judicial proceeding. The President is entitled to the same presumption of innocence that is afforded every other American citizen, and I suggest that it would be inappropriate for the House to bring an impeachment unless a majority of us are convinced of the guilt of the President on the basis of facts which meet the ordinary test of admissibility in evidence.

I believe the following facts, at least, meet this criteria, most of them having been expressly admitted in the President's statement of May 22 or in other releases:

First. In June 1971, President Nixon personally established a special investigations unit in the White House. Its members included E. Howard Hunt and G. Gordon Liddy.

Second. In September of 1971, members of this White House special investigations unit burglarized the office of Daniel Ellsberg's psychiatrist in California.

Third. In June of 1972, individuals from the same unit burglarized the Watergate headquarters of the Democratic National Committee in Washington, D.C.

Fourth. At some time thereafter, but apparently prior to July 6, 1972, in the President's own words, the President:

Instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigations unit—and to see that this was personally coordinated between General Walters, the Deputy Director of the CIA, and Mr. Gray of the FBI.

Fifth. On August 29, 1972, at a press conference, the President was asked if it might not be a good idea for a special prosecutor to be appointed to investigate the campaign contributions situation and also the Watergate case. The President responded, in pertinent part:

With respect to who is investigating it now, I think it would be well to notice that the FBI is conducting a full field investigation. The Department of Justice, of course, is in charge of the prosecution and presenting the matter to the Grand Jury. The Senate Banking and Currency Committee is conducting an investigation. The Government Accounting Office, an independent agency, is conducting an investigation of those aspects which involve the campaign spending law. Now with all of these investigations that are being conducted, I don't believe that adding another special prosecutor would serve any useful purpose.

The other point that I should make is that these investigations, the investigation by the GAO, the investigation by the FBI, by the Department of Justice, *have at my direction had the total cooperation of not only the White House but also of all agencies of the government.*

The last statement was a misrepresentation. The President had not directed the total cooperation of all agencies of the Government. He had expressly ordered a cover-up of the activities of the special investigations unit.

Sixth. On April 18, 1973, when the President learned that Mr. Hunt, a former member of the White House special investigations unit was to be questioned by the U.S. attorney, the President, in his own words:

Directed Assistant Attorney General Peterson to pursue every issue involving Watergate, but to confine his investigation to Watergate and related matters and to stay out of national security matters.

Seventh. It was not until May 22, 1973, that the President finally admitted to the actions taken to cover up any criminal activities which might have been conducted by White House personnel.

Without drawing conclusions at this point from the facts set forth above, it is pertinent to list several Federal criminal statutes which a U.S. attorney might consider relevant to such facts:

Title 18, section 3 of the United States Code reads as follows:

Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

Except as otherwise expressly provided by any Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by death, the accessory shall be imprisoned not more than ten years.

Title 18, section 4 reads as follows:

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than $500 or imprisoned not more than three years, or both.

Title 18, section 1505—in part:

In any proceeding pending before any department or agency of the United States . . . whoever corruptly . . . influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States . . . shall be fined not more than $5,000 or imprisoned not more than five years, or both.

Title 18, section 1510 reads as follows:

(a) Whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator; or

Whoever injures any person in his person or property on account of the giving by such person or by any other person of any such information to any criminal investigator—

Shall be fined not more than $5,000, or imprisoned not more than five years, or both

(b) As used in this section, the term "criminal investigator" means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States.

So much for the facts thus far known and the law which might be applicable in the case of an ordinary citizen.

What is the relationship of these facts and law to the constitutional remedy of impeachment of a President?

Here I think it appropriate to briefly mention the constitutional history of impeachment. A concise description of its procedural aspects prepared by the Library of Congress is appended in the Extension of Remarks, as is a chronological record of the debates on impeachment during the period of May 29 until final agreement on September 17, 1787.

The removal of executive officers weighed heavily on the minds of the framers of the Constitution. They had ample and recent experience with arrogant and tyrannical kings and governors, and impeachment was part of accepted colonial procedure.

The fundamental orders of Connecticut, adopted in 1638, first gave the power to the colonial assembly to remove officials, and the charter of Rhode Island in 1663 used the term "impeachment" for this removal process. William Penn's proposed frame of government in 1682 provided for prosecution of impeachment by the general assembly with trial of the impeachment by the Pennsylvania Council, or upper house, and this principle was later adopted in various forms in the constitutions of a number of the original 13 States.

There is considerable evidence in the adoption of the Constitution itself that the Founding Fathers considered impeachment as analogous to criminal proceedings. The first full draft of a constitution, presented by the Committee of Five on August 5, 1787, contained a specific clause:

The trial of all criminal offenses (except in cases of impeachment) shall be in the state where they shall be committed; and shall be by jury.

Also, at the time of the Constitutional Convention, the delegates were cognizant of the on-going impeachment proceeding in the British Parliament against Warren Hastings, the Governor General of India. This trial was expressly referred to in the debates reported by James Madison in the Constitutional Convention of 1787, in which there were a total of 59 separate references to various plans of impeachment during the process of resolving the final language which was adopted. The key constitutional provisions finally accepted which relate to impeachment are five in number and are included in the first three articles of the Constitution.

That language is as follows:

From article I, on the legislative branch:

Section 2, paragraph 5:

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3, paragraph 6:

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no Person shall be convicted without the Concurrence of two thirds of the Members present.

Section 3, paragraph 7:

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust, or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

From article II, on the executive branch:

Section 4, paragraph 1:

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

From article III, on the judiciary:

Section 2, paragraph 3:

The trial of all Crimes, except in Cases of Impeachment, shall be by Jury.

From these provisions taken together, it seems fair to draw the following conclusions:

First. Impeachment is in the nature of a criminal proceeding, and in the case of executive officers, at least, is limited to conduct of a criminal nature: "bribery, treason, and other high crimes and misdemeanors."

Earlier draft language which included grounds such as "corruption," and "malpractice or neglect of duty" was rejected in the course of the debates at the Constitutional Convention. Madison suggested that there should be some means to protect against "incapacity, negligence or perfidy," and George Mason moved to add the words "or maladministration" after the original words bribery and treason. Both of these suggestions were rejected.

While some writers have urged that the term "high crimes and misdemeanors" should include the English interpretation of the word "misdemeanor" as including noncriminal conduct—see 64 Pennsylvania Law Review, No. 7 of May 1916—I think the better interpretation is that impeachment of executive officers should be limited to criminal conduct or to the violation of constitutional requirements such as the requirement of article II, section 3:

He shall take Care that the Laws be faithfully executed.

In any event, I would respectfully disagree with the interpretation urged against Justice Douglas by our distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD) when, 3 years ago, he said:

An impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history; conviction results from whatever offense or offenses two-thirds of the other body considers to be sufficiently serious to require removal of the accused from office. (Congressional Record, April 15, 1970).

While a careful review of the eleven impeachment trials in our history may indicate the political validity and reality of Mr. FORD's contention up until the last successful impeachment in 1936, I would argue that in 1973, we should limit our consideration to instances of high crimes of a felonious nature, defining the term "high crimes and misdemeanors" as the modern counterpart of felonies.

Second. In impeachment proceedings, the House acts as prosecutor and grand jury. This was Mr. FORD's contention in his speech against Justice Douglas, and I believe him to be correct.

Third. I suggest that as prosecutor and grand jury, the House should accept a very severe restriction on the weight of evidence required before voting for impeachment. In ordinary criminal proceedings, a grand jury need require only "probable cause" that a crime has been committed by an individual, leaving it to the jury as to whether the defendant is guilty. With respect to the serious action of impeachment against the President of the United States, however, I suggest that we, as Members of the House, should be personally and individually convinced of the guilt of the President before voting his impeachment.

Fourth. While there have been various views expressed as to the applicability of judicial rules of evidence and procedure in congressional impeachment proceedings, I suggest that we accept the further limitations of those rules of the Federal judiciary. I would think particularly pertinent the words of California Senator Hiram Johnson, dissenting on the conviction of Judge Halsted Ritter in 1936. Senator Johnson said:

The High Court of Impeachment is a court bound by rules of evidence and judicial decision. It is not a haphazard tribunal to be swayed by suspicion or moved by vengeance.

