(16) rape;
(17) attempted rape;
(18) other crimes involving force to the person.

NATURE OF THE COMPENSATION

SEC. 303. The Commission may order the payment of compensation under this Act for—

(a) expenses actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) loss of earning power as a result of total or partial incapacity of such victim;

(c) pecuniary loss to the dependents of the deceased victim;

(d) pain and suffering of the victim; and

(e) any other pecuniary loss resulting from the personal injury or death of the victim which the Commission determines to be reasonable.

LIMITATIONS UPON AWARDING COMPENSATION

SEC. 304. (a) No order for the payment of compensation shall be made under section 301 of this Act unless the application has been made within two years after the date of the personal injury or death.

(b) No compensation shall be awarded under this Act to or on behalf of any victim in an amount in excess of $25,000.

(c) No compensation shall be awarded if the victim was at the time of the personal injury or death of the victim living with the offender as his wife or her husband or in situations when the Commission at its discretion feels unjust enrichment to or on behalf of the offender would result.

TERMS OF THE ORDER

SEC. 305. (a) Except as otherwise provided in this section, any order for the payment of compensation under this Act may be made on such terms as the Commission deems appropriate.

(b) The Commission shall deduct from any payments awarded under section 301 of this Act any payments received by the victim or by any of his dependents from the offender or from any person on behalf of the offender, or from the United States (except those received under this Act), a State or any of its subdivisions, for personal injury or death compensable under this Act, but only to the extent that the sum of such payments and any award under this Act are in excess of the total compensable injuries suffered by the victim as determined by the Commission.

(c) The Commission may at any time, on its own motion or on the application of the Attorney General, or of the victim or his dependents, or of the offender, vary any order for the payment of compensation made under this Act in such manner as the Commission thinks fit, whether as to terms of the order or by increasing or decreasing the amount of the award or otherwise.

TITLE IV—RECOVERY OF COMPENSATION

RECOVERY FROM OFFENDER

SEC. 401. (a) Whenever any person is convicted of an offense and an order for the payment of compensation is or has been made under this Act for a personal injury or death resulting from the act or omission constituting such offense, the Commission may institute an action against such person for the recovery of the whole or any specified part of such compensation in the district court of the United States for any judicial district in which such person resides or is found. Such court shall have jurisdiction to hear, determine, and render judgment in any such action.

(b) Process of the district court for any judicial district in any action under this section may be served in any other judicial district by the United States marshal thereof. Whenever it appears to the court in which any action under this section is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

(c) An order for the payment of compensation under this Act shall not affect the right of any person to recover damages from any other person by a civil action for the injury or death.

TITLE V—MISCELLANEOUS

REPORTS TO THE CONGRESS

SEC. 501. The Commission shall transmit to the President and to the Congress annually a report of its activities under this Act including the name of each applicant, a brief description of the facts in each case, and the amount, if any, of compensation awarded.

PENALTIES

SEC. 502. The provisions of section 1001 of title 18 of the United States Code shall apply to any application, statement, document, or information presented to the Commission under this Act.

APPROPRIATIONS

SEC. 503. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 504. This Act shall take effect on January 1, 1970.

S. 11—INTRODUCTION OF BILL—THE INTERGOVERNMENTAL PERSONNEL ACT OF 1969

Mr. MUSKIE. Mr. President, on behalf of myself and Senators ANDERSON, BAYH, BROOKE, BYRD of West Virginia, DODD, ERVIN, GRAVEL, HART, HATFIELD, INOUYE, JACKSON, KENNEDY, MCCARTHY, MCGEE, MCGOVERN, METCALF, MONDALE, MONTOYA, MOSS, NELSON, PELL, RANDOLPH, RIBICOFF, TYDINGS, YARBOROUGH, and YOUNG of Ohio, I introduce, for appropriate reference, the Intergovernmental Personnel Act of 1969, to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes.

I also ask unanimous consent that the text and a section-by-section analysis of the bill be printed in the RECORD following my remarks.

Mr. President, among the bills passed by the Senate in the last Congress was the Intergovernmental Personnel Act of 1967, which was a set of measures designed to help strengthen State and local governments through improved personnel administration and more efficient recruitment and training of personnel, particularly in the administrative, technical, and professional categories.

That bill was reported to the Senate from the Government Operations Committee after several years of study, followed by extensive hearings held by the Subcommittee on Intergovernmental Relations. It came to the floor of the Senate with the sponsorship of 16 Senators, the endorsement of governors, mayors, and other public officials throughout the country, and the strong support of citizen groups devoted to the public interest, and it was passed by a substantial majority. Unfortunately, the other House did not have an opportunity to act on it, and it died with the adjournment of Congress.

The bill which I and others are introducing today is almost identical with the bill which was reported to the Senate in the last Congress. It is crucially important to the successful execution of the wide-ranging programs of Federal aid to State and local government which Congress has authorized. It is urgently necessary in order that government below the Federal level may assume its full share of responsibility for the public services demanded in this period of rapid growth and social change.

We have delayed much too long in dealing with the critical shortage of properly qualified personnel for the public service. Since the great expasion in public programs that occurred during the depression thirties, government has been chronically deficient in manpower. Take, for example, this statement from the report of the Commission of Inquiry on Public Service Personnel, in 1933:

> In spite of the vital importance of government and governmental services, American national, State, and local governments do not at the present time attract to their service their full share of the men and women of capacity and character. This is due primarily to our delay in adjusting our attitudes, institutions, and public personnel policies to fit social and economic changes of the past seventy years.

This must now be revised to read—"the past hundred years," since 35 years have passed since that report and we have still not taken the obviously needed actions.

The present state of the public service was characterized in these terms by the Committee on Economic Development in its recent report, "Modernizing Local Government To Secure a Balanced Federalism":

> Positions requiring knowledge of modern technology are frequently occupied by unqualified personnel.
>
> Except in large cities, most department heads are amateurs.
>
> The spoils system still prevailing in parts of the nation has deep roots in many local governments.
>
> Pay scales are usually too low to attract competent professional applicants.

Such conditions are deplorable from any point of view, but they are intolerable when we consider that the vast programs of Federal aid, costing some $20 billion a year, are largely dependent upon State and local governments for their execution.

The burden carried by government below the Federal level grows constantly. Citizens are demanding better education for their children, more and better roads and public transit systems, clean and plentiful water, unpolluted air, better police and fire protection, more and better recreation facilities, more and better health care and hospitals, programs for enlarging job opportunities, and many other services.

In response to these demands, State and local government employment has been expanding at a rate of growth four times that of the U.S. economy and seven

times that of the Federal Government. In the decade from 1955 to 1965 State and local employment increased from 4.7 to 7.7 million persons, and is expected to exceed 11 million by 1975. Total recruiting needs for administrative, professional, and technical employees are estimated at 250,000 a year.

It is to this crisis of governmental manpower that the Intergovernmental Personnel Act of 1969 is addressed. The bill provides for a system of Federal financial and technical assistance and other Federal support of State and local governments for personnel administration, training, and recruitment, on a purely voluntary basis. The authorities granted by the bill would be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration and their own training programs.

The bill would:

First. Provide for intergovernmental cooperation, through an advisory council appointed by the President, in the development of policies and standards for the administration of programs for improvement of State and local personnel administration and training. The advisory council would report from time to time to the President and to the Congress, and in transmitting to the Congress reports of the advisory council, the President would submit to the Congress proposals of legislation which he deems desirable to carry out recommendations of the advisory council.

Second. Authorize the Civil Service Commission to make grants to State and local governments to plan and to make improvements in their systems of personnel administration.

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

Fourth. Authorize Federal agencies to admit State and local government officials and employees, particularly in administrative, professional, and technical occupations, to Federal training programs. To meet the costs resulting from the admission of State or local employees or officials to such training programs, the Federal agency concerned may use its appropriations or may be reimbursed by State or local governments, or the Civil Service Commission may use its appropriations to reimburse the Federal agency concerned or make advances toward these costs.

Fifth. Authorize Federal agencies administering programs of financial grants or assistance to State or local governments to provide special training for State and local government officials or employees who have responsibilities related to those programs; and permit State and local governments to use appropriate Federal funds to establish training courses for or to pay certain education expenses of their officials or employees who have responsibilities related to the program concerned.

Sixth. Authorize the Civil Service Commission to make grants to State and local governments and other appropriate organizations for carrying out approved plans for training State and local government employees, for the development of such plans by State and local governments, and for government service fellowships for employees selected for special graduate-level university training.

Seventh. Authorize the Civil Service Commission to join with State and local governments in cooperative recruitment and examining activities and to furnish technical advice and assistance, at the request of State and local governments, to strengthen personnel administration.

Eighth. Give consent of Congress to interstate compacts designed to improve personnel administration and training for State and local employees.

Ninth. Authorize the temporary exchanging of personnel between the Federal Government and States and local governments.

Tenth. Direct the Civil Service Commission to coordinate activities of Federal agencies in providing training and technical assistance services to State and local governments, so as to avoid duplication of effort and to insure maximum effectiveness of administration.

Mr. President, I hope that this bill can be given early consideration in the Senate, and that it will receive final approval by the Congress in time for it to be put into execution before the end of 1969.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis of the bill will be printed in the RECORD.

The bill (S. 11) to reinforce the Federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 11

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

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

That, since numerous governmental activities administered by the State and local governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a high caliber of public service in State and local governments.

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

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

(2) providing equitable and adequate compensation;

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

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

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

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

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

SEC. 3. The authorities provided by this Act shall be administered in such manner as to recognize fully the rights, powers, and responsibilities of State and local governments.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

DECLARATION OF PURPOSE

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

ADVISORY COUNCIL

SEC. 102. (a) Within one hundred and eighty days following the date of enactment of this Act, the President shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an advisory council on intergovernmental personnel policy.

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

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

(1) improving the quality of public administration at State and local levels of government, particularly in connection with programs that are financed in whole or in part from Federal funds;

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

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

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

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

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

REPORTS OF ADVISORY COUNCIL

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

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

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

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

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

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

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

TITLE II—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

DECLARATION OF PURPOSE

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

STATE GOVERNMENT AND STATEWIDE PROGRAMS AND GRANTS

SEC. 202. (a) The United States Civil Service Commission (hereinafter referred to as the Commission) is authorized to make grants to States for up to 75 per centum of the costs of developing and of carrying out programs or projects which the Commission finds are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act, to strengthen State and local government personnel administration and to furnish needed personnel administration services to local governments in that State. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LOCAL GOVERNMENTS AND GRANTS

SEC. 203. (a) The Commission is authorized to make grants to general local governments, or combinations of such governments, that serve a population of fifty thousand or more, for up to 75 per centum of the cost of developing and carrying out programs or projects which the Commission finds are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act, to strengthen the personnel administration of such governments. Such a grant may be made only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant adequately providing, in the judgment of the Commisson, for assistance in strengthening the personnel administration of that local government or combination of local governments. However, such a grant, except as provided in subsection (b)(1) of this section, may not be made until the expiration of one year from the effective date of the grant provisions, as provided in section 513 of this Act.

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

(1) waive, at the request of a general local government or combination of such governments, the one-year waiting period, unless the State concerned declares, within ninety days from the effective date of the grant provisions, as provided in section 513 of this Act, an intent to file an application for a grant that will provide adequately for assistance to the local government or governments; and

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

(c) An application to be submitted to the Commission under subsection (b) of this section shall first be submitted by the general local government or governments to the State office designated under section 202(b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of the State office or of the Governor, as the case may be, and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before the State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

INTERGOVERNMENTAL COOPERATION IN RECRUITING AND EXAMINING

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

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

TECHNICAL ASSISTANCE

SEC. 205. The Commission may furnish technical advice and assistance, on request, to the State and general local governments seeking to improve their systems of person-

nel administration. The Commission may accept from such governments payments, in whole or in part, for the costs of furnishing such assistance. All such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

COORDINATION OF FEDERAL PROGRAMS

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

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

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

INTERSTATE COMPACTS

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

TRANSFER OF FUNCTIONS

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

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

(2) the Secretary of Labor under—

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

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

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

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

(B) section 303(a)(5) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)(5));

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

(D) sections 2(a)(5), 402(a)(5), 503(a)(3), 513(a)(3), 1002(a)(5), 1402(a)(5), 1062(a)(5), and 1902(a)(4) of the Social Security Act (42 U.S.C. 302(a)(5), 602(a)(5), 703(a)(3), 713(a)(3), 1202(a)(5), 1352(a)(5), 1382(a)(5), and 1396a(a)(4)); and

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

(b) The Commission shall—

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

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

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

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

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

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

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

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

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

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

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

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

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

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

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

ADMISSION TO FEDERAL EMPLOYEE TRAINING PROGRAMS

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

(b) Federal agencies are authorized to receive payments from, or on behalf of, State and local governments for the costs of training provided under this section, and to enter into agreements with them for this purpose. The head of the Federal agency concerned may waive all or part of such payments. Payments received by the Federal agency concerned for training under this section shall be credited to the appropriation or fund used for paying the training costs.

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

TRAINING OF PERSONNEL ENGAGED IN GRANT-IN-AID PROGRAMS

SEC. 303. (a) Any Federal agency administering a program of grants or financial assistance to State or local governments may—

(1) establish, provide, and conduct training programs for employees and officials of State and local governments who have responsibilities related to the federally aided program, and, to the same extent provided in section 302(b) of this Act, receive or waive payments for such training and credit any such payments to the appropriation or fund used for paying the training costs; and

(2) authorize State and local governments—

(A) from Federal funds available for State or local program administration expenses under grants or financial assistance; or

(B) from other Federal grant or financial assistance funds when so provided in appropriation or other Acts;

to establish, conduct, provide, and support training and education programs for their employees and officials who have responsibilities related to the federally aided program, including internship, work-study, fellowship, and similar programs if approved by the Federal agency concerned, provided that full-time, graduate-level education supported under this subsection shall be consistent with provisions made for Government Service Fellowships under section 306 of this Act.

(b) The State or local government concerned shall—

(1) in accordance with eligibility criteria prescribed by the Federal agency concerned, select the individual employees and officials to receive education and training in programs established under this section; and

(2) during the period of the education or training, continue the full salary of the employee or official concerned and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance.

GRANTS TO STATE AND LOCAL GOVERNMENTS FOR TRAINING

SEC. 304. (a) If in its judgment training is not adequately provided for under grant-in-aid or other statutes, the Commission is authorized to make grants to State and general local governments for up to 75 per centum of the cost of developing and carrying out training and education programs for their professional, administrative, and technical employees and officials, which the Commission finds are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act. Such grants may not be used to cover costs of full-time graduate-level study, provided for in section 306 of this Act, or the costs of the construction or acquisition of

training facilities. The State and local government share of the cost of developing and carrying out training and education plans and programs may include, but shall not consist solely of, the reasonable value of facilities and of supervisory and other personal services made available by such governments. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in developing and carrying out training and education programs for their personnel.

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

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

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

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

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

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

(c) A grant authorized by subsection (a) of this section may be made to a general local government, or a combination of such governments, that serves a population of fifty thousand or more only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant adequately providing, in the judgment of the Commission, for training of employees of that local government or combination of local governments. However, such a grant, except as further provided in this subsection, may not be made until the expiration of one year from the effective date of the grant provisions of this Act. To be approved, an application for a grant under this subsection must meet requirements similar to those established in subsection (b) of this section for State applications, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (d) of this section. The Commission may—

(1) waive, at the request of a general local government or a combination of such governments, the one-year waiting period provided under subsection (c) of this section unless the State concerned declares, within ninety days from the effective date of the grant provisions of this Act, an intent to file an application for a grant that will provide adequately for the training of employees of the general local government or governments; and

(2) make grants to general local governments, or combinations of such governments that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special needs for personnel training and education related to such programs or projects.

(d) An application to be submitted to the Commission under subsection (c) of this section shall first be submitted by the general local government or governments to the State office designated under section 304(b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of such State office or the Governor, as the case may be, and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before such State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

GRANTS TO OTHER ORGANIZATIONS

SEC. 305. (a) The Commission is authorized to make grants to other organizations to pay up to 75 per centum of the costs of providing training to professional, administrative, or technical employees and officials of State or local governments if the Commission—

(1) finds substantial State and local government interest in the proposed program; and

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

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

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

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

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

GOVERNMENT SERVICE FELLOWSHIPS

SEC. 306. (a) The Commission is authorized to make grants to State and general local governments to support programs approved by the Commission for providing Government Service Fellowships for State and local governmental personnel. The grants may cover—

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

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

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

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

(c) The State or local government concerned shall—

(1) select the individual recipients of the fellowships;

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

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

COORDINATION OF FEDERAL PROGRAMS

SEC. 307. The Commission, after consultation with other agencies concerned, shall—

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

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

(3) make such arrangements, including the collection and maintenance of data on training grants and programs, as may be necessary to avoid duplication of programs providing for training and to insure consistent administration of related Federal training activities.

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

DECLARATION OF PURPOSE

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

AMENDMENTS TO TITLE 5, UNITED STATES CODE

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

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"§ 3371. Definitions

"For the purpose of this subchapter—

"(1) 'State' means—

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

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

"(2) 'local government' means—

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

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

"§ 3372. General provisions

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

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

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

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

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

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

"(2) an employee of an instittuion of higher education to an Executive agency.

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

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

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

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

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

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

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

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

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

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

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

"(B) to credit the period of his assignment under this subchapter toward periodic step-increases, retention, and leave accrual purposes, and, on payment into the Civil Service Retirement and Disability Fund or other applicable retirement system of the percentage of his State or local government pay, and of his supplemental pay, if any, that would have been deducted from a like agency pay for the period of the assignment and payment by the Executive agency into the fund or system of the amount that would have been payable by the agency during the period of the assignment with respect to a like agency pay, to treat (notwithstanding section 8348(g) of this title) his service during that period as service of the type performed in the agency immediately before his assignment; and

"(C) for the purpose of subchapter I of chapter 85 of this title, to credit the service performed during the period of his assignment under this subchapter as Federal service, and to consider his State or local government pay (and his supplemental pay, if any) as Federal wages. To the extent that the service could also be the basis for entitlement to unemployment compensation under a State law, the employee may elect to claim unemployment compensation on the basis of the service under either the State law or subchapter I of chapter 85 of this title. However, an employee or his beneficiary may not receive benefits referred to in subparagraphs (A) and (B) of this paragraph (3), based on service during an assignment under this subchapter for which the employee or, if he dies without making such an election, his beneficiary elects to receive benefits, under any State or local government retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Executive agency shall deposit currently in the Employee's Life Insurance Fund, the Employee's Health Benefits Fund or other applicable health benefits system, respectively, the amount of the Government's contributions on account of service with respect to which employee contributions are collected as provided in subparagraphs (A) and (B) of this paragraph (3).

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

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

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

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

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

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

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

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

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

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

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

"(2) chapter 87 of this title; and

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

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

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

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

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

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

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

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

"§ 3375. Travel Expenses

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

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

"(A) travel and per diem instead of subsistence to and from the assignment location;

"(B) per diem instead of subsistence at the assignment location during the period of the assignment; and

"(C) travel and per diem instead of subsistence while traveling on official business away from his designated post of duty during the assignment when the head of the Executive agency considers the travel in the interest of the United States;

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

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

"(4) section 5724a(a)(3) of this title, for subsistence expenses of the employee and his immediate family while occupying temporary

quarters at the assignment location and on return to his former post of duty; and

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

"(b) Expenses specified in subsection (a) of this section, other than those in paragraph (1)(C), may not be allowed in connection with the assignment of a Federal or State or local government employee under this subchapter, unless and until the employee agrees in writing to complete the entire period of his assignment or one year, whichever is shorter, unles separated or reassigned for reasons beyond his control that are acceptable to the Executive agency concerned. If the employee violates the agreement, the money spent by the United States for these expenses is recoverable from the employee as debt due the United States. The head of the Executive agency concerned may waive in whole or in part a right of recovery under this subsection with respect to a State or local government employee on assignment with the agency.