Fifth. Impeachment is the sole remedy against a President who has committed a crime while in office. While the contention can be made that a President is subject to indictment and criminal prosecution before or during impeachment, this view becomes patently absurd if we are to maintain the separation of powers doctrine. If the President can be criminally charged, convicted, and incarcerated while holding office, the judicial branch is possessed of the power to immobilize a coequal branch of Government.

The constitutional provision that "the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to the law" would also seem to infer that such liability must follow conviction upon impeachment, not precede it.

Accepting the foregoing principles, what is the duty of the House under the present circumstances? Do the known facts previously mentioned establish in anyone's mind the certainty required for conviction: That the President has committed the felony of obstruction of justice or misprision of a felony? Reasonable minds may differ on this point. The facts do, however, seem to establish the type of probable cause that an ordinary prosecutor would think sufficient to take before a grand jury in the case of an ordinary citizen as defendant.

The elements of misprision of felony are four: That felony was committed; that the defendant had knowledge thereof; that defendant failed to notify appropriate authorities; and that defendant took affirmative action to conceal the original crime.

If the President knew that Hunt and Liddy committed the felony of burglary of the office of the Los Angeles psychiatrist, for example; if the President ordered the concealment of that fact and acted to prevent the arrest, investigation or conviction of Hunt and Liddy, he would be guilty of a felony unless a valid affirmative defense could be presented.

Whether national security considerations could constitute such a defense is a highly dubious question, but certainly a question of law and not merely a matter of Presidential opinion. The Constitution, statutory law and Supreme Court decisions govern what the President can or cannot do. For example, under article I, section 9, the President can suspend the privilege of the writ of habeas corpus in cases of rebellion or invasion, but presumably not otherwise. The fourth amendment protects individuals against unreasonable searches and seizures and requires a warrant issued upon probable cause. The President's right to wiretap has been expressly limited by the Supreme Court.

Again assuming these principles, we reach the crucial question of the responsibility of the House when confronted with a showing of probable cause that the President has committed a felony.

The Constitution's grant of prosecutorial power to the House presumably carries with it the same kind of duty faced by any prosecutor confronted with

evidence establishing probable cause that an individual has committed a felony.

That duty is to make reasonable inquiry into the circumstances, and to ascertain if the facts are sufficient to convince the prosecutor that the potential defendant is guilty. If the prosecutor is then so satisfied, it is his duty to duly enforce the law.

As the sole body in our system of government which can prosecute a President, the House of Representatives would seem to have a clear duty to assume the prosecutor's burden of inquiry when probable cause is presented.

That inqury can, of course, be initiated by any Member filing a resolution of impeachment, which would then be referred either to the Judiciary Committee, the Rules Committee or a specially appointed Select Committee. Such an inquiry could likewise be initiated by the method suggested by the minority leader in his speech of April 15, 1970:

> The creation of a select committee to recommend whether probable cause does lie.

In the Douglas case, the distinguished minority leader argued:

> We are dealing here with a solemn constitutional duty. Only the House has this power.

I agreed with both statements.

Because we are the sole repository of the power of impeachment of a President for high crimes and misdemeanors, we have that solemn constitutional duty to carefully investigate the fact of alleged criminal conduct, particularly on the part of our highest executive officer.

Neither the Senate nor the Justice Department shares this duty nor are we entitled to delegate it to them.

This being so, the question before us is at what point of time does the evidence of guilt reach that degree of probable cause that we are bound by the Constitution to commence formal inquiry?

To me that time seems almost at hand unless the President makes a full and fair disclosure of everything he knows and when he learned it.

The Presidents' unquestionable right to a presumption of innocence is matched, I believe, by the high duty of trusteeship he recognized in his April 30 address to the Nation.

A trustee ordinarily owes his beneficiaries the duty of full disclosure, particularly as to possible conflicts of interest.

Why the President has chosen to thus far refrain from a full disclosure of relevant information is hard to appraise. Even as late as yesterday the White House was refusing to release logs of the President's 1973 meetings with John Dean. The source of many of his campaign contributions remains undisclosed. There is an historic California jury instruction which the President cannot have forgotten from his days as a lawyer there.

> If weaker and less satisfactory evidence is offered by a party when it was within his power to produce stronger and more satisfactory evidence, the evidence offered should be viewed with distrust.

And another:

> If you should find that a party wilfully suppressed evidence, you may consider such suppression in determining what inferences to draw from the evidence or facts in the case against him.

I would sincerely hope that the President would now fully and fairly disclose all evidence known to the White House with respect to Watergate, its cover-up, the financing and tactics of his campaign organization, all actions of the executive branch relating to the Ellsberg prosecution, and in particular, the domestic security activities, legal and illegal, of the President's own special investigations unit.

Such disclosure might well remove the heavy constitutional burden on the House which I have tried to discuss today. It would certainly clear the air.

As Ben Franklin was reported by James Madison in the Constitutional Convention:

> It would be the best way, therefore, to provide in the Constitution for the regular punishment of the Executive where his misconduct should deserve it, and for his honorable acquittal, where he should be unjustly accused.

I suspect that none of us wish to impeach the President or even inquire into the matter if he will fairly lay before us the facts that will establish his right to honorable acquittal or the precise reasons for his inability to properly release such facts.

Should the national security be truly involved, the Constitution provides that protection that we can keep our proceedings secret. Our record in this regard is at least as good as those in whom the President has formerly reposed his trust.

It is in order to provide the President this opportunity to make a full disclosure to this House that I personally hope my colleagues will defer the filing of a resolution of impeachment or to appoint a select committee for a few more days.

An additional brief delay cannot further injure the rights of any parties. I do not mean to suggest by this that the current Senate hearings be in anyway deferred.

Whatever may be the merits of Special Prosecutor Cox's suggestion that postponement of the Senate Select Committee's current hearings would assist in the work of the Justice Department, I share the committee's belief that the Senate must continue its own proper and independent inquiry into matters of proper Senate jurisdiction. This is likewise true of the House.

The expeditious pursuit of legislative business is certainly equal in importance to the continuing conduct of judicial business.

There is a further dilemma that can result from our failure to act. Should the Special Prosecutor and the Justice Department seek indictments against Messrs. Haldeman, Ehrlichman or others for obstructing justice, for example, how can we explain our failure to press action against the individual who ordered the performance of the acts in question? The phrase in our Pledge of Allegiance, "Liberty and Justice for All" would be meaningless if the President were not prosecuted for the same acts for which Mr. Haldeman and Mr. Ehrlichman may be prosecuted.

We are, after all, a government of laws, not of men. No man is above the law. We specifically rejected the English concept that "the king can do no wrong," as Chief Justice Marshall pointed out at the trial of Aaron Burr in 1807.

There is one other question which has been raised. Does impeachment damage the country?

It is, no doubt, a painful reality that impeachment of the President may damage for a time the effective operations of our Government. It is an equally grave question, however, whether failure to investigate the reasonable probability of presidential criminal conduct may not do even graver damage to our system of government and to the faith of our people in that system. Faith requires confidence that the laws are enforced equally against the powerful as well as the weak.

In the case of Justice Douglas 3 years ago, the gentleman from Michigan put a similar question this way:

> A third question I am asked is whether the step we are taking will not diminish public confidence in the Supreme Court. That is the easiest to answer. Public confidence in the U.S. Supreme Court diminishes every day that Mr. Justice Douglas remains on it.

I disagreed then and I disagree now with the gentleman from Michigan's conclusion about Mr. Justice Douglas. His opinions continue to justify respect, and just 2 days ago I was privileged to hear him deliver a distinguished dissent from the bench in which he was joined by Mr. Justice Rehnquist, another legal scholar of considerable accomplishment.

I was particularly pleased to note the House Judiciary Committee's unqualified rejection of the facts urged as the basis for impeachment of Justice Douglas, and I commend to my colleagues a thorough review of the reports of that committee which acted in this most recent case of impeachment in our history. Those reports, on House Resolution 93, are dated June 20, 1970, and September 17, 1970.

While I disagreed with the gentleman from Michigan's conclusion, nevertheless I concede the principle of his argument: that confidence in government is diminished when circumstances of apparent misconduct remain unquestioned through fair and impartial investigation.

The argument that impeachment would paralyze our governmental processes should also be considered against recognition that our system of government suffers a similar uncertainty and disability every 4 years during the 10 months of Presidential campaigning, and in particular the 2½-month period between election day and inauguration.

Our system is stronger than it may seem, and as far as foreign nations are concerned, we have not seen major difficulties in recent years in achieving cooperation between successive administrations, no matter how serious their differences in philosophy.

Our system has shown itself strong enough to survive extended periods of political uncertainty and transition and I

suspect it will be likewise if we are forced to the unhappy necessity of impeachment.

In conclusion, I would like to express the hope that whatever may be our individual and collective decisions in the weeks ahead, that we retain the judicious and temperate language and attitudes we have come to expect in judicial proceedings. We are after all performing an investigatory and judicial, not a political process. In reading the history of past impeachments, I am forced to agree with the conclusion of Yale's Professor Goddis Smith in his excellent discussion of the 12 cases of trial by impeachment in American history:

> The investigators of the actual impeachments, with few exceptions, made a travesty of the Constitution. The result is that a proper and essential part of the constitutional system lies in ill repute.

The issue before us is one of constitutional and legal import, not of political or partisan concern.

The manner in which the House approaches and resolves this issue of constitutional responsibility could well provide the foundation for restoration of the full faith of our people in the finest system of government under law ever devised.

APPENDIX: CHRONOLOGY OF DEBATE ON IMPEACHMENT DURING THE CONSTITUTIONAL CONVENTION OF 1787

The original Virginia draft, offered by Mr. Randolph on May 29, 1787, provided for impeachment for "treason, bribery, or corruption."

On June 1, Mr. Bedford argued that impeachment as proposed would not reach incapacity but only misfeasance in office.

On June 2, Mr. Williamson successfully moved addition of the words "and to be removable on impeachment and conviction of malpractice or neglect of duty."

On June 13, the word malpractice was changed to malpractices.

On June 18, Alexander Hamilton suggested a plan of impeachment limited to "malpractice and corrupt conduct."

On July 19, Gouverneur Morris argued against any impeachment power against the President.

On July 20, in response to a motion to strike out the impeachment clause, Mr. Davie is cited by Madison as follows:

> If he be not impeachable whilst in office, he will spare no efforts or means whatever to get himself re-elected. Mr. Davie considered this essential security for the good behavior of the Executive.

Mason joined in the argument. "Shall any man be above justice?"

Franklin then argued that without the power of removal, the only recourse would be to assassination:

> It would be the best way, therefore, to provide in the Constitution for the regular punishment of the Executive, where his misconduct should deserve it, and for his honorable acquittal, where he should be unjustly accused.

Mr. King argued against impeachment but Mr. Randolph responded:

> Guilt, wherever found, ought to be punished. The Executive will have great opportunities of abusing his power; particularly in time of war, when the military force, and in some respects the public money, will be in his hands. Should no regular punishment be provided, it will be irregularly inflicted by tumults and insurrections.

Mr. Morris subsequently announced he had changed his opinion and now felt impeachment should lie for treachery, corruption, and incapacity.

A vote to preserve the impeachment power was then adopted 8 to 2, with Massachusetts and South Carolina voting no.

On July 26, a tentative draft listed the sole grounds for impeachment as "malpractice or neglect of duty."

On August 6, the Committee on Detail reported back a draft using the words "treason, bribery, or corruption."

On September 4, the Committee of Eleven removed the word "corruption," and on September 8, Colonel Mason first offered the additional ground of "maladministration," but upon the objections of Madison, substituted "other high crimes and misdemeanors against the State." This language was adopted 8 to 3, with New Jersey, Pennsylvania, and Delaware voting no. This time Massachusetts and South Carolina voted Aye.

On September 12, the Committee on Style, through Doctor Johnson, reported back a draft removing the words "against the state," and using the language finally adopted on September 17.

Mr. YOUNG of Florida. Mr. Speaker, I rise to question the validity of this type of special order which is a so-called discussion of the "responsibilities of this Chamber to initiate action to remedy Executive and judicial misconduct." I fear that this special order is being used as a forum for the sort of trial by hearsay, innuendo, and guilt by association to which the Washington Post finally admitted in a recent publication.

That it is indeed a trial in print—at least so far—where the accused has no protection of his rights, the Post itself has finally openly confessed. I refer my colleagues to their "Outlook" section of Sunday, June 3, 1973. Dominating the cover page is a banner headline, "The Trial of President Nixon." It encompasses two articles on Watergate, one of them written by a professor of political science and the other by an assistant managing editor of the Post.

The Professor's article deals with the administrative structure of the Executive Office and relates it to a general theory of government. The headline itself, backed by the other article written by the Post editor, blatantly declares the President of the United States to be on trial and, in fact, convicts him in the eyes of public opinion, on the weight of hearsay evidence and innuendo which, to a great extent, have been media-created by quoting unnamed sources repeating what some other unnamed sources are supposed to have said.

Mr. Speaker, this is not the first time in history that the press has overstepped its rightful role as an objective reporter of events and sought to become a maker of events. President Lincoln was vilified by some press of his day to such an extent that only his deep personal convictions and moral certainty saved him from total despair. History has recorded who followed the more honorable course then.

And now we find that the Washington Post, representing itself as a Pulitzer Prize-winning model of reportorial rectitude, has reached the apex of hubris and is, by their own admission, trying the President of the United States in print. By what mandate and under what authority does the Post see fit to ignore every fundamental principle of justice and fair treatment which has kept this country free and seek to convict before the evidence is in or charges even filed?

Such action goes against every constitutional and legal value of our free Nation, and against the Post's own self-proclaimed role as defenders of individual rights. What paper is first to cry "foul" when a warrant is issued on insufficient evidence, when one of its own reporters is arrested for transportation of stolen documents, or when the District of Columbia's judicial system does not provide for a full and fair trial for an "underprivileged" defendant?

The memories of the McCarthy era are still vivid in the American mind, and the Post as well as the Congress would rise today in unison against such vicious demagoguery, slander, and destruction of public servants. Yet incidents like the front page trial of the President of the United States in print have served to set the stage for this special order in which the House of Representatives is asked to join in the same sort of extra-legal trial.

The courts have repeatedly held that trial by the media before the actual legal trial is grounds for—at the minimum—a change in venue, and at the maximum, a mistrial. Assassins, rapists, and mass murderers are afforded the legal protection of having their jurors secluded during the course of the trial. There must be a good reason why jurors are denied all access to radios, newspapers, or television during the course of a trial.

The gentleman from California, in the face of ongoing investigations by a distinguished Senate panel, a Federal grand jury, and a special prosecutor appointed by the Attorney General, has decided to call the attention of the House to its constitutional responsibilities. I must conclude that he holds some clear and direct evidence of criminal complicity of the President, calling for the immediate redress of an impeachment resoluton. If he does not have such evidence, but intends merely to rehash already public information for political purposes, then suspicions that he is indulging in headline-baiting will flourish.

Since the U.S. House of Representatives is the only body in the world which has the constitutional authority to initiate impeachment proceedings against a President of the United States, then the very mention of the word impeachment by a member of that body during its proceeding must be considered more than just a casual interest.

While I am delighted to hear the words that our colleague believes that, quote:

The President is entitled to the presumption of innocence.

The underlying principle of the American system of justice—other words in his statement leave me doubting that he really means it in this case. Brief oral presentation here—the necessary pretrial investigation is being undertaken, as I have already noted, by three separate and highly competent bodies. Those found to be directly involved have been criminally indicted and three men are already imprisoned. The investigations continue.

Is my colleague suggesting via this order that we leapfrog these traditional legal procedures and bring impeachment proceedings before all the facts are known? Is he implying that the investigatory bodies are not competent to perform their duties? Is he not willing to afford the President of the United States those same protections guaranteed to the most common of criminals?

Mr. Speaker, the type of discussion initiated today is not becoming to the dignity of the House. It is an extension into the very Halls of Congress of an ongoing trial by hearsay and innuendo being conducted in some areas. In this kind of trial, the accused has no protection of his rights at all, no protection of his official and personal reputation, and no means of redress or rebuttal. Indeed, in this special instance, the very dignity of the high Presidential office precludes any response but one—reliance upon the law of the land as set forth in the Constitution of the United States.