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

"§ 3376. Regulations

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

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

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"Sec.
"3371. Definitions.
"3372. General provisions.
"3373. Assignments of employees to State or local governments.
"3374. Assignments of employees from State or local governments.
"3375. Travel expenses.
"3376. Regulations."

REPEAL OF SPECIAL AUTHORITIES

SEC. 403. The Act of August 2, 1956, as amended (7 U.S.C. 1881–1888), section 507 of the Act of April 11, 1965 (20 U.S.C. 867), and section 314(f) of the Public Health Service Act (42 U.S.C. 246(f)) (less applicability to commissioned officers of the Public Health Service) and are hereby repealed.

SEC. 404. This title shall become effective 60 days after the date of enactment of this Act.

TITLE V—GENERAL PROVISIONS

DECLARATION OF PURPOSE

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

DEFINITIONS

SEC. 502. For the purpose of this Act—

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

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

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

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

GENERAL ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

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

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

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

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

(3) shall include in its annual report, a report of the administration of this Act.

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

REPORTING REQUIREMENTS

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

(b) An organization which receives a training grant under section 305 of this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal grant funds and the operation of the training program as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

REVIEW AND AUDIT

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

DISTRIBUTION OF GRANTS

SEC. 506. (a) The Commission shall allocate grants under this Act in such manner as will most nearly provide an equitable distribution of the grants among States and between State and local governments, taking into consideration such factors as the size of the population, number of employees affected, the urgency of the programs or projects, the need for funds to carry out the purposes of this Act, and the potential of the governmental jurisdictions concerned to use the funds most effectively.

(b) In each fiscal year, 15 per centum of the total amount available for grants under this Act shall be apportioned equally among the States and the amount apportioned for each State shall be reserved for programs or projects in that State. However, any amount so reserved but not used in any fiscal year shall be added to the total amount available for grants under this Act in the next suceeding fiscal year. For the purpose of this subsection, "State" means the several States of the United States, and the District of Columbia.

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

TERMINATION OF GRANTS

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

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

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

the Commission shall notify the State or general local government of its findings and no further payments may be made to such government by the Commission until it is satisfied that such noncompliance has been, or will promptly be, corrected. However, the Commission may authorize the continuance of payments to those projects approved under this Act which are not involved in the noncompliance.

ADVISORY COMMITTEES

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

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

APPROPRIATION AUTHORIZATION

SEC. 509. (a) To carry out the programs authorized by this Act, there are authorized to be appropriated at any time after its enactment not to exceed $20,000,000 for fiscal year 1970; $30,000,000 for fiscal year 1971; and $40,000,000 for fiscal year 1972.

(b) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1972.

REVOLVING FUND

SEC. 510. (a) There is established a revolving fund, to be available without fiscal year limitation, for financing training and such other functions as are authorized or required to be performed by the Commission on a reimbursable basis by this Act and such other services as the Commission, with the approval of the Bureau of the Budget, determines may be performed more advantageously through such a fund.

(b) The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized), and such unexpended balances of appropriations or funds relating to the activities transferred to the fund and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Commission may transfer to the fund, less the related liabilities, unpaid obligations, and accrued annual leave of employees who are transferred to the activities financed by the fund at its inception.

(c) The fund shall be credited with—

(1) reimbursements or advance payments from available funds of the Commission, other Federal agencies, State or local governments, or other sources for supplies and services at rates which will approximate the expense of operations, including the accrual of annual leave, the depreciation of equipment, and the net losses on property transferred or donated; and

(2) receipts from sales or exchanges of property and payments for losses or damage to property accounted for under the fund.

(d) Any unobligated and unexpended balance in the fund that the Commission determines to be in excess of amounts needed for its operations shall be deposited in the Treasury as miscellaneous receipts.

LIMITATIONS ON AVAILABILITY OF FUNDS FOR COST SHARING

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

METHOD OF PAYMENT

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

EFFECTIVE DATE OF GRANT PROVISIONS

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

The section-by-section analysis of S. 11, presented by Mr. MUSKIE, is as follows:

SECTION ANALYSIS OF INTERGOVERNMENTAL PERSONNEL ACT OF 1969

The title sets forth the basic purpose of the Act as a whole and provides that it may be cited as the Intergovernmental Personnel Act of 1969.

SECTION 2. This section sets forth the finding and declaration of Congress that since the effectiveness of State, local, and Federal governments are interdependent, it is in the national interest that the quality of public service at all levels of government be improved. This can be achieved through the development of systems of personnel administration consistent with such merit principles as insuring openness and equity in recruitment, appointment, advancement, retention, and separation; providing equitable and adequate pay scales and benefits; upgrading of skills through training; and insulating employees from partisan political pressures. To this end, Federal financial and technical assistance is in the national interest.

SEC. 3. This section provides that the Act shall be administered in such a manner that the rights, powers, and responsibilities of State and local governments are fully recognized.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

SEC. 101. This section sets forth the purpose of the title, which is to provide for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by this Act.

Advisory council

SEC. 102. This section provides for the appointment by the President of an advisory council on intergovernmental personnel policy within 180 days after enactment. This shall be done without adherence to provisions regarding appointments in the competitive service.

Subsection (b) provides that the council, not exceeding fifteen members, shall be composed primarily of officials from all levels of government but shall also include members selected from employee organizations, educational institutions, and the general public. At least half its governmental members shall be officials of State and local governments.

Subsection (c) states that it shall be the duty of the advisory council to study and make recommendations regarding personnel policies and programs for the purpose of improving personnel administration in State and local governments, strengthening these governments in their training efforts, and in their development of personnel administration systems, and facilitating assignments of personnel between the Federal Government and State and local governments.

Subsection (d) provides that members of this council who are not full-time employees of the Federal Government may be compensated at rates not in excess of the daily rates for GS–18 employees, including travel time and per diem.

Reports of the advisory council

SEC. 103. This section provides that the council shall report its findings and recommendations to Congress and the President from time to time.

Subsection (b) states that the initial report is to be made not later than 18 months after the council's establishment, and shall include its views and recommendations on: the feasibility and desirability of extending merit requirements to additional grant-in-aid programs; appropriate standards for merit personnel administration; and the possible use of financial and other incentives to encourage the development of such comprehensive systems of personnel administration based on merit.

Subsection (c) provides that the President shall propose legislation to Congress which he judges desirable to implement the recommendations of the council.

TITLE—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

SEC. 201. This section states the purpose of the title which is to assist State and local governments in strengthening their staffs by improving personnel administration.

State government and statewide programs and grants

SEC. 202. This section provides that the Civil Service Commission (from now on referred to as the Commission) is authorized to make grants to States for up to 75% of the costs of developing and implementing programs or projects to strengthen personnel administration which the Commission finds are consistent with the merit principles set forth in Section 2 of the Act. Inasmuch as these grants are designed to strengthen personnel administration on the part of State and local governments, the authority provided by this section is to be employed in such manner as to encourage innovation and allow for diversity in the design, execution, and management of such programs by the governments concerned.

Subsection (b) states that, to be approved, an application by a State for a personnel administration grants must provide for designation, by the Governor, of the State office that will have responsibility for the program or project; establishment, where appropriate, or improvement of personnel systems based on principles of merit; specific personnel administration improvement needs of the State; assurance that such a grant will not effect a reduction in pertinent State or local spending; and clear and practical actions for improving such aspects of personnel administration as:

The establishment of Statewide personnel systems to meet the needs of jurisdictions not able to provide such systems for themselves;

The effecting of State grants to local governments for improved personnel systems;

The conduct of manpower requirements studies, and remedial action where appropriate;

The strengthening of one or more of the major areas of personnel administration;

The conduct of research and demonstration projects by the State and by appropriate non-profit institutions;

The strengthening of programs for the disadvantaged and underutilized, as well as shortage category personnel;

The augmentation of intergovernmental cooperation in all areas of personnel administration wherever feasible.

Local government programs and grants

SEC. 203. This section authorizes the Commission to make grants to general local governments, or combinations thereof, that serve a population of 50,000 or more. Funding can be 75% of the cost of development and implementation of programs or projects which the Commission finds are consistent with the principles set forth in Section 2 of this Act. Such a grant may be made only if, at the time the application is submitted, the State concerned does not have an approved application for a grant which adequately covers the particular local government(s) in question.

Such a grant, however, shall not generally be made until the expiration of one year from the time the grant provisions of this Act become effective. The Commission may waive this one year waiting period at the request of the local government(s) concerned, unless the State in which the government(s) are located declares, within 90 days from the effective date of the grant provisions, an intent to file an application for a grant which will include the local government(s).

The Commission may also make grants to local governments, or combinations of governments, which serve a population of less than 50,000, if it finds that this will help them meet essential needs in programs or projects of national interest and will assist such governments in alleviating personnel problems relating to these programs.

The application must be submitted to the designated State office for review. If no such office has been designated, it shall be submitted for this purpose to the Governor. Any comments or recommendations made during this review shall be included with the application, and a statement as to the fact that they have been considered shall also be included by the local government(s), unless it is certified that the application has been so submitted and no comments or recommenda-

tions have been made by the State for a 60 day period.

Intergovernmental cooperation in recruiting and examining

SEC. 204. This section authorizes the Commission to join State and local governments in cooperative recruiting and examining programs on a shared-cost basis, under procedures and regulations to be jointly agreed upon.

Subsection (b) authorizes the Commission to certify to such governments from Federal registers the names of potential employees. Procedures are to be jointly agreed upon, and there must be a written request for such services from the State or local government. The Commission will determine the costs of the operation and reimbursements shall be credited to the appropriation or fund from which the expenses were, or are to be paid.

Technical assistance

SEC. 205. The Commission is authorized by this section to furnish, on request, technical advice and assistance to State and local governments seeking to improve their systems of personnel administration. The Commission may accept from such governments payments, in whole or in part, for the costs involved in furnishing this assistance.

Coordination of Federal programs

SEC. 206. This section authorizes the Commission (after consultation with other concerned agencies) to (1) coordinate the personnel administration support and assistance rendered to State and local governments within the terms of this Act, and any such support given under other Federal programs; and, (2) make the arrangements necessary to avoid duplication and to insure consistent administration of related Federal activities, including the collection, maintenance, and dissemination of data on grants for personnel systems' support and technical assistance.

Interstate compacts

SEC. 207. This section gives the consent of Congress for any two or more States to enter into compacts or agreements for cooperative efforts and mutual assistance (including establishment of appropriate agencies) in connection with the development and administration of personnel and training programs for employees and officials of the States concerned and for employees of their local government jurisdictions. Such compacts and agreements must not be in conflict with any Federal laws.

Transfer of functions

SEC. 208. Subsection (a) of this section transfers to the Commission all functions, powers and duties of any Federal department, agency, office or official (other than the President) that relate to the prescription of personnel standards on a merit basis under any provision of law or regulation that specifically requires the establishment and maintenance of personnel standards on a merit basis for programs financed in whole or in part by Federal grant-in-aid funds.

Subsection (b) of this section directs the Commission to aid State and local governments to comply with the personnel standards prescribed by the Commission under the authorities transferred to it by Subsection (a) of this section. Subsection (b) directs the Commission to advise Federal agencies administering grant programs as to the application of such standards and to recommend actions which will most effectively achieve the purposes of this title.

Subsection (c) of this section provides for the transfer from applicable Federal agencies to the Commission, to the extent determined by the Director of the Bureau of the Budget, of the personnel, property, records, unexpended appropriations, allocations and other funds which are concerned with the functions, powers, and duties transferred to the Commission by Section 208(a). It is understood that any personnel engaged in functions transferred will be transferred in accordance with applicable laws and regulations relating to transfer of functions.

Subsection (d) and (e) of this section provide that personnel standards issued by Federal agencies under current laws will remain in effect until modified or superseded by standards issued under this Act; and that standards issued pursuant to this Act by the Commission must encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management in their own individual systems of personnel administration.

Subsection (f) states that neither Section 202 nor 203 (1) authorize Federal control over any personnel action concerning an individual State or local employee; (2) direct the application of personnel standards to teaching personnel; (3) prevent employees' or their organization's participation in the development of policies and procedures affecting their employment; (4) require or request disclosure of an employee's race, religion or national origin, or that of his forebears; (5) require or request an applicant or an employee to submit to examination on his personal relationship with persons connected by blood or marriage, or concerning his attitude with respect to sexual matters; or require his participation in any activities not related to the performance of official duties.

Subsection (g) provides that Section 208 will become effective sixty days after the date of enactment of this Act.

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

SEC. 301. This section sets forth the basic purpose of this title, which is to strengthen State and local government programs for the training and development of their employees and officials, particularly those in professional, administrative, and technical occupations.

Admission to Federal employee training programs

SEC. 302. Subsection (a) of this section authorizes admittance of State and local government employees and officials to training programs established by a Federal agency to train Federal professional, administrative, or technical personnel. The subsection provides that the admittance of State and local employees and officials is subject to such conditions as the head of the Federal agency establishing the training program may prescribe.

Subsection (b) of this section authorizes Federal agencies admitting State and local government employees and officials to their training programs to receive payments for the training from, or on behalf of, State and local governments, to waive all or part of such payments, and to enter into agreements concerning the payments with the State or local government concerned.

Subsection (c) of this section authorizes the Commission to use appropriations authorized by this Act to meet the additional developmental or overhead costs incurred because of the admittance of State or local employees to Federal training courses, and to reimburse other Federal agencies for these costs.

Training of personnel engaged in grant-in-aid program

SEC. 303. This section authorizes any Federal agency that administers a program of grants or financial assistance to State or local governments to establish, provide, and conduct training programs specifically for State and local government employees and officials who have responsibilities related to the said program. Federal agencies may, to the same extent provided in Section 302(b) of this Act, accept payments for such training from, or on behalf of, State and local governments waive such payments, and enter into agreements concerning the payments.

The section further provides that any Federal agency administering a program of grants or financial assistance may authorize a State or local government, from Federal funds available for State or local program administration expenses, to establish, provide, conduct, and support training and education programs, including fellowship programs providing for full-time graduate-level study, for those of their employees and officials who have responsibilities related to the aided program. Full-time graduate-level fellowship programs, to be approved, must be consistent with the provisions made for Government Service Fellowships under Section 306 of this Act.

Section 306 provides that fellowships may not exceed two years of full-time graduate level study for professional, administrative and technical personnel. Grants made to State and general local governments to support fellowship programs may—

Cover the necessary costs of books, travel and transportation, and such related expenses as may be authorized;

Provide reimbursement to the State or local government for up to 25 percent of the salary of each fellow during the period of the fellowship; and

Cover payment to the educational institution involved of such amounts as the Commission determines to be consistent with prevailing practices under comparable Federally supported programs less amounts charged the fellow for tuition and fees.

Section 303 also provides that the State or local government concerned shall select the employee or official to receive the education or training and shall continue his full salary and normal employment benefits during the period of training. State and local governments, however, must make their selections in accordance with such eligibility criteria as may be prescribed by the Federal agency concerned.

Grants to State and local governments for training

SEC. 304. This section authorizes the Commission, if training is not adequately provided for under grant-in-aid or other statutes, to make grants to States and, under certain circumstances, to general local governments to meet up to seventy-five percent of the cost of developing and carrying out programs approved by the Commission, and consistent with the applicable principles of merit outlined in Section 2, for training their professional, administrative, and technical employees and officials. Such grants may not be used to cover the costs of full-time graduate-level study, which is covered in Section 306 of this Act, or of the construction or acquisition of training facilities.

The State and local government's share of the costs may include the reasonable value of the facilities and personal services they provide. The State and local government's share of costs may not, however, consist solely of providing such facilities and services.

An application for a grant shall be made at such time or times, and contain such information as the Commission may prescribe. Subsection (b) sets forth the minimum requirements a State or general local government application for a training program grant must meet in order to be approved by the Commission. The Commission is authorized to waive any of the requirements in a specified justified case. In general, these requirements emphasize the importance of careful planning, a comprehensive approach, strong leadership by the chief executive, inter-program and inter-jurisdictional coordination, and similar matters. In addition, a State or local government is required to provide assurance that the grant will not result

in the reduction of relevant expenditures or the substitution of Federal funds for funds previously made available for these purposes by the State or local governments.

The Commission is authorized by Subsection (c) to make grants to a general local government serving a population of 50,000 or more, or a combination of such local governments, if within one year from the effective date of the grant provisions of this Act the State has not submitted and received approval of an application for a training program grant which adequately provides for such local government. The application submitted by the local government must meet requirements similar to those established for State applications unless any requirement is waived by the Commission.

The Commission is authorized to waive the one year waiting period and make grants to general local governments if such a government requests the waiver and the State government concerned has not declared, within 90 days of the effective date of the grant provisions of this Act, an intent to file an application for a grant that will provide adequately for the training of employees of the local government.

The Commission may also waive the 50,000 population requirement and make grants to smaller general local governments, or combinations of such governments if it finds such grants will meet other essential needs in programs of national interest.

Subsection (d) provides that an application submitted to the Commission under Subsection (c) shall first be submitted by the local government(s) to the designated State office for review. If no such office has been designated, it shall be submitted to the Governor. The application will be accompanied to the Commission by any comments or recommendations received from the above State officials, and by a statement by the local government indicating that such comments have been considered. However, if a 60 day period should elapse without such review being affected by the above State officials, the local government(s) may certify such fact, and forward the application to the Commission.

Grants to other organizations

SEC. 305. This section authorizes the Commission to make grants to an organization representing member State or local governments, or an association of State or local officials, as well as nonprofit organizations that meet certain requirements specified in the section. These grants may pay up to seventy-five percent of the costs of providing training to State and local government professional, administrative, or technical employees and officials. To make such grants, the Commission must first find sufficient State or local government interest in the training program and, in addition, must approve the training program as meeting such requirements as may be prescribed by its regulations.

Government service fellowships

SEC. 306. This section authorizes the Commission to make grants to States and general local governments to support programs, approved by the Commission, to provide fellowships for graduate-level study to professional, administrative, and technical employees such State and local governments have selected for this training. The grants may cover the necessary costs of travel and transportation, books and such related expenses as the Commission may authorize; reimbursement to the State or local government not to exceed one-fourth of the salary of the employee selected for the period of the graduate study, and payment to the educational institutions involved of such amounts as the Commission determines to be consistent with other prevailing practices under comparable Federally-funded programs, less any amount charged by the institution for tuition and non-refundable fees and deposits.

A fellowship awarded by a State or general local government to a professional, administrative or technical employee will be for a period not exceeding two years of full-time graduate-level study.

This section provides that the State or general local government will, subject to eligibility criteria prescribed by the Commission, select the individual employee to be awarded a fellowship. The State or general local government must, during the period of the fellowship, continue the full salary and normal employment benefits (such as credit for seniority, leave accrual, retirement, and insurance) to which the recipient of the fellowship is entitled, and outline in the application the plans made for the employer's continued utilization in the public service.

Coordination of Federal programs

SEC. 307. This section directs the Commission, after consultation with other concerned Federal agencies, to prescribe regulations covering the training provided for in title III of the Act. The regulations are to include requirements for coordination of, and reasonable consistency in, the training programs established by the Commission and by other Federal agencies under title III.

In addition, the section directs the Commission, again after consultation with other Federal agencies concerned, to coordinate the training support given State and local governments under this Act with that provided under other Federal programs. The Commission is to make such arrangements as needed to avoid duplication among Federal programs providing for training of State and local government employees and to insure consistent administration of related Federal training activities. The Commission is authorized to collect and maintain appropriate data on Federal agency training grants and programs.

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

SEC. 401. This section set forth the purpose of title IV, namely to facilitate intergovernmental cooperation by authorizing temporary assignments of personnel between the Federal Government and State and local governments.

SEC. 402. This section adds a new subchapter VI at the end of Chapter 33 of title 5 of the United States Code embodying the mobility provisions.

Definitions

Section 3371 of the new subchapter defines "State" and "local government" for the purpose of this title. These definitions are intended to be broad enough to include any agency of a State or local government at any level; their instrumentalities, including multi-State authorities and intra-State authorities; Federal-State authorities; and the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States.