I suggest to the gentleman from California that he turn his attention to the true question involved at this point. If impeachable offenses have been committed, the House does not—as he asserts—have "alternative actions" which it can consider. If Mr. McCLOSKEY is aware of the constitutional responsibilities entrusted to the House, then he is aware that there is only one action which can responsibly be taken. If my colleague has evidence upon which to base a resolution of impeachment, it is his long overdue responsibility to present it and immediately introduce the resolution. If not, I suggest he desist from demeaning the highest office in the land unless and until he has such evidence and is willing to present it to the House.

Let the American constitutional system of justice work—a system which has proven its uncompromising effectiveness time and time again.

Let it work without pretrial declaration of guilt.

Let it work with the same protection for one as for any other, regardless of position.

Let the trials be held in the courts of this land after proper, and only after proper, indictment. Or, in the case of impeachable offenses, let the trial be held in the Congress as provided in the Constitution after, and only after, the proper resolutions and evidences have been presented.

But, my colleagues, let us not permit this hallowed Chamber to be used for headline baiting which serves neither this Nation nor its great people.

Mr. WALDIE. Mr. Speaker, the gentleman from California (Mr. McCLOSKEY) has performed an admirable and useful service to the House and to the Nation by attempting to encourage presentation in the House of views and opinions on the process of impeachment.

It is a measure, perhaps, of the fear of the administration of discussion, let alone pursuit, of this topic that attempts to limit his remarks and our discussion have been made by a Republican colleague of his.

Nonetheless, the Nation is entitled to such a discussion. The House would be well served by such a discussion.

Impeachment is not a desirable topic, nor is it a desirable remedy. But neither is corruption in the White House a desirable topic, nor is silencing of debate or prevention of action, if indicated, a desirable remedy to corruption in the White House.

I am not certain impeachment should be embarked upon. But I am certain a full debate on the issue would harm no one including the President or his party and I regret the debate has been foreclosed.

Mr. O'HARA. Mr. Speaker, I wish to inject a note of caution into today's discussion of alleged wrong-doing in the executive branch of the Government—allegations which extend to the highest levels of the White House.

I concede that these are serious allegations, indeed. They involve charges of wholesale violation of the law—charges of breaking and entering; charges of spying on Government officials, members of the press, and private citizens; charges of turning the legitimate agencies of Government into illegitimate instruments of political espionage; charges of illegal raising and expenditures of millions of dollars in political contributions; charges of perjury; charges of obstruction of justice—charges, in short, of total disdain of the law and total disregard of the rights of the American people.

As a result of this unprecedented scandal, two former Cabinet officers already are under indictment; top officials ranging from Cabinet officers to the closest advisers to the President either have resigned or have been fired from their jobs; and a pall of uncertainty hangs over the entire executive branch of Government.

But, Mr. Speaker, we in this body should not lose our sense of proportion, even in the face of a scandal of this magnitude. It is my hope that this House will show that it merits respect as a great deliberative body, by demonstrating prudence in our speech and action—so that we will not, by inadvertence, contribute further to the crisis of confidence which is spreading across the Nation.

I would hope, Mr. Speaker, that my colleagues would reserve judgment in this matter until all of the facts are available—and I am convinced that, at this juncture, we are still a long way from knowing all of the facts.

(During the special order of Mr. McCLOSKEY, the following proceedings occurred.)

CALL OF THE HOUSE

Mr. LANDGREBE. Mr. Speaker, this is a very important matter being discussed. I do not believe there is a quorum in the House. I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MAZZOLI). The Chair will count.

Sixty Members being present in the Chamber, a quorum is not present.

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

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 191]

Abdnor	Flood	Metcalfe
Adams	Flowers	Michel
Andrews, N. Dak.	Foley	Mills, Ark.
Annunzio	Ford, Gerald R.	Minshall, Ohio
Archer	Ford, William D.	Mitchell, N.Y.
Arends	Fraser	Mizell
Armstrong	Frelinghuysen	Mollohan
Ashbrook	Frey	Moorhead, Pa.
Ashley	Froehlich	Mosher
Aspin	Fulton	Moss
Badillo	Fuqua	Myers
Barrett	Gibbons	Nedzi
Beard	Ginn	Nichols
Bergland	Goldwater	Nix
Bevill	Gonzalez	O'Brien
Biaggi	Grasso	O'Hara
Biester	Gray	Owens
Bingham	Green, Pa.	Parris
Blackburn	Griffiths	Passman
Bolling	Gubser	Patman
Brademas	Gunter	Patten
Bray	Guyer	Pepper
Breaux	Haley	Perkins
Brooks	Hamilton	Peyser
Broomfield	Hanna	Pickle
Brotzman	Hanrahan	Pike
Brown, Calif.	Hansen, Wash.	Poage
Brown, Mich.	Harrington	Podell
Broyhill, Va.	Harsha	Powell, Ohio
Buchanan	Harvey	Preyer
Burgener	Hastings	Price, Tex.
Burke, Calif.	Hawkins	Quie
Burke, Fla.	Hays	Quillen
Burleson, Tex.	Hébert	Railsback
Camp	Hechler, W. Va.	Rangel
Carey, N.Y.	Heckler, Mass.	Rees
Carney, Ohio	Heinz	Reuss
Carter	Helstoski	Rhodes
Casey, Tex.	Hillis	Riegle
Cederberg	Hinshaw	Roberts
Chamberlain	Hogan	Robison, N.Y.
Chappell	Holifield	Roe
Chisholm	Horton	Rogers
Clay	Hosmer	Rooney, N.Y.
Cochran	Howard	Rooney, Pa.
Cohen	Hungate	Rosenthal
Collins	Hutchinson	Rostenkowski
Conable	Jarman	Roush
Conte	Johnson, Pa.	Rousselot
Coughlin	Jones, Ala.	Roy
Cronin	Jones, N.C.	Roybal
Culver	Jones, Tenn.	Runnels
Daniel, Dan	Karth	Ruppe
Daniels, Dominick V.	Kastenmeier	Ruth
Danielson	Kazen	St Germain
Davis, Ga.	Kemp	Sandman
Davis, Wis.	Ketchum	Sarasin
de la Garza	King	Satterfield
Delaney	Kuykendall	Schneebeli
Dellenback	Kyros	Schroeder
Dennis	Landrum	Shipley
Diggs	Leggett	Shoup
Donohue	Lehman	Shriver
Downing	Lent	Sikes
Dulski	Long, La.	Sisk
Duncan	Long, Md.	Skubitz
du Pont	Lujan	Slack
Eckhardt	McClory	Spence
Edwards, Ala.	McCollister	Staggers
Edwards, Calif.	McDade	Stanton, J. William
Eilberg	McSpadden	Stanton, James V.
Esch	Macdonald	Stark
Eshleman	Madden	Steed
Evans, Colo.	Mahon	Steele
Evins, Tenn.	Mailliard	Steelman
Fascell	Maraziti	Steiger, Ariz.
Findley	Martin, Nebr.	Steiger, Wis.
Fish	Mathias, Calif.	Stokes
Fisher	Mathis, Ga.	Stuckey
	Mayne	

Sullivan	Van Deerlin	Winn
Symington	Vander Jagt	Wright
Talcott	Vigorito	Wyatt
Taylor, N.C.	Whalen	Wyman
Teague, Calif.	White	Yates
Teague, Tex.	Whitehurst	Young, Alaska
Thomson, Wis.	Whitten	Young, Ga.
Thone	Widnall	Young, Ill.
Thornton	Wiggins	Young, Tex.
Tiernan	Williams	Zablocki
Towell, Nev.	Wilson, Bob	Zion
Udall	Wilson, Charles, Tex.	Zwach
Ullman		

Mr. GROSS. Mr. Speaker, may we have the regular order?

The SPEAKER. The regular order is the establishment of a quorum and the rule provides a minimum of 15 minutes for Members to respond. Clause 5 of rule XV states that Members have "not less than 15 minutes to have their presence recorded."

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

Ms. ABZUG. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 9, nays 143, present 1, not voting 279, as follows:

[Roll No. 192]

YEAS—9

Brinkley	Milford	Stratton
Matsunaga	O'Neill	Stubblefield
McFall	Stephens	Waggonner

NAYS—143

Abzug	Fountain	Moorhead, Calif.
Addabbo	Gaydos	Morgan
Alexander	Gettys	Murphy, Ill.
Anderson, Calif.	Giaimo	Murphy, N.Y.
Anderson, Ill.	Gilman	Natcher
Andrews, N.C.	Goodling	Nelsen
Baker	Gross	Obey
Bell	Grover	Pettis
Bennett	Gude	Price, Ill.
Blatnik	Hammer-schmidt	Pritchard
Boggs	Hanley	Randall
Boland	Hansen, Idaho	Regula
Bowen	Henderson	Reid
Brasco	Hicks	Rinaldo
Breckinridge	Holt	Robinson, Va.
Brown, Ohio	Holtzman	Rodino
Broyhill, N.C.	Hudnut	Roncalio, Wyo.
Burke, Mass.	Hunt	Roncallo, N.Y.
Burlison, Mo.	Ichord	Rose
Burton	Johnson, Calif.	Ryan
Butler	Johnson, Colo.	Sarbanes
Byron	Jones, Okla.	Saylor
Clancy	Jordan	Scherle
Clark	Keating	Sebelius
Clausen, Don H.	Kluczynski	Seiberling
Clawson, Del	Koch	Shuster
Cleveland	Landgrebe	Smith, Iowa
Collier	Latta	Smith, N.Y.
Conlan	Litton	Snyder
Conyers	Lott	Studds
Corman	McCloskey	Symms
Cotter	McCormack	Taylor, Mo.
Crane	McEwen	Thompson, N.J.
Daniel, Robert W., Jr.	McKay	Treen
Davis, S.C.	McKinney	Vanik
Dellums	Madigan	Veysey
Denholm	Mallary	Waldie
Dent	Mann	Walsh
Derwinski	Martin, N.C.	Wampler
Devine	Mazzoli	Ware
Dickinson	Meeds	Wilson, Charles H., Calif.
Dingell	Melcher	Wolff
Dorn	Mezvinsky	Wydler
Drinan	Miller	Wylie
Erlenborn	Minish	Yatron
Flynt	Mink	Young, Fla.
Forsythe	Mitchell, Md.	Young, S.C.
	Moakley	
	Montgomery	

PRESENT—1

Huber

NOT VOTING—279

Abdnor	Annunzio	Ashbrook
Adams	Archer	Ashley
Andrews, N. Dak.	Arends	Aspin
	Armstrong	Badillo
Bafalis	Griffiths	Preyer
Barrett	Gubser	Price, Tex.
Beard	Gunter	Quie
Bergland	Guyer	Quillen
Bevill	Haley	Railsback
Biaggi	Hamilton	Rangel
Biester	Hanna	Rarick
Bingham	Hanrahan	Rees
Blackburn	Hansen, Wash.	Reuss
Bolling	Harrington	Rhodes
Brademas	Harsha	Riegle
Bray	Harvey	Roberts
Breaux	Hastings	Robison, N.Y.
Brooks	Hawkins	Roe
Broomfield	Hays	Rogers
Brotzman	Hébert	Rooney, N.Y.
Brown, Calif.	Hechler, W. Va.	Rooney, Pa.
Brown, Mich.	Heckler, Mass.	Rosenthal
Broyhill, Va.	Heinz	Rostenkowski
Buchanan	Helstoski	Roush
Burgener	Hillis	Rousselot
Burke, Calif.	Hinshaw	Roy
Burke, Fla.	Hogan	Roybal
Burleson, Tex.	Holifield	Runnels
Camp	Horton	Ruppe
Carey, N.Y.	Hosmer	Ruth
Carney, Ohio	Howard	St Germain
Carter	Hungate	Sandman
Casey, Tex.	Hutchinson	Sarasin
Cederberg	Jarman	Satterfield
Chamberlain	Johnson, Pa.	Schneebeli
Chappell	Jones, Ala.	Schroeder
Chisholm	Jones, N.C.	Shipley
Clay	Jones, Tenn.	Shoup
Cochran	Karth	Shriver
Cohen	Kastenmeier	Sikes
Collins	Kazen	Sisk
Conable	Kemp	Skubitz
Conte	Ketchum	Slack
Coughlin	King	Spence
Cronin	Kuykendall	Staggers
Culver	Kyros	Stanton, J. William
Daniel, Dan	Landrum	Stanton, James V.
Daniels, Dominick V.	Leggett	Stark
Danielson	Lehman	Steed
Davis, Ga.	Lent	Steele
Davis, Wis.	Long, La.	Steelman
de la Garza	Long, Md.	Steiger, Ariz.
Delaney	Lujan	Steiger, Wis.
Dellenback	McClory	Stokes
Dennis	McCollister	Stuckey
Diggs	McDade	Sullivan
Donohue	McSpadden	Symington
Downing	Macdonald	Talcott
Dulski	Madden	Taylor, N.C.
Duncan	Mahon	Teague, Calif.
du Pont	Mailliard	Teague, Tex.
Eckhardt	Maraziti	Thomson, Wis.
Edwards, Ala.	Martin, Nebr.	Thone
Edwards, Calif.	Mathias, Calif.	Thornton
Eilberg	Mathis, Ga.	Tiernan
Esch	Mayne	Towell, Nev.
Eshleman	Metcalfe	Udall
Evans, Colo.	Michel	Ullman
Evins, Tenn.	Mills, Ark.	Van Deerlin
Fascell	Minshall, Ohio	Vander Jagt
Findley	Mitchell, N.Y.	Vigorito
Fish	Mizell	Whalen
Fisher	Mollohan	White
Flood	Moorhead, Pa.	Whitehurst
Flowers	Mosher	Whitten
Foley	Moss	Widnall
Ford, Gerald R.	Myers	Wiggins
Ford, William D.	Nedzi	Williams
Fraser	Nichols	Wilson, Bob
Frelinghuysen	Nix	Wilson, Charles, Tex.
Frenzel	O'Brien	Winn
Frey	O'Hara	Wright
Froehlich	Owens	Wyatt
Fulton	Parris	Wyman
Fuqua	Passman	Yates
Gibbons	Patman	Young, Alaska
Ginn	Patten	Young, Ga.
Goldwater	Pepper	Young, Ill.
Gonzalez	Perkins	Young, Tex.
Grasso	Peyser	Zablocki
Gray	Pickle	Zion
Green, Oreg.	Pike	Zwach
Green, Pa.	Poage	
	Podell	
	Powell, Ohio	

So the motion to adjourn was rejected.

The result of the vote was amended as above recorded.

The SPEAKER. The order of business is the establishment of a quorum. The House is still in the process of trying to establish a quorum, the motion to adjourn having been rejected. Are there further Members in the Chamber who desire to record their presence?

MOTION OFFERED BY MR. STRATTON

Mr. STRATTON. Mr. Speaker, I move that the Sergeant at Arms be instructed to bring in the absent Members.

PARLIAMENTARY INQUIRY

Mr. McCLOSKEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. McCLOSKEY. Mr. Speaker, I rise in order that I may be recognized for a motion to adjourn.

MOTION OFFERED BY MR. M'CLOSKEY

Mr. McCLOSKEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. McCLOSKEY).

Mr. STRATTON. Mr. Speaker, I have a motion pending.

The SPEAKER. The Chair will state that the motion to adjourn offered by the gentleman from California (Mr. McCLOSKEY) takes precedence over the motion offered by the gentleman from New York (Mr. STRATTON).

ADJOURNMENT

The motion was agreed to; accordingly (at 9 o'clock and 38 minutes p.m.), the House adjourned until Thursday, June 7, 1973, 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:

1001. A letter from the Assistant Secretary of the Interior, transmitting certification that an adequate soil survey and land classification has been made of the lands in the Kanawha Water District, Sacramento Canals unit, Central Valley project, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 83–172; to the Committee on Appropriations.

1002. A letter from the Secretary of Commerce transmitting the 103d quarterly report on export control, covering the first quarter of 1973, pursuant to the Export Administration Act of 1969, as amended; to the Committee on Banking and Currency.

1003. A letter from the Secretary of Labor, transmitting the 11th Annual Report on the administration of the Welfare and Pension Plans Disclosure Act, covering calendar year 1972, pursuant to section 14(b) of the act; to the Committee on Education and Labor.