There is no special definition of a Federal agency or a Federal employee in this section. For the purposes of this title a Federal agency would be any Executive agency as defined under section 105 of title 5 of the United States Code. The definition of Federal employee would be that which appears in section 2105 of title 5. Uniformed personnel, including those in the Coast Guard, the Public Health Service, and the Coast and Geodetic Survey do not come under its coverage.

General provisions

SEC. 3372. This section provides the broad framework for establishing mobility programs. It authorizes assignments of employees, with their consent, from one governmental jurisdiction to another for periods up to two years. Assignments could be extended by the Federal agency head concerned for not to exceed two years. The assignment would have to be for work which the Federal agency head determined would be of mutual benefit to his agency and the State or local jurisdiction concerned. Subchapter (b) authorizes the assignment of an employee of an Executive agency to an institution of higher learning, and vice versa. Private as well as public institutions of higher learning would come under the purview of this provision.

Assignment of Federal employees to States or local governments

SEC. 3373. This section deals with the assignment of Federal employees to State and local jurisdictions. Under subsection (a) employees could be assigned either on a detail or leave without pay basis, whichever seems most desirable to the agencies involved. Employees serving on a detail basis would be treated as Federal employees for all purposes except that their supervision would be governed by agreement between the participating agencies. The Federal Tort Claims Act and any other Federal tort liability statute would continue to apply to Federal employees whether on detail or on leave without pay.

Subjection (b) provides that assignments either on a detail or leave without pay basis may be made with or without reimbursement by the State or local government for salary, supplemental salary, and travel and transportation expenses of Federal personnel. Authority would be available for Federal agencies to receive reimbursement from the State or local agency for all or part of the expenses of Federal employees.

Subsection (c) sets the ground rules for assignments of Federal employees to State and local governments on leave without pay. Such personnel would be given State or local government appointments, and their salary would come from State or local funds. However, Federal appropriations would be authorized for certain expenses. If the rate of pay for a State position is less than the rate of pay the Federal employee would have received had he remained at his Federal post, the Federal agency would pay a salary supplement equal to the difference. The supplement would be payable as earned, and would not be conditional on such factors as completion of the full period of assignment.

Employees serving on leave without pay would earn leave at the same rate as they would have earned it had they remained in their regular jobs. Employees would not be authorized to earn leave at a higher rate even if the position they occupied in the State government normally called for a higher earning rate. The determination whether the Federal Government or the State or local government paid for the leave would be arrived at by agreement between the participating agencies.

Federal employees on leave without pay would be entitled to continuation of their retirement, life insurance, and health benefits coverage under the civil service or other applicable systems as long as they currently paid the employee contribution into the appropriate fund or system. The employer contribution would be paid by the Federal agency originating the assignment for all three types of coverage. These personnel would continue to be covered under 5 U.S.C. 8501–8508 relating to unemployment compensation benefits.

Service performed on such assignments on leave without pay would be creditable for Federal salary, retention, retirement, and leave accrual purposes. Such service would also be creditable for early retirement purposes for law enforcement personnel under 5 U.S.C. 8336(c).

There is one circumstance, however, under which Federal health, life insurance, and retirement benefits would not be authorized. That would be when employees or their beneficiaries elected to receive benefits under State or local systems instead. The policy

throughout this title is to bar the receipt of dual benefits by Federal employees for any purpose.

Subsection (d) (1) provides that if an employee on leave without pay is injured or killed in the performance of official duty, he or his beneficiary shall be treated for the purpose of injury compensation benefits as if he had been injured or killed while on active duty in his agency. Here, too, the employee or his beneficiary would have a choice between Federal and State benefits. And if the non-Federal benefit is selected, the employee or his beneficiary would not be entitled to a parallel Federal benefit.

Under subsection (d) (2) an employee who elects to receive State workmen's compensation benefits would not be entitled to Federal disability retirement for the same period.

Assignment of State or local government employee

Assignment of State or local government employees

SEC. 3374. This section sets forth the conditions for assignment of State and local employees to the Federal Government.

Subsection (a) provides two methods for assigning State and local employees to Federal agencies which are comparable to the two methods authorized for Federal employee assignments to State and local governments. State or local employees could serve either on a detail basis or under a temporary Federal appointment without regard to the provisions governing appointment in the competitive civil service. An employee who is detailed to the Federal Government would remain a State government employee for most purposes. A State employee given a Federal appointment would be treated in the same way as any other temporary Federal employee for most purposes. He would not be entitled to tenure, and his appointment could be terminated at any time by the Federal agency employing him.

Subsection (b) provides that a State employee given a Federal appointment would come under the coverage of the Civil Service Retirement Act or other applicable retirement systems or the Federal Employees Group Life Insurance Act. He would not be covered under the Federal Employees Health Benefits Act or similar authority unless his Federal appointment resulted in the loss of coverage under a State or local health benefits system.

Subsection (c) is concerned with the status of State and local personnel detailed to a Federal agency. Such personnel would not be entitled to Federal pay, but would be considered Federal employees for the purpose of certain Federal employee laws including those relating to conflict of interest, political activity, failure to account for public money, disclosure of confidential information, lobbying with appropriated funds, and tort claims. In addition, they would be subject to such regulations as the President may prescribe. The supervision of the duties of a State or local detailee would be governed by agreement between the participating agencies. A Federal agency could reimburse a State or local agency for all or part of the salary of a State or local detailee.

Subsection (d) provides that a State or local government employee serving on detail or under Federal appointment who is disabled or dies as a result of personal injury sustained while in the performance of official duty is to be treated as a Federal employee for on-the-job injury compensation benefits. However, as in the case of the Federal employee who is injured serving on a State or local government assignment, the State or local employee or his beneficiary would not be entitled to receive both Federal and State benefits for the same injury.

Subsection (e) provides that if a State or local government fails to continue the employer's contribution to the State or local government retirement, life insurance, and health benefit plans for a State or local government employee under Federal appointment, the employer's contribution or a part thereof, may be paid by the Federal agency concerned. In these situations, the Federal agency would transmit deposits directly to the State or local government system.

Travel expenses

SEC. 3375. This section authorizes the payment of travel and transportation expenses and per diem for State and local government employees assigned to Federal agencies and Federal employees assigned to State and local governments. This section is intended to be broad enough to provide for the needs of Federal, State, and local employees enroute to, from, and during their assignments in either the Federal Government or State and local governments.

The authorizations provided would be available for Federal agency use on a discretionary basis under regulations prescribed by the President.

Subsection (a) (1) provides authority for a Federal agency to pay the costs of travel, including mileage and allowances, and per diem in lieu of subsistence in accordance with subchapter I of Chapter 57, title 5, United States Code, of Federal, State and local employees enroute to, from, and during assignment.

Subsection (a) (2) provides authority to pay the travel and transportation expenses of the immediate families of employees assigned to another governmental jurisdiction and return. This includes transportation of household goods and personal effects, packing, crating, temporarily storing and unpacking, etc.

Subsection (a) (3) provides authority to pay a per diem allowance for the immediate family of the employee while enroute to and from the assignment location in accordance with section 5724a(a) (1) of title 5 of the United States Code.

Subsection (a) (4) would authorize payment of subsistence expenses for the employee and his immediate family for a period up to 30 days while occupying temporary quarters at the assignment location with section 5724a(a) (3) of title 5.

Subsection (a) (5) provides for the payment of expenses of nontemporary storage of household goods and personal effects in connection with assignment at an isolated location in accordance with section 5726(c) of title 5.

Subsection (b) provides that the expenses specified in subsection (a) may not be allowed unless the employee signs a written agreement to complete the entire period of his assignment or one year, whichever is shorter, unless separated for reasons beyond his control. If the agreement is violated, the expenses would be recoverable by the United States. However, an agency head could waive the right of recovery with respect to State or local government employees assigned to his agency.

Subsection (c) authorizes the use of appropriations to transport the remains and personal effects of employees and their dependents who die while on an assignment.

Regulations

SEC. 3376. This section sets forth section headings for each of the major provisions of this title, and states that the President may prescribe regulations for the administration of this subchapter.

Repeal of special authorities

SEC. 403. This section repeals other employee mobility authorities with the exception of section 314(f) of the Public Health Service Act relating to Commission officers of the Public Health Service.

Effective date

SEC. 404. This section sets the effective date of this title at sixty days after enactment.

TITLE V—GENERAL PROVISIONS

Declaration of purpose

SEC. 501. This section sets forth the purpose of this title, which is to provide for the general administration of titles I, II, III, and V of the Act, and to provide for the establishment of certain advisory committees.

Definitions

SEC. 502. This section defines, for the purposes of the Act, the terms "Commission", "Federal agency", "State", "local government", and "general local government".

General administrative provisions

SEC. 503. This section provides that, unless otherwise specifically provided, the Commission shall administer the Act, and shall furnish such advice and assistance to State and local governments as may be necessary to carry out the purposes of the Act.

In the performance of, and with respect to, the functions, powers, and duties vested in it by the Act, the Commission is authorized by subsection (c) to issue standards and regulations necessary to carry out the purposes of the Act; to consent to the modification of any contract entered into under the Act; to include in any such contracts those covenants, conditions, or provisions the Commission deems necessary to assure that the purposes of the Act will be achieved; and to enter into agreements with any Federal agency, State or local government, or other public or non-profit agency or institution, for the use (on a reimbursable, non-reimbursable, or other basis) of their services and facilities.

Subsection (d) authorizes the Commission to collect information from time to time with respect to State and local government training and personnel administration programs under the Act; to make such information available to interested public or private groups, organizations, or agencies; and to conduct research and make evaluations as needed for the efficient administration of the Act. In addition, subsection (d) requires the Commission to include a report on the administration of the Act in its annual report.

Section 503 further provides that the Act's provisions are not a limitation on existing authorities under other statutes. Unless specifically provided otherwise, the Act's provisions are in addition to such authorities.

Reporting requirements

SEC. 504. This section provides that reports and evaluations shall be made by those State or local government offices designated to administer an approved program under the Act.

Such reports and evaluations will be made in such form, at such times, and containing such information concerning the status and use of Federal funds and the operation of the program as may be required by the Commission. In addition, the section requires that such designated State and local government offices keep and make available such records as the Commission may require for the verification of the reports. Similar requirements apply to organizations receiving training grants.

Review and audit

SEC. 505. This section requires grant recipients, for the purpose of audit and examination by the Commission, the head of the Federal agency concerned, and the Comptroller General of the United States, to permit access to any books, documents, papers, and records that are pertinent to the grants received.

Distribution of grants

SEC. 506. This section provides that the Commission shall allocate grants under this Act in the most equitable fashion among State and between State and local govern-

ments taking into account the population of the recipient jurisdiction, the number of employees affected, the urgency of the program, the need for funds, and the potential of the particular jurisdiction to use the funds most effectively.

Subsection (b) states that 15% of the total funds available for grants in each fiscal year shall be apportioned equally among the States.

Any unused portion of such funds at the end of the fiscal year shall be added to the total available funds for the next succeeding fiscal year. Total payments to any one State in any one fiscal year may not exceed 12½% of the total appropriation for that year.

Termination of grants

SEC. 507. This section authorizes the Commission to terminate payments made by the Commission under the Act to a State or local government whenever it finds, after giving the government concerned reasonable notice and opportunity for a hearing, that a program approved under the Act has been so changed that it no longer complies with the provisions of the Act or that in the operation of the program there is a failure to comply substantially with the provisions of the Act.

The government concerned shall be notified by the Commission of its finding before payments are terminated. The Commission may, however, authorize the continuance of payments to those projects which are not involved in the noncompliance. The Commission is also authorized to resume payments when it is satisfied that such noncompliance has been, or will promptly be, corrected.

Advisory committees

SEC. 508. This section authorizes the Commission to appoint, without regard to the provisions governing appointments in the competitive service, advisory committees to facilitate the administration of this Act.

Subsection (b) provides that members of such committees who are not full-time employees of the United States may be compensated at rates not to exceed the daily rate for GS–18 employees, including travel and per diem, while serving on the business of the committees.

Appropriation authorization

SEC. 509. This section authorizes to be appropriated not more than $20,000,000 for fiscal year 1970; $30,000,000 for fiscal year 1971; and $40,000,000 for fiscal year 1972. Any amounts appropriated shall remain available until expended.

Revolving fund

SEC. 510. This section establishes, within the Commission, a revolving fund for financing functions authorized by the Act to be performed on a reimbursable basis, and such other services as the Commission, with the concurrence of the Bureau of the Budget, determines may be performed more advantageously through such a fund.

The capital of this fund shall consist of appropriations made for this purpose, as well as unexpended balances of appropriations or funds of activities transferred to the fund and the reasonable value of other assets transferred to the fund.

Reimbursements or advance payments made by Federal agencies, the Commission, from State and local governments, or other sources, for supplies and services will be credited to the fund, at rates approximating the expenses of operations.

Unobligated and unexpended funds determined by the Commission to be in excess of amounts needed for its operations shall be deposited in the Treasury as miscellaneous receipts.

Limitations on availability of funds for cost sharing

SEC. 511. This section provides that State or local governments, in meeting their share of the costs under this Act's grant provisions, may not use Federal funds made available to them under other programs, or funds they have used to meet their share of the costs on other Federally assisted programs, except that Federal funds of a program wholly financed by Federal funds may be used to pay a *pro-rata* share of such cost-sharing.

Method of payment

SEC. 512. This section authorizes the Commission to pay or accept payments under this Act in installments and in advance or by reimbursement. The Commission is authorized to determine the specific method of payment to be employed in a particular case.

Effective date of grant provisions

SEC. 513. This section provides that the effective date of the grant provisions of this Act shall be 180 days after its enactment.

S. 14—INTRODUCTION OF BILL TO PROVIDE FOR THE ESTABLISHMENT OF A COMMISSION ON AFRO-AMERICAN HISTORY AND CULTURE

Mr. SCOTT. Mr. President, on behalf of Senators BAYH, BROOKE, CASE, COOK, GOODELL, HART, HARTKE, HATFIELD, INOUYE, JAVITS, MCGEE, MATHIAS, MILLER, MONDALE, MUSKIE, NELSON, PERCY, SCHWEIKER, WILLIAMS of New Jersey, and myself, I introduce for appropriate reference a bill to establish a Commission on Afro-American History and Culture. Congressman SCHEUER, of New York, is introducing a companion measure in the House of Representatives. A similar proposal, H.R. 12962, was approved late in the second session of the last Congress by the House. My bill of last year was approved by the Subcommittee on Arts and Humanities of the Senate Labor and Public Welfare Committee. The imminence of adjournment prevented the 90th Congress from completing action on the legislation.

I am encouraged by the actions taken by the full House and the Senate subcommittee and I feel sure that the proposal to establish a Commission on Afro-American History and Culture will be accepted by this Congress.

The congressional hearings on last year's bill emphasized a black imbalance in American history as taught in our schools as well as in other areas. I do not believe that stepping from total neglect of Negro history into crash programs with short life spans can adequately meet the challenge of dissemination of black history and culture. There must be positive and deliberate programs of research, preservation and dissemination of the black heritage. My proposal to establish a Commission on Afro-American History and Culture can do this. It could be the catalyst which brings better understanding of the total nature of our society to all Americans.

The challenge goes out to all citizens to spread the word that Negroes have made sound contributions to our country. It must be met by those in the communications media, historians, sociologists, and politicians.

The academic community is taking some positive steps by providing studies of African-American history and culture. For the first time in history a major American university, Yale, is offering a degree in black culture. Seven institutions of higher learning this past summer conducted workshops designed to inform faculty members of available materials in the area of Negro history and culture. However, such workshops are handicapped by the shortage of books, monographs, and research work in this field. Many State colleges, State universities, and land-grant colleges have added a black-American dimension to their curriculum through courses in black history and culture. But there is a need for much more historical data on the Negro in America to add to the substance of curriculum. The scarcity of organized reference material on the black American makes research exteremely difficult.

The time is ripe for national leadership in fostering better understanding and knowledge of the contributions of African-Americans and their heritage to American society.

This does not mean just including an African-American history course in school curriculums; it also means highlighting the presence of the Negro in a wide range of activities such as literature, economics, music, or political science as the activity itself is studied or publicized. I believe the Commission will serve best when it performs this task of identifying and dramatizing, in the classroom and out, the black man's contributions to the total American experience. At its best, such an effort will support the long and often tragic struggle of the Negro, himself, to feel a part of this experience.

Mr. President, I ask unanimous consent that the text of my proposal be printed in the RECORD, together with an article which appeared in the Johns Hopkins magazine, summer 1968 issue, entitled "The Burden of Negro History," which will shed further light on this subject. In this article, its author, Hugh Davis Graham, says:

> To the degree that classroom courses in Negro history and culture, if taught by competent instructors with a critical sense of responsibility to the evidence, can contribute to both white and black understanding of the legacy of American Negroes, then this is clearly desirable—even urgent.

May I add that a critical sense of responsibility to the evidence by all Americans should and must begin to be woven into every facet of our society, and that this, too, is clearly desirable—even urgent.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the RECORD.

The bill (S. 14) to provide for the establishment of a Commission on Afro-American History and Culture, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 14

A bill to provide for the establishment of a Commission on Afro-American History and Culture

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

SHOOTING THE MOON

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. CHAMBERLAIN. Mr. Speaker, today as the Congress meets in joint session to hail the great technical achievement of the flight of Apollo 8, and to extend the Nation's admiration and gratitude to its courageous crew, I am particularly pleased to bring to the attention of my colleagues two editorials from leading newspapers in the Sixth Congressional District of Michigan. One is entitled, "'Shooting the Moon' Really Benefits All," and appeared in the Jackson Citizen Patriot, Jackson, Mich., Wednesday, January 1, 1969; and the other is headlined, "Apollo Opens Door to Universe," reflecting the view of the Owosso Argus Press, Owosso, Mich., Thusrday, January 2, 1969.

Both of these themes are particularly well stated and I believe are clearly appropriate additions to the permanent record of today's proceedings.

The editorials follow:

[From the Jackson (Mich.) Citizen Patriot, Jan. 1, 1969]

"SHOOTING THE MOON" REALLY BENEFITS ALL

The fantastic feats performed by the crew of Apollo 8, as well as the ship itself, occupy center stage as the new year dawns, and properly so.

Yet along with the praise from around the world comes the nagging question expressed in various ways: Yes, but—what good does it do, what have we gained from the billions poured into the effort?

Someone recalled that President Eisenhower had decided against pressing for the flight on the grounds the money was more useful in other places, and a few scientists still hold more information can be obtained by un-manned, automated space probes.

These are the questions posed by the pessimist in us, while it is the ever-present optimist that provides the answers.

There is something within all human beings, some invisible force, that keeps man reaching for the unattainable—reaching until he has attained the impossible. All progress, from the caves to the breakthrough into space travel, is the result of that drive to know more, to conquer everything just because it is there.

It is not a wholly American trait, even though we sometimes like to think so, but it does get a freer rein in this country.

There are many who decry that attitude, but decrying it won't still the urge genetically implanted in the human mind. Knowledge is imperfect, thus more effort must be put into perfecting it.

Tremendous benefits are beginning to flow into our daily lives from the space effort, although admittedly they are still relatively a trickle.

For the time being they are evidenced mostly in the fantastic subminiturization of mechanical devices and the studies of radiation. Both have found their way into the medical arts as well as scientific usage.

Perhaps the most dramatic of these bits of progress are the new micro-batteries that can be implanted under the human skin to keep Pacemakers working at regulating heartbeats, and more obviously, the revolutionary effects on communications.

Billions of dollars are being saved annually by farmers because weather satellites are performing on high, telling the when and where of storms. In the future are space observations of crop disease and the causes, as well as water or mineral imbalances in the soil. World-wide crop advice and management is within reach of a globe whose peoples have starvation, undernourishment and well-being spread unequally. Solution of this last problem alone would justify the expense involved.