1004. A letter from the Deputy Secretary of Defense, transmitting the Annual Report of the American National Red Cross for fiscal year 1972, together with the combined statement of income and expenditures of the National Organization and the 3,190 chapters for the same period, pursuant to 36 U.S.C. 6; to the Committee on Foreign Affairs.

1005. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of April 30, 1973, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1006. A letter from the Chairman, Consumer Product Safety Commission, transmitting the amended Flammability Standard for Mattresses, which will become effective on June 7, 1973; to the Committee on Interstate and Foreign Commerce.

1007. A letter from the Vice President for Public and Government Affairs, National Railroad Passenger Corporation, transmitting a financial report of the Corporation for the month of February 1973, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1008. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended [8 U.S.C. 1154(d)]; 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. HAYS: Committee of conference. Conference report on H.R. 5610; with amendment (Rept. No. 93-260). Ordered to be printed.

Mr. MORGAN: Committee of conference. Conference report on H.R. 5293; (Rept. No. 93-261). Ordered to be printed.

Mr. EDWARDS of California: Committee on the Judiciary. House Joint Resolution 499. Joint resolution providing for an extension of the term of the Commission on the Bankruptcy Laws of the United States, and for other purposes; (Rept. No. 93-262). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS of Arkansas (for himself and Mr. SCHNEEBELI):

H.R. 8410. A bill to continue the existing temporary increase in the public debt limit through November 30, 1973, and for other purposes; to the Committee on Ways and Means.

By Mr. ABDNOR:

H.R. 8411. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Pollock-Herreid unit, South Dakota pumping division, Pick-Sloan Missouri Basin program, S.D.; to the Committee on Interior and Insular Affairs.

By Mr. ADAMS:

H.R. 8412. A bill to authorize the District of Columbia Council to set the real property tax rate and assessment for all real property located in the District of Columbia, and for other purposes; to the Committee on District of Columbia.

By Mr. ANDERSON of California:

H.R. 8413. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. BAFALIS:

H.R. 8414. A bill to provide for conveyance of certain mineral interests of the United States in real property situated in Florida to the record owners of the surface of that property; to the Committee on Interior and Insular Affairs.

By Mr. BAKER (for himself and Mr. WINN):

H.R. 8415. A bill to amend the National Labor Relations Act to make certain limitations on penalties levied by a labor organization upon its members, and for other purposes; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 8416. A bill to amend the Postal Revenue and Federal Salary Act of 1967 to require congressional action to effectuate increases in the rates of pay for Members of Congress and certain officers and employees in the legislative branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia:

H.R. 8417. A bill to amend title 28 of the District of Columbia Code relating to usury in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DU PONT (for himself, Mr. BUCHANAN, Mr. FINDLEY, Mr. WILLIAM D. FORD, Mr. FRENZEL, Mr. HANNA, Mr. MORGAN, Mr. PODELL, Mr. RINALDO, Mr. ST GERMAIN, and Mr. WON PAT):

H.R. 8418. A bill to amend title 39, United States Code, to provide a mail delivery insurance program under which a person who insures an article of mail could recover for losses occurring when there is late or no delivery of the article; to the Committee on Post Office and Civil Service.

By Mr. HARRINGTON (for himself, Mr. WON PAT, Mr. ROSENTHAL, Mr. WALDIE, Mr. NIX, Mr. GONZALEZ, Mr. BURKE of Massachusetts, Mr. Tiernan, Mrs. CHISHOLM, Mr. DRINAN, Mr. EILBERG, and Mr. STARK):

H.R. 8419. A bill to provide economic adjustment assistance to communities in which military facility closings have caused economic injury to the community, and for other purposes; to the Committee on Banking and Currency.

Mr. HARRINGTON (for himself, Mr. ROSENTHAL, Mr. BOLAND, Mr. NIX, Mr. HAWKINS, Mr. RANGEL, Mr. BERGLAND, Mr. LEGGETT, Mr. CONYERS, Mr. PEPPER, Mr. YATRON, Mr. MITCHELL, of Maryland, Mr. STARK, Mr. FAUNTROY, Mr. WOLFF, Mr. RIEGLE, Mr. METCALFE, Mr. DELLUMS, Mr. STOKES, and Mr. BURTON):

H.R. 8420. A bill to provide public service employment opportunities for unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes; to the Committee on Education and Labor.

By Mr. HARRINGTON (for himself and Mrs. HECKLER of Massachusetts):

H.R. 8421. A bill to amend the Foreign Assistance Act of 1961 to require congressional authorization for the involvement of American forces in further hostilities in Indochina, and for extending assistance to North Vietnam; to the Committee on Foreign Affairs.

By Mr. HARRINGTON (for himself, Mr. LEHMAN, Ms. BURKE of California, Mr. BOLAND, and Mr. STOKES):

H.R. 8422. A bill to provide adequate mental health care and psychiatric care to all Americans; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRINGTON (for himself, Mr. BADILLO, Mr. O'HARA, Mr. RIEGLE, Mr. WON PAT, Mr. MITCHELL of Maryland, Mr. DIGGS, Mr. ROE, Mr. ROY, and Mr. BURTON):

H.R. 8423. A bill to enforce the provisions of the 14th amendment to assure the proper conduct of elections; to the Committee on the Judiciary.

By Mr. HARRINGTON (for himself and Mr. WOLFF):

H.R. 8424. A bill to amend the Federal Water Pollution Control Act to impose an additional liability upon owners and operators of vessels, onshore facilities, and offshore facilities for the discharge of oil onto private property, and for other purposes; to the Committee on Public Works.

By Mr. HARRINGTON (for himself, Mr. CONYERS, and Mr. BROWN of California):

H.R. 8425. A bill to require the President to notify the Congress of any impoundment of funds ordered, authorized, or approved by the Executive, to provide a procedure for congressional review of the President's action, and to establish an expenditure ceiling for the fiscal year 1974; to the Committee on Rules.

By Mr. HARRINGTON (for himself, Mr. ROSENTHAL, Mr. BURTON, Mr. DIGGS, Mr. WILLIAM D. FORD, Mr. ROYBAL, Ms. ABZUG, Mr. RIEGLE, Mr. STOKES, Mr. STUDDS, and Mr. CONYERS):

H.R. 8426. A bill to improve the extended unemployment compensation program; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mr. ROSENTHAL, Mr. BURTON, Mr. DIGGS, Mr. WILLIAM D. FORD, Mr. ROYBAL, Ms. ABZUG, Mr. RIEGLE, Mr. STOKES, Mr. STUDDS, and Mr. CONYERS):

H.R. 8427. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 8428. A bill to amend the National Labor Relations Act to clarify judicial procedures, standards, and for other purposes; to the Committee on Education and Labor.

H.R. 8429. A bill to prohibit the issuance to a minor of a passport which would permit him to leave the United States in violation of legal custody order; to the Committee on Foreign Affairs.

H.R. 8430. A bill to authorize the apportionment of funds for the National System of Interstate and Defense Highways for fiscal years 1974 and 1975; to the Committee on Public Works.

By Mr. HOGAN:

H.R. 8431. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for homeowners, apartment owners, small businessmen, and car owners who purchase and install certified pollution control devices; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 8432. A bill to amend the National Security Act of 1947 to prohibit the Central Intelligence Agency from providing training or other assistance in support of State or local law-enforcement activities; to the Committee on Armed Services.

By Mr. MEEDS (for himself, Mr. DOMINICK V. DANIELS, Mr. PERKINS, Mr. DENT, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mrs. MINK, Mr. GAYDOS, Mrs. CHISHOLM, Mrs. GRASSO, Mr. BADILLO, Mr. LEHMAN, Mr. BENITEZ, Mr. ASPIN, Mr. BOLLING, Mr. BROWN of California, Mr. BUCHANAN, Mr. BURKE of Massachusetts, Mr. BYRON, Mr. CARNEY of Ohio, Mr. CORMAN, Mr. DANIELSON, Mr. DE LUGO, Mr. DINGELL, and Mr. DULSKI):

H.R. 8433. A bill to amend the Youth Conservation Corps Act of 1972 (Public Law 92-597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps and for other purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mr. EILBERG, Mr. EVINS of Tennessee, Mr. FRASER, Mr. GIBBONS, Mrs. HANSEN, of Washington, Mr. HAMMERSCHMIDT, Mr. HANNA, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. JOHNSON of California, Mr. LEGGETT, Mr. MCDADE, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MOSS, Mr. OBEY, Mr. PEPPER, Mr. PRICE of Illinois, Mr. PODELL, Mr. REES, Mr. RIEGLE, Mr. RODINO, Mr. ROE, and Mr. ROUSH):

H.R. 8434. A bill to amend the Youth Conservation Corps Act of 1972 (Public Law 92-

597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps and for other purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mr. ROSTENKOWSKI, Mr. ROYBAL, Mr. SARBANES, Mr. SEIBERLING, Mr. SIKES, Mr. SISK, Mr. STOKES, Mr. VEYSEY, Mr. WON PAT, and Mr. WYATT):

H.R. 8435. A bill to amend the Youth Conservation Corps Act of 1972 (Public Law 92-597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps and for other purposes; to the Committee on Education and Labor.

By Mr. O'HARA (for himself, Mr. WILLIAM D. FORD, Ms. ABZUG, Mr. ANDERSON of California, Mr. BADILLO, Mr. BELL, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. BROOMFIELD, Mr. BROWN of Michigan, Mr. BROWN of California, Mr. BURGENER, Mr. CEDERBERG, Mr. CHAMBERLAIN, Mr. CONYERS, Mr. CORMAN, Mr. COTTER, Mr. DANIELSON, Mr. DELLUMS, Mr. DIGGS, Mr. DINGELL, Mr. DULSKI, Mr. EDWARDS of California, and Mr. ESCH):

H.R. 8436. A bill to amend the Federal Meat Inspection Act in order to provide that States may not have less strict standards with respect to marketing, labeling, packaging, and ingredient requirements than those made under the Federal Meat Inspection Act; to the Committee on Agriculture.

By Mr. O'HARA (for himself, Mr. WILLIAM D. FORD, Mr. GERALD R. FORD, Mrs. GRASSO, Mrs. GRIFFITHS, Mr. HANLEY, Mr. HARRINGTON, Mr. HARVEY, Mr. HORTON, Mr. HUBER, Mr. KEMP, Mr. KOCH, Mr. MCKINNEY, Mr. MOAKLEY, Mr. MOORHEAD of California, Mr. MOSS, Mr. NEDZI, Mr. RIEGLE, Mr. ROSENTHAL, Mr. RUPPE, Mr. SARASIN, Mr. STARK, Mr. STUDDS, Mr. TOWELL of Nevada, and Mr. WALSH):

H.R. 8437. A bill to amend the Federal Meat Inspection Act in order to provide that States may not have less strict standards with respect to marketing, labeling, packaging, and ingredient requirements than those made under the Federal Meat Inspection Act; to the Committee on Agriculture.

By Mr. PARRIS:

H.R. 8438. A bill to amend the Federal Meat Inspection Act with respect to custom slaughtering; to the Committee on Agriculture.

By Mr. RHODES:

H.R. 8439. A bill to amend the Fair Packaging and Labeling Act to provide that the commodity label required by that act must disclose the manufacturer's name and place of business, and packer's name and place of business if different from the manufacturer; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES (for himself, Mr. CONLAN, Mr. STEIGER of Arizona, and Mr. UDALL):

H.R. 8440. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to cooperate with States, local agencies, and individuals in the planning and carrying out of practices for water yield improvement, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RINALDO:

H.R. 8441. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 8442. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 8443. A bill to amend title II of the Social Security Act to provide for voluntary agreements between ministers and their employers to treat ministers as employed persons; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 8444. A bill to provide economic adjustment assistance to communities in which military facility closings have caused economic injury to the community, and for other purposes; to the Committee on Banking and Currency.

H.R. 8445. A bill to amend title 5, United States Code, to provide special assistance and benefits to Federal employees involuntarily separated through reductions in force, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALSH (for himself, Mr. ADDABBO, Mr. WYDLER, Mr. DERWINSKI, Mr. PEPPER, Mr. BRASCO, Mr. WON PAT, Mr. HASTINGS, Mrs. GREEN of Oregon, Mr. COHEN, Mr. MCEWEN, Mr. HARRINGTON, Mr. PODELL, Mrs. GRASSO, Mr. MOAKLEY, Mrs. HECKLER of Massachusetts, Mrs. CHISHOLM, Mr. ROSE, Mr. GILMAN, Mrs. SCHROEDER, Mr. HUBER, Ms. ABZUG, Mr. ROE, Mr. STARK, and Mrs. BURKE of California):

H.R. 8446. A bill to provide for the issuance of a special postage stamp in commemoration of the life and work of Dr. Elizabeth Blackwell; to the Committee on Post Office and Civil Service.

By Mr. WALSH (for himself, Mr. WALDIE, Mr. RINALDO, Mr. MITCHELL of New York, Mr. FRELINGHUYSEN, and Mrs. BOGGS):

H.R. 8447. A bill to provdie for the issuance of a special postage stamp in commemoration of the life and work of Dr. Elizabeth Blackwell; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of Illinois (for himself, Mr. COUGHLIN, Mr. RONCALLO of New York, and Mr. STEELE):

H.R. 8448. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. BARRETT (for himself, Mr. WIDNALL, Mrs. SULLIVAN, Mr. ASHLEY, Mr. MOORHEAD of Pennsylvania, Mr. STEPHENS, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. REUSS, Mr. HANNA, Mr. BROWN of Michigan, Mr. J. WILLIAM STANTON, Mr. BLACKBURN, Mrs. HECKLER of Massachusetts, and Mr. ROUSSELOT):

H.R. 8449. A bill to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone communities to participate in the program, and for other purposes; to the Committee on Banking and Currecny.

By Mr. BIAGGI:

H.R. 8450. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI (for himself, Mr. WON PAT, Mr. PODELL, Mr. LEGGETT, Mr. ROE, Mr. WALDIE, Mr. CLARK, Mr. REES, Mr. COHEN, Mr. HUBER, Mr. VIGORITO, Mr. LENT, Mr. BURKE of Massachusetts, Mr. MURPHY of New York, and Mr. CORMAN):

H.R. 8451. A bill to increase the subsistence payments to students at the State marine schools; to the Committee on Merchant Marine and Fisheries.

By Mr. BIAGGI (for himself, Mr. WON PAT, Mr. PODELL, Mr. LEGGETT, Mr. ROE, Mr. WALDIE, Mr. CLARK, Mr. REES, Mr. HUBER, Mr. VIGORITO, Mr. LENT, Mr. BURKE of Massachusetts, Mr. MURPHY of New York, and Mr. CORMAN):

H.R. 8452. A bill to amend the Maritime Academy Act of 1958 in order to authorize the Secretary of the Navy to appoint students at State maritime academies and colleges as Reserve midshipmen in the U.S. Navy, and for other purposes; to the Committee on Armed Services.

By Mr. BIAGGI (for himself and Mr. HINSHAW):

H.R. 8453. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first $5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

H.R. 8454. A bill to amend the Internal Revenue Code of 1954 to provide that the personal exemption allowed a taxpayer for a dependent shall be available without regard to the dependent's income in the case of a dependent who is over 65 (the same as in the case of a dependent who is a child under 19); to the Committee on Ways and Means.

H.R. 8455. A bill to amend title II of the Social Security Act to increase to $750 in all cases the amount of the lump-sum death payment thereunder; to the Committee on Ways and Means.

H.R. 8456. A bill to amend title XVIII of the Social Security Act to provide payment under the supplementary medical insurance program for optometrists' services and eyeglasses; to the Committee on Ways and Means.

H.R. 8457. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. CAREY of New York:

H.R. 8458. A bill to amend the Social Security Act to provide for judicial review by providers and others of actions undertaken pursuant to titles XVIII and XIX of such act, and for other purposes; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 8459. A bill to amend the act of June 4, 1897, to expand the Secretary of Agriculture's authority for permitting the free use of timber and stone found upon the national forests; to the Committee on Agriculture.

By Mr. DENHOLM:

H.R. 8460. A bill to amend the Internal Revenue Code of 1954 to relieve employers of 15 or fewer employees from the requirement of paying or depositing certain employment taxes more often than once each year; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 8461. A bill to establish certain rules with respect to the appearance of witnesses before grand juries, and to provide for independent inquiries by grand juries, and for other purposes; to the Committee on the Judiciary.