The Apollo 8 communications opened a whole new era, and already a Japanese manufacturer has perfected a TV tube that allows the construction of a set resembling an oil painting in size and shape. It will hang on the wall like something out of a Buck Rogers or Jules Verne dream.

It is just entering the market, but already available are television sets no larger than World War II portable radios. Kitchen cooking-ware is now made of the same ceramics developed for nose cones. The list is long, and just as impressive throughout its length.

Curiously, the space program's acceleration of man's knowledge follows an historic pattern. Significant advances have come in rushes so to speak, although as today's advances shrink the world the rushes come closer together than in past centuries when communications were slow.

Scoffers aside, there is good reason to be optimistic that the push for space technology will have the end result of solving a great many of mankind's vexing earth-bound problems as "spinoff" from the central theme.

Progress has been made in such fields as housing (and all of its integral areas such as wiring, plumbing and basic construction), medicine, new fields of employment, and so on.

Thus the conquests of Apollo 8 are not so limited as firing a rocket around the moon and back, but include significant advances for all.

[From the Owosso (Mich.) Argus-Press, Jan. 2, 1969]

APOLLO OPENS DOOR TO UNIVERSE

Ten lunar orbits do not a successful moon landing make, but the brilliant and virtually flawless performance of Apollo 8 and its crew render that accomplishment almost a foregone conclusion in 1969.

Thus it is not too early to begin asking, "Where do we go from here in space—if anywhere?"

With the major development work on the Apollo Project completed, Americans have in their national inventory the production and testing facilities and highly skilled personnel representing an investment of some $30 billion. This investment can either be dismantled, as was the nation's investment in aeronautical know-how in the infant days of aviation after World War I, or new goals beyond Apollo can be set for it.

Undoubtedly, when the final chapter is written in the amazing Apollo story, the nation will be in a mood to divert a great part of its current spending on space to needs much closer to home. But it would be false economy, and a misreading of the real purpose of space exploration, to allow the tremendous capabilities that have been built up to deteriorate.

For the moon is not hanging up there in space just to provide a convenient target for Americans and Russians trying to outdo one another in technological stunts. It pulls on man's imagination is infinitely greater than its actual gravitational strength.

Although from here, and even from the view of a circling astronaut, it appears to be nothing but a forbidding globe of dust and rock, no man can say what its ultimate value may be, if only as an astronomical observatory or as a laboratory whose unique conditions make possible experiments that cannot be performed on earth.

We ought not to make the mistake of Daniel Webster, who vowed never to vote for the spending of a cent of the public money on the exploration of the "useless" American West.

There remains near-earth space, whose manifold uses we have only begun to appreciate and exploit. A permanent manned space laboratory is a logical post-Apollo goal and one which there is good indication the Russians have set their sights on.

Such a station is also a necessary forerunner to intensive exploration, and possible scientific colonization, of the moon. It is simply too costly and wasteful to use gigantic Saturn rockets to send a few men directly to the moon, and unfeasible to supply them this way.

With an earth-orbiting space station, regular shuttle flights to the moon can become a reality. Beyond that, it would be an assembling and stepping-off point for exploration of the nearer planets.

The Apollo project is not yet completed, but it has already opened the door on a vast new realm—nothing less than the entire universe. We cannot allow that door to close again, for to do so would be to fall our own dreams.

CONTRIBUTIONS TO SPACE VENTURE BY THE UNIVERSITY OF ALABAMA

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. FLOWERS. Mr. Speaker, the occasion of the presence in this Chamber of Col. Frank Borman, Capt. James Lovell, Jr., and Lt. Col. William Anders and their generosity in sharing the high honors given to them with their coworkers throughout the United States prompts me to recall the significant contributions made to the success of their mission and other space ventures by the University of Alabama. We Alabamians are extremely proud of our great university and its longstanding relationship with the National Aeronautics and Space Administration. We are honored that so many of its professors have made significant and noted contributions to this Nation's space program. Since 1961, the University of Alabama has been involved in 42 separate space projects, which have covered a broad spectrum of scientific inquiry including the Saturn V launch vehicle recently used so successfully by our astronauts. The university's scientists have worked in programs relating to telemetry systems, component design systems, gyroscopic stability systems, and lunar resource studies. At the present time the university is engaged in a project, entitled "Preparation of a Program History for the Saturn V Project," which will assimilate and present in an orderly, usable fashion all of the data relating to the conception, design, testing, construction, and use of the Saturn V launch vehicle. I am informed that this program, when completed, will be one of the basic tools used by space scientists in charting future development and utilization of improved spacecraft booster systems. Mr. Speaker, it is, therefore, with a great deal of pride that I spread

on the RECORD the names of the following distinguished members of the University of Alabama's faculty, thus paying tribute to their commitment and to the commitment of the university of Alabama to this Nation's space program:

Dr. O. R. Ainsworth, Prof. Colgan Bryan, Prof. A. E. Carden, Dr. T. E. Falgout, Dr. Marvin Griffin, Dr. H. R. Henry, Dr. J. L. Hill, Prof. Ray Hollub, Dr. E. K. Landis, Dr. R. E. Lueg, Dr. O. P. McFuff.

Dr. J. D. Matheny, Dr. Harold Mott, Prof. D. N. Osteen, Jr., Prof. W. K. Rey, Dr. W. J. Schaetzle, Prof. R. Q. Shotts, Dr. R. S. Simpson, Prof. W. G. Stanton, Dr. W. E. Webb, Dr. C. H. T. Wilkins, Dr. J. H. Youngblood.

Leg Gen

FEDERAL SALARY INCREASES

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. MILLER of Ohio. Mr. Speaker, on Monday, January 6, 1969, this body passed H.R. 10, increasing the salary of the President of the United States by 100 percent. The salary to be received by the new President beginning January 20, 1969, will be $200,000 per year.

The matter of Federal spending and salary increases, not only for the President, but for other Federal officeholders, is one of great concern to me personally and to many of my constituents.

During debate on H.R. 10 there were two points brought out in the arguments in favor of the measure. One was that a great amount of the increase would be returned to the Treasury in the form of taxes. The other argument was that recent Presidents have had to dig into their own funds to pay some of the costs of operation of the office. Let us analyze these two arguments.

First was the argument that most of the increase would be returned to the Treasury in the form of income taxes. I quote from comments on page H73 of the CONGRESSIONAL RECORD of January 6, 1969:

> Out of this $100,000 increase, between $65,000 and $70,000 will be turned right back around, to come back to the Treasury as taxes on the President's salary, so we are talking here about $30,000 to $35,000.

The second argument was that the President has had to pay, out of his own pocket, some of the costs of operation of his office. If this is true and can be documented I do not believe a measure which would directly offset such valid expenses as the President may incur would have any great amount of difficulty being passed by the Congress. It is true that costs are higher and if the present expense allowance authorized the President is not sufficient, then it perhaps should be increased.

The point I wish to make is that the President cannot use the increase for expenses of the office and the increase also be returned to the U.S. Treasury. It must be one way or the other.

Both of these arguments, the costs of operation of the office, and the actual net increase in pay, seem to me to be unable to support the psychological effect on the Nation of increasing the President's pay by 100 percent.

Instead, it seems to me that the real reason for such an increase was contained in a statement concerning the variance in salaries. This Presidential pay increase will now allow an increase for other top Government officials, including Members of Congress, without having them too near the President's income on the established salary scale.

In the budget message soon to come from the President some large increases are expected for Federal employees, starting at the top with Cabinet members and continuing through members of the Armed Forces. This increase is expected to cost approximately $3 billion.

In an era when we are talking of restraint and austerity it seems unreasonable that a top executive's pay should be increased 100 percent.

At the close of debate on H.R. 10 the yeas and nays were refused. A motion to reconsider was laid on the table. Two-thirds of those present voted in favor, the rules were suspended, and the bill was passed.

No rollcall vote was taken and, as a result, the RECORD does not indicate those who would have voted against H.R. 10. I would like to state that had the roll been called I would have voted against doubling the salary of the President.

COMMISSIONER OF POLICE PROPOSED FOR THE DISTRICT OF COLUMBIA

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, today I am introducing legislation in behalf of myself, the Honorable JOHN L. MCMILLAN, chairman of the Committee on the District of Columbia; Mr. DOWDY, of Texas; Mr. ABERNETHY, of Mississippi; Mr. HAGAN, of Georgia; Mr. O'KONSKI, of Wisconsin; Mr. WINN, of Kansas; and Mr. FUQUA, of Florida, to create a Commission of Police for the Nation's Capital under direct control of the Congress and consolidate the five major police forces in the District under that Commissioner.

This legislation creates a Commissioner of Police for the Nation's Capital under direct control of the Congress. The Commissioner would assume complete jurisdiction over the Metropolitan Police, the Park Police, the White House Police, the Capitol Police, and the National Zoological Park Police—now under jurisdiction of the Commissioner and City Council; the Secretary of the Interior; the Secretary of the Treasury; the Sergeants at Arms of the House and Senate; and the Secretary of the Smithsonian, in that order.

The bill would also create a nine-man advisory commission, five of whose members would be citizens of the District of Columbia.

The Commissioner would be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate, and would be directly responsible to the Congress. He would be charged with the creation of the necessary agency to discharge the duties of his office, and would be similar in character to the Comptroller General or the Public Printer in his role as a servant of the Congress.

Mr. Speaker, this organizational structure is patterned in part on nearly a century and a half of success experienced by a distinguished police force in another world capital. Since Sir Robert Peel created the Metropolitan Police District of London in 1829, the police force known to millions throughout the world as Scotland Yard has functioned under a Commissioner of Police directly responsible to Parliament's office of the Home Secretary, and not to the municipal government of London. Today it is a respected, highly effective organization of 19,000 men.

Great Britain has 148 regular police forces, all of which are controlled by local authority, with the sole exception of Scotland Yard. It also should be noted that, contrary to popular notion, Scotland Yard has no official jurisdiction outside of Greater London. To be sure, its central investigative division cooperates with and assists other police forces throughout the United Kingdom and throughout the world.

I think it is fair to say that Scotland Yard has functioned with a record of efficiency which is the envy of police departments the world over, and those of us who have been in London in recent years can attest to the safety of that city and to the good relations that exist between Londoners and their police.

It is my desire to see created a force such as the Metropolitan Police of London here in the city of Washington, D.C. It is not my desire to create a national police force, or a secret police establishment to grind underfoot the legitimate complaints of the citizens of the District of Columbia and its visitors.

I strongly urge that we reflect a moment on the success of the British and the advantages that are possible to achieve under such a system. There are obvious financial gains to be had. The Metropolitan Police Force will cost the city of Washington $48,033,000 during the next fiscal year. This figure will be higher as time goes on. This is an expense that could constitutionally be borne by the Congress, and a substantial savings to the city could accrue if this legislation is enacted.

I believe the Congress could afford and would approve the necessary funds to staff and equip a department equal to the police needs of the city. It could also afford and I believe would approve funds necessary to bridge the gap between the people of the District of Columbia and the police officer. Such an effort would call for educated, highly talented personnel and coordinated efforts to project the police officer in the role of guardian as well as enforcer of the law, and would have to be prosecuted vigorously. None of these things can be done as effectively

when the findings of a special Presidential Task Force on Telecommunications had already been submitted—though they were not yet published—finding that had in fact reached exactly the opposite conclusion with regard to CATV from the viewpoint reflected in the Commission's own proposed regulations and its interim orders. In other words the task force had concluded that CATV should be expanded to serve the public interest, not curtailed.

FCC Commissioner Robert T. Bartley, in a dissenting statement, declared that application of the Commissioner's interim rules is a fatally defective procedure because the rules are in fact substantive and thus have been applied without rulemaking procedures required by the Administrative Procedure Act. I could not agree with Mr. Bartley more.

The Commissioner also notes the "'distinct possibility" that the interim order will stifle further development of CATV, and again, as I have already indicated, he is cooking with gas.

Mr. Speaker, legislation has already been introduced in this House by the gentleman from California (Mr. VAN DEERLIN) calling for a full investigation by the Committee on Interstate and Foreign Commerce of this whole CATV rules matter. I fully support this resolution. Surely if one administrative agency of Government can, by a single action, take away the jobs of hundreds of American citizens and jeopardize the investment of thousands of businessmen and stockholders, and disrupt the television service of millions of Americans living in rural areas, and do all this without even so much as a "by your leave, sir," to the Congress, then something is very seriously wrong.

Indeed, I believe that even stronger action than just an investigation is needed to restore justice and equity. While we investigate, CATV will continue to stagnate, thousands of men and women will remain without employment, and millions of families will be without adequate television coverage.

If the Federal Communications Commission does not promptly rescind its interim orders I intend to introduce legislation to force their repeal. I hope such a course will not be necessary, but if the FCC remains obstinate this Congress can and must move quickly to correct their outrageous and improper action, plainly directed against the welfare of millions of plain Americans whose only fault is that they happen to live in rural America instead of in one of the big cities.

CONGRESSMAN STRATTON INTRODUCES CONGRESSIONAL AMENDMENT TO ELIMINATE THE TWO MOST GLARING DEFECTS IN OUR PRESENT ELECTORAL SYSTEM

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

Mr. STRATTON. Mr. Speaker, one issue on which most Americans are agreed, in the light of some of our experiences in the recent presidential election, is that there are grave deficiencies in the present electoral college system of electing a President of the United States, and that reform is very definitely in order.

The other day I introduced a resolution—House Joint Resolution 189—in the House, designed to correct the two most serious of these deficiencies; namely, the arrangement that throws the election of a President into the House of Representatives if no candidate receives a majority of the electoral vote; and the arrangement which makes it possible legally for an individual elector to cast his ballot for someone other than the candidate for whom he was chosen to be an elector.

My proposed amendment, I might add, is identical to House Joint Resolution 1, introduced earlier in this session by the distinguished gentleman from Louisiana (Mr. BOGGS).

As some commentators have already noted in the press there are almost as many different proposals for reforming the electoral college as there are commentators and critics. My amendment obviously does not go as far in the direction of reform as many people would like. It does not, for example, call for a system of direct election of the President and the Vice President. Personally, my mind is still open on this issue, but I do recognize some of the substantial difficulties involved in getting such a sweeping reform adopted. Since the present system embodies the same Federal principle on which our Republic was established, therefore favoring to some extent the smaller States, a proposed amendment leading to a direct vote might incur difficulties in getting the necessary three-fourths of the States for ratification.

But whether direct election is or is not a desirable objective, the two features to which I have referred are so obviously bad that their elimination from our electoral system ought not to hang on the desirability of some of further and more controversial forms.

As we have just realized in the recent 1968 election, the provision which throws the election of a President into the House of Representatives in the absence of a majority of the electoral vote would have grave and damaging effects in today's world that were never even dreamed of by the Founding Fathers. At the very least it would leave the question of the leadership of our country at a time of critical international activity in doubt for much too long a period of time. Moreover the voting system provided in the House under these circumstances, whereby each State no matter how small or large receives only one vote, is just too undemocratic and outmoded for today's world.

The other glaring deficiency that must also be eliminated without further delay is the absence in the Constitution of any requirement that an individual elector must cast his vote for the person for whom he was designated as an elector. Only the other day in this Chamber we have seen once again that the Constitution is powerless to prevent an elector, chosen by the people of his State to cast his vote for one individual, casting it instead for another. If this could happen in the case of Dr. Bailey, of North Carolina, in 1968, it can happen in the case of other electors in future elections. In fact, if the electoral result should be especially close the acts of "faithless electors" like Dr. Bailey could alter the entire outcome of a presidential election, contrary to the wishes of the people themselves.

If we can agree on further reforms, well and good; but the removal of the most objectionable and hazardous aspects of the present system ought not to have to wait on agreement on more controversial reforms.

My proposed amendment would do the following:

First, abolish the electoral college as a group of individuals but retain the principle of each State's electoral vote, as at present, equal to the number of that State's Representatives and Senators;

Second, automatically count all of a State's electoral votes for the candidate who receives a plurality of that State's popular vote;

Third, provide for the election of the presidential and vice-presidential ticket which receives a plurality of at least 40 percent of the total electoral vote, in place of the present provision that a combined ticket must get a majority of the electoral vote; and

Fourth, provide for a quick run-off nationwide election between the two presidential tickets with the greatest number of electoral votes if no ticket receives at least 40 percent of the total electoral vote.

Mr. Speaker, I urge the prompt adoption of this amendment so we may eliminate these two dangerous possibilities before 1972 rolls around.

CORRECTION OF ROLLCALL

Mr. CONTE. Mr. Speaker, on rollcall No. 8, on January 3, 1969, a quorum call, I am recorded as absent. I was present and answered to my name.

I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

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

There was no objeciton.

A BEAUTIFUL AND EXCITING MUSICAL EXPERIENCE

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

Mr. MAYNE. Mr. Speaker, I want to call the attention of the House to the fact that Washingtonians will have a rare opportunity to share a beautiful and exciting musical experience this week. The celebrated Iowa String Quartet will be performing tonight, Thursday, January 9, at the Corcoran Gallery, and Sunday, January 2, at the Phillips Collection.

The Iowa String Quartet, which is the resident quartet at the University of Iowa in Iowa City, has gained international recognition as one of this country's most outstanding musical groups, performing in many cities throughout this Nation and in Europe. The quartet completed a tour of major European cities in Febru-

ary 1968 under auspices of the U.S. State Department and is planning another State Department tour in the spring of 1970.

As is their custom the members of the quartet will be performing on the famous Stradivarius instruments owned by the Corcoran Gallery which are on permanent loan to the quartet. Known as the Paganini Strads, they were owned and used by the great Italian virtuoso, Nicola Paganini, in the 19th century. Iowans are justifiably proud that the Corcoran has honored the quartet and recognized its artistic merit by making these prized instruments available to the quartet on a permanent loan basis.

All members of the quartet—Allen Ohmes, John Ferrell, William Preucil, and Charles Wendt—are on the faculty of the music department of the University of Iowa. The membership of the quartet has varied since it was first organized. Perhaps the most renowned member has been Charles Treger, who went on to become the first American to win first place in the Wieniawsky violin competition held in Poznan, Poland, in 1962. Mr. Treger is still a member of the Iowa faculty. He and the present members of the quartet are typical of the vigorous artistic and cultural activity now flourishing in the State of Iowa.

GUARANTEEING FEDERAL EMPLOYEES THE RIGHT TO JOIN OR REFRAIN FROM JOINING A GOVERNMENT EMPLOYEES UNION

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

Mr. BLACKBURN. Mr. Speaker, the right of Federal employees to choose or not to choose to join a union, as outlined in President Kennedy's Executive Order No. 10988 of 1962, is too valuable to be subject to the whims of whomever might occupy the White House.

Therefore, today I am reintroducing the Federal Employee Freedom of Choice Act of 1969. Basically, this measure guarantees that all Federal employees will have the right to join or the right to refrain from joining a Government employee's union. The following Members have graciously agreed to cosponsor this measure with me: The Honorable GEORGE BUSH, the Honorable WILLIAM L. SCOTT, the Honorable JOHN N. ERLENBORN, the Honorable JOHN RHODES, the Honorable EDWARD J. DERWINSKI, the Honorable LARRY WINN, JR., the Honorable DURWARD G. HALL, the Honorable O. C. FISHER, the Honorable CHESTER MIZE, the Honorable JAMES B. UTT, the Honorable LAWRENCE BURTON, the Honorable W. E. BROCK, and the Honorable ROBERT V. DENNEY. During 1968 this measure received favorable editorial comment from over 40 different newspapers throughout the United States.

I believe that it is the right of every person to join or to refrain from joining a union. Furthermore, I feel that it is a violation of the basic liberties of our citizens to allow the deletion of this vital right to refrain.

At this time, I sincerely urge the Committee on the Post Office and Civil Service to hold hearings on this measure as soon as possible.

A HEARTY WELCOME TO OUR LATEST SPACE ASTRONAUTS

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

Mr. BUSH. Mr. Speaker, it is with extreme pleasure that I join with the rest of the Congress in welcoming Col. Frank Borman, Capt. James Lovell, and Maj. William Anders to this joint session. Their achievement is a magnificent one—not only for them, but also for the people of the National Aeronautics and Space Administration, who have put in so many long hours of hard work on this flight.

The voyage magnificently put our world in perspective. When we look at those beautiful pictures of this earth taken from the moon orbit, one cannot help but be impressed by the beauty of it. I hope that as we continue to reach these fantastic heights in space we will all look back at the "good earth" and realize that somehow we must and we can achieve a means of living together peacefully.

In one flight the United States became the unchallenged leader of the world in science and technology. Frankly, I have never felt that we had lost this leadership, but the moon orbit dramatized to the rest of the world the magnitude of the U.S. effort and our ability—in an open society—to develop our technology.

I am especially proud that the Manned Spacecraft Center is located in Houston and that I have been able to get to know each of these fine men personally. It is with the utmost respect and esteem for their outstanding accomplishments—as astronauts and as human beings—that I welcome Colonel Borman, Captain Lovell, and Major Anders to this body today. It is only fitting and proper to award these astronauts the recognition they have so gallantly and courageously earned.

APOLLO 8 AMONG OTHER ACCOMPLISHMENTS OF THE MILITARY-INDUSTRIAL COMPLEX

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

Mr. TALCOTT. Mr. Speaker, we in the Congress, and Americans everywhere, proudly salute the three Apollo 8 astronauts. It is quite appropriate that we should.

Exceeding and leaving the earth's gravitational force, circling the moon and returning to the earth safely and precisely, is probably the greatest human feat in history. No other accomplishment compares. Other feats will overshadow this, but for now the genius, foresight, daring, and skill of the Apollo 8 team is unexcelled.

I, too, join the salute and convey my highest commendation and appreciation.

While we bask in their achievement, we ought to keep some perspective.

I have noticed that some Members who are cheering the loudest and who are most anxious to share the spotlight with these present day heroes, were only recently disparaging and condemning the so-called military-industrial complex as something heinous, pervasive, and evil.

It should be remembered that these three astronauts—great heroes—are members of the military and that the whole Apollo 8 achievement is due almost wholly to the military-industrial complex of the United States of America.

I, too, hold that we ought to be cautious about permitting too much power in any complex—military-industrial, media, governmental, union; but let us give proper credit where proper credit is due. Today our military-industrial complex is entitled to the credit for Apollo 8.

No military-industrial complex of any other nation has equaled its achievements. No other complex or association has equaled this achievement of our military-industrial complex.

When we next criticize the military-industrial complex—and we should—we should also remember Apollo 8 among its many other accomplishments.

ORDERLY TEXTILE TRADE

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

Mr. MIZELL. Mr. Speaker, I am pleased to join with several of my colleagues who have introduced into the Congress bills to provide for orderly trade in textile articles, a measure which received considerable attention in the previous Congress.

The problem of ever-increasing textile imports is fully recognized by those of us here who represent Districts in which the textile industry plays a vital role in the local economy. It is my intention to supply ways and means of protecting the livelihood of these textile workers as much as possible by supporting our President-elect in his effort to provide reasonable restraints on US textile imports. The alarming rate at which these imports have increased during the last few years make it imperative that restrictive steps be taken at the earliest possible time before we reach a point of "no-return" and sheer self-destruction.

In my district—the Fifth District of North Carolina—the manufacture of textiles provides one of the major sources of family income, and only by placing restrictions on imports can we hope to hold on to these jobs. Further, any chance of expanding our textile plants lies completely in the hands of the Congress in its handling of this proposal. Frankly, I feel that these U.S. workers are entitled to the protection this legislation would afford them for the preservation of their jobs, their homes and the future of their families. Otherwise, U.S. industry will be forced to seek sites abroad for their operations to meet the challenge posed by foreign imports.

Mr. Speaker, I feel very deeply about the ramifications of a continuing liberal import program, and urgently request that my colleagues study the proposal I

H. CON. RES. 184

Concurrent resolution proposing a multilateral treaty to bar all military installations from the seabed

Whereas the United States has previously entered into treaties providing for the demilitarization of outer space, including the moon and other celestrial bodies, and of Antarctica; and

Whereas the seabed should be kept free of military installations of all kinds so as to eliminate a source of potential conflict among the nations of the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the United States should actively seek to conclude a multilateral treaty, along the lines of those which govern activities in outer space and in Antarctica, which would bar all types of military installations from the seabed and would make appropriate provision for inspection to insure compliance.

WISDOM FROM THE OIL INDUSTRY—OR HOW TO STRETCH TRUTH LIKE CHEWING GUM

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

Mr. PODELL. Mr. Speaker, today I have introduced a bill to remove entirely the 27½-percent oil and gas depletion allowance. Recently a group of gentlemen representing the oil industry came to Capitol Hill to argue for retention of tax privileges this segment of our economy now enjoys at the expense of the entire American public. I was much moved by their reasoning. Reading their comments, I panted under the effect of their eloquence. Never was a more ignoble cause defended so ably. Unfortunately, their arguments are mere sleight of mouth. They plead poverty. They plead high operating costs. I would sooner believe that a barracuda is a vegetarian. I would sooner believe in perpetual motion or squaring the circle then accept their futile testimony.

It is almost tax time, and scores of millions of citizens are beginning to grope for cash to pay Uncle Sam. Let every single one of them take a close look at the American oil industry. See it for what it really is—a fourth level of government. A prime cause of inflation. A major reason why millions pay staggering taxes.

As taxpayers painfully look at their tax writeoffs, let them note the 27½-percent tax-free allowance given the oil industry annually to cover depletion of wells they drill and operate. Let them see a statutory provision enabling oil well drillers to deduct, in 1 year, most capital costs of their drilling that are spread out over a period of years in other industries.

Let them see how oil companies are allowed to deduct from taxes, as a credit, payments of royalties to foreign governments. Such business expenses in most industries are simply deductions from income, taken before taxes are computed.

Let lower and middle income taxpayers take a searching look at tax rates paid by these companies, as they pollute our environment, raise gasoline prices at will, merge to form ever larger corporate units and fight desperately to keep cheap foreign oil out of this country because it would lower prices slightly to scores of millions of gasoline and oil consumers. Bulging with profits and swollen with privilege, they come to Capitol Hill, confident of their power and contemptuous of the vast majority of our American people.

As every man and woman in this country digs deep, deeper, deepest, for their taxes this year, I pray they will examine our American oil industry. It is a national scandal and outrage to allow this unbelievable situation to continue unchecked.

We are even now engaged in a search for tax reform. Let us be blunt, spelling out truth in the straightest terms. Oil industry privilege now rages unchecked at the expense of every citizen of this country. How long are we to tolerate this?

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

[Mr. JOELSON'S remarks will appear hereafter in the Extensions of Remarks.]

READIN', RITIN' AND RIOTIN'

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

Mr. WAGGONNER. Mr. Speaker, if the news item I am inserting here in the RECORD were not such a tragic account, it would be a satire beyond belief. Had it been written a dozen years ago, no newspaper would have printed it because the editor would have been convinced the reporter was having hallucinations. But, time marches on in the Alice in Wonderland of Higher Education and the bizarre has now become the plain and ordinary. As Shakespeare put it—

O judgment! thou art fled to bruitish beasts
And men have lost their reason.

The modern-day brutish beasts have found a home, it would seem, at San Francisco State College, among other institutions which have specialized in permissiveness in the past. I am certain this article could have been written about a number of other colleges and universities because this kind of classroom conduct is permitted almost universally these days. Thank God for the few places of higher learning which continue to resist and attempt to cling to the old-fashioned concept of a school being a center of reason, logic, and learning.

The article referred to follows:

ALL IS "RACIST" TO BLACKS: HARASSMENT JARS LIBERAL

(By Rasa Gustaitis)

SAN FRANCISCO, February 24.—As Prof. John H. Bunzel faced his class for the first time in the semester at San Francisco State College, he knew he was in for trouble.

In the unusually large group before him he saw a sizable number of black militants—to whom, he knew, he symbolized the enemy.

For months now—ever since he had published an article critical of the black studies program as proposed by Associate Professor Nathan Hare—Bunzel had been a target of abuse and intimidation.

He had received anonymous threatening telephone calls at home and became accustomed to being called "pig Bunzel." His two cars were covered with the words "Fascist Scab" one night and all the tires were slashed. A homemade bomb was found one morning outside the office of the political science department, which he heads.

Nevertheless, Bunzel, 45, tall and tweedy, looked at the group before him calmly and began to explain what he had in mind for the course.

FLOOD OF HOSTILITY

His voice was drowned in a flood of hostile questions and remarks. Someone stood up and began to read aloud from "Quotations from Chairman Mao Tse-tung." Bunzel tried for ten minutes to restore order, then, stunned, he dismissed the class.

Two days later, on Wednesday, he tried again. The class now had become, for him, a testing ground of "whether those of us committed to the use of reason can still have his voice heard in an increasingly irrational environment."

He tried to respond to the hostile questions. The course, he said, was titled "community power and the politics of leadership." It would not deal with today's headlines (here a girl's hand shot up) but would follow an academic form and would prove the complexities of community, he said. Then he gestured to the girl.

"Some of the things you say we don't understand," she told him. "I'm asking you to come down to our level. And when we raise our hands, you should respond immediately. It took you about four mintues to respond."

"If it's all right, I'd prefer to finish a thought, then answer questions," Bunzel replied.

"Man, what you're saying doesn't mean anything anyway," a black student shouted. Others joined in a cacophony.

"I can't hear your questions," Bunzel told the class.

"Man, you haven't been hearing all your life," a student said.

TWO MILLION OMITTED

The black students demanded to know why no readings from Stokely Carmichael or Huey P. Newton were assigned. Bunzel replied that some two million other choices had been omitted.

The books on the list, the students charged, were racist.

C. Wright Mills and Talcott Parsons racists? By what standards? Bunzel asked. Had anyone read them?

"If you put it on the list, nine times out of ten it's a racist book," a voice replied.

At the end of half an hour, Bunzel dismissed the class, telling the students: "I intend to teach this course as it has always been taught."

"If we have to bring guns in here you won't teach it," a youth replied. "We'll teach you about community power."

On Friday, Bunzel again pleaded with the students to be allowed to begin. When the heckling continued, an administrative official was called and ordered two of the Negro students suspended. The class was again dismissed, with the first lecture still to be given.

INTIMIDATION CHARGED

At a press conference later, Black Student Union members declared that "black students were harassed, intimidated and suspended" in Bunzel's class that morning.

Tony Miranda, a leader in the Third World Liberation Front, said the militants were determined to "stop the functioning of the class and educate people on what the class is about. Any class he'll be teaching will

have his attitudes and perceptions of our society and that is hurting the people. We're saying he's in direct opposition to our struggle at this point. And as such he's an enemy."

Bunzel, a cool, calm scholar, is somewhat puzzled by the vehemence of the attacks against him, for he prides himself on his long liberal record—the fight he led for admission of Negroes into clubs at Princeton in the 1940s, his outspokenness against Sen. McCarthy and against the California loyalty oath in the 1950s, his support for a black studies program at San Francisco State College as long as four years ago.

He became a special target of the militant students last October, when he published that article in the quarterly, "The Public Interest." In it, he questioned whether the black studies program being drawn up for the College by Nathan Hare would allow for enough diversity in points of view on racial questions.

"It was a cautious piece, hardly something to provoke a kamikaze attack," he said.

Yet it is exactly that caution which angers the militants. For Bunzel, with his careful weighing of all sides of the question, represents to them a liberal enemy—the man in the middle who fails to take sides clearly and so blocks the revolution.

He not only questions their black student studies program but also has failed to support the American Federation of Teachers' strike, explaining that he believes "it is the wrong strike at the wrong time, and besides, I'm not completely persuaded that the industrial trade union model is appropriate to the academic community."

WORSE THAN WALLACE?

"He's much more a dangerous thing than a man like George Wallace," a BSU member told me. "With Wallace, everyone knows where he stands. But when Bunzel says something people say, yeah, he's a liberal so that must be right."

But to Bunzel, the right to say or write what he believes and to teach the class as he wants to is "the irreducible minimum of academic freedom."

"I will not be intimidated but I will not be afraid to acknowledge that sometimes I'm scared," he told me. "I've had police protection at home now for four months and that's a lousy way to live."

file

FASCELL INTRODUCES BILL TO ALLEVIATE INEQUITIES IN FEDERAL EMPLOYEES' COMPENSATION ACT

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

Mr. FASCELL. Mr. Speaker, I introduce today legislation to correct a Government practice which affects only a few people but is of extreme importance to those few who are involved.

I refer to the policy of cutting off a Federal employee's pay as soon as he files a compensation claim for injury suffered on the job. In many cases the paperwork delay in processing a justifiable claim amounts to weeks or months. Meanwhile, the injured employee is expected to meet all of his continuing expenses—which may include supporting a family of many children—without any income.

Clearly this is an unfair and inequitable situation, since the employee is injured through no fault of his own. He was carrying out his official Government duties when injured, and therefore the Government has an obligation to provide for his support until he is able to work again.

Under present practices, the Government's obligation to such employees is not being met. Rather, the faithful employee's urgent need during the critical period of his on-the-job injury is ignored as the Government slowly processes his justifiable request for compensation. We cannot allow this treatment to continue.

My legislation would allow Federal employees injured on the job to continue to receive their regular pay until there is a decision and compensation payments may begin. I think it is only fair that we enact this system so that an injury on the job will not result in an automatic lengthy cutoff of all income.

My bill would amend the Federal Employees' Compensation Act to accomplish this goal. It provides safeguards so that any differences or discrepancies would be adjusted by withholding portions of the compensation payments in a manner that will be equitable to the employee and the Government.

My bill also makes another amendment of the Compensation Act, to provide that employees who are on the compensation rolls will continue to earn annual and sick leave.

Under existing law, an employee receiving compensation payments because of duty-incurred injuries is deprived of the right to earn annual or sick leave for those periods which exceed 80 hours of leave without pay.

This practice is just the opposite when the employee is on annual or sick leave. When an employee is away from his job on such leave, he is earning more leave credits.

I fail to see why a different rule should apply to those who have been injured on the job. Consequently, I seek to amend the law to provide equal treatment for those who are injured.

I have introduced this legislation for the past several Congresses, but to date it has not become law. This session, I hope we can enact these needed reforms which will help produce equitable treatment for our injured Federal employees.

INTERNATIONAL PETROLEUM CO., THE HICKENLOOPER AMENDMENT AND U.S. RELATIONS WITH LATIN AMERICA

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

Mr. REES. Mr. Speaker, on April 4 of this year, President Nixon may be forced to commit our Latin American policy to a course that would irreparably damage future U.S. relations with that region. I refer to the April dealline upon which, under the statutory sanctions of the Hickenlooper amendment to the Foreign Assistance Act, the U.S. Government must suspend all assistance to the Government of Peru, if the conflict between that Government and the International Petroleum Co., a subsidiary of Standard Oil of New Jersey, remains in stalemate. The IPC oil expropriation case has made headlines in the United States and throughout Latin America, and well it should—it is creating perhaps the greatest crisis in United States-Latin American relations in our time, and the manner in which the U.S. Government reacts to this incident could propel us into a future of total alienation from the Southern Hemisphere.

In my mind, the IPC case points up the vital necessity of an immediate reassessment of U.S. policy toward Peru, and indeed, all of Latin America, and calls for, in particular, a thorough study of two aspects of that policy: first, the Hickenlooper amendment and it seriously negative effects on overall U.S. relations with Latin America; and second, the future course of U.S. private investment in that region, and U.S. Government policy concerning investment.

With regard to the Hickenlooper amendment, I seriously question the wisdom of such a statutory prohibition as an instrument of our foreign aid policy. Its application to the current IPC expropriation case is a prime opportunity to evaluate its validity in our aid policy and to determine its effectiveness in protecting and encouraging private investment in Latin America.

The confusing and complex issues of the IPC case have been aired many times in the press, and I will not attempt to explain them here. But I feel that the most important point, and one which many of us have lost sight of in the current hysteria of this confrontation, is that Peru's expropriation of the IPC holdings is a unique case, and it is regarded as such by the Peruvian Government. It is based on a recurring dispute between IPC and Peru that has persisted for 45 years. During that time, it has been a constant source of resentment on the part of the Peruvians against what they believed, perhaps unjustly, to be economic exploitation of their natural resources by U.S. business interests. It is not a preview of a new anti-American wave surging through Latin America and it will not result in a massive seizure of U.S. business interests in Peru and elsewhere, or in a general rejection of U.S. influence in the Latin nations unless the United States, through acts of sanction and retaliation imposed by the Hickenlooper amendment, causes that alienation to occur. I cannot emphasize this point too strongly—the manner of official U.S. action on this matter is all important—we must be willing to show the Peruvians and other Latin American nations that we are approaching this situation from a sound, reasonable policy, and that we are actively seeking a just and equitable negotiated settlement in the interests of both sides. The danger is in leaping too fast to impose punishment before there is a reasonable opportunity to settle the case by negotiation, and this dangerous leap is precisely what the United States must make if the provisions of the Hickenlooper amendment remain in force.

In the view of the current Peruvian Government, the expropriation of the IPC holdings was a lawful and just act to recover Peru's national rights. The act represents reparations for what the Gov-

dren, and parents of members of the Armed Forces who lost their lives on the U.S.S. *Scorpion*; to the Committee on Finance.

By Mr. HARTKE:

S. 2750. A bill to amend section 13a of the Interstate Commerce Act so as to provide for reimbursement to the carrier of the cost of operating uneconomic interstate railroad passenger train service performed under order of the Commission; to the Committee on Commerce.

(The remarks of Mr. HARTKE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MOSS:

S. 2751. A bill to amend chapter 73 of title 38, United States Code, to authorize the payment of differential pay for evening and night work performed by nurses employed by the Veterans' Administration; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Moss when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MUSKIE:

S. 2752. A bill to promote intergovernmental cooperation in the control of site selection and construction of bulk power facilities for environmental and coordination purposes; to the Committee on Government Operations, by unanimous consent; and, when reported from that committee to be referred to the Committee on Commerce.

(The remarks of Mr. MUSKIE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. JAVITS (for himself and Mr. PROUTY):

S. 2753. A bill to amend the Public Health Service Act so as further to assist in meeting the Nation's needs for adequately trained personnel in the allied health professions, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. JAVITS when he introduced the bill appear earlier in the RECORD under an appropriate heading.)

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S. 2739—INTRODUCTION OF A BILL EXPANDING THE DEFINITION OF DEDUCTIBLE MOVING EXPENSES INCURRED BY AN EMPLOYEE

Mr. STEVENS. Mr. President, today I am introducing Senate bill 2739 which is designed to allow additional legitimate moving expenses to be deducted under existing Internal Revenue procedures. This is a companion bill to one recently introduced into the House of Representatives.

We are all aware of the rising costs of living facing us, but nowhere is this cost more apparent than my home State of Alaska. In the past only those costs such as travel and household moving have been allowable deductions. However these comprise only a portion of the actual costs involved. Reliable sources fix the cost to an average family for moving at $3,300. In Alaska the average can go as high as $5,000. And yet under existing regulations only a portion of this amount may be deducted.

Certainly costs such as temporary housing, loss that might incur from a broken lease, costs in purchasing a new house, and in looking for a new home are all part of moving, and costs we have all borne in our previous moves.

My bill would recognize these costs; costs which have long been recognized by private industry, and allow reasonable and just deductions within the Internal Revenue Code.

Homeowners purchasing a home in their new place of residency would be allowed up to $2,500 in additional deductions. A renter would be granted up to $1,000 in new deductions.

With the enactment of this bill our highly mobile American society will no longer be penalized because they have found it necessary to move from one area to another.

Mr. President, it is my understanding that this amendment will not apply to Members of Congress because, technically if not otherwise, our principal place of residence remains in our State or district, notwithstanding our residence in the Washington area while Congress is in session.

Mr. President, I ask unanimous consent that the text of my bill be printed immediately following these remarks in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2739) to expand the definition of deductible moving expenses incurred by an employee, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 217(b) of the Internal Revenue Code of 1954 (relating to definition of moving expenses) is amended to read as follows:

"(1) IN GENERAL.—For purposes of this section, the term 'moving expenses' means only the reasonable expenses—

"(A) of moving household goods and personal effects (including temporary storage expenses) from the former residence to the new residence;

"(B) of traveling (including meals and lodging) from the former residence to the new place of residence;

"(C) of traveling (including meals and lodging) by the taxpayer, his spouse, or both for the purpose of searching for a new residence in the area of the new principal place of work when both the old and the new principal places of work are located within the United States.

"(D) of meals and lodging of the taxpayer and members of his household at the new place of residence while occupying temporary quarters for a period not exceeding 30 days;

"(E) incident to the sale or exchange of taxpayer's former residence (not including expenses of redecorating or other items to improve salability) or to the settlement of an unexpired lease covering property used by the taxpayer as his former residence, and

"(F) incident to the purchase of a residence in the area of the new principal place of work.

If the aggregate of the expenses described in subparagraphs (C), (D), (E), and (F) exceed $2,500 in the case of a taxpayer who was the owner of his principal place of abode at the former residence, subsection (a) shall apply only to the first $2,500 of such expenses, and if the aggregate of such expenses exceed $1,000 in the case of any other taxpayer, subsection (a) shall apply only to the first $1,000 of such expenses."

SEC. 2. The amendments made by this Act shall apply to expenses incurred after December 31, 1968.

S. 2742—INTRODUCTION OF A BILL PROVIDING FOR EXPANDED MEMBERSHIP ON NATIONAL SECURITIES EXCHANGES

Mr. McCARTHY. Mr. President, I am today introducing legislation which would open membership on registered stock exchanges to all broker-dealers who are registered with the Securities and Exchange Commission, pursuant to section 15 of the Securities Exchange Act of 1934.

Current restrictions imposed by stock exchanges on the number of seats available to broker-dealers would be abolished by this bill. However, it would require new exchange members to pay an appropriate share of the value of the exchange's physical facilities and property so as not to take from present members, without compensation, the value of their contributions to those facilities.

The bill also provides that an exchange could limit membership temporarily to meet such problems as inadequate trading floor facilities. Such temporary limits would become effective 60 days after being filed with the SEC if the SEC found them necessary.

There are approximately 4,530 broker-dealers registered with the Securities and Exchange Commission and only 1,366 seats on the New York Stock Exchange with the number of seats and who may become a member controlled by the New York Stock Exchange with only a limited check by the SEC.

At the present time, the SEC is not even sure whether it has the authority to require the New York Stock Exchange to increase the number of seats or change its membership requirements.

But there are financial institutions such as mutual funds, insurance companies, and pension plans which account for half of the volume on the New York Stock Exchange and one-fourth of its gross commissions. Although many of these institutions are registered as broker-dealers with the SEC, they are arbitrarily excluded by the New York Stock Exchange from membership on the grounds that they are not primarily engaged in the brokerage business.

These institutions represent many millions of shareholders who are thus unable to recoup their brokerage commissions. If exchange membership were available the institution could execute its own transactions and pass on the saving to its shareholders.

The artificial limitation on membership has increased the price of New York Stock Exchange seats to $515,000, thus excluding many small brokers from membership because of their lack of financial resources.

The New York Stock Exchange claims it is protected in its actions by an implied antitrust exemption in the Securities Exchange Act but the Department of Justice, in a brief filed with the SEC on January 17, 1969, says such immunity is implied "only to the extent necessary to make the exchange work and then only to the minimum extent necessary."

The Department of Justice goes on to declare that the SEC should take steps to require expansion of stock brokerage

privileges to all qualified individuals up to the physical limit of exchange facilities. That is what my bill provides.

The effective date of the bill would be delayed for 2 years to provide time for readjustment and study of the problem.

I ask unanimous consent to have placed in the RECORD at this point a memorandum dealing with this proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 2742) to amend the Securities and Exchange Act of 1934 by providing for expanded membership on national securities exchanges, introduced by Mr. MCCARTHY, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The memorandum presented by Mr. MCCARTHY, is as follows:

MEMORANDUM

Subject: Proposed bill for expanded membership on registered and national securities exchanges:

Section 6 of the Securities Exchange Act of 1943 delineates the requirements for registration as a national securities exchange. The present Section 6(b) requires the continuing surveillance of member's conduct as a condition to granting or retaining registration. This provision will now be Section 6(b)(2) and the new membership provision will be Section 6(b)(1).

The first sentence of (b)(1) requires that membership on a registered exchange be open to all broker-dealers who are registered with the Commission pursuant to Section 15 of the Securities Exchange Act of 1934. This provision would eliminate the current restrictions imposed by exchanges on the number of seats available to broker-dealers. The Section also requires that new members would have to pay an appropriate share of the value of the exchange's physical facilities and property so as not to take from existing members, without compensation, the value of their contribution to the exchange facilities. An exchange may make rules limiting membership so as to meet such temporary problems as may exist respecting use of limited floor facilities by new members. Such rules woul be restricted to this purpose and for a limited period of time. They would become effective 60 days after being filed with the Commission if the Commission finds that they are necessary or appropriate in the public interest or for the protection of investors, and to carry out the purposes of free access to exchange membership for any registered broker or dealer.

BACKGROUND MEMORANDUM

There are approximately 4,530 broker-dealers registered with the Securities and Exchange Commission and only 1,366 seats (members) of the New York Stock Exchange. Of these 1,366 members approximately 600 deal with the public. The remainder work on the floor of the Exchange either for their own accounts, as specialists, or in various other non-public functions. The number of seats and who may become a member is controlled directly by the New York Stock Exchange with limited SEC oversight. The SEC is not even sure as to whether or not it can require the New York Stock Exchange to increase the number of seats or change its membership requirements.

Financial institutions such as mutual funds, insurance companies and pension plans account for 50% of the volume on the Exchange and for 25% of the gross commissions. Many of these institutions are registered as broker-dealers with the SEC. However, the Stock Exchange has arbitrarily excluded them from membership claiming that they are not primarily engaged in the brokerage business. Also excluded from membership are all publicly held companies. Thus, member brokerage houses are excluded from raising capital via equity financing.

Financial institutions have many millions of shareholders (there are 5 million mutual fund shareholders alone) and by barring them from New York Stock Exchange membership these shareholders are unable to recoup their brokerage commissions. On the other hand if Exchange membership was made available the institution could execute its own transactions and pass on the saving to its shareholders. For example, Investors Diversified Securities has a subsidiary which is a member of the Pacific Coast Stock Exchange (where no such limitation on membership exists). During 1967 I.D.S. was able to refund $4.1 million in commissions to its fund's shareholders.

The artificial limitation on membership has also increased the price of Stock Exchange seats to $515,000, excluding many small brokers from membership because of lack of financial resources.

In 1968 New York Stock Exchange commissions amounted to approximately $1,700,000,000. Since non-members are not allowed to share in these commissions (under New York Stock Exchange Rules a member is prohibited from splitting commissions with a non-member), small broker-dealers and financial institutions have been effectively barred from sharing in this income. As stated before, the cost to financial institutions such as mutual funds has been especially high since they have been unable to execute their own transactions and pass on the savings in commissions to their shareholders.

The New York Stock Exchange claims it is protected in its actions by an implied antitrust exemption contained in Section 19 of the Securities Exchange Act. However, the Justice Department in a brief filed with the SEC on January 17, 1969, a copy of which is enclosed, states that antitrust immunity for Exchange activities is to be implied "only to the extent necessary to make the Exchange work and then only to the minimum extent necessary." The Department on Page 198 goes on to state that after adequate study (this subject has been studied ad nauseam), the SEC should take steps to require expansion of stock brokerage privileges (Stock Exchange membership) to all qualified individuals up to the physical limit of such facilities. The enclosed bill provides for such a result. Time for readjustment and study is provided by a two-year delay in its effective date.

S. 2747—INTRODUCTION OF A BILL TO REQUIRE THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO CONDUCT A STUDY OF THE EFFECTS OF THE USE OF CERTAIN POISONS ON MAN'S HEALTH AND ENVIRONMENT

Mr. TYDINGS. Mr. President, I introduce today legislation designed to protect our people and our ecological system from the growing accumulation of toxic residues in the environment, stemming from the widespread use of pesticides.

In the past few months increasing public awareness of this accumulation has led to alarm over the long-term impact which the systematic, yet often indiscriminate applications of pesticides have had on our environment. Pesticides, after all, are poisons. Their deliberate injection into the land must be viewed as cause for concern, regardless of the precautions taken.

Of particular concern are those pesticides which do not break down after application. Pesticides are synthetic organic chemicals. Many of them degrade and disappear shortly after use. Others do not, remaining in the land for months or even years. These are termed persistent or hard pesticides. They retain their toxic quality and are transported throughout the environment in the soil, water, or in the air.

It is the accumulation of these pesticides, these poisons, in increasing amounts and all over the globe which has alarmed both scientists and conservationist alike.

It is this poisoning of our environment about which Rachel Carson so eloquently warned in her bestselling book, "The Silent Spring."

The danger from persistent pesticides, such as DDT, dieldrin, and endrin is now recognized. In 1963, a report of the President's Science Advisory Committee recommended that "the accretion of residues in the environment be controlled by orderly reduction in the use of persistent pesticides." The report went on to say that "elimination of the use of persistent toxic pesticides should be the goal." In May of this year, the Commission on Persistent Pesticides of the National Research Council, National Academy of Sciences said that it was "convinced that there is an immediate need for worldwide attention to the problem of buildup of persistent pesticides in the total environment." Finally, in recent testimony before the Subcommittee on Energy, Natural Resources and the Environment, of which I am a member, Dr. Leslie L. Glasgow, Assistant Secretary for Fish and Wildlife, Parks, and Marine Resources, U.S. Department of the Interior, stated that because of their toxic impact, we should begin to phase out hard pesticides.

An alarming example of the danger posed by persistent pesticides was the seizure last month by the FDA of 28,150 pounds of Lake Michigan Coho salmon which was found to contain 13 to 19 parts per million of DDT. As five p.p.m. is considered safe, the salmon was declared unfit for human consumption.

A Swedish scientist, Dr. Goran Lofroth, stated in May that breast-fed infants throughout the world were ingesting approximately twice the amount of DDT compounds recommended as a maximum daily intake by the World Health Organization. Dr. Lofroth, who is a radiobiologist at Stockholm University, found that the babies received a daily average of 0.02 milligrams per kilogram of DDT from their mother's milk. WHO has set 0.01 milligrams per kilogram of DDT and its compounds as the maximum recommended daily intake.

DDT is also threatening wildlife. Alexander Sprunt, research director of the National Audubon Society, says that unless we ban DDT, the American bald eagle will soon become extinct. The pesticide inhibits the development of the eggshell. It disturbs the calcium metabolism of the bird, resulting in a shell that is too thin to protect adequately the developing embryo.

PERCENTAGE DISTRIBUTION BY STATE AND AN ILLUSTRATIVE DISTRIBUTION OF THE 1968 MANPOWER FUNDS BY STATE USING THE FORMULA IN THE COMPREHENSIVE MANPOWER ACT OF 1969—Continued

State	Percentage distribution of the allotment	1968 manpower fund distribution (millions)
District of Columbia	1.45	$8.1
Florida	2.43	13.5
Georgia	2.06	11.4
Hawaii	.38	2.1
Idaho	.30	1.7
Illinois	5.20	28.8
Indiana	2.26	12.5
Iowa	1.21	6.7
Kansas	.86	4.8
Kentucky	1.65	9.2
Louisiana	1.77	9.8
Maine	.55	3.1
Maryland	1.56	8.7
Massachusetts	2.83	15.7
Michigan	4.19	23.2
Minnesota	1.91	10.6
Mississippi	1.18	6.6
Missouri	2.27	12.6
Montana	.41	2.3
Nebraska	.62	3.4
Nevada	.27	1.5
New Hampshire	.34	1.9
New Jersey	3.58	19.9
New Mexico	.60	3.4
New York	9.38	52.1
North Carolina	2.41	13.4
North Dakota	.29	1.6
Ohio	4.61	25.6
Oklahoma	1.19	6.6
Oregon	1.06	5.9
Pennsylvania	5.19	28.8
Rhode Island	.49	2.7
South Carolina	1.35	7.5
South Dakota	.32	1.8
Tennessee	2.30	12.7
Texas	4.80	26.6
Utah	.51	2.8
Vermont	.20	1.1
Virginia	1.84	10.2
Washington	1.59	8.8
West Virginia	.94	5.3
Wisconsin	2.03	11.3
Wyoming	.15	.8
Total, United States	97.28	554.9

FEDERAL EMPLOYEES' HEALTH INSURANCE COSTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I have today introduced a bill to require the Federal Government to assume, in stages, the full cost of the health insurance which since 1960 has been available to Federal employees. My bill provides that the Government's share of the cost of health insurance for Federal employees shall rise to 50 percent of the cost after June 1969, to 75 percent of the cost after June 1970, and to the full cost after June 1971.

When health insurance was first made available to Federal employees the Federal Government paid about two-fifths of the cost and the employee paid about three-fifths of the cost. However, as things have worked out, because of dollar limits on the amount the Federal Government can pay toward any individual's health insurance, the rising cost of health insurance has resulted in employees paying an average of over 70 percent of the cost.

Progressive employers, all over the country, provide health insurance to their employees at no cost. In fact, since the amounts paid out for employees' health insurance is a cost of doing business, and therefore not taxable income, one can say that the Federal Government pays a part of the cost of health insurance for employees in private industry. And, with corporate tax rates being what they are, in some cases the Government share for private employees is more than the Government pays for its own employees.

It is time, Mr. Speaker, for the Federal Government to take the same action in regard to its employees that progressive employers everywhere have taken with regard to their employees. If we do not do something, and do it soon, Federal employees will be priced out of the health insurance market.

I would call this body's attention to the fact that I am not alone in crying out against the unfair treatment Federal employees receive in regard to health insurance. On the very first day of this Congress the honorable gentleman from New Jersey (Mr. DANIELS)—who is so knowledgeable about matters relating to the retirement and health benefits provided Federal employees—introduced a bill identical to my bill. At that time he pointed out the urgent need "to relieve employees and annuitants of the unfair burden of continuing to assume the lion's share of constantly spiraling costs."

Mr. Speaker, I join with the gentleman from New Jersey in urging prompt action on this proposal. Health care costs continue their rapid rise. As health care costs rise, health insurance costs must rise. Under the present program, employees and annuitants must bear the full burden of rising costs. Therefore, we must act to relieve them of their disproportionate burden.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MINSHALL) is recognized for 30 minutes.

[Mr. MINSHALL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. SIKES' remarks will appear hereafter in the Extensions of Remarks.]

AMENDING SOLID WASTE DISPOSAL ACT

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

Mr. TIERNAN. Mr. Speaker, a generation ago, the terms solid waste and litter were virtually unknown. Solid waste, until recently, was just plain garbage and people did not worry so long as it was properly disposed of.

Litter has been around as long as there have been people. It is mentioned in the histories of early Rome, and Shakespeare's father was once fined for littering. But it was not considered a problem until the advent of the packaging revolution and the automobile which made people sufficiently mobile to litter the entire national landscape.

Consumers today discard over 5 pounds of refuse a day, per capita, and projections show this will double by 1975 and may triple by 1980. Few people worried or spoke about this problem even as late as 1960. By 1965, the problem in urban areas reached the crisis stage, so that the Solid Waste Disposal Act of 1965 was enacted. Action has been faster since then, mainly due to the latent nature of the problem. Attention thus far has been principally focused on municipalities and local governments. Unfortunately, the public's commitment to this problem has been inadequate. While we have developed elaborate systems of transportation organization, and management to bring goods to the consumer, we have left the major questions of disposal and reuse of our wastes unanswered.

Senator MUSKIE, when introducing this bill in the Senate last week, stated:

In our current view, materials are relatively cheap. We buy, we use, and we throw away.

Senator MUSKIE referred to the statement of Austin C. Daley, chief of the division of air pollution control of the Rhode Island Department of Health, given during a hearing before the Senate Subcommittee on Air and Water Pollution at Boston on April 10. Mr. Daley stated:

We are a nation of users, not consumers.

Mr. Daley, a nationally recognized expert in the field of solid wastes management, also pointed out:

In our efforts to cope with this problem, we must recognize that we can neither create nor destroy matter.

Mr. Speaker, with this in mind, I am today introducing the Resource Recovery Act of 1969. This bill would amend and strengthen the Solid Waste Disposal Act of 1965. It would also extend the provisions of that act for an additional 4 years. Two new provisions incorporated within this legislation are:

First, the Secretary of Health, Education, and Welfare is directed to conduct studies and report to the President and the Congress on economical means of recovering useful materials from solid wastes, recommended uses of such materials for national and international welfare, and the market of such recovery; recommended incentive programs—including tax incentives—to assist in solving the problems of solid waste disposal; and recommended changes in current production and packaging practices to reduce the amount of solid wastes. The Secretary also would be authorized to carry out demonstration projects to test and demonstrate the recovery techniques developed by these studies.

Second, the Secretary would be authorized to make grants to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal facilities, with incentives for new and improved methods for dealing with solid wastes.

The Solid Waste Disposal Act of 1965 was just a beginning. If we are to effectively manage our refuse, we must first effectively utilize our resources. Billions of dollars in raw materials are now being wasted. We can no longer afford this waste. This bill, the Resource Recovery

Act of 1969, will help us meet this pressing problem. I urge my colleagues to join with me in supporting this vital legislation.

Mr. Speaker, for the further edification of my colleagues, I insert the text of the bill and Mr. Daley's remarks at this point in the RECORD:

H.R. 10916

A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Resource Recovery Act of 1969."

SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes."

SEC. 3. (a) Subsection (a) of section 204 of the Solid Waste Disposal Act is amended by striking out all beginning with "the development and application" through the end of such subsection and inserting in lieu thereof the folowing: "the reduction of the amount of such waste and unsalvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering usable materials from solid waste (including devices and facilities ttherefor)."

(b) Such section 204 is further amended by striking out subsection (d).

SEC. 4. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as scetion 206 and 207, respectively, and by inserting after section 204 a new section as follows:

"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL MATERIALS

"SEC. 205. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

"(1) economical means of recovering useful materials from solid waste, recommended uses of such materials for national or international welfare, and the market impact of such recovery;

"(2) appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal; and

"(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste.

"(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities, and contribute to more effective programs of reduction, reuse, or disposal of wastes.

The Secretary shall report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate recovery techniques developed pursuant to subsection (a).

"(c) The authority contained in section 204 for the purpose of carrying out research and demonstration projects shall be applicable to the provisions of this section."

SEC. 5. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of a single municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one municipality, of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, and not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of such plans.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

SEC. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

"GRANTS FOR CONSTRUCTION

"SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including completion and improvement of existing facilities.

"(b) Any such grant—

"(1) Shall be made for a project only if it is consistent with any State or interstate plan for solid waste disposal, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209;

"(2)(A) shall be made in amounts not exceeding 25 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving a single municipality and not exceeding 50 per centum of such cost in the case of a project serving an area including more than one municipality, and only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

"(B) notwithstanding any other provision of this paragraph, the Secretary may increase the amount of a grant made under (A) by an additional 50 per centum of such grant for any project which utilizes new or improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, recovery of resources or recycyling useful materials.

"(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

"(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

"(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State. In the case of a loan for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"RECOMMENDED STANDARDS

"SEC. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of this section, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

"(b) Further, the Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

SEC. 6. (a) Subsection (a) of section 214 of the Solid Waste Disposal Act, as redesignated by this Act, is amended by striking out "not to exceed $19,750,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed $46,000,000 for the fiscal year ending June 30, 1970, not to exceed $83,000,000 for the fiscal year ending June 30, 1971, not to exceed $152,000,000 for the fiscal year ending June 30 1972, not to exceed $216,000,000 for the fiscal year ending June 30, 1973, and not to exceed $236,000,000 for the fiscal year ending June 30 1974. The sums so appropriated shall remain available until expended."

By Mr. RANDOLPH (for himself, Mr. BAKER, Mr. BYRD of West Virginia, Mr. GORE, Mr. METCALF, Mr. SCHWEIKER, and Mr. SCOTT):

S. 1781. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Finance.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE (for himself, Mr. BAYH, Mr. EAGLETON, Mr. NELSON, Mr. HART, and Mr. MONDALE):

S. 1782. A bill to amend section 7(b) of the Small Business Act to provide for new interest rates on the Administration's share of disaster loans; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S.J. Res. 88. Joint resolution to create a Commission To Study the Bankruptcy Laws of the Unted States; to the Committee on the Judiciary.

(See the remarks of Mr. BURDICK when he introduced the joint resolution, which appear under a separate heading.)

By Mr. MUSKIE:

S.J. Res. 89. Joint resolution expressing the support of the Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private for the International biological program; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MUSKIE when he introduced the above resolution, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S.J. Res. 90. To enable the United States to organize and hold a Diplomatic Conference in the United States in fiscal year 1970 to negotiate a Patent Corporation Treaty and authorize an appropriation therefor; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above joint resolution, which appear under a separate heading.)

S. 1758—INTRODUCTION OF BILL NAMING THE INTERSTATE SYSTEM AS THE "EISENHOWER INTERSTATE HIGHWAY SYSTEM"

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to designate the Interstate Highway System of the United States as the Eisenhower Interstate System.

Dwight David Eisenhower was one of America's greatest leaders. He was a leader in war. He was a leader in peace.

A major accomplishment of the Eisenhower administration was the passage of the Federal Aid Highway Act of 1956 which created the Interstate Highway System. This is reason enough for naming the Interstate System in honor of President Eisenhower.

However, unlike many of his predecessors in the Office of Presidency, Dwight Eisenhower never did represent a district or a State before he became President. Instead, he represented all of America. He was born in Texas; he grew up in Kansas. During his outstanding career, he had occasion to live in many parts of the Nation. He belonged to no geographic area.

Therefore, it is particularly fitting and proper that his memorial should be the magnificent Interstate Highway System which stretches the length and breadth of the United States.

Mr. President, similar legislation has been introduced in the other body, and I am honored to introduce this bill in the Senate to honor the 34th President of the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1758) to designate the Interstate System as the "Eisenhower Interstate Highway System," introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Public Works.

S. 1769—INTRODUCTION OF A BILL ALLOWING THE TREASURY DEPARTMENT TO ISSUE CONSTANT PURCHASING POWER BONDS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill allowing the Treasury to issue constant purchasing power bonds, which could be purchased by individuals and certain institutional groups for retirement purposes.

Our senior citizens are facing a retirement income crisis unprecedented in the history of our country. An increasing number of retired workers living for longer retirement periods are discovering that inflation relentlessly nibbles away at their fixed incomes, until almost one-third of the 20 million Americans who are 65 years of age and over find themselves living in poverty. Conscientious, thrifty people who have saved throughout their working lives for a retirement of independence and dignity are dismayed by the realization that they may just as well have spent their income as they earned it because of the deterioration of the purchasing power of their savings.

It seems to me that the Federal Government has a responsibility to retirees who have productively contributed to the growth of our economy throughout their working lives. I do not believe that we should impose the burden of inflation on those whose income, with a purchasing power dependent on a past rather than a current economy, cannot absorb the shock of inflation.

To help solve this monumental problem, I recommend the enactment of legislation allowing the Federal Government to issue a bond that, if held to maturity, would be redeemed at face value, plus any increase reflected by the Consumers Price Index between the date of purchase and the date of redemption. Such securities could be bought in amounts not exceeding $10,000 in any 1 year or $60,000 in an individual's lifetime. They would not be transferable, would have a 20-year maturity period, and would have to be held to maturity for the cost-of-living adjustment to apply, unless the holder has reached the age of 60, died, or has become disabled.

In my judgment, a constant purchasing power bond would not only help to meet the urgent needs of our senior citizens, but also contribute to the reduction of inflation by drawing millions of dollars into savings. It is my hope that the Senate will give favorable consideration to this concept as a means of coping with an increasingly serious domestic economic problem.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1769) to assist individuals to obtain retirement benefits protected against increases in the cost of living by providing for the issuances by the Treasury a new series of bonds containing adjustments, under certain conditions, in maturity and redemption values to compensate for increases in the cost of living which may be purchased by individuals and eligible institutions, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Finance.

S. 1770—INTRODUCTION OF A BILL PROPOSING PAYMENT OF CERTAIN EXPENSES RELATED TO RECRUITMENT OF PROSPECTIVE FEDERAL EMPLOYEES

Mr. McGEE. Mr. President, I send to the desk, for appropriate reference, a bill to authorize Federal agencies to pay certain expenses related to recruitment of prospective Federal employees.

Under existing law, Federal agencies are not permitted to pay any of the expenses, not even a hamburger, for a young man or woman whom the agency wishes to interview for a job. This obviously puts the burden on the prospective employees to pay travel expenses, food, and lodging when he comes to Washington or some other city to interview with an agency. When the prospective employee is a honor graduate in the arts and sciences, whose talents are sought after by many employers, the Government is at a distinct disadvantage.

We now pay salaries which are comparable with private enterprise and we have revised some of the methods of recruitment to make Federal employment more attractive. This legislation is another step in the long journey of recruiting and retaining the best possible personnel for the Federal Government.

I ask unanimous consent that the statement of purpose and justification by the Civil Service Commission be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement of purposes and justification will be printed in the RECORD.

The bill (1770) to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment, introduced by Mr. McGEE, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The material, presented by Mr. McGEE, follows:

STATEMENT OF PURPOSE AND JUSTIFICATION

PURPOSE

To improve the ability of Federal agencies to recruit well-qualified persons in shortage occupations.

JUSTIFICATION

The need for well-qualified professional and technical employees continues at a high

level and shows no sign of diminishing. Department of Labor manpower estimates for the economy as a whole predict a 45% increase in employment in professional and technical occupations during the decade from 1965–1975. This growth has several major causes, including the rapid expansion in research and development activities, the tremendously rapid increase in application of technological improvements, and the increasing size and complexity of business organizations.

Current Commission projections of Federal manpower requirements indicate that by fiscal year 1971 agency needs for mathematicians, engineers, scientists and medical personnel will increase by at least 10%. Demand for social scientists and technicians will be equally high. Despite increased college enrollments, and even with greatly increased recruiting efforts, it is quite likely that Federal needs for top flight scientific and technical personnel will not be fully met.

To Federal recruiting officials, these forecasts can only mean that competition for highly trained and specialized personnel will remain very high. Our Federal laboratories must have technically trained and highly skilled employees if we are to be successful in such critical endeavors as medical research, military preparedness, and space activities.

The Federal Government should be able to attract its fair share of the best talent that our colleges and universities are producing. In occupations in which there are numerical shortages, there often are even more serious shortages of quality. Industry makes special efforts to attract the superior quality graduate. The Government as an employer must do all that it can to attract highly talented men and women.

Authorizing agencies to pay travel and transportation expenses of new employees to the first post of duty (Public Law 86–587) was a stride forward in placing the Federal Government in a more competitive position with industry. However, inability to pay interview expenses remains a serious obstacle. Therefore, major Federal employers of scientists, engineers and other personnel in short supply (Departments of Army, Navy, Air Force, Interior, Agriculture, Commerce, Health, Education, and Welfare, National Aeronautics and Space Administration, Veterans Administration, and Federal Aviation Agency) have recommended that legislation be sought to authorize payment for travel expenses of certain applicants invited to visit the agency to discuss employment.

Why is this authority needed?

(1) *To more nearly meet competition from private industry.* Private industry has recognized that the kind of equipment a man will have to work with, who his co-workers will be, and the kind of living conditions his family will have can all be important factors in selling him on a particular job. Twenty-five of twenty-six large AEC contractors pay the cost of travel to their plants or laboratories in connection with recruitment for important positions. Research and development contractors for the military services provide such travel expenses, and other private firms advertise that expenses of a visit to the company before employment will be paid.

A report of college placement bureaus compiled 3 years ago indicated that more than 80% of employers who recruit on their campuses provide for plant visits at company expense. A 1968 Prentice-Hall survey of 121 companies found that 87% of them pay some or all of an applicant's expenses for a plant interview. Of these 121 employers, 74% pay all expenses (including transportation, meals, lodging, and incidentals), 75% pay for meals, 76% pay for lodging and 85% pay for transportation. A recent CSC study of seven large private employers and two large public entities revealed that all nine of these pay the cost of transportation for plant visits in screening candidates for college level entry jobs.

(2) *To acquaint applicants with opportunities presented by Government employment.* In addition to the advantage of offering the rewards of public service—a factor which draws more young people to the Federal service each year—Government employment often provides unique challenges and opportunities.

This is especially true in the scientific and engineering fields. These benefits can be made so much more apparent in a plant visit that they can often more than compensate for the slightly lower starting salaries in the Federal Government. (The Army Materiel Command reports a difference of $2,253 per year at GS–5 and $1,000 per year at GS–7 with the average industrial starting salary for Bachelor level technical graduates in the 1967 fiscal year.)

(3) *To obtain a greater number of highly qualified applicants.* The demand for technical talent is such that the well-qualified scientist or engineer often does not have to go looking for a job—the job goes looking for him. Recruiting such a person often becomes a "selling" job.

In today's market most scientists and engineers will not make a decision on their professional career without personally visiting the place of employment. It is only natural to accept an offer from industry, where the applicant has visited the plant and met the officials, in preference to an offer from a distant and unknown Federal laboratory, even though the work at the Federal agency may appear to be more interesting and offer more challenge. Federal laboratories, equipment, and physical plant often surpass the best in private industry, and these things can be a powerful inducement for able scientists and engineers. But this advantage is lost unless we are able to bring qualified persons in to see them, and in appropriate cases to pay their travel expenses.

Similarly, applicants on civil service lists of eligibles who appear to be well-qualified, but who are not available for interview, are often passed over for persons not as well-qualified, but who were interviewed. Federal employers also do not want to buy without looking and this may result in the Federal Government not selecting the best available person.

It has been the experience of Federal employers in recent years that inability to pay these expenses is the governing factor in numerous declinations of job offers. To cite a few examples:

Navy reported 726 declinations out of the 945 offers made by 5 of their biggest labs. Without exception, the labs specified nonpayment of preemployment interview expenses as a primary reason for these declinations.

The Army Materiel Command reported that 32% of all those inexperienced scientists and engineers declining job offers listed the lack of opportunity to visit the work site at government expense as their *main* reason for declination.

One Air Force installation reported losing an average of 25 qualified research people per year to industry because of the inability to pay expenses for a plant interview.

All Naval recruiting activities—65 in total—mentioned inability to pay preemployment interview expenses as a major reason for declinations by qualified applicants in shortage categories.

74% of all Army Materiel Command applicants declining offers reported that they had visited the organization whose offer they subsequently accepted. Moreover, respondents visited an average of five companies each at company expense.

These illustrations are indicative of the need for authority to pay preemployment interview expenses. Total figures would undoubtedly be much higher. We can only conclude from such examples that the Federal Government has lost opportunities to obtain professional talent of high quality by inability to pay interview expenses.

(4) *To place the right man in the right position.* This is particularly important for the higher-grade, specialized, research positions, and is critical in the selection of a scientist to be a member of a research team where the ability to function in the particular working environment is extremely important. Such interviews enable a larger group to talk to the candidates and thereby provide a broader base for evaluating personal qualifications. Multiple evaluations may also result in consideration for alternative positions at the installation.

(5) *To eliminate misconceptions which we know exist in the minds of some applicants concerning Federal employment in general or employment at particular locations.*

(6) *To keep turnover at a minimum, particularly at isolated locations.* Despite agency efforts to give prospective employees complete and factual information about the working and living conditions at isolated installations, employees sometimes resign shortly after reporting for duty. This is very costly. Personal interviews at the work site will tend to uncover these sources of potential dissatisfaction before the appointment is made.

What are Federal agencies doing in the absence of authority to pay for interview expenses?

Federal recruiters, when visiting colleges and through telephone calls and correspondence, make every reasonable effort to encourage prospects to visit the work site at their own expense. The distance involved is an important factor in these efforts. Results are often disappointing.

One Naval activity reports: "We have in our files dozens of letters from applicants who have naively requested to visit the laboratory at Government expense. They assume that this is standard practice, as it is in industry. When we disillusioned them, their candiday, with rare exception, came to an abrupt end."

In the absence of authority to pay expenses for preemployment interviews, some agencies now conduct essential interviews near the applicant's home. Interviews are conducted by agency officials who may be traveling in the area for other purposes or who may be making the trip for the sole purpose of conducting the interviews. "Courtesy" interviews are conducted by officials of a nearby installation of the same agency as the prospective employer. However, both kinds of interviews have serious disadvantages. In addition to the absence of personal contact between employer and applicant:

(1) "Courtesy" interviews are usually not familiar with actual working and living conditions at the recruiting installation;

(2) Selecting officials are reluctant to depend on the judgment of a disinterested third party, particularly for high-level specialized positions;

(3) There is no opportunity to make multiple evaluations of a candidate;

(4) Time delays and some expense are encountered in arranging with third parties to conduct interviews and to furnish results to recruiting installations;

(5) There are travel costs for interviewing officials;

(6) In research organizations it is particularly desirable that interviews be conducted by key staff members who have a thorough knowledge of the research programs and can discuss them in terms of the technical knowledge of the candidates. When these key officials must travel extensively to conduct interviews, much of their time used for this purpose could otherwise have been profitably devoted to program duties at the work site.

What has been the experience of Federal agencies now authorized to pay these expenses?

Federal agencies are authorized to pay preemployment interview expenses when considering candidates for employment to positions excepted from the competitive civil service. The Comptroller General has ruled that in filling excepted positions, where the responsibility for determining the qualifications of applicants is vested in the agencies, the payment by them of any necessary expenses incident to the determination is proper if funds otherwise are available therefor.

Reports from the principal excepted agencies authorized paid preemployment travel show that this right has been used carefully and conservatively. No complaints of abuse have been made to the General Accounting Office.

Tennessee Valley Authority—All positions in TVA are in the excepted service. TVA policy is that payment for interview expenses may be authorized when deemed by the division incurring the expense to be necessary in the conduct of official business. Experience of TVA has disclosed no applicant abuse of the authorization to pay such expenses. In FY 1967, TVA hired 175 employees in shortage categories and authorized preemployment travel for 68 applicants.

Atomic Energy Commission—All positions in AEC are in the excepted service. AEC reports that the authority to pay these expenses has been used sparingly, but its use has been found necessary in the current competitive market for "quality" candidates. Invitational travel is not considered an additional cost. In most instances, in lieu thereof, AEC would have to send a representative to interview the candidate to accomplish an adequate evaluation of his qualifications. The cost then would include not only travel expenses for AEC's representative, but also his salary.

In FY 1967 AEC hired 277 shortage category employees and authorized preemployment interview expenses for 85 applicants.

AEC is not aware of any abuse on the part of candidates, such as travel for their own pleasure or convenience. Candidates who have accepted invitational travel for interview have usually accepted offers of employment.

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How would the proposed legislation be administered?

Regulations governing travel under the proposed legislation would be prescribed by the Director, Bureau of the Budget, who now has the responsibility for prescribing other travel regulations.

The Civil Service Commission already determines those positions which fall into the category of "manpower shortages" for purposes of payment of travel and transportation expenses of new employees to first post of duty (Public Law 86–587). This responsibility is not treated lightly. There is a detailed procedure followed in making these determinations and the same procedure would be followed in authorizing payment of preemployment travel expenses.

Under this procedure agencies have to furnish to the Civil Service Commission *in advance* a statement showing the extent of the shortage by position and location. The agency justification must include such information as:

The total number of incumbents in the agency in the area in question;

The number of existing and anticipated vacancies in the next 12 months;

The length of time active but unsuccessful recruiting has been conducted;

The declinations because of lack of payment of travel and transportation funds;

A statement on the extent and nature of recruiting efforts and the results obtained from the use of paid and free advertising, contacts with schools, contacts with the local State Employment Service, etc.;

The extent to which it has been necessary to recruit outside of the area in which the vacancy exists;

Information on internal efforts to relieve the shortage such as job engineering and upgrading the skills of people already employed;

The general quality of recruits obtained and the prospects for obtaining better ones if travel costs are paid.

In evaluating agency requests the Commission independently examines existing registers to see how many qualified people are actually available, and how well qualified they are. As circumstances require, other pertinent sources of information are checked such as the U.S. Employment Service and the latest literature on the subject.

Funds to pay travel costs authorized by the draft bill would be secured by individual agencies through their appropriation requests to the Congress. Necessity for justifying funds to be used for this purpose and the generally limited amounts of agency travel funds in relation to travel needs will assure that individual agencies administer these provisions in the best interests of the agency and the Federal Service. The requirement that applicants must first be found qualified by a civil service examining office is added assurance that these interviews would come at a point just short of actual employment in the competitive service.

Students often express an interest in the Federal service some months before they are scheduled to complete their education. The proposed legislation has been drafted so as not to preclude from coverage this very important group of applicants who are considered "tentatively qualified." This means they have taken and passed any required test and have been rated qualified by an examining office. To be fully qualified they only need to finish the last few weeks of their education and receive their degree.

These applicants, still in school, but about to begin their working careers, comprise one of the Government's most important recruitment sources for engineer and scientific positions. Because of the intense competition with industry recruiters for this particular group of applicants, it is essential that Federal agencies be able to extend preemployment interview invitations to the students some weeks, or months, before graduation.

What will be the cost?

The estimated 6,250 payments to prospective employees would come out of agency travel appropriations and amount to about $970,000 per year. The actual amount, however, would be controlled by the Congress through its acceptance of agency requests for trravel appropriations. Present estimates are based on the current list of "manpower shortage" occupations and agency estimates of cost and probably use of authority to pay preemployment interview expenses. These estimates do not take into account certain significant savings that can be expected, as for example:

Decreases in travel expenses of agency administrative officials who would no longer find it necessary to go to the applicant to conduct essential interviews.

Decreases in travel expenses and loss of working time of key scientists who would not be taken from their regular duties to travel about the country conducting interviews.

Decreases in turnover (especially at isolated locations) because applicants will have a clearer view of actual living and working conditions and can better decide whether or not they wish to accept the job offered.

Greater benefits from the funds already spent on recruiting because many applicants, who now go through the initial interview stage but drop out when they find no opportunity to visit the work site at Government expense, will go on to probable employment.

The present experience of the excepted agencies, TVA, AEC, and VA show their expenses to be under our estimate of about $155 per trip. The average cost reported for each preemployment interview traveler was for AEC $117.87, for TVA $67.81, and for VA $133.13. Therefore we feel our estimate is a generous one.

It is expected that costs would be absorbed in the regular travel budgets of the agencies concerned, and that no special appropriation would be needed.

The agency's ability to reimburse an applicant for his interview expenses might well tip the scale in favor of his accepting a "manpower shortage" category position. In this event, the money would be well spent.

S. 1771—INTRODUCTION OF A BILL TO PROVIDE CERTAIN BENEFITS TO EMPLOYEES IN THE POSTAL FIELD SERVICE

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a bill to amend title 39 of the United States Code to provide that the provisions of law which permit a "saved pay rate" for certain employees who have been reduced in grade through no fault of their own shall not be limited to just 2 years in the case of postal employees in the railway postal service whose jobs were abolished because of the discontinuance of railway postal service.

The proposed legislation is vitally important to former railway postal clerks whose pay rates were preserved for 2 years, but who now face a serious reduction in pay because the benefits of the law do not extend past 2 years. My bill, which received the very firm support of the Postmaster General in 1967, would waive the 2-year provision in this specific case.

The committee will schedule early action on this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1771) to provide benefits for employees in the postal field service who are required in the interest of the Government to transfer to new duty stations, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1772—INTRODUCTION OF BILL TO PROVIDE THAT THE FEDERAL GOVERNMENT SHALL PAY ONE-HALF OF THE COST OF HEALTH INSURANCE FOR FEDERAL EMPLOYEES AND ANNUITANTS

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Employees Health Benefits Act to provide that hereafter the Government shall pay one-half of the cost of the high option health insurance plan carried by Federal employees. It is my hope that the Committee on

Post Office and Civil Service can schedule hearings in the very near future to consider this legislation.

The Federal Employees Health Benefits Act was a landmark piece of legislation when it was enacted in 1959. It provided the basic framework for a hospital and medical insurance protection program applicable to virtually all Federal employees without regard to their economic status and without a requirement that they pass a physical examination. In my opinion, it is one of the most successful and certainly one of the best administered programs in the Federal Government today. It is a monumental achievement for the distinguished members of our Senate Post Office and Civil Service Committee who devised the program. Olin Johnston, who guided it through the committee and the Senate; Bill Langer, who made sure that the benefits provided would care for serious and lengthy illnesses; Dick Neuberger, FRANK CARLSON, Mike Monroney, and RALPH YARBOROUGH, all of whom played a key part in its development.

One of the considerations in mind at the time the program was developed was that rank-and-file Federal employees cannot afford an expensive health insurance plan. The committee, therefore, provided that the Civil Service Commission would offer two levels of benefits, which have commonly been known as "high option" and "low option." Witnesses before the committee were virtually unanimous in their belief that the overwhelming majority of employees would choose "low option" because of the cost involved. Those who had the money could pay "high option" if they would pay all the difference between the "low option" cost and the "high option" cost.

That assumption was incorrect. Almost from the beginning, employees chose the "high option protection." They preferred to pay more in order to get more insurance protection. Today, nearly 90 percent of all employees covered by the program choose "high option" regardless of the carrier they select and apparently regardless of the cost. So it worked out that the presumption that the Government would pay one-half of the cost of the insurance provided was in error. When almost all employees covered behave differently than the way the committee, the Civil Service Commission, and even the employees themselves thought they would behave, it is fair to say the program should be reexamined.

From June 1960 until November 1964, the Government contribution of $6.76 per month for self-and-family coverage equalled 34.9 percent of the cost of "high option," and 47.6 percent of "low option" of the Service Benefit plan. When rates began to go up annually beginning in November 1964, the Government's contribution of $6.76 dropped from 34.9 percent to 28.4 percent of total cost through June 1966. After a statutory increase in the amount of the contribution in July 1966, the Government's share rose to 37.3 percent, and then dropped to a 1969 figure of 25.2 percent. All of that is under the Service Benefit plan, the euphemistic title of the Blue Cross-Blue Shield plan.

I ask unanimous consent to insert in the RECORD at this point a detailed analysis of the rate history of the health insurance program prepared by the Civil Service Commission which shows the cost to both the employee and the Government for high option and low option protection from the beginning until the present time. This is an excellent rate history of the program.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

TOTAL ESTIMATED PREMIUMS FOR GOVERNMENT-WIDE PLANS AND SHARE PAID BY THE GOVERNMENT AND BY THE EMPLOYEES, 1968–69

Plan	1968 Amount	1968 Percent	1969 Amount	1969 Percent
Service benefit plan (BC–BS):				
Total	$414,542,136	100.00	$495,313,692	100.00
Government contribution	130,768,344	31.55	132,150,276	26.68
Employee contribution	283,773,792	68.45	363,163,416	73.32
Indemnity benefit plan (Aetna):				
Total	138,311,604	100.00	179,733,972	100.00
Government contribution	46,433,280	33.57	48,322,008	26.86
Employee contribution	91,878,324	66.43	131,411,964	73.14
Both Government-wide plans:				
Total	552,853,740	100.00	675,047,664	100.00
Government contribution	177,201,624	32.05	180,472,284	26.73
Employee contribution	375,652,116	67.95	494,575,380	73.27

ENROLLMENT, DEC. 31, 1968, BY OPTION

	High	Low	Total
Service benefit plan:			
Total	1,308,650	166,864	1,475,514
Self only	354,313	44,550	398,863
Self and family	954,337	122,314	1,076,651
Indemnity benefit plan:			
Total	410,734	132,164	542,898
Self only	124,993	26,553	151,546
Self and family	285,741	105,611	391,352
Both plans:			
Total	1,719,384	299,028	2,018,412
Self only	479,306	71,103	550,409
Self and family	1,240,078	227,925	1,468,003

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

[Total premium rates,[1] Government contribution rates,[1] employee contribution rates,[1] 1960–69, Government-wide plans, self and family coverage, by option]

Plan and option	June 1960–October 1961	November 1961–October 1962	November 1962–October 1963	November 1963–October 1964	November 1964–December 1965	January 1965–June 1966	July 1966–December 1966	1967	1968	1969
Service Benefit Plan (BC/BS):										
High option:										
Premium rate	$19.37	$19.37	$19.37	$19.37	$23.83	$23.83	$23.83	$28.30	$29.46	$35.23
Government contribution	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$8.88	$8.88	$8.88	$8.88
Percent of premium	34.9	34.9	34.9	34.9	28.4	28.4	37.3	31.4	30.1	25.2
Employee contribution	$12.61	$12.61	$12.61	$12.61	$17.07	$17.07	$14.95	$19.42	$20.58	$26.35
Percent of premium	65.1	65.1	65.1	65.1	71.6	71.6	62.7	68.6	69.9	74.8
Low option:										
Premium rate	$14.21	$14.21	$14.21	$14.21	$14.21	$14.21	$17.76	$17.76	$17.76	$18.07
Government contribution	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$8.88	$8.88	$8.88	$8.88
Percent of premium	47.6	47.6	47.6	47.6	47.6	47.6	50.0	50.0	50.0	49.1
Employee contribution	$7.45	$7.45	$7.45	$7.45	$7.45	$7.45	$8.88	$8.88	$8.88	$9.19
Percent of premium	52.4	52.4	52.4	52.4	52.4	52.4	50.0	50.0	50.0	50.9

Footnote at end of table.

What has been the experience of Federal agencies now authorized to pay these expenses?

Federal agencies are authorized to pay preemployment interview expenses when considering candidates for employment to positions excepted from the competitive civil service. The Comptroller General has ruled that in filling excepted positions, where the responsibility for determining the qualifications of applicants is vested in the agencies, the payment by them of any necessary expenses incident to the determination is proper if funds otherwise are available therefor.

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FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

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Percent of premium	34.9	34.9	34.9	34.9	28.4	28.4	37.3	31.4	30.1	25.2
Employee contribution	$12.61	$12.61	$12.61	$12.61	$17.07	$17.07	$14.95	$19.42	$20.58	$26.35
Percent of premium	65.1	65.1	65.1	65.1	71.6	71.6	62.7	68.6	69.9	74.8
Low option:										
Premium rate	$14.21	$14.21	$14.21	$14.21	$14.21	$14.21	$17.76	$17.76	$17.76	$18.07
Government contribution	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$8.88	$8.88	$8.88	$8.88
Percent of premium	47.6	47.6	47.6	47.6	47.6	47.6	50.0	50.0	50.0	49.1
Employee contribution	$7.45	$7.45	$7.45	$7.45	$7.45	$7.45	$8.88	$8.88	$8.88	$9.19
Percent of premium	52.4	52.4	52.4	52.4	52.4	52.4	50.0	50.0	50.0	50.9

Footnote at end of table.

FEDERAL EMPLOYEE'S HEALTH BENEFITS PROGRAM—Continued

[Total premium rates,[1] Government contribution rates,[1] employee contribution rates,[1] 1960–69, Government-wide plans, self and family coverage, by option]

Plan and option	June 1960–October 1961	November 1961–October 1962	November 1962–October 1963	November 1963–October 1964	November 1964–December 1965	January 1965–June 1966	July 1966–December 1966	1967	1968	1969
Indemnity Benefit Plan (Aetna):										
High option:										
Premium rate	$17.46	$17.46	$17.46	$18.98	$23.51	$25.91	$25.91	$25.91	$29.03	$37.72
Government contribution	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$8.88	$8.88	$8.88	$8.88
Percent of premium	38.7	38.7	38.7	35.6	28.8	26.1	34.3	34.3	30.6	23.5
Employee contribution	$10.70	$10.70	$10.70	$12.22	$16.75	$19.15	$17.03	$17.03	$20.15	$28.84
Percent of premium	61.3	61.3	61.3	64.4	71.2	73.9	65.7	65.7	69.4	76.5
Low option:										
Premium rate	$13.52	$13.52	$13.52	$13.52	$13.52	$13.52	$13.52	$13.52	$15.16	$19.70
Government contribution	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$7.58	$8.88
Percent of premium	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.	50.0	45.1
Employee contribution	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$6.76	$7.58	$10.82
Percent of premium	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.0	54.9

[1] Monthly.

Mr. McGEE. Mr. President, there are other plans, and the statistical evidence on the Government's contribution to these have not been gathered. Some of the plans offered by Federal employee organizations are much broader and cost a good deal more than the Blue Cross-Blue Shield and Aetna plans. But in all cases the Government's contribution is exactly the same—$8.88 per month for self-and-family protection regardless of the plan or option chosen by the employee. The annual premium at the present time is more than $675 million for the Government-wide plans alone. Of this amount, the Government pays $180 million and the employees pay $494 million.

The bill that I introduce today will provide that from now on the agency contribution to the cost of health insurance will be adjusted at the beginning of each fiscal year to an amount equal to one-half of the cost of the least expensive Government-wide high-option insurance plan. This is a reasonable limitation. The budget people could estimate with some degree of accuracy in advance the amount of money necessary to pay additional costs arising from more expensive hospital and doctor bills. There would be a ceiling necessarily imposed because the Government would not pay more than one-half of the cost of either Blue Cross-Blue Shield or Aetna, whichever offered the least expensive "high option" plan. That dollar amount would be the Government's contribution to any plans offered locally or by a Federal employee organization. This would avoid any "blue sky" competition to see who could offer the most health insurance.

We started well ahead of the pack in 1959 when we created the health insurance plan. Today we are no longer out front. Although the Federal program is broad and offers some of the best health insurance plans available, it is not better than some plans in private industry and it is substantially more expensive for the employees than larger employers in the private sector of the economy offer. It is time to catch up.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1772) to provide that the Federal Government shall pay one-half of the cost of health insurance for Federal employees and annuitants, introduced by Mr. McGEE, (for himself and Mr. BURDICK), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1773—INTRODUCTION OF FAIR SHARE TAX ACT

Mr. HART. Mr. President, today I introduce the Fair Share Income Tax Act of 1969. For many years I have been concerned that our income tax laws placed a heavy burden on those of small and modest means while at the same time providing the more affluent with special ways by which they can reduce—even escape—their tax load. These special provisions have made a mockery of the proposition that most citizens thought had been built into our tax structure, namely, that the more you earn the more income tax you pay.

Former Treasury Secretary Joseph W. Barr, testifying before the Joint Economic Committee earlier this year, made an eloquent plea for reforms in our income tax system when he said:

> Our income tax system needs major reforms now, as a matter of importance and urgency. That system essentially depends on an accurate self-assessment by taxpayers. This, in turn, depends on widespread confidence that the tax laws and the tax administration are equitable, and that everyone is paying according to his ability to pay.
>
> We face now the possibility of a taxpayer revolt if we do not soon make major reforms in our income taxes. Revolt will not come from the poor but from the tens of millions of middle-class families and individuals with incomes of $7,000 to $20,000, whose tax payments now generally are based on the full ordinary rates and who pay over half of our individual income taxes.
>
> The middle classes are likely to revolt against income taxes not because of the level or amount of the taxes they must pay but because certain provisions of the tax laws unfairly lighten the burdens of others who can afford to pay. People are concerned and, indeed, angered about the high-income recipients who pay little or no Federal income taxes. For example, the extreme cases are 155 tax returns in 1967 with adjusted gross incomes above $200,000 on which no Federal income taxes were paid, including 21 incomes above $1 million.

Secretary Barr spoke with deep conviction founded upon his experience as one of the Nation's leading fiscal officers. Since the date of his testimony before the Joint Economic Committee, January 17, 1969, we have heard and read much on the probabilities of income tax reform. A study is now being conducted by the House Ways and Means Committee which, hopefully, will result in meaningful and comprehensive reform. We also hear reports that the Nixon administration may delay implementing any tax reforms until 1971.

Certainly, there is no doubt that some of the areas marked out for reform will require additional thorough study to determine their effect on the Nation's economy. However, there are questions upon which we can all agree and in which reforms should be implemented as soon as possible.

The bill I introduce today, Mr. President, is, I believe, one of those upon which there can be a general agreement. What I propose is that we insure that those best able to pay income taxes do, in fact, pay income taxes. This, as my bill details, can be done by the imposition of a minimum tax. Stated simply, the proposal amends the Internal Revenue Code to provide new tax tables for those who under the existing law, by taking advantage of such provisions as the allowances for depletion, depreciation, and capital gains, have only minimum tax liability, or no tax liability at all. The rates would vary as they do now ranging from 7 to 35 percent. In addition, there is a provision for a minimum corporate income tax.

Mr. President, passage of this bill will not remove all the inequities in our present tax structure. It does not affect several defects, the correction of which I have supported in the past and will continue to support. For instance, it does not ease the burden of those with children in college, a matter which the distinguished Senator from Connecticut (Mr. RIBICOFF) has dealt with in previous Congresses, and one on which I expect to support him again in the near future. It does not increase personal exemptions from $600; it does not exclude as gross income the first $5,000 of civil service retirement; it does not provide head-of-household benefits to certain single persons; it does not modify the oil depletion and capital gains allowances—all of these changes which I support.

Passage of my proposal, Mr. President, is intended to accomplish one simple result: to insure that those with the ability to pay would in fact pay their fair share of income taxes. It would be a start toward improving and perfecting the income tax structure, one of our country's strongest assets. The other changes which I have cited and which equity requires should be incorporated in the comprehensive reform being developed in the House Ways and Means Committee and adopted as promptly as possible.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1773) to amend the Internal Revenue Code of 1954 to impose a minimum income tax, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on Finance.

S. 1774—INTRODUCTION OF DESIGN PROTECTION ACT OF 1969

Mr. HART. Mr. President, I introduce, for appropriate reference, today the proposed Design Protection Act of 1969. The purpose of the legislation is to provide effective protection for original ornamental designs from unauthorized copying.

The need for the legislation has been established in hearings before the Patents Subcommittee of the Committee on the Judiciary. The legislation was approved by the Senate in previous Congresses but has been unsuccessful in the House of Representatives. In this Congress a number of bills similar to the one I propose have been introduced in the House, and it is hoped that they will be favorably considered. It is my belief that the equity of this proposal will again result in favorable action by the Senate.

S. 1776—INTRODUCTION OF A BILL FOR THE ISSUANCE OF A SPECIAL POSTAGE STAMP IN THE HONOR OF THE LATE DR. MARTIN LUTHER KING, JR.

Mr. GRIFFIN. Mr. President, I introduce, for appropriate reference, a bill to authorize the issuance of a special postage stamp in honor of the life and service of the late Dr. Martin Luther King Jr.

In 1811, Thomas Jefferson said:

Politics, like religion, hold up the torches of martyrdom to the reformers of error.

In 1964, Martin Luther King said:

The Negro is willing to risk martyrdom in order to move and stir the social conscience of his community and the Nation.

To the shock and sadness of millions, Martin Luther King's risk became a reality on that fateful day a year ago.

Mr. President, Dr. King died so that others of his race might live in freedom.

To millions of Americans, he was the prophet of the Negroes' quest for racial equality, their voice of anguish, their champion for human dignity.

While I offer this legislation today to memorialize this great civil rights leader, the measure of the man and his movement is already memorialized by the fact that his crusade goes on with a new sense of urgency.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1776) to provide for the issuance of a special postage stamp in honor of the late Dr. Martin Luther King, Jr., introduced by Mr. GRIFFIN, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1779—INTRODUCTION OF A BILL FOR RELIEF OF BOGDAN BEREZNICKI

Mr. HART. Mr. President, the bill I introduce grants authority to the Foreign Claims Settlement Commission to reopen the claim of Bogdan Bereznicki for compensation for family property confiscated in Poland during World War II. This legislation is necessary to right the wrong he suffered as a result of an incorrect ruling by the Immigration and Naturalization Service for which there is now no administrative remedy.

Mr. Bereznicki first approached me in early May 1967 for help in appealing the decision of the Immigration and Naturalization Service that he had forfeited his citizenship by his service in the Polish Army. On the basis of the Immigration Service ruling, the Foreign Claims Settlement Commission was forced to deny his claim.

A series of court and administrative decisions relating to the supposed forfeiture of his citizenship led to a ruling that Mr. Bereznicki had, in fact, continuously been a citizen from the date of loss as required by the Claims Commission, but by this time the jurisdiction of the Commission had expired and it was unable to consider this new evidence.

While the bill does not presume to judge the merits of the claim, it does emphasize my conviction that equity requires that this lifelong citizen have the same consideration under the law as had other citizens who were unaffected by an erroneous decision by their government.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1779) for the relief of Bogdan Bereznicki, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1781—INTRODUCTION OF A BILL TO ALLOW DISABLED WORKERS TO RECEIVE BOTH SOCIAL SECURITY BENEFITS AND WORKMEN'S COMPENSATION

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a bill to repeal section 224 of the Social Security Act. This legislation will correct a serious inequity resulting from the Social Security Act by the amendments of 1965. Section 224 provides for reduction in social security insurance benefits payable to a disabled worker and his family who are receiving workmen's compensation. Presently, this restriction applies if the total monthly benefits of the two programs exceed 80 percent of his average current earnings before he became disabled.

The unfairness of this provision is further compounded by its application only to those persons who become eligible for disability insurance benefits after December 31, 1965. It does not apply to those who were already receiving these benefits.

As of December 1967, 9,965 disabled worker families, involving a total of 29,796 beneficiaries, were affected by this section of the act. The average monthly reduction in social security benefits for a disabled worker with no dependents was $53.57. The reduction for a worker with one or more dependents was $158.42. In some cases a worker's social security benefits have been totally eliminated due to receipt of workmen's compensation.

The total number of persons subjected to the workmen's compensation offset provision may not be large. However, the effect of this reduction of a beneficiary's monthly payment is significant.

It is my belief that this provision places an unjust burden upon our workmen injured on the job and their families. These workers have encountered a serious financial setback by loss of their ability to participate fully in the employment market and, therefore, loss of potential income.

It is possible that in some cases beneficiaries may receive excessive benefits if this section is repealed. But this would be preferable to the continuation of a policy that results in insufficient payments in the majority of cases.

Mr. President, I am pleased to have as cosponsors of this measure the Senator from Tennessee (Mr. BAKER), the Senator from West Virginia (Mr. BYRD), the Senator from Montana (Mr. METCALF), the senior Senator from Pennsylvania (Mr. SCOTT), and the junior Senator from Pennsylvania (Mr. SCHWEIKER).

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1781) to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

SENATE JOINT RESOLUTION 88—INTRODUCTION OF A JOINT RESOLUTION TO CREATE A COMMISSION TO STUDY THE BANKRUPTCY LAWS OF THE UNITED STATES

Mr. BURDICK. Mr. President, I introduce today legislation creating a Commission on the Bankruptcy Laws of the United States. A similar measure, Senate Joint Resolution 100, passed the Senate in the second session of the 90th Congress, but too late for the other body to act.

The purpose of the Commission envisioned by Senate Joint Resolution 100 was to "study, analyze, evaluate, and recommend changes to the Bankruptcy