By Mr. GINN:

H.R. 8462. A bill to amend the Occupational Safety and Health Act of 1970 to exempt certain small employers; to the Committee on Education and Labor.

H.R. 8463. A bill to amend the Occupational Safety and Health Act of 1970 to provide additional assistance to small employers; to the Committee on Education and Labor.

By Mr. JOHNSON of California:

H.R. 8464. A bill to amend chapter 2 of title 16 of the United States Code (respecting national forest) to provide a share of timber receipts to States for schools and roads; to the Committee on Agriculture.

By Mr. MEEDS (for himself and Mr. ESCH):

H.R. 8465. A bill to amend the Youth Conservation Corps Act of 1972 (Public Law 92-597, 86 Stat. 1319) to expand and make permanent the Youth Conservation Corps and for other purposes; to the Committee on Education and Labor.

By Mr. MURPHY of New York (for himself, Mr. PODELL, Mr. THOMPSON of New Jersey, Mr. STEPHENS, Mr.

EILBERG, Mr. ADDABBO, Mr. REES, Mr. HARRINGTON, Mr. MAZZOLI, Mr. SIKES, Mr. ST GERMAIN, Mr. CAREY of New York, and Ms. ABZUG):

H.R. 8466. A bill to provide for a national educational campaign to improve safety on the highways by improving driver skill, driver attitudes, and driver knowledege of highway regulations; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL:

H.R. 8467. A bill to create a Drug Enforcement Administration; to the Committee on Government Operations.

By Mr. RANGEL:

H.R. 8468. A bill making appropriations for the Office of Economic Opportunity for fiscal year ending June 30, 1974; to the Committee on Appropriations.

By Mr. RANGEL (for himself and Mr. PICKLE):

H.R. 8469. A bill to amend title 18 of the United States Code to prohibit bribery of State and local law enforcement officers and other elected or appointed officials; to the Committee on the Judiciary.

By Mr. STEPHENS (for himself, Mr. WILLIAMS, Mr. GETTYS, Mr. ANNUNZIO, Mr. KOCH, Mr. BRASCO, Mr. COTTER, Mr. ROUSSELOT, and Mr. HANLEY):

H.R. 8470. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. THONE:

H.R. 8471. A bill to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress of the United States or of a military attack upon the United States; to the Committee on Foreign Affairs.

By Mr. KING:

H.J. Res. 599. Joint resolution proposing an amendment to the Constitution of the United States for the protection of unborn children and other persons; to the Committee on the Judiciary.

By Mr. PERKINS:

H.J. Res. 600. Joint resolution proposing a national education policy; to the Committee on Education and Labor.

By Mr. SIKES:

H.J. Res. 601. Joint resolution proposing an amendment to the Constitution of the United States to provide an age limit and a single 6-year term for the President; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.J. Res. 602. Joint resolution authorizing the President to proclaim the week beginning on the last Monday in September each year as "Youth Appreciation Week"; to the Committee on the Judiciary.

By Mr. WALSH (for himself, Mr. SMITH of New York, Mr. CONABLE, Mr. FLOOD, Mr. KEMP, Mr. ROE, Mr. LENT, Mr. KING, Mr. ROBISON of New York, Mr. RONCALLO of New York, Mr. GREEN of Pennsylvania, and Mr. ROONEY of Pennsylvania:

H. Con. Res. 240. Concurrent resolution expressing the sense of the Congress with respect to the sale or abandonment of certain railroad lines; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYS:

H. Res. 427. Resolution providing a postage stamp allowance for the Chaplain of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the Speaker: A memorial of the Legislature of the State of Colorado, relative to radio news service in Colorado; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GRAY:

H.R. 8472. A bill for the relief of Carmela Giordano; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 8473. A bill for the relief of Renato M. Dioquino; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 8474. A bill for the relief of J. Clarence Ingram, Don W. Ingram, and Dick L. Ingram of Nephi, Utah; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 8475. A bill to authorize the Administrator of the General Services Administration, or his designee, to convey a parcel of land at the Fort Bliss Military Reservation in exchange for another parcel of land; to the Committee on Armed Services.

EXTENSIONS OF REMARKS

EULOGY FOR MAJ. GEN. JAMES L. PRICE

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1973

Mr. WALSH. Mr. Speaker, on May 15, this Nation lost one of its great military leaders. Air Force Maj. Gen. James Price, commander of the 21st NORAD Division headquartered at Hancock Field in Syracause, N.Y., was killed when his F-106 aircraft exploded in the air. Much has been said about the loss of General Price, but I think a eulogy delivered at a memorial service on May 18 says it best. The eulogy was delivered by 21st Division chaplain, Lt. Col. Jefferson E. Davis, Jr., at Hancock Air Base and I think it most aptly describes the meaning of General Price's greatest sacrifice.

Following is the text of Lieutenant Colonel Davis' eulogy:

EULOGY FOR MAJ. GEN. JAMES L. PRICE

We are here to pay tribute to the life of Major General James L. Price. Because he was one of us and our Commander, we honor his life with this Memorial Service, but I feel there is another reason that we should honor him.

This man lost his life in the midst of a set of circumstances that were introduced by a requirement. That requirement is simply the preservation of a cause. General Price, or any other man, may lose his life in a completely different set of circumstances, but I for one feel a sense of obligation to this man for the very fact that he has given his life for his country.

I suppose the words are "routine training mission to maintain flight proficiency." There is so much behind the scenes associated with these words. Call it what we will, reduced to its basic element, General Price gave his life to the preservation of human freedom. There seems to be a tendency for a lot of people to forget this in times of so-called peace. These tragic events make the headlines in the vicinity of where they happen, but go unnoticed in other parts of the country. You, his family are stricken with grief. We, his friends and military comrades feel his loss, but most of America goes on its normal course without any sense of interruption.

This incident directly touches a relatively few people. People go on about their business, the farmer in the fields, the factories hum, the stores are loaded with the material goods of life, children board their school busses, family homes are still lit with the lilt of love and laughter, and people still gather in their places of worship in absolute freedom of worship.

General James L. Price, a man with many productive years ahead of him loses the precious gift of life—and America goes on its way. American people go on living as they have been living, no drastic change comes about in their way of life. Why? Because of men like the man whose life we honor today. This is no sentimental mush of going down in fame or flame. This is no bizarre eat, drink and be merry for tomorrow you may die routine that has grown up in the folklore of our Service, but a dedicated General Officer called on to sacrifice his life in the performance of his duties.

And let it be said again, America goes on its way. It goes on its way of freedom because there are dedicated men who have not forgotten a basic fact that we must live with yet for sometime to come—and that fact is freedom has to be guarded in this day and age that we live just as it has in the past. Freedom has to be protected. This is a costly process in dollars and from time to time in human life.

And so it is that men must be proficient in the instruments of defense that we may be ready to stand up against a force that teaches that freedom is for the weak men—and so it is that we must have willing men to subject themselves to certain hazards above and beyond the normal routines of living.

What is the motivation behind men like this? It is not glory, for there is not that much glory to it. It certainly isn't for fortune and it isn't for fame. What is it? Well, the observation of one who has been associated with men of this caliber is that they love to fly. As is true in any vocation, the men who are the most successful seem to be the ones who enjoy doing it—but I am convinced of another motive—one that seems to fall into sad repute these days in some places. And it is pure, unadulterated patriotism.

The day of the American patriot is not over. These men know that there must be a force in being ready to go in on short notice or else the cold brutal facts are that there is every reason to believe that our glorious freedom could be placed in a more serious jeopardy than it is now.

It is this spirit that was so much the personality of General Price that we wish to memorialize today.

There is one thing that is certain. What we do or say here will not add to nor detract from the merits of General Jim Price's life. I knew him well enough to know that to him a eulogy for him or anyone else would be considered a waste of time.

It is simply that we come to pay tribute to this man's life, to share our love and concern for his family and to reaffirm through the scripture and prayers of the Church that even though physical life has been sacrificed, spirit is indestructible. In God's order of things, we cannot help but know that personality is sacred, stamped with the image of God which can only mean that death is only that transition into another realm of God's great plans